

Bechoros – Simanim

פרק א – הלוקח עובר חמור

דף יא – Daf 11

1. A פטר חמור may be redeemed with anything for its value

Reish Lakish says that if one has a פטר חמור but has no *שה* with which to redeem it, *he redeems it for its value* with anything. The Gemara initially says that this cannot accord with Rebbe Yehudah, who says that a פטר חמור is forbidden in benefit based on the fact that *the Torah insisted that it be redeemed specifically with a sheep* (and nothing else). However, Ravina asks that the *halachah* follows Rebbe Yehudah in his arguments against Rebbe Shimon, and the anonymous Mishnah on Daf 9b follows Rebbe Yehudah. How, then, could Reish Lakish issue a ruling that does not accord with Rebbe Yehudah? Therefore, the Gemara concludes that even Rebbe Yehudah agrees that a פטר חמור can be redeemed for its value with anything, because *לא יהא חמור מן ההקדש – it should not be more stringent than hekdesch*, which can be redeemed for its value with anything. *ולא אמרה תורה – The Torah did not say to redeem it with a שה to be stringent with him; rather, it was to be lenient with him* (by allowing פדיון with a *שה* of lesser value).

2. Redeeming someone else's פטר חמור

Rav Huna says: *if one redeems his friend's firstborn donkey, it is redeemed*. The Gemara asks: *פדיונו לפודה – Does [the donkey] which he redeemed belong to the redeemer, or perhaps [the donkey] which he redeemed belongs to the original owner?* According to Rebbe Shimon's opinion, that the פטר חמור was always permitted in benefit, it is obvious that *הוא – it is the owner's property*, and one cannot acquire it by redeeming it. The question is according to Rebbe Yehudah's opinion, that it is forbidden in benefit before being redeemed. Is a פטר חמור similar to *hekdesch*, where the redeemed item belongs to whoever redeems it? Or do we say, *כיון דקני להו בביני וביני – since [the owner] owned it for difference in value between it and the שה*, it is not like *hekdesch*, and the owner would keep the donkey? A Baraisa obligates כפל – *double payment* for stealing a פטר חמור. Since stealing *hekdesch* does not obligate כפל, this proves that a פטר חמור is not like *hekdesch*, and the redeemed donkey belongs to the original owner.

3. Separating *terumah* and מעשר from produce purchased from an עב"ם

Rebbe Chanina said that if one purchased smoothed piles of טבל from an idolator, *he tithes them and they are his*, i.e., he may sell the *terumah* to a Kohen. He must separate *terumah* (etc.), because אין קנין לעובד כוכבים – *an idolator does not have land ownership in Eretz Yisroel for removing it from maaser obligations*. Still, they belong to him, because he can tell the Kohen: *דינא בהדיא – I come from the strength of a person with whom you could not litigate* (עב"ם). However, the Gemara eventually proves that *תרומה גדולה* separated from an עב"ם's produce *is* given to a Kohen. In contrast, *תרומת מעשר* taken from an עב"ם's produce need not be given to a Kohen: the Torah commands *Leviim* to take *terumas maaser* – *כי תקחו מאת טבלים שאתה לוקח מבני ישראל אתה מפריש מהן – when you take from the Children of Yisroel, which teaches: בני ישראל לבן only from tevel which you take from ישראל, you must separate terumas maaser and give it to the Kohen, but terumas maaser taken from an עב"ם's produce belongs to the maaser's owner.*

Siman – Stars (11 Stars in Yosef's Dream)

When the **star sticker collector** used some of his collection to redeem his פטר חמור because he didn't have a *שה*, he realized he had enough left over to redeem his friends as well, and was shocked to realize they were standing on a field belonging to an idolator that he had **plowed in the shape of a star** to remind the customers that even though they must give *תרומה גדולה* to a Kohen, they can keep *תרומת מעשר* they separated.

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3 things to remember

1. A **פטור חמור** may be redeemed with anything for its value
2. Redeeming someone else's **פטור חמור**
3. Separating **terumah** and **תרומת מעשר** from produce purchased from an **עכו"ם**

