

Bechoros – Simanim

פרק א – הלוקח עובר חמור

Daf 12 – יב – דף

1. What may be used for redeeming a פטר חמור?

The next Mishnah states that one may not redeem a פטר חמור with a calf, a חיה, a *shechted* animal, a *tereifah*, כלאים, or a כזי. Rebbe Eliezer allows using כלאים. In a Baraisa, בן בג בג derives these restrictions from a *gezeirah shavah* ("שה שה") from *korban pesach*. Several cases are considered for using as a redemption ש:

(1) May one redeem with a פקועה בן (fetus found in a *shechted* animal)? According to the Rabbonon, that it may be eaten without *shechitah*, is it considered בדיוקולא – *like meat in a basket* (and considered "a *shechted* animal"), or *since now it is alive and running about*, it is considered a "שה"? Amoraim debate this issue.

(2) One may not redeem with a נדמה – an animal which *resembles* a different species from its parents, according to the opinion which disqualifies כלאים.

(3) One may not redeem with פסולי המוקדשין – *disqualified korbanos*, because the Torah compares them to צבי ואיל – *a deer and a hart*, which cannot redeem a פטר חמור.

(4) פטר חמור purchased with produce grown during *shemittah* cannot redeem a definite פטר חמור, because it is forbidden as סחורה – using the *shemittah* animal for *business*. However, it can redeem a פטר חמור ספק.

2. Kohanim may not be trusted to redeem a פטר חמור

The Mishnah concluded that if the owner gave the פטר חמור to the Kohen without redeeming it, אין הכהן רשאי לקיימו – *the Kohen is not allowed to keep it at all unless he separates a sheep in its place* to redeem it. This accords with a Baraisa teaching that if a Yisroel has a פטר חמור in his house, and the Kohen says תנה לי ואני – *unless* [the Kohen] *redeems it in his presence*. Rabbah bar Avuha said: זאת אומרת נחשדו הכהנים על פטרי חמורים – *this is to say that Kohanim are suspected regarding firstborn donkeys*, that they might use them before redeeming them. Without Rabbah bar Avuha's statement, one might have thought this suspicion only applies לן דמיקרי – *where we have established that* [this specific Kohen] *is considered* suspect, but an ordinary Kohen is not suspected to use it before redeeming it. Therefore, he taught that all Kohanim are suspected, דמורה בה היתירא, – *because he may rationalize that it is permissible* for him to use it before redeeming it, since the ש will be his anyway.

3. If one designated a פדיון for the פטר חמור and it died

The next Mishnah states: if one designated a פדיון פטר חמור ומת – *if one designated a lamb for redemption for a firstborn donkey and [the lamb] died before being given to a Kohen*, Rebbe Eliezer says – *he is responsible for* [the lamb], כחמש סלעים של בן – *like one is responsible to replace the five selaim used to redeem his firstborn son if they were lost before the Kohen received them*. This is based on a *hekesh* with אדם בבור. The Chochomim say he is not responsible for the lamb, just as he is not responsible for replacing lost redemption money of *maaser sheni*. Rebbe Yehoshua and Rebbe Tzadok testified that the Kohen has no claim at all in such a case. If the donkey died before the lamb was given to the Kohen, Rebbe Eliezer says יקבר – *it should be buried*, and the lamb remains permitted to the Yisroel owner, since he holds the redemption is only completed when the Kohen receives the ש. The Chochomim say the donkey need not be buried, and the lamb is given to the Kohen.

Siman – Twelve Brothers

The **twelve brothers** who tried to redeem their פטר חמור with all sorts of invalid animals and refused to trust the Kohen to redeem it out of their sight, were saddened when the brother who designated a ש informed them that the ש died before reaching the Kohen.

דף יב | DAF 12

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3 things to remember

1. What may be used for redeeming a פטר חמור?
2. Kohanim may not be trusted to redeem a פטר חמור
3. If one designated a פדיון for the פטר חמור and it died

