

OVERVIEW of the Daf

1) Clarifying the Mishnah

The novelty of the Mishnah's summary line is explained.

2) Obligations that cannot be redeemed

A Beraisa adds to the Mishnah two more obligations that cannot be redeemed.

The reason why these three obligations cannot be redeemed is explained.

3) **MISHNAH:** The Mishnah begins with a list of items that cannot be used to redeem a firstborn son. The Mishnah also discusses one who writes a note to a kohen declaring that he owes the kohen five selaim. The last halacha relates to one who set aside money to redeem his son and then loses that money.

4) Redeeming a son with slaves and land

It is noted that the Mishnah does not follow Rabbi who maintains that one can redeem a son with slaves and land.

The Gemara explains the rationale behind Rabbi's opinion and then the rationale behind Rabanan's opinion.

Ravina unsuccessfully challenges whether Rabbi subscribes to the method of exposition ascribed to Rabbi.

Rabanan's response to this is recorded.

5) Redeeming with sacred property

The Gemara clarifies the halacha in the Mishnah regarding sacred property.

6) Writing a note of debt to a kohen

Ulla explains that Biblically when a father who wrote a note of debt to a kohen gives five selaim to a kohen his son is redeemed but it was Chazal who decreed against the practice.

A related incident is cited and the Gemara rules in accordance with the Mishnah's ruling.

7) Returning the redemption money to the father

A Beraisa is cited that teaches that the kohen may return the redemption money and relates that R' Tarfon would regularly return the redemption money.

The response of the Chachamim to this is clarified.

A related incident is cited.

8) Liability for lost redemption money

Sources that the father is liable for the lost redemption money are cited.

R' Pappa notes that the Mishnah presented the source that the father is liable for lost redemption money and puts these explanations into a different context.

9) **MISHNAH:** The Mishnah discusses some of the halachos of inheritance of a bechor. ■

Distinctive INSIGHT

Paying the five sela'im for the redemption at once or gradually

בזה אחר זה יצא

The Mishnah presented a case where a kohen could return the five sela'im which were given to him for the mitzvah of pidyon haben. A Beraisa is cited in the Gemara which also illustrates this halacha. The Beraisa begins with two cases of dividing the presenting of the five sela'im. If a father takes the five sela'im for redemption of his son and places it in front of ten kohanim at once, he has fulfilled his obligation and the mitzvah is complete. Similarly, if the father takes the five sela'im and gives them to one kohen one at a time, the mitzvah is fulfilled and his son is redeemed. Finally, the Beraisa teaches that once the kohen receives the money for the redemption of the first born, if he returns the money to the father, the mitzvah to redeem the son is fulfilled.

Rashi explains the first two cases of the Beraisa as presented above, where the first case is where the money was given to ten kohanim, but at one moment, whereas the second case is where the money was given to one kohen, but gradually. According to this, the final case of the Beraisa where the kohen returned the five sela'im is a continuation of the Beraisa's discussion where the father was now dealing with one kohen. Mahar"i Kurkos notes that this suggests that had the father not given the five sela'im to the ten kohanim at once, but instead paid the money gradually, his son would not be redeemed. We only validate the redemption that is done gradually when it is given to one kohen.

Yet, Rambam (Hilchos Bikkurim 11:7) and Tur (Y.D. 305) both write that the redemption is valid even if the money is given gradually to multiple kohanim. Bach explains that Rambam and Tur understood that the entire Beraisa is dealing with the father presenting the five sela'im to ten kohanim, and the lesson is that this is valid, whether the money is given at once or gradually.

Marahit Algazi notes that the wording of the Beraisa seems more coherent according to Rashi's understanding. If, according to Rambam and Tur, the Beraisa's first two cases are both referring to the same scenario of a father presenting money to ten kohanim, the Beraisa should have simply stated one phrase, i.e., "If the father gave money to ten kohanim, he has fulfilled his mitzvah whether he gave the money at once or gradually." But the Beraisa divides the cases into two parts, which suggests that the cases are distinct, one where the father gave money to ten kohanim, and the second where he gave money to one kohen. We would have to say that perhaps Rambam had a text which combined the first two cases into one.

Maharit Algazi explains that paying the five sela'im is only valid when the entire amount was set aside, but paid gradually. If the money was not designated, but the father paid in installments as he collected money, the redemption would not be valid. ■

*Today's Daf Digest is dedicated by Dr. and Mrs. Jeremy Simon
in memory of their father*

ר' חיים ראובן שלמה בן שבח אליעזר ע"ה

HALACHA Highlight

Dividing the redemption money

One after the other he has fulfilled his obligation

A Beraisa states that if a father gave the five selaim one after the other he has fulfilled his obligation. Rashi¹ explains that the Beraisa refers to a case in which the father did not give all five selaim to the kohen at once; rather he gave the kohen a selah at a time. Chasam Sofer² infers from the word **יצא** that the intent of the Beraisa is that if a father gives the kohen a selah at a time he has fulfilled his obligation only **בדיעבד** but l'chatchila he should give the kohen all five selaim at once. He explains that when the Torah insists on a particular quantity of something if someone divides that quantity into parts it is considered **חצי שיעור** – half a measure. Although it is true that once the parts combine the mitzvah was fulfilled, nevertheless, as in the case of mitzvos that involve eating it is preferable to eat the minimum quantity at once so too it is preferable for one to give a kohen all five selaim at once.

Pischei Teshuvah³ challenges Chasam Sofer from the halacha regarding the priestly gifts that are given to a kohen from a slaughtered animal (**זרוע לחיים וקיבה**). Shulchan Aruch⁴ rules that it is not required for one to give all three gifts to a single kohen and the owner can give many kohanim parts of these gifts

בזה אחר זה יצא

REVIEW and Remember

1. Is one responsible for pidyon haben money that becomes lost ?

2. What is the point of dispute between Rabbi and Rabanan ?

3. Why did Chazal decree that a bechor is not redeemed even after his father gives a kohen five selaim if he first gave him an I.O.U. ?

4. From which property does a bechor not collect a double portion ?

as long as each kohen receives a significant share. Accordingly, Pischei Teshuvah favors Chochmos Adam's ruling that the father can divide the five selaim amongst many kohanim and give each one a portion at a different time. As long as the father ends up giving a total of five selaim to kohanim for the redemption of his son the mitzvah is fulfilled. Accordingly, when the Beraisa uses the term **יצא** it did not intend in this case to imply that the ruling of the Beraisa is valid only **בדיעבד**. ■

¹ רש"י ד"ה בזה.
² שו"ת חתם סופר יו"ד סי' רצ"ו.
³ פתחי תשובה יו"ד סי' ש"ה סק"י.
⁴ שו"ע יו"ד סי' ס"א סעי' טו.
⁵ חכמת אדם כלל ק"נ סעי' ב'. ■

STORIES off the Daf

A Mother's Misjudgment

"בנכסי האם..."

Working out how much of one's assets to bequeath to each child can be very heart-wrenching. One must explore his innermost feelings and attain clarity regarding what one wishes to do with the money. But it is important to also make sure that one's will is halachically valid.

A certain widow who had only sons inherited the estate of her wealthy father after her husband passed away. As she got older she thought long and hard about what to do with the money and eventually came up with her own will.

She did not check to ensure that it was halachically valid, however.

In the will she wrote that she wanted to give her firstborn son double the money of her other sons—as the Torah prescribes—since she loves him so much and he deserves it. Regarding the rest of the children the document also used the language which implied she was giving them a gift. What's more, she left a certain small sum to tzedakah in the same language.

At first her bechor was thrilled to learn that he would be receiving twice as much money as his brothers, since normally a bechor does not receive a double portion of a mother's estate, only of a father's. But when one of his brothers pointed out that the will wasn't written in a manner that was halachically valid

the bechor thought long and hard about this difficulty. Eventually he thought he found a way around it. "Since our mother used the language of giving a gift, it seems to me that she meant that we should take halachic possession while she was still alive. If I am correct, the will is halachically valid."

But when this question reached the Kesef HaKodshim, zt"l, he disagreed. "If a mother's will was written in what is clearly a fundamental error, since she believes that her firstborn halachically receives a double portion of her assets as he would have from his father, the will is not valid. Even if it is written in a language which implies she is giving a gift it is invalid since it is clearly based on an error."¹ ■

¹ כסף הקדשים, חו"מ, סי' רפ"א ■