*22.8.14*
*124b (אמר ליה רב אחא בר רב לרבינא) → 126a (ומלוה שעמו פלגי)*

I אמימר's ruling regarding a בכור getting פי שנים of a loan – but not the רבית
- a *Story*: אמימר (from נהרדעא) came and taught that a בכור gets פי שנים of a loan, but not of the רבית
- b *רבינא*: Nahardeans are consistent, in re: dispute about the בכור's rights to collection of a debt
  - i *רבה (from פומבדיתא)*: if they collect land, he has פי שנים (due to שעבוד), not money (מלוה להוצאה ניתנה)
  - ii *ר"נ (נהרדעא)*: if they collect money, he has (that's what was lent); not land
- c *אביי*: challenge to each position (noting that the father's estate wasn't מוחזק in either land or money)
  - i *רבה*: just as money isn't the same as was lent; land wasn't the item lent
    1. *Additionally*: in case outlined below, רבה apparently supported position of חכמי א"י that if the grand-mother went ahead and sold, the sale is valid (see below) → the property of the לווה isn't considered in the possession of the heirs in advance
  - ii *ר"נ*: just as land wasn't lent, this money isn't the same as that which was lent
    1. *Additionally*: he had ruled that if heirs collect land for a debt owed their father and a בע"ח comes to them for a debt owed by their father, he may seize that land → the land was considered to be their property before they had seized it and was משועבד to the debt
- d *רבה*: defenses of both his and ר"נ's positions
  - i *רבה*: in case of the ruling of חכמי א"י, he was merely explaining how their approach would play out if the grandmother sold the property, but he didn't subscribe to their approach
    1. *The case*: man charged that his property go to his grandmother and after that to his heirs:
       - (a) *He had*: a(n only) daughter who was married and predeceased her husband (and the סבתא); after סבתא died, her widower came to claim the property
         - (i) *ר' הונא*: husband inherits – "to my heirs" means even "to my heirs' heirs"
         - (ii) *ר' ענן*: husband does not inherit – "to my heirs" means only to them, not to their heirs
         - (iii) *Ruling (חכמי א"י)*: follows ר' ענן but for a different reason
           1. *ר' ענן's reason*: "heirs" is only one step – even if he had a granddaughter, wouldn't inherit
           2. *חכמי א"י*: property is considered ראוי and a husband only inherits במוחזק
              - a. → ר' הונא must hold that a husband does inherit ראוי לבא לאחר מיתה (!?)
                - *i. Defense (ר"א)*: "and then אחריך":: "as of now" → daughter was מוחזקת
              - *b. רבה*: according to חכמי א"י, if grandmother went ahead and sold – valid sale

II Final rulings (ר"פ):
- a Husband does not inherit ראוי
- b בכור does not get פי שנים of property that is ראוי
- c בכור does not get פי שנים of a debt collected after father's debt, whether land or money was collected
  - i *However*: if the בכור was the debtor to the father/estate, he gets half of the second portion
    1. *Reaosn*: פי שנים is ספק, so the 2nd portion is ספק ממון המוטל בספק – and we split

 