31.1.10 12a (משנה ה) → 13a (סיום הפרק)

- I משנה ה parameters of legitimate שה for redemption
 - a Excluded: calf, חיה, slaughtered or טריפה, hybrid or כוי
 - i Attribution: to בן בג בג, who reads שה::שה (vv1-2)
 - 1 *Just as*: in re: קרבן פסח, all other animals are excluded, so too re: פדיון פ"ח
 - 2 Challenge: if so, why not require that it be male, a yearling and without מום
 - (a) Answer: מפרה (v1) expands but שה::שה serves to balance and limit in genus
 - ד' אליעזר. permits using hybrid (defined as "טבק) but disallows כוי (defined as ספק)
 - b If: he gave the מ"ח itself to the כהן, he may not keep it until a kid is designated in its place
- II Series of questions testing the parameters
 - a בן פקועה: per ב" (requires שחיטה), may certainly be used but per רבנן
 - i Lemma1: since mother's שחיטה is sufficient, it is as if it is already slaughtered and unusable, or
 - ii Lemma2: since it currently is alive, it is a "שה"
 - 1 Dispute: מר זוטרא disallows; רב אעשי allows
 - (a) בסח if infers from פסח, then should require male etc. but תפדה expands
 - (b) מר זוטרא. then what is the purpose of שה::שה if not to exclude
 - b הבנן animal that looks like a different kind): per רבנן may certainly be used, א"ז from רבנן but per רבנן
 - i Is it: similar to כלאים, or is it only real כלאים that are excluded
 - ii תוספתא. if a cow births a goat-like young, may not be used
 - 1 Implication: if a lamb births a goat-like young (נדמה), may be used
 - (a) Must be: per נדמה (per א"ר, even a כלאים may be used) → נדמה is permitted
 - (b) *Rejection*: it is ר"א, teaching that the host mother defines identity, not the young itself
 - iii בלאים. definition of כלאים is a ewe that birthed a goat-like young and the father is a lamb
 - 1 Challenge: this isn't כלאים it is נדמה it is
 - 2 Rather: this is "like" כלאים and רבנן equated it to כלאים
 - (a) Can't be: for קדשים, as it is excluded with same מדרש as כלאים (v3)
 - (b) Can't be: for בכור, as v4 sets up requirement that mother and young must be similar
 - (c) Can't be: for מע"ב, as that is parallel to תחת::תחת per החת::תחת
 - (d) Must be: for מדמה (→ is excluded)
 - (e) Rejection: is re מע"ב; in case where it has some סימנים like mother
 - (i) ש"ס we would infer תחת::תחת from קמ"ל, (valid), ל that we infer תחת::תחת from סד"א (excluded)
 - c מסולי המוקדשין erum'n may certainly be used (he permits הנאה from הנאה from הנאה erum'n may certainly be used
 - i Lemma1: since it is אסור, can't add another פדיון פ"ח) on the איסור, or
 - ii Lemma2: since the פריון doesn't transfer, it's just a method for removing the איסור → may be used
 - 1 Response (ידב מרי): why is it different from a חיה (עי5) may not be used → מסוה"מ may also not be used
 - (a) Observation: with that source, even שיש would agree

- d בהמת שביעית (bought with פירות שביעית): if he certainly owes it, unusable; פירות שביעית are only for eating, not business
 - i Question: applies to ספק (e.g. where his מבכרת had a M/F per ר' יהודה separates and keeps (per ש" does nothing)
 - ii Lemma1: since he keeps the טלה, considered לאכלה, or
 - iii Lemma2: since he cannot use the מ"ח without first designating and redeeming on this animal considered לסחורה
 - l Answer: ר' חסדא, ruled that it may not be used to redeem ספק, but may be used to redeem
 - 2 Tangent: ר"ח ruled that בהמת שביעית is exempt from לאכלה) not to be destroyed)
 - (a) But: is liable for מתנות as it is considered לאכלה
 - 3 Challenge: ruling that if someone eats from שביעית-dough before חייב מיתה was taken חייב מיתה
 - (a) However: if we consider that if it were to become אט, must be burned but לאכלה is לאכלה and not לשריפה and not
 - (b) Answer: v6 לדורותיכם expands to include עיסת שביעית
 - (i) Question: why not derive from there (to allow שביעית to be used for redemptions even at risk of שריפה)
 - (ii) Answer; in case of חלה, it is mainly used for eating; in case of מוב, much of it goes to אימורים) מזבח
- e Analysis of last line: נתנו לכהן...
 - i ב"ת has ישראל if a ישראל has חים in his house and כהן offers to take it and redeem it on his own
 - 1 Then: ישראל may not give it to him; but must redeem in front of ישראל
 - 2 Inference (הנים: כהנים are suspected of using פטרי חמור without redemption
 - (a) Note; this is an obvious implication from ברייתא
 - (i) But: we would think that only applies if we know him to be in violation
 - (ii) Inference: teaches that we must always suspect them as they rationalize
- III פטר חמור or redemption-kid if it dies
 - a ר"א. has liability towards כהן, akin to פדיון הבן
 - i יר"א א דב יוסף's reasoning from v7 pairing מיר"א א רב יוסף' ווייב באחריותו בכור אדם::בכור בהמה טמאה
 - 1 אביי if so, then he should be able to get האדם from the מ"ח (just as we do from בכור האדם).
 - (a) But: we see that א"ז doesn't allow for that, as he rules יקבר
 - (b) Proposal: יקבר doesn't prohibit הנאה, just that he must be buried like בכור אדם
 - (i) *Challenge*: all humans must be buried (not just בכור)
 - Additionally: ר"א requires designating שם for ספק פ"ח (→he prohibits הנאה, like והנאה, like)
 - (c) Rather: v7 limits comparison to פריון (חיוב אחריות), not היתר הנאה
 - b מע"ש money (that got lost) מע"ש money (that got lost)
 - i Testimony: of ר' יהושע ור' צדוק that if it dies, the כהן has no claim
 - c If: the מ"ח dies after redemption but before giving כהן to טלה
 - i פ"ח :ת"א must be buried, but טלה belongs to ישראל
 - ii מלה no need to bury (may get הנאה from מלה) but still goes to כהן
 - d Related ערכין ברייתא are judged based on the age of the נדר at the time of the נדר
 - i פדייון בכור after 30 days, of פ"ח immediately
 - 1 Challenge: there is no less than 30 days in פטר חמור מזירות, פדיון הבן מורכות, פדיון הבן and may be done forever
 - 2 *Answer1* (2"7): teaching that if he *did* redeem before 30 redeemed
 - 3 Implication: if he redeems his son before 30 days not redeemed? בנו פדוי ruled that בנו פדוי
 - (a) Defense: רבא all agree that if he redeemed retroactively invalid
 - (b) ברייתא it is immediate, but ברייתא teaches that if he waited up to 30 days not in violation
 - (c) עריפה he has 30 days to decide by then, must either redeem or perform עריפה
 - (i) Challenge: then language should reflect that choice
 - (d) רבנן 30 days is per אך... י"א (אר...), immediate is per רבנן (who don't read אר...)
- IV משנה priorities
 - a π'' 2. if he doesn't redeem must break its neck from behind with cleaver
 - b מ"ב. redemption takes precedence (and is preferred) to עריפה per v1
 - c יעוד is preferred and takes precedence to redemption (of the אמה עבריה) per v8
 - d מצוה is preferred and takes precedence to חליצה in earlier times when the לשם מצוה had intent לשם מצוה
 - i Now: without that intent, חליצה is preffered to ייבום
 - e בדיון הקדש: is preferred to be done by owner (adds מריון הקדש) per v9