

Bechor (firstborn) Inheritance

Ref: Sefer Mishpatim, Hilchot Nachalot, Chapter 2

The *bechor* receives a **double portion** of father's estate. To work this out 'add' 1 son to the family i.e. if father had 5 sons, *bechor* get $\frac{2}{6}$ and other 4 sons get $\frac{1}{6}$ each.

The *bechor* does not get a double portion of mother's estate. This is divided **equally**.

As far as inheritance is concerned, first born means that no child emerged from the womb alive, before him.

	<i>Bechor</i>	Explanation
First born son of father	✓	Inheritance relates to father's firstborn son
Firstborn son of a mother (with second marriages)	✗	
Born after death of father	✗	
Forehead emerged while father alive	✓	Considered the <i>bechor</i> , and the next child is therefore not a <i>bechor</i> .
Forehead emerged and baby was alive, and thereafter died. Then another son was born alive.	✗	
Son born, could not be identified as male, and then later by operation was discovered to be male	✗	Must be a "son" at moment of birth
Second son after stillborn	✓ This would not apply to <i>pidyon haben</i> . Only applies for inheritance.	To be a <i>bechor</i> , son must reach full term of pregnancy and be born naturally
Second son born after a premature baby who died	✓	
Son born by caesarean section	✗	
Second son after caesarean baby who survived	✗	
Gentile had son and then converted	✗	
Gentile had son, then converted, and then had another son	✗	
Jew had son from Gentile woman	✗	It is mother's son and is not Jewish
Jew had son from Gentile woman, then married Jewess and had a son	✓	New son considered as firstborn
First born son is a <i>mamzer</i>	✓	
Midwife says this is a <i>bechor</i>	✓	Only at time of birth

Mother says this is a <i>bechor</i>	✓	Only for first 7 days after birth i.e. until <i>brit</i>
Father says this is a <i>bechor</i>	✓	Always accepted