



Today's Daf In Review is being sent l'zecher nishmas Habachur Yechezkel Shraga A"H ben R' Avrohom Yehuda

Yevamos Daf Kuf Yud Ches

MISHNA

- If one wife says the husband died and the other says that he did not, the one who says he died may remarry and collects her kesubah, and the other may not.
- If one wife says he died and another says he was killed, **R' Meir** says, since they contradict each other, they may not remarry. **R' Yehuda and R' Shimon** say that since they both agree that he is no longer alive, they may remarry.
- If one witness says he died and another says that he did not die, or if one woman says he died and another says that he did not die, the wife may not remarry.

GEMARA

- **Q:** The Mishna seems to say that the co-wife may not remarry because she says the husband did not die. This suggests that if she had remained quiet she would be allowed to marry based on her co-wife's testimony. However, the previous Mishna said that a woman may not remarry based on her co-wife's testimony!? **A:** The Mishna is teaching that even though the second wife says he did not die, she herself may not remarry. We would think that the only reason she says that he did not die is to make her co-wife an agunah (even though she would land up in the same boat). We would think that if she therefore then changes her testimony and says that he did die, she too should be allowed to remarry. The Mishna teaches that she may not remarry even then.

ACHAS OMERES MEIS...

- **Q:** Why doesn't **R' Meir** argue in the first case as well? **A:** **R' Elazar** said that **R' Meir** does argue in the first case as well, and the Mishna states the view of **R' Yehuda and R' Shimon** in the first case. **A2:** **R' Yochanan** said, even **R' Meir** would agree that we do not believe the second woman in the first case, because her testimony that he did not die is not considered a contradiction, and the first woman is believed.
 - **Q:** The Mishna's last case says that when witnesses or women contradict, the wife may not remarry. According to **R' Yochanan** all should agree that we do not believe the second one and she should be allowed to remarry!? **KASHYEH.**

MISHNA

- If a woman went overseas with her husband, and she returns and says that he died, she may remarry and she gets her kesubah, but her co-wife may not. **R' Tarfon** says, even if the co-wife is a Yisraelis who married a Kohen, she may continue to eat terumah. **R' Akiva** says, although she may not remarry, she may also not eat terumah.
- If the woman says, my husband died and then my father in law died, she may remarry and get her kesubah, but her mother in law may not remarry. **R' Tarfon** says, even if the mother in law is a Yisraelis who married a Kohen, she may continue to eat terumah. **R' Akiva** says, although she may not remarry, she may also not eat terumah.

GEMARA

- The Mishna had to give the machlokes in both cases. If we would just say it in the first case, where the hatred between the women is based on physical suffering, we would say that over there the first wife's testimony is totally disregarded and the second wife may therefore continue eating terumah, but in the case of the mother in law, where the hatred was based on verbal suffering, maybe we believe her enough to prevent the mother in law from eating terumah. That's why we had to learn that **R' Tarfon** allows her to eat even there. For the same reason, if we would only say the second case, we would think that only there **R' Akiva** says she

may not eat terumah, but in the first case maybe he would agree with **R' Tarfon** that she may. Therefore, both cases are necessary.

- **R' Yehuda in the name of Shmuel** paskened like **R' Tarfon**.

MISHNA

- If a man gave kiddushin to one of 5 women, but does not remember to which one he gave it, and they all claim that they received the kiddushin, **R' Tarfon** says he must give a get to each woman and can then place one kesubah among them and walk away. **R' Akiva** says he must give a kesubah to each woman.
- If one steals from one of 5 people but does not know from whom he stole, and they all claim that he stole from them, **R' Tarfon** says he can leave the stolen object among them and walk away. **R' Akiva** says that he must repay each and every one of them.

GEMARA

- **Q:** The Mishna gives the case of where he gave kiddushin, but not where he had bi'ah with one of them. Also, it gives the case of where he stole from one of them, but not where he bought something from one of them. Our Mishna seem not to follow the **T"K** or **R' Shimon ben Elazar** of a Braisa. The Braisa says that **R' Shimon ben Elazar** says that **R' Akiva** and **R' Tarfon** only argue when he did kiddushin of bi'ah, but if other kiddushin was given, they both agree that he leaves one kesubah and walks away. Also, he says that they only argue when someone stole from one of 5 people, and not when someone bought something from one of 5 people. This means, that the **T"K** (who he argues on) must hold that they even argue regarding regular kiddushin and regarding when they purchase from one of 5 people. If so, our Mishna which says that they argue by regular kiddushin and by stealing follows neither view!? **A:** The Mishna follows **R' Shimon ben Elazar**, and when it says kiddushin, it means a kiddushin of bi'ah.
 - The case of kiddushin of bi'ah teaches that even though the bi'ah is only wrong on a Rabbinic level, **R' Akiva** still penalizes him that he must repay each person. The case of stealing teaches that even though an issur D'Oraisa was done, still **R' Tarfon** does not penalize the perpetrator.

MISHNA

- If a woman, her husband and their child went overseas and she returns and says that her husband died and then afterwards her son died, she is believed. If she says that first her son died and then her husband died, she is not believed to marry her yavam. However, we are concerned for what she said and she must get chalitza before remarrying.
- If a woman says she had a child with her husband overseas, but says that the child died and then her husband died, she is believed to marry her yavam. If she says that her husband died and that then the child died, she is not believed, and we require her to get chalitza.
- If a woman comes back from overseas and says that her mother in law had a son (who would be her yavam), but that her husband died and then the brother died, or if she says that the brother died and then the husband died, she is believed in both cases.
- If a woman, her husband, and his brother went overseas, and she comes back and says that my husband died and then his brother died, or she says that the brother died and then my husband died, she is not believed, because a woman is not believed to say that her yavam died and she is therefore allowed to marry someone else, and is not believed to say that her sister has died so that she may go and marry her sister's husband. A man is not believed to say that his brother died and that he can therefore go marry his wife, or to say that his wife has died so that he may now go marry her sister.

GEMARA

- **Q: Rava** asked **R' Nachman**, if one gives a get to his wife through a shliach in a situation where she stands to fall to yibum, do we say that since she hates her yavam the get is considered a good thing for her, and therefore the shliach is koneh for her (zachin l'adam shelo b'fanav), or do we say that since some women like their yavam, the get is considered to be a bad thing, and therefore the shliach cannot be koneh for her (ein chavin l'adam elah b'fanav)? **A: R' Nachman** said we see from our Mishna that some women like and some women hate their yavam (which

is why she is not believed to make herself fall to yibum or to get herself out of yibum). Therefore, we would not know if the shliach was koneh for her, and she must get chalitza but would not be allowed to do yibum.

- **Q: Ravina** asked **Rava**, if one gives a get to a shliach in a situation where the couple is in a state of fighting, is it considered a good thing for her or not? **A:** We find that **Reish Lakish** said, people feel it is important to be married, and the woman still rather be married in a fight than not married at all.

HADRAN ALACH PEREK HA'ISHA SHALOM!!!