



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

Yevamos Daf Tzaddik Gimmel

- **R' Nachman bar Yitzchak** gave a list of chachomim who held that a person may transfer something that is not yet in the world. The Gemara now shows where we find that each one on this list holds that way.
 - **R' Huna** – he says that if one sells the future dates of his tree, the seller may not back out of the deal once the dates begin to grow, because the sale of the future fruits was a valid sale.
 - **Rav** – we find that **R' Huna in the name of Rav** said, if one says to another, “The field that I am about to buy, I am now giving to you and should be yours retroactively from now”, it is a valid transfer.
 - **R' Chiya and R' Yannai** – it once happened that **R' Yannai** was expecting fruit to be given to him on Shabbos, when it would be too late to separate maaser from it, so he separated maaser from fruit he had in his house for the fruit that he expected would be given to him later on. **R' Chiya** told him that he acted properly when doing so.
 - **Rebbi** – we see that he says that if one purchases a slave, and prior to the purchase he writes a document for the slave that says, “When I purchase you, you are freed retroactively from now”, the slave goes out free.
 - **R' Meir** – he says in a Braisa that if someone give kiddushin and says that it should take effect after he or she converts or is freed from being a slave, or after his or her spouse dies, or after she gets chalitza, the kiddushin takes effect.
 - **R' Eliezer ben Yaakov** – he says in a Braisa that one can designate terumah from or for produce that is still attached to the ground if he says “When this produce grows to a third of its growth and I then cut it, it should be terumah”.
 - **R' Akiva** – he says in a Mishna that if a woman makes her earning assur with konam to her husband, the husband should annul the vow, just in case she ends up earning more than the amount that he is entitled to get from her, even though right now she does not make this amount.
- **Q:** They asked **R' Sheishes**, may a woman do yibum based on a single witness' testimony that her husband has died? Do we say that a single witness is believed because he wouldn't lie regarding something that will eventually become known, and the same should therefore apply here, or do we say that he is believed because the woman makes sure to check carefully before she remarries, but in this case where she knows and may be fond of the yavam, she is not likely to check as thoroughly, and therefore we do not allow it? **A:** He said, we can answer this from our Mishna. The Mishna says, if a woman was told that first her child died and then her husband died, and based on that she did yibum, and then 2 witnesses said the order of death was reversed, she must leave the yavam and any children they had are mamzeirem. Now, if she was originally told by 2 witnesses as well, there would be no reason to rely more on the second set of witnesses than on the first set. Also, the Mishna would have said that the children are a safek mamzer, not a definite mamzer. Rather, it must be that initially she was told by only one witness. Yet, had these later witnesses not come, we would believe that one witness. It must be that a single witness is believed for yibum as well.
 - **Another version** says that the question posed is easily answered that one witness is believed, since we find in a Mishna that even the woman herself is believed to say that her husband has died and she is therefore subject to yibum. The question that is a bit more complicated is whether a woman who should be subject to yibum may marry an outside man based on the testimony of a single witness (who says that the child died after the husband, or that the yavam died as well). Do we say that the witness is believed because he would not lie regarding something that will eventually become

known to all, or do we say that he is normally believed because a woman carefully checks before she remarries, but in this case she will not carefully check, because she at times hates the yavam? To that question, **R' Sheishes** brought the proof from our Mishna (as stated above) that a single witness is believed for yibum. However, the Gemara says that this proof is not good, because it may be that the original testimony was said by 2 witnesses as well. The reason we believe the second set more than the first is because the case is where the second set are hazama witnesses (they say the first set could not know the testimony they claim to know), and that is why they are believed over the first set. Therefore, there is no proof that one witness alone would be believed.