



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

Kesubos Daf Chuf Vuv

- A Braisa says, just as terumah establishes one as a Kohen, maaser rishon does as well. However, one who gets terumah under the auspices of Beis Din is not established as a Kohen.
 - **Q:** Maaser rishon belongs to the Levi!? **A:** The Braisa follows **R' Elazar ben Azarya**, who says that maaser may be given to a Kohen as well.
 - **Q:** He says it may *also* be given to a Kohen, not that it may *only* be given to a Kohen!? **A:** It is referring to the time after Ezra penalized the Leviim and said that maaser must be given *only* to a Kohen.
 - **Q:** How can we establish a Kohen based on his getting maaser? Maybe the person happened to give it to a Levi (even though he shouldn't have based on Ezra's penalty)? **A:** **R' Chisda** said, the case is where a person's father was a Kohen, but there were rumors that this person's mother was a divorcee or a chalutza. If he then gets maaser, we can establish him as a proper Kohen, because maaser would not be given to one who is not a proper Kohen or a Levi.
 - **Q:** If getting terumah under Beis Din doesn't create a chazaka, what will? **A:** **R' Sheishes** said that the case is where a son of a Kohen is rumored to have a mother who was a divorcee or chalutza, and this son then took a share with his brothers of the terumah of their father's estate, under the auspices of Beis Din. Such a taking does not establish him as a proper Kohen.
 - **Q:** This seems obvious!? **A:** We would think that since the other brothers will eat the terumah we should assume that this one will as well (proving that he is a valid Kohen). The Braisa teaches that we don't assume that, because it may be that he takes this share to sell the terumah to a valid Kohen.

R' YEHUDA OMER EIN MAALIN L'KEHUNA AHL PI EID ECHAD...

- **Q:** **R' Shimon ben Gamliel** seems to be saying the same thing as **R' Elazar**!? We can't say that they argue with regard to how many people need to testify to be considered a "rumor", because **R' Yochanan** said that all agree that a rumor has no effect unless it is made by 2 people!? **A:** The case is where the son of a Kohen was rumored to come from a mother who was a divorcee or chalutza, and based on that Beis Din demoted him from his status as a Kohen. Then a single witness came and said the person was truly a valid Kohen, and Beis Din reestablished him based on that. Then 2 witnesses came and said that his mother was a divorcee or chalutza, and Beis Din again disqualified him. Then a single witness came and said he is a valid Kohen. All agree that we may combine the testimony of the 2 single witnesses, thereby creating 2 witnesses. The issue is whether we would do that and embarrass Beis Din by making them promote him again. **R' Elazar** says we do not promote him again, for that reason, and **R' Shimon ben Gamliel** says we do promote him, and we are not concerned for the embarrassment of Beis Din.
 - **Q:** **R' Ashi** asked, **R' Elazar** should even hold this way if the 2 witnesses came together and there were 2 against 2!? **A:** **R' Ashi** said, it must be the machlokes is whether we can combine the two single witnesses as being a pair of witnesses – **R' Elazar** says they are not combined, and **R' Shimon ben Gamliel** says they are combined. We find this is a machlokes among Tannaim in a Braisa as well.

MISHNA

- If a woman is imprisoned by goyim based on a monetary matter, she remains mutar to her husband. If they imprisoned her because of a capital crime, she is assur to her husband (we are concerned that she ultimately was mezaneh with them willingly, and thereby becomes assur to her husband).

GEMARA

- **R' Shmuel bar R' Yitzchak in the name of Rav** said, if she is imprisoned on monetary matters she is only mutar if the Yidden rule over the goyim. However, if the goyim rule, they fear nothing and we must be concerned that they will be mezaneh with her even then, and she may ultimately be mezaneh willingly and would therefore be assur to her husband.
 - **Q: Rava** asked, a Mishna says that a Jewish girl was pledged to goyim in Ashkelon for a loan (and given to them when the loan was not repaid). Her family stayed away from her as if she was violated, even though witnesses testified that she was not violated. The **Chachomim** said to the family, if you believe the witnesses to say that she was given over to goyim, you must believe them that she was not violated, and if you don't believe she was not violated, you shouldn't believe that she was given over to goyim. Now, Ashkelon is a place where the goyim rule, and yet the Mishna suggests that we would only be concerned when she was pledged (and therefore given over willingly), but not when she was imprisoned against her will. This would mean that a woman imprisoned for a monetary matter against her will is assumed not to have been violated, even when the goyim rule!? **A:** The Mishna's ruling would be the same if she was imprisoned against her will, but the story as told in the Mishna happened where she was pledged.
 - **Another version of Rava** is that he brought the Mishna as a proof, that presumably without witnesses we would assume that she was violated whether she was pledged or imprisoned against her will. The Gemara says that it is not a proof, because it may be that the case of where she is pledged is treated differently.
 - **Others** bring this Mishna as a contradiction to our Mishna, and **R' Shmuel bar R' Yitzchak** answers the contradiction by saying that our Mishna is discussing where the Jews rule and that is why for a monetary matter we need not be concerned that she was violated, and the other Mishna is discussing where the goyim rule, which is why we are concerned.

AHL YIDEI NEFASHOS ASURAH

- **Rav** said this refers to the wives of thieves who are hanged, and therefore people are very free to violate their wives. **Levi** said this refers to the wives of murderers.
 - **Chizkiya** said this is only once they were actually sentenced to death. **R' Yochanan** said this is even if they were not yet sentenced to death.