



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

### Kesubos Daf Ayin Vuv

- **R' Ashi** explained the difference between the first 2 cases of our Mishna (why the chazaka of the girl's body does not help in the first case but helps in the second case). In the first case when she is still an arusah the money of the kesubah would go to her father, and her chazaka can't help for her father. In the second case it is after nissuin, in which case she keeps the money herself, and therefore her chazaka helps.
  - **Q: R' Acha the son of R' Avya** asked, a Braisa says that **R' Meir** says the father would have to bring proof even after nissuin if the mum is of the type that was likely there before as well. According to what **R' Ashi** said, the chazaka should help and no proof should be needed!? **A: R' Meir** is referring to a mum like an extra finger, which was clearly with her from birth. The proof that the father must bring is that the husband was aware of it and accepted it anyway.
- **R' Yehuda in the name of Shmuel** said, if 2 people are making a deal, whereby they will trade a cow for a donkey, and the donkey owner did meshicha on the cow, and they then find that the donkey is dead before meshicha can be done on it, the donkey owner must prove that the donkey was alive when meshicha on the cow was done, and this concept is taught by our Mishna regarding the bride.
  - **Q:** Where do we see this concept in our Mishna? It can't be from the case when the girl is still living by her father, because in that case he must prove to take money from the husband, whereas **Shmuel** is discussing bringing proof to keep the cow that is already in his possession!? **A: R' Abba** said, it is the case in the Mishna of after nissuin. In that case the husband must bring proof to keep the money that is in his possession.
    - **Q:** This case is also different than **Shmuel's** case, because in the Mishna the husband brings proof against the chazaka of the girl, whereas in **Shmuel's** case he must bring proof to support the chazaka that the donkey was alive!? **A: R' Nachman bar Yitzchak** said, he is referring to the case of the arusah living in her father's house, who he says must bring proof to keep the money that he received for the kiddushin. This is like **Shmuel's** case where the man must prove that the donkey was alive to keep the cow that is in his possession.
      - **Q:** A Braisa says, if an animal is shechted and is found to be a treifah, and we don't know if it was purchased by the butcher already being a treifah (in which case he deserves his money back) or if it happened after the purchase (in which case he doesn't deserve his money back), the Halacha is that "hamotzi meichaveiro alav haraya". This means that if the butcher already paid, he would have to prove his case in order to take the money back. Now, according to what we just said, according to **Shmuel** the seller of the animal should have to bring a proof in order to keep the money that he got!? **A:** The Braisa is discussing where the butcher did not give the money, so the Braisa is therefore saying that the seller must prove his case in order to get the money.
      - **Q:** That would mean that the Braisa is stating that the butchers always buy on credit and therefore it is always the seller who is looking to collect payment. Why must we say this is so? **A: Rami bar Yechezkel** said, what **Shmuel** actually said is that in whoever's reshus the safek arose, it is he who would have to bring the proof, and he said that this is stated in our Mishna regarding a bride.

- **Q:** The Gemara again asks from the case of the butcher. If the butcher did not give the money the seller would have to bring proof to collect. According to what **Rami bar Yechezkel** said, since the safek arose in the reshus of the butcher, it is he who should have the burden of proof!? **A:** The Braisa is discussing where the butcher gave the money, so it is he who must bring proof to get it back, just as **Rami bar Yechezkel** says. This makes sense, since people do not typically transfer possession of the animal until payment is made.

VACHACHOMIM OMRIM BAMEH DEVARIM AMURIM B'MUMIN SHEBSEISER

- **R' Nachman** said, a woman who gets seizures is considered to be a case of a mum in an unexposed part of the body.
  - The Gemara says, this is only true if the seizures happen at set times, so that she can plan to keep them from becoming public knowledge. However, if they do not come at set times, they are considered to be like an exposed mum, because it is certain that people are aware of her condition.