



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

### Kesubos Daf Pey Aleph

GEMARA

- **Q:** Who is responsible to bury a shomeres yavam who died? Is it the heirs of the husband, because they inherit her kesubah, or is it the heirs of the father, because they inherit her melog properties? **A: R' Amram** said, a Braisa says, that when a shomeres yavam dies, the heirs who inherit her kesubah are obligated to bury her.
  - **Abaye** said, we learned this in a Mishna as well, which says that the orphans are not obligated to bury the widow, but the heirs who inherit her kesubah are. The only widow who has 2 sets of heirs is a shomeres yavam, and the Mishna says that the yavam is the one who must bury her.
    - **Q: Rava** asked, why can't the yavam say, I am inheriting the kesubah from my brother, not his wife, and as such I should have no obligation to bury her!? **A: Abaye** said, we tell him, if you are considered to be inheriting your brother, you must fill his obligation to bury his wife, and if you do not bury his wife, you must pay her kesubah.
      - **Q: Rava** said, I meant to ask that the yavam should say, I have no obligation to pay the kesubah, because she died during my lifetime as I was waiting to do yibum, and a kesubah is not paid during the life of the husband!? **A: Abaye** said, **B"S** is the shita that says that we darshen the language of the kesubah to say that it is not payable during the life of the yavam, and **B"S** is also the view that says that a debt awaiting collection is considered to be collected. This means that they would hold that the yavam is inheriting from the yevama. If so, he has an obligation to bury her.
      - **Q:** How could **Abaye** have said that if he does not bury her he should have to pay the kesubah? She is not entitled to her kesubah until she is allowed to marry others!? **A: R' Ashi** said, the yavam is considered "others" for this purpose.
        - **Q: Rava** asked **Abaye**, a Braisa says that **Sumchos** says that if a yavam wants to free up and sell the assets of his brother, he should divorce her and remarry her, so that the other assets are no longer pledged for her kesubah. Now, if the kesubah can be collected during the yavam's lifetime, why can't he just designate assets in the amount of her kesubah and free up the remaining assets? **A: Abaye** said, our Mishna says that a yavam may not designate a particular asset for the yevama's kesubah. Why can't he designate one asset and free up the rest? It must be that a kesubah is not payable while the yavam is alive.
          - **Rava** said, it may be that the Mishna is giving good advice to prevent the possibility of having to write a new kesubah.
- It once happened that a yevama fell to more than one brother. The younger brother sought to give her a get and thereby prevent the older brother from doing yibum. The older brother asked him, you want to do so to make sure that you share in the brother's estate. I will share the estate with you. **R' Yosef** said, since a yavam may not sell his brother's estate (because it is

pledged to the kesubah), this deal is not valid. **Abaye** said, we find that the **Rabanan** allowed transactions to be valid b'dieved even though they were not allowed l'chatchila. Here too, it may be that it will be valid b'dieved. The Gemara brings other Amora'im, some who followed **R' Yosef** and others who followed **Abaye**.