



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

### Kesubos Daf Pey Beis

- A yevama fell to 2 brothers. The younger brother wanted to give her a get (to prevent the older brother from doing yibum). The older brother said, you are doing so to prevent me from inheriting the estate. There is no need to do that, because I will split the estate with you. The younger brother said, I will not be fooled like the brother in the previous case (where this split was not upheld as being valid). The older brother said, I will do better than in that case, because I will allow you to make a kinyan on half the estate before the yibum takes place, and in that way the transfer will be valid after the yibum. **Mar bar R' Ashi** said, although we find that **R' Dimi in the name of R' Yochanan** said that one can make a kinyan now for it to be effective later, that will not work in the case of the yibum, because it is not his until after the yibum and he therefore doesn't have the power to give it away until then.
- They asked **Ulla**, if the yavam did yibum and then gave part of the estate to the other brothers, what would the Halacha be? He said, it would be an invalid transfer. They then asked, what if he divides the estate and then does yibum? He answered, it would again be an invalid transfer.
  - **Q: R' Sheishes** asked, if they were told that the transfer was invalid when done after the yibum, why would they even ask when it was done before the yibum? **A:** These were 2 actual incidents that took place, and weren't just questions that were posed.
  - **Ravin in the name of Reish Lakish** paskened like this as well. The Gemara paskens like this as well.

### V'CHACHOMIM OMRIM PEIROS HAMECHUBARIM L'KARKA SHELO

- **Q:** Since the produce attached the ground has the status of the land, it should be pledged for her kesubah along with the rest of the assets of the first husband!? **A: Reish Lakish** said, change the word of the Mishna to state that it belongs to "her".

### K'NASA HAREI HEE K'ISHTO

- **R' Yose the son of R' Chanina** said, the Mishna means to teach that at this point he can divorce her with a get and remarry her.
  - **Q:** It seems obvious that she would need a get!? **A:** We would think that the pasuk of "v'yibma" teaches that she always keeps the status of a yevama and would require chalitza if they want to end the marriage.
  - **Q:** It seems obvious that he could remarry her!? **A:** We would think that after doing the mitzvah of yibum she once again becomes assur to him as an eishes ach. A pasuk therefore teaches that she remains mutar as any other wife.

### BILVAD SHETIHEY KESUBASA AHL NICHSEI BAALAH HARISHON

- The reason is that this is not a wife of choice, but is rather a wife that was forced on him from Heaven. However, if the first husband had no money the yavam must give a kesubah from his own assets so that it not be without financial consequence and therefore easy for him to divorce her.

### LO YOMAR LAH HAREI KESUBASEICH

- **Q:** The Mishna says "the same" would hold true for a regular wife. Why would we think she should be treated any different than a yevama in this respect? **A:** A regular husband writes in the kesubah that any assets acquired in the past or that will be acquired in the future are pledged to the kesubah. Therefore, even if he designates an asset, we would think that she doesn't get worried that something may happen to that asset and prevent her from collecting. Therefore, the Mishna teaches that even in that case it should not be done.

#### GEIRSHA EIN LAH ELAH KESUBASAH

- This suggests that the yavam may not sell his brother's assets unless he actually divorces the yevama and pays her kesubah. This follows **R' Abba**.

#### HECHZIRA HAREI HEE K'CHOL HANASHIM V'EIN LAH KESUBASAH

- The Mishna needs to teach that this is so even in the case of a yavam, where the first kesubah was not written by him at all.
- **R' Yehuda** said, initially the husband's assets were not pledged for the kesubah, and that caused women not to want to get married. Therefore, **Shimon ben Shatach** came along and said that all of a husband's assets are pledged for the kesubah.
  - A Braisa says this as well. It says originally the husband's assets were not pledged for the kesubah. They then instituted that the kesubah money should be separated and deposited with the girl's father, but that caused for an easier divorce (since he had no use for that money it didn't bother him to pay the kesubah). They then instituted that the money be separated and placed in the husband's house, but that still allowed for easier divorce (since the money was already separated). **Shimon ben Shatach** therefore came along and said that all the husband's assets are to be pledged for the kesubah.

**HADRAN ALACH PEREK HA'ISHA SHENAFU!!!**