



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

Kesubos Daf Tzaddik Vuv

**PEREK ALMANAH NIZONES -- PEREK ACHAD ASSAR**

MISHNA

- A widow is supported from the property of the orphans. Her earnings are given to them, and they are not obligated to bury her when she dies. The heirs who inherit her kesubah are obligated to bury her.

GEMARA

- **Q:** Does the Mishna mean to say that "if" a widow is supported by the orphans, meaning that it is not absolutely obligated, or is the Mishna read as saying a widow is supported by the orphans, meaning that it is an absolute obligation? **A:** We find that **R' Zeira in the name of Shmuel** said that the finds of a widow belong to her. Now, if our Mishna means that the support of the widow is an absolute obligation, how can it ever be that her finds are kept by her alone? Just as the husband supports her and get her finds, when the orphans support her they should also get her finds!? **A:** It may be that it is an absolute obligation. Still, she keeps her finds. The only reason a husband gets the finds of the wife is to prevent hard feelings. We don't care if the orphans have hard feelings towards the widow, and therefore don't require her to give her finds to them.
- **R' Yose bar Chanina** said, a widow must do for the orphans all the tasks that a wife must do for a husband, except for preparing their wine, making the beds, and washing their faces, hands, and feet.
- **R' Yehoshua ben Levi** said, any task that a slave does for his master, a talmid must do for his rebbi, except for untying his shoes (so that people not think the talmid is an actual slave and therefore not permitted to marry a Jew).
  - **Rava** said, this is only true in a place where people don't know the talmid. If they do, he must even untie the shoes for the rebbi.
  - **R' Ashi** said, even if they don't know him, if he is wearing tefillin he must untie the shoes for the rebbi, because no one will mistaken him as being a slave.
- **R' Elazar** said, if a widow seizes movable property for her support, we don't take it away from her. A Braisa says this as well. **R' Dimi** reported a story that showed this as well.
  - **Ravina** said, this is true when she seizes for support. However, if she seizes moveable property for her kesubah, we do take it away from her.
    - **Q: Mar bar R' Ashi** asked, why should the support obligation be treated differently than the kesubah obligation in this respect? They both are only collectible from real property, so why should they be different?
    - **R' Yitzchak bar Naftali** said to **Ravina**, **Rava** has said like you as well.
- **R' Yochanan in the name of R' Yose ben Zimra** said, if a widow waits two or three years without making a claim for support, she loses her right to make such a claim.
  - **Q:** If she loses the right after waiting 2 years, surely she loses the right after 3 years!? **A:** A poor woman loses her right after 2 years. A wealthy woman loses her right after 3 years (she has money to support herself for a longer period of time). **A2:** A woman who is more shy and embarrassed can wait up to 3 years before losing her right. A woman who is less shy and embarrassed loses the right after 2 years.
    - **Rava** said, when we say she loses her right we mean with regard to collecting for retroactive support. However, she can always make a claim for future support.

- **Q: R' Yochanan** asked, if the orphans say they gave money for support and she claims that she never took money, who bears the burden of proof? Do we say that the property of the estate is considered to be in the possession of the orphans and the widow must therefore prove to take from them, or is the property in the possession of the widow, and the orphans must therefore prove their claim? **A:** A Braisa taught by **Levi** says that as long as the widow has not remarried the burden of proof is on the orphans. Once she remarries, the burden of proof is on her.
  - **Q: R' Simi bar Ashi** said, maybe we can say that this is a machlokes among Tanna'im in a Braisa. The Braisa says, **R' Yehuda** says a widow may sell her husband's properties and should identify in the sale which ones she is selling for her support and which ones are for her kesubah. **R' Yose** says she may sell them without any detailed explanation. We can say that **R' Yehuda** holds that she has the burden of proof, and must therefore provide the explanation of identification, and **R' Yose** says that the orphans have the burden of proof, and she therefore need not provide any explanation? **A:** It may be that all agree that she is considered to be in possession and the burden of proof is therefore on the orphans, and **R' Yehuda** is just advising her to explain her actions so that she not look like she sold everything for her support, because she needs to eat so much. **A2:** We can also say that all agree that the burden of proof is on the widow. The reason **R' Yose** says that she need not identify the properties is that by doing so it allows her to claim that all the sales were for her support, and thereby allow her to get those fields back from the buyers for her kesubah obligation.