



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

Kesubos Daf Tzaddik Zayin

- **Q:** How does a widow go about selling her husband's property? **A: R' Daniel bar R' Katina in the name of R' Huna** said, she sells properties once a year (to produce enough income for the entire year), but the purchaser pays her in equal monthly installments. **R' Yehuda** said, she sells enough property for 6 months' worth of support, and the purchaser pays her in equal monthly installments.
 - There is a Braisa that says like each view.
 - **Ameimar** said, we pasken that she sells enough property for 6 months' worth of support, and the purchaser pays her in equal monthly installments.
 - **Q: R' Ashi** asked, what about the view of **R' Huna**!? **A: Ameimar** said, I do not agree with that view.
- **Q:** They asked **R' Sheishes**, if a woman sold her husband's properties for her support, may she then go and take them back from the buyers for her kesubah payment? The Gemara explains, they asked according to the view of **R' Yosef**, which says that when a widow sells the property, the guarantee obligation is on the orphans. The question is, do we say that when she is the one who takes it from the purchasers as well, or do we say that in that case she would have to bear the obligation? **A: R' Sheishes** said, a Braisa says that a woman may sell the properties and leave over a little bit from which she can collect her kesubah. We see that she must get her kesubah from the leftover land, and not from the sold land.
 - **Q:** Maybe the Braisa is just giving her good advice, so that she is not looked at as someone who goes back on their actions? **A:** The Braisa had said that the leftover land "acts as a surety" for her. This verbiage suggests that she only collects from the leftover land.
- **Q:** If someone sold property because he needed to raise money, and it turned out that he did not need to raise that money, can he rescind the sale? **A:** We find that a person once sold land to **R' Pappa** because he needed the money, and when it turned out that he did not need the money **R' Pappa** returned the land to him.
 - It may be that **R' Pappa** did not have to return it, but did so and went beyond the letter of the law.
 - **A:** It once happened that people sold their houses to afford food in a time of hunger and high food prices. When food prices dropped soon after (so the money from the sales wasn't needed anymore) **R' Nachman** told the purchasers to return the houses.
 - In that case the sale was made in error, because at the time of the sale the boats with the food were already near the port. This is different than the case in the question where something happened *after* the sale to make the sale unnecessary.
 - The Gemara paskens, if one sold land because he needed the money, and then ultimately did not need the money, the sale may be rescinded.

MISHNA

- A woman who is a widow from eirusin or nissuin may sell her husband's properties without having to go to Beis Din. **R' Shimon** says, if she is widowed from nissuin she may sell outside of Beis Din. However, if she is widowed from eirusin, she may only sell with Beis Din, because she has no rights to support, and any woman who has no right to support may only sell properties in Beis Bin.

GEMARA

- **Q:** Why does the **T”K** allow a widow from eirusin (who has no right to support) to sell outside of Beis Din? **A: Ulla** said, we do that so that women will not be discouraged from marrying because of the difficulty of collecting a kesubah. **R’ Yochanan** said, we do this because a man does not want his wife to have to embarrass herself by going to Beis Din.
 - The difference between these reasons would be a divorced woman. According to **Ulla** we would let her sell outside of Beis Din. According to **R’ Yochanan** we would not.
 - **Q:** The Mishna coming up soon says that a divorced woman may only sell the properties in Beis Din. This is problematic according to **Ulla**? **A:** This Mishna follows **R’ Shimon** who is not concerned for either reason (and only allows sale outside of Beis Din when the sale is for support, not for her kesubah).
 - **Q: R’ Shimon** already gives his view in the last Mishna that when selling for a kesubah she must go to Beis Din!? **A:** We would think the case of the arusah (in the previous Mishna) is different than the case of the divorcee (in the next Mishna), because since the arusah never lived with her husband, the fact that she is made to go to Beis Din will not prevent women from wanting to get married. However, if a divorced woman, who did live her husband before the divorce, is made to go to Beis Din, that would discourage women from marriage.
 - **Q:** When the Mishna says “any woman who has no right to support” must sell the property in Beis Din, that presumably comes to include the case of a divorcee. Why does the next Mishna need to repeat that if it is also the view of **R’ Shimon**? **A:** That verbiage in our Mishna comes to include the case of a questionable divorce from the eirusin. **R’ Zeira** said, that in such a case the husband is obligated to support the woman. **R’ Shimon** is teaching that if the husband dies at that point, there would be no support obligation on the orphans.
 - **Q:** A Braisa says, just as a woman may sell properties for her kesubah payment outside of Beis Din, her heirs that inherit her kesubah may do the same. According to **Ulla**, they should have to sell in Beis Din!? **A: Ulla** will say that the Braisa is discussing where a woman is her heir, and as such we don’t want the woman to have to go to Beis Din, because it may discourage her from getting married.

MISHNA

- If a woman sold all or a part of her kesubah, or pledged all or a part, or if she gave away all or a part, she may only sell properties for the remaining amount in Beis Din (because her previous actions make her lose her right to support). The **Chachomim** say that she may sell off her kesubah in 4 or 5 pieces and still may sell properties outside of Beis Din for her support (they hold she is still entitled support even after selling pieces of her kesubah). When she sells the property she should write that she is selling it for her support.
- A divorcee may only sell her husband’s properties in Beis Din.

GEMARA

- Our Mishna follows **R’ Shimon**, who says in a Braisa that if a woman sells or pledges even part of her kesubah, she loses her right to support.
 - **Q:** This would seem to suggest that **R’ Shimon** says that having part of the kesubah is not considered as having the whole thing. However, regarding a bogeres, **R’ Shimon** says in a Braisa that the fact that she has part of her besulim makes it as if she has the entire besulim and she is therefore allowed to marry a Kohen Gadol. We see that he holds that partial is considered whole!? **A:** Regarding the bogeres he holds that way based on a drasha of the pasuk. However, when there is no pasuk in play, he says that logically, partial is not considered to be whole.