



Daf In Review – Weekly Chazarah

Maseches Kesubos, Daf טו – Daf עב

Daf In Review is being sent l'zecher nishmas R' Avrohom Abba ben R' Dov HaKohen, A"H
vl'zecher nishmas Habachur Yechezkel Shraga A"H ben R' Avrohom Yehuda

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BOSHTA U'PEGAMA

- **Q: Rava bar R' Chanan** asked, how can the husband deserve to get paid when one embarrasses his wife? Does that mean that one should get paid when someone embarrasses his horse as well? **A:** A horse can't get embarrassed.
 - **Q:** If a person is spit at and the saliva reaches his clothing, he should get payment for embarrassment, and we have learned that this is not the Halacha!? **A:** A person is not embarrassed when someone spits on his clothing. A person is embarrassed when his wife is injured.
 - **Q: Ravina** asked, does this mean that a person's entire family should be paid when someone injures him, since they all get embarrassed? **A: R' Ashi** said, a family member is not considered part of one's body. A wife is considered to be part of one's body.

MISHNA

- If one promised money to his son-in-law as a dowry, and the son-in-law died, leaving his wife as a yevama to his brother, the **Chachomim** said that the father-in-law can say to the yavam, I only wanted to give the dowry to your brother, not to you.
- If the wife brings in a dowry of 1,000 dinars, he must pay her 1,500 dinars upon divorce or his death. If she brings in any other asset that has to be appraised, he takes off 1/5 of the appraised value when he returns it to her at termination of the marriage. However, if the assets were appraised at a maneh and they are truly worth a maneh, he has only a maneh.
- If the husband agrees in the kesubah that the assets are a maneh, she must gross that up to one and a quarter maneh, so that the amount less a fifth will be a maneh.

GEMARA

- A Braisa says, the father-in-law can refuse to give the dowry to the yavam even if the dead brother was an ahm haaretz and the yavam is a talmid chochom.

PASKA L'HACHNIS LO ELEPH DINAR...

- **Q:** The Mishna seems to repeat the same Halacha multiple times!? **A:** One is to teach that this is the Halacha for a large appraisal, one for a small appraisal, one for a case when the groom had the assets appraised, and one is for where the wife had it appraised.

MISHNA

- If the wife promises to bring in a dowry of money, her 4 dinars becomes 6 dinars that must be returned. The husband accepts upon himself to give 10 dinars for her perfume and cosmetics, for every maneh that she brings in. **R' Shimon ben Gamliel** says, everything is done according to the custom of the locale.

GEMARA

- **Q:** The previous Mishna already said that money is grossed up by 50%!? **A:** We needed to be taught regarding large sums (where the possibility for large profits exist) and separately regarding small sums (where there is little expense).

HACHOSSON MIKABEL ALAV ASARAH DINAR L'KUPAH

- **Q:** What is the "kupah" in the Mishna? **A: R' Ashi** said, it is a box of besamim that she uses.

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- **R' Ashi** said, when the Mishna says that he must give 10 dinars, that was only said for the people of Yerushalayim (where the woman uses besamim).
 - **Q: R' Ashi** asked, does he give 1/10 of the appraised amount or of the adjusted amount that he must give? Does he give it every day? Of every week? Of every month? Of every year? **TEIKU**.
 - **R' Yehuda in the name of Rav** said that the **Rabanan** gave the daughter of Nakdimon ben Guryon 400 dinars for besamim for each day.
 - A Braisa says, **R' Yochanan ben Zakai** once saw a girl collecting barley from among the wastes of animals of Arabs. She asked him to help support her and told him she was the daughter of Nakdimon ben Guryon. He asked her, what happened to all your father's money? She said, he didn't give tzedaka or do chessed. He asked her, where is all your father in law's money? She said, it was lost along with her father's money. **R' Yochanan** cried when he remembered that at her wedding she had brought in one million dinars just for her part of the dowry.
 - **Q:** We find that Nakdimon did give tzedaka!? **A:** Either he gave it for his own honor, or he didn't give as much as he should have.

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- **R' Shemen bar Abba in the name of R' Yochanan** said, if the wife brings gold into the marriage, it is appraised and is listed in the kesubah at the appraised price.
 - **Q:** A Braisa says that gold is treated like keilim. Presumably this means like silver keilim, which are listed at 1/5 less than their appraised price? **A:** The Braisa means gold is treated like keilim of gold, which are not decreased.
 - **Q:** If so, the Braisa should say that gold is treated like "its" keilim!? Also, a Braisa says, gold is treated like keilim, and gold dinars are treated like money. **R' Shimon ben Gamliel** says, in a place where people don't exchange them, we appraise them and they are listed at their appraised price. Now, if **R' Shimon ben Gamliel** is going on the case of the gold dinars, that would mean that the **T"K** holds that even where the dinars cannot be exchanged they are still given the status of money, but that would not make sense. It must be that he is going on the case of regular gold, and the **T"K** says they are treated like silver keilim, whereas **R' Shimon ben Gamliel** says they are treated like gold dinars that can't be exchanged, and are recorded in the kesubah at their appraised value. This would mean that **R' Yochanan** can't agree with the **T"K**!? **A:** **R' Shimon ben Gamliel** is discussing the case of the golden dinars, and the case is where the dinars can be spent with difficulty. In that case the **T"K** says we treat it as money (which we increase in value in the kesubah) and **R' Shimon** says that we only put it in at the appraised value. **A2:** We can say the entire Braisa is the view of **R' Shimon**, and at the end he is explaining the reason for his shita.
 - **Q:** We still have the question as to why it doesn't say "its" keilim? **A:** This remains a KASHYEH. **A2:** We can say that it refers to small pieces of gold that do get depreciated when handled. **R' Ashi** said it refers to gold dust.
- **R' Yanai** said that besamim of Antuchya are listed in the kesubah at a 50% markup, like money. **R' Shmuel bar Nachmeini in the name of R' Yonason** said that Arabian camels are given the status of money. **R' Pappi** said that certain clothing of Bei Michsi are given the status of money. He said the same is true for the sacks of Rudyah and the ropes of Kimchunya.
 - **Rava** said, initially I thought that women look to money bags of Mechuza as security for their kesubah. However, I then realized that they only look to land as security.

MISHNA

- If a man marries off his daughter without specifying an amount for the dowry, he should not give less than 50 zuz. If a father says that he will not be giving her any dowry, the husband should not say, I will give her clothing only once she begins to live in my house. Rather, he should clothe her even when she is still living by her father.

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- Similarly, once who is marrying off an orphan should not give her less than 50 zuz, and if the tzedaka fund has more money available, he should give a dowry that is befitting for one of her status.

GEMARA

- **Abaye** said, this refers to 50 zuz using the lower valued zuz. If not, the Mishna would not have said that if there is more money in the fund the orphan should get even more, because 50 zuz of the higher value zuz is an extremely significant amount of money.
- A Braisa says, if a boy and girl orphan come to the tzedaka fund for support, we first support the girl and then the boy, because it is more customary for a boy to have to go door to door to beg, than for a girl to do so. If a boy and girl orphan come for money to help them each get married, we first give the girl and then the boy, because a girl gets embarrassed more than a boy.
 - A Braisa says, if an orphan boy comes to the tzedaka fund for money to get married, we rent him a house, we give him all the bedding and furnishings that he needs, and then we marry him off.
 - A Braisa learns from a pasuk that we need to help a poor person, but we don't have to give him so much as to make him rich. However, the pasuk also teaches that we should even provide a horse for him to ride on and a slave to run in front of the horse if the person is of that status to require such. We find that Hillel Hazaken himself ran for 3 mil in front of a pauper who was of high status, when they couldn't find a slave to do so.
 - A Braisa says that the people of the Upper Galil bought for a poor man of high status a litra of meat every day.
 - **R' Huna** explained this to mean that they bought him a litra of fancy bird meat every day, or that the cost of the meat was a litra of coins. **R' Ashi** said that it was a small town and they would shecht an animal for him every day even though the rest would go to waste.
 - A pauper once went to **R' Nechemya** for food. The pauper was accustomed to eating fatty meats and old wine, but **R' Nechemya** had him join his meal of beans. The pauper died as a result.
 - A pauper went to **Rava** and asked to be fed fattened chicken and aged wine. **Rava** asked him, does it not bother you to have the community pay for your expensive taste? The pauper answered, the pasuk says Hashem gives each person his food in his time. At that very moment, **Rava's** sister, who he had not seen in 13 years came to visit him and brought him a fattened chicken and aged wine. **Rava** told the man to eat from this as it was clearly sent for him from Heaven.
- A Braisa says, if a man has no money but won't accept tzedaka, **R' Meir** says we give him money as a "loan" and then cancel the loan. The **Chachomim** say we give it to him as a gift and then as a loan.
 - **Rava** explains the **Chachomim** to mean that we first offer a gift. If he refuses, we offer it as a loan and then cancel the loan.

The Braisa continues, if a person has money but refuses to support himself, we give him money as a gift and then collect it back from him.

- **Q:** If we collect it from him he will never take again!? **A: R' Pappa** said, it means we collect it after his death.

R' Shimon says, if one has but refuses to support himself, we don't involve ourselves with him. If one does not have and won't accept tzedaka, we give him money and accept security in return so that he believes it is a loan.

- The Gemara brings a Braisa that learns from the pasuk of "haavet" that we give the person a loan and then cancel it, and from the pasuk of "taavitenu" that we give the other person a present and then collect it back from him after he dies.
- **Mar Ukva** would take 4 zuz every day and put it in the door of a certain pauper, without him knowing. One day the pauper decided he would wait to see who was leaving the money for him. That day, **Mar Ukva** was delayed in Beis Medrash. He then went with his wife to put the money in the door. When the poor man saw them going to the door he began to approach them. They ran away to keep their identity hidden. They went into an oven that was empty but was still burning hot. **Mar Ukva's** feet began to burn, so he put them onto his wife's feet, which did not burn. He felt bad that he was missing some zechus. She explained that she gives the poor people food instead of money, which makes it easier for them to benefit, and that was why her feet did not burn.

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- It was necessary for them to even risk running into this oven, because we have learned that one is better off going into a fiery furnace rather than to embarrass another person. We learn this from Tamar.
- **Mar Ukva** would send 400 zuz every Erev Yom Kippur to a particular pauper. One year he sent it with his son. His son returned with the money and said this pauper clearly doesn't need the money, because he is using aged wine to give fragrance to his house. **Mar Ukva** said, if this person has such expensive habits, I must give him even more to support himself. He doubled the money and sent it to the pauper.
- When **Mar Ukva** was dying, he looked at his tzedaka ledger and saw that he gave a tremendous amount of tzedaka. Still, he then said that half his money should be given to tzedaka.
 - **Q:** How could he do so, when we have learned from **R' Illai** that they instituted in Usha that one should not give more than 1/5 of his assets to tzedaka!? **A:** That is only during his lifetime, so that he not become poor. It doesn't apply to after one's death.

-----Daf ןװ--68-----

- **R' Abba** would put money in a pouch over his shoulder. The poor people would then take money without being seen by **R' Abba**.
- **R' Chanina** would give 4 zuz to a certain pauper every Friday. He once sent it with his wife. She brought the money back to him and said they don't need it because she heard them discussing whether they should eat on silver or gold. **R' Chanina** said, **R' Elazar** said that we should thank such a person, because such fakers are what allow us to hold back from giving tzedaka and not be punished for it.
 - A Braisa says, if one fakes a condition or fakes poverty to try and collect from tzedaka, he will ultimately suffer from the condition that he faked.
- A Mishna says, we do not require a pauper to sell his house or the keilim he uses in order to have money.
 - **Q:** A Braisa says that one must sell his more expensive keilim and buy cheaper ones in order to avoid poverty!? **A:** **R' Zvid** said, the Braisa is discussing things like a bed or table. The Mishna is discussing things like cups and plates, which one can say that cheaper ones would be disgusting to him.
 - **Q:** Why can't he say that a cheaper bed will also be disgusting to him? **A:** **Rava the son of Rabbah** said, the Braisa requires him to sell things like a silver plow for a cheaper one. Other keilim need not be sold. **R' Pappa** said, the Mishna is discussing before Beis Din begins to sell assets to return unlawful gains. The Braisa is discussing where Beis Din is already involved with that.

MISHNA

- If an orphan girl is married off by her mother or her brothers with her consent, and they wrote her a dowry of 100 or 50 zuz, when she becomes an adult she can get from them what is truly befitting for her. **R' Yehuda** says, if the father had married off an older daughter while he was still alive, we should give a dowry to the daughter married after his death in the same amount as he gave to the older daughter. The **Chachomim** say that sometimes a person gets more money or less money, so we appraise the estate and give the next daughter the appropriate amount based on that.

GEMARA

- **Shmuel** said, to determine how much of a dowry to give an orphan, we assess how much the father would have given if he was still alive.
 - **Q:** A Braisa says that we "support" a daughter based on the estate, and not based on what we think the father would have given. Presumably this refers to a dowry!? **A:** The Braisa refers to regular support for the girl, for her eating, drinking, and clothing.
 - **Q:** In our Mishna the **Chachomim** said that since at times a person's financial status changes, we give the dowry based on the estate. This can't refer to actual financial status, because if he gets poor he can't give the same dowry as when he was rich. It must refer to where he became "poor" (i.e stingy) in his giving, and still we don't worry about what he would give and instead give based on the estate, which is

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not what **Shmuel** said!? **A: Shmuel** will follow **R' Yehuda** in our Mishna, who says we follow what the father would have wanted.

- **Q:** Why doesn't he just say that the Halacha follows **R' Yehuda**? **A:** If he would have said that, we would think that the Halacha only follows him when the father had actually married off a daughter already. He therefore teaches that the reason is based on the theory that we assess what the father would have wanted to give. Therefore, we would do so even if the father had not yet married off a daughter. The **Rabanan** say that we don't follow an assessment of the father's will, even if he had already married off a daughter.
- **Rava** asked **R' Chisda**, can I say in your name that the Halacha follows **R' Yehuda**? He said, I wish all such great statements would be said in my name.
 - **Q:** A Braisa says that **Rebbi** says, that a daughter who is being supported by her father's estate gets a tenth of the estate for her dowry, and **Rava** paskened like **Rebbi**? **A: R' Yehuda** was talking about a case when we could assess the father's will, and **Rebbi** was talking about a case where that was impossible to do.
- The Braisa just quoted, brought the shita of **Rebbi**. The Braisa continues that they said to **Rebbi**, this would mean that if a person had 10 daughters, his sons would get nothing!? **Rebbi** said, we would take a tenth for the first daughter, a tenth of what is left for the second daughter, and so on. We would then take all those tenths, pool them together, and the daughters would then split the pool.
 - **Q:** How do they pool it when they each already took their dowry when they married? **A:** If they were getting married at the same time, they split the pool.
- A Braisa says, **Rebbi** says, orphaned girls who get married, whether already a bogeres or not yet a bogeres, lose their support from their father's estate, but continue to have the right to their dowry. **R' Shimon ben Elazar** says, if they are a bogeres they also lose the rights to a dowry. Therefore, they should see to get married before becoming a bogeres.
 - **R' Nachman** said that **R' Huna** told him that the Halacha follows **Rebbi**.
 - **Q: Rava** asked **R' Nachman**, our Mishna says that a minor can later go back and get her proper dowry when she becomes an adult. This suggests that an adult cannot, which is not like **Rebbi** said!? **A: Rebbi** is referring to where the girl protested at the time of her marriage, which showed that she is not giving up her rights to a proper dowry. The Mishna was discussing a case where she did not protest.
 - **Ravina** said to **Rava** that **R' Ada bar Ahava** has said in your name that an orphaned girl who became a bogeres does not need to protest to keep her rights to a dowry. If the orphan got married as a naarah she also need not protest. If she became a bogeres and then got married, that is when she must protest.
 - **Q: Rava** just above stated that our Mishna suggests that only a minor doesn't lose her dowry, and he then said that anyone older than a minor (even a naarah) must protest!? **A:** If she is being supported from the estate, she need not protest. If she is not, she must protest to retain her rights to her dowry.
- **R' Huna in the name of Rebbi** said, an orphan's dowry is not like something given as a stipulation in the kesubah.
 - **Q:** What is meant by this? If it means that for a dowry we can collect from encumbered properties and for stipulations of the kesubah we do not, that is something that happens all the time and is obvious!? It can't mean that a dowry may be collected from moveable assets whereas a stipulation in the kesubah may only be collected from land, because **Rebbi** says in a Braisa that both of these may be collected from moveable assets!? **A:** What **Rebbi** meant is, as is stated in a Braisa, that if one says he doesn't want his daughters supported by his estate, we don't listen to him. However, if he says he doesn't want his daughters getting a dowry from his estate, we do listen to him, because a dowry is not like a stipulation in the kesubah.

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-----Daf װׁ--69-----

- **Rav** sent a letter to **Rebbi**, and in between the lines he asked the question, whether a sister may collect a dowry from the fields of the estate that were “encumbered” by the brothers. When **Rebbi** received the question, **R’ Chiya** asked him, does he mean to ask when the brothers sold the field or when they pledged the field? **Rebbi** said, it would make no difference. In either case, a dowry may be collected from them, but regular support may not.
 - **Q:** Why wasn’t **Rav** clear when he asked? Why didn’t he ask either regarding where it was sold or where it was pledged? **A:** **Rav** figured that by being unclear in the way that he was, he would get both cases answered.
- **R’ Yochanan** agrees on **Rebbi** and says that even a dowry may not be collected from encumbered properties.
 - **Q:** Did **R’ Yochanan** not hear that **Rebbi** had said different, and if he would have heard he would not have argued, or did he know what **Rebbi** said and still argued? **A:** We have learned that **R’ Yochanan** said that if a person leaves over 2 daughters and a son, and the first daughter gets married and takes 1/10 of the estate as her dowry, and the son then dies, when the second daughter gets married she does not get a 1/10 dowry, because the estate will be evenly split between the two girls. **R’ Chanina** said to **R’ Yochanan**, if a girl can collect a dowry from a field that was sold, she should surely be able to collect from her sister even if the estate is split! Now, from the fact that **R’ Yochanan** did not answer back and ask – who says that a dowry is collected from sold properties – it must be that he knew that **Rebbi** said so.
 - **Q:** It may be that he did not know, and had he known he would have agreed. The reason why one daughter would not collect from the other daughter may be, because once she gets half the estate we feel she has plenty of money and need not get a separate dowry.
 - **Q:** **R’ Yeimar** asked, if so, when a girl finds something of value she should also not get a separate dowry, because she has enough money!? **A:** **R’ Ashi** said, in the case of the splitting of the estate the money she has comes from the estate, so she is not entitled to more from the estate. The find does not come from the estate, and as such will not effect the amount that she is entitled to get from the estate.
 - **Ameimar** said, a daughter is considered to be an inheritor of 1/10 of the estate for her dowry. **R’ Ashi** asked, do you mean to say that the brothers could not remove her stake in the land by giving her money? **Ameimar** said, yes. They may not give her money in place of the field, and may not even move her from one field to another.
 - **R’ Ashi** said, a daughter is considered to be a creditor of 1/10 of the estate for her dowry.
 - The Gemara says that **Ameimar** eventually held this way as well, since we find that he was once silent when brothers said to their sister, if we had money for your dowry we would force you out of the field.
 - **Q:** Is she considered to be a creditor of the father or of the brothers? The difference would be that if it is of the brothers, she can collect from the average quality land and need not swear, whereas if it is of the brothers as heirs of the father, she only collects from the inferior land and must swear to collect? **A:** We find that **Ravina** allowed **R’ Ashi’s** daughter to collect from his sons from average land without swearing.
 - **R’ Anan** sent **R’ Huna** a message, addressing him without a proper title, and telling him that when a particular woman comes to him he should help her to collect 1/10 of her father’s estate for her dowry. **R’ Huna** was upset that he was not properly addressed and sent a sharp message back to **R’ Anan** in return.
 - **Rava** paskens that money for support, for a wife’s kesubah, and for a daughter’s dowry are all only collected from real property, and not from moveable property.

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- If a father gives money to a trustee to buy a field for his daughter for a dowry, and the daughter tells the trustee, I trust my husband, give him the money and let him buy the field – **R' Meir** says the trustee should not listen and must follow the instructions given by the father. **R' Yose** says, once she gets the field she can sell it if she wants, so if she is asking for the money, we just give it to her.
- This is only so for a daughter who is an adult. If a daughter is a minor, we don't listen to her at all.

GEMARA

- A Braisa says, if one gives money to a trustee to buy a field for his daughter, and she tells the trustee to give the money to her husband, **R' Meir** says if she already entered into nissuin he should listen to her, if she had only entered into eirusin, the trustee should not listen to her. **R' Yose** says, if she was an adult, he should listen to her, if she was still a minor he should not.
 - It can't be that the difference between their views is a minor who had already entered into nissuin and **R' Meir** would say that we listen to her, because our Mishna says that "the act of a minor is nothing", and that must have been said by **R' Meir**, because **R' Yose** said we listen to her since she can anyway sell the field, but a minor can't sell a field so we wouldn't listen to her. There would be no reason for **R' Yose** to repeat that and make the statement that "the act of a minor is nothing". Based on this, the difference between the views would be a girl who was an adult and had only entered eirusin. According to **R' Meir** we would not listen to her, and according to **R' Yose** we would.
 - **R' Yehuda in the name of Shmuel** said that the Halacha follows **R' Yose**, and **Rava in the name of R' Nachman** said that the Halacha follows **R' Meir**.
- A Mishna says that younger children (around the age of 8 or 9) are able to make valid purchases and sales of moveable property.
 - **Rafram** said, this is only when an administrator was not appointed for them. We see this in our Mishna, where a trustee was appointed and the Mishna says that "the act of a minor is nothing".
 - **Q:** Maybe a trustee (who is appointed for a specific task) is different than a general administrator, and the Mishna therefore can't be a proof? **A:** If that was true, the Mishna would have said "the trustee should do as he was told". From the fact that the Mishna says "the act of a minor is nothing", this teaches that even if there was an administrator the minor's act would be meaningless.

HADRAN ALACH PEREK METZIYAS HA'ISHA!

-----Daf 70-----

PEREK HAMADIR -- PEREK SHEVI'I

MISHNA

- If one makes a vow prohibiting his wife to benefit from him (financially) for up to 30 days, he must set up a person to see to her support. If the vow was for longer than 30 days, he must divorce her and pay her the kesubah. **R' Yehuda** says, if he is a Yisrael, this is the case. However, if he is a Kohen, we don't force the divorce unless the vow is for more than 2 months.
- If one makes a vow (he confirms a vow made by his wife) prohibiting his wife from eating a particular fruit, he must divorce her and give her the kesubah. **R' Yehuda** says, if he is a Yisrael, then if the vow is for one day he should keep her as a wife, but if it extends into a second day he must divorce her and pay the kesubah. If he is a Kohen, then if the vow is even for 2 days he should keep her, but if it extends to a third day he must divorce her and pay the kesubah.
- If one makes a vow prohibiting (he confirms a vow made by his wife) a certain perfume for his wife, he must divorce her and pay her kesubah. **R' Yose** says, in the case of poor women, he only must divorce her if the vow had no time limit. In the case of wealthy women, he only must divorce her if the vow went beyond 30 days.

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GEMARA

- **Q:** How can a husband vow not to financially benefit his wife when he is obligated to do so!? We find that a Mishna says that if a wife vows not to financially benefit her husband, he need not annul the vow since she is obligated to give him her earnings! The same should be with a vow of the husband!? **A:** Since a husband has the ability to tell his wife that she should keep her earning and he will not support her, by him making the vow it is as if he has said so, and that is why it takes affect.
 - **Q:** We find that **R' Huna in the name of Rav** said, that a wife may tell her husband, I do not want your support and I will keep my own earnings. Based on this, when a woman makes the vow in the Mishna quoted above, the husband should have to annul the vow, because it should be as if she said this as well!? It must be that our Mishna is discussing where he *actually* said to her that she should keep her earnings and will not be supported. If so, why does he need to set up a person to see to her support? He has no obligation to support her in that case!? **A:** The Mishna is discussing where she does not earn enough to support herself.
 - **Q:** If she can't support herself then he is obligated to support her, and we are back to the original question!? **A:** **R' Ashi** said, the case is where she has enough to support herself for the staple necessities, but not enough for some luxuries.
 - **Q:** If she is accustomed to these luxuries, then he is obligated to give them to her and can't make such a vow!? If she is not accustomed to them, why does he need to set a person to see that she gets these items? **A:** She was accustomed to them in her father's house, but never demanded them from her husband as long as they were living together. Now that he made this vow, she refuses to go along without them. Therefore, he must set up a person to see that she gets these items. The reason why the vow may be made for 30 days is because up until 30 days people would not hear of the vow and she would not be embarrassed because of it.
 - **A:** We can also say that the vow was made while she was an arusah, when there was not yet any obligation to support her.
 - **Q:** If so, why does he need to set up a person to see to her support (an arusah is not entitled to support)? **A:** The case is where the nissuin was delayed, in which case he must support his arusah.
 - **Q:** Why is it only allowed for 30 days? **A:** Beyond 30 days we are concerned that a messenger will not do his job, and the support will not be there.
 - **A:** We can also say that he made the vow when she was an arusah and they then entered nissuin. The vow takes affect, because it was made at a time when there was no obligation to support.
 - **Q:** If she entered nissuin with this vow in place, she has accepted him with this vow, so why can she force a divorce? **A:** She says, I thought I would be able to live with this vow, but I now see that I cannot.
 - **Q:** We only say that someone didn't fully appreciate living with the consequences of a situation when we are dealing with a mum, not with things like means of support!? **A:** We must use one of the previous answers.

AHD SHLOSHIM YOM YAAMID PARNAS

- **Q:** The appointed person is doing the husband's shlichus, so how is that permitted under the vow? **A:** **R' Huna** said, the husband announces, whoever provides for my wife will not lose by doing so. The person who does it is considered to be acting on his own, and is not a shliach of the husband.
 - **Q:** A Mishna says that when one who is trapped in a pit announces that whoever hears me should write a get for my wife, the person who hears may write and give the get to that person's wife. If it is considered a clear direction in this case, it should be considered so in the case of support as well!? **A:** In that case he gave the instruction "write". In this case he just says "whoever supports her will not lose".
 - **Q:** We find that **R' Ami** using this approach *only* to entice a goy to put out a fire on Shabbos. This suggests that it may not be used in our case of support!? **A:** That was meant to exclude using that approach to circumvent any other melacha on Shabbos, but not meant to exclude the case of support.

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- **Q: Rabbah** asked, a Mishna says that if one vowed not to benefit a friend, and that friend now has nothing to eat, the person may tell the local grocer, I am not allowed to benefit my friend so I don't know how to help him. The grocer may then provide for the friend and collect payment from the first person. Presumably it must be done in this way, because using the approach of "whoever supports her will not lose" is not allowed!? **A:** The case of "whoever supports..." will surely be allowed. The chiddush is that even the case of using the grocer is allowed, even though the parties know each other and it seems that he is almost using him as a shaliach.
 - The Mishna quoted by **Rabbah** continues, that the same approach may be used when the friend needs something built, and the person goes to workers that he knows and says the same thing. Also, if the 2 friends are travelling and the friend has nothing to eat, the first person may give food to a third person as a present, and he may then give it to the friend. If there is no third person, he may put food on the ground and declare it hefker, at which time the friend may then take the food. **R' Yose** does not allow this last method to be used.
 - **Rava** explained, **R' Yose** does not allow this, because although he is making it hefker, he is doing so only so that his friend should get it, and it therefore does not seem sincere.

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R' YEHUDA OMER B'YISRAEL CHODESH ECHAD....

- **Q: R' Yehuda** seems to be saying the same thing as the T"K? **A: Abaye** said, the difference is only in regard to when the husband is a Kohen. **Rava** said, the difference is when there is a month of 29 days – according to **R' Yehuda** this is the month, whereas according to the T"K he always has 30 days.
- **Rav** said, we only allow him to remain married when he specifically stated that the vow should be for 30 days. However, if he assigned no time limit, we make him divorce her immediately. **Shmuel** said, that even when he gave no time limit, we allow him to remain married for 30 days, because he may find a way to annul the vow within 30 days.
 - **Q: Rav and Shmuel** argued on this exact point regarding a vow that he would not have tashmish with his wife, so why the need to restate here as well? **A:** If we would only say the machlokes in that case, we would say only in that case **Rav** says he must immediately divorce her, because no one else can stand in his place and have tashmish with her. However, in the case of support he can appoint someone to support her in his place, and maybe **Rav** would therefore agree with **Shmuel**. If we would only say the case of support, we would think that **Shmuel** holds that way only there, because he can put someone in his place. Therefore, both cases are needed.
 - **Q:** Our Mishna said that if one vows to prohibit his wife from a particular fruit, he must divorce her immediately. According to **Rav** we can say that the case of support is where he gave a time limit, but in this case he did not, which is why he must divorce her immediately. However, according to **Shmuel**, why must he divorce her immediately? **A:** The case is where she made the vow and he confirmed it. Since she made the vow and is now demanding a divorce, there is no reason to think she will get it annulled, and that is why the divorce must take place immediately. We must say that **R' Meir** holds that since he confirmed the vow, he is considered to have caused it, and as such is responsible to pay her the kesubah.
 - **Q:** A Braisa brings a machlokes between **R' Meir and R' Yehuda** on the one hand, and **R' Yose and R' Elazar** on the other hand, where **R' Meir and R' Yehuda** say that even when a husband confirms his wife's vow of nezirus it is considered to be the wife that causes it and he may therefore divorce her without having to pay for her kesubah!? **A:** We must reverse the shitos.
 - **Q:** In our Mishna **R' Yose** says that he must divorce her and pay the kesubah, so it must be that he too considered him to be the cause when he confirms her vow!? **A:** It must be that it is **R' Meir and R' Yose** who are paired and hold that he is considered to be the cause and it is **R' Yehuda and R' Elazar** who are paired and hold that he is not considered to be the cause.

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- **Q:** In our Mishna **R' Yehuda** says that he must divorce her and pay the kesubah, so it must be that he too considered him to be the cause when he confirms her vow!? **A:** It must be that it is **R' Meir, R' Yose, and R' Yehuda** who hold that he is considered the cause, and it is only **R' Elazar** who argues and says that he is not at fault. **A2:** We can say that **R' Meir** holds that he is not considered to be at fault, and we will then say that our Mishna does not follow the view of **R' Meir**.
- **Q:** According to **Shmuel's** understanding, the Mishna's later cases are discussing where the wife made the vow and the husband confirmed them by not nullifying them. This would mean that **R' Yose** holds that the husband could have annulled the vow of a wife who vowed not to use perfume. However, in a Braisa **R' Yose** says that such a vow could not be annulled by the husband!? **A:** Our Mishna is referring to a vow that she will not use cosmetics that allow them to have tashmish. Such a vow may surely be annulled by the husband.
 - **Q:** This answer doesn't work according to **R' Ada bar Ahava**, who says that this vow could not be annulled by the husband!? **A:** The case is that she vowed not to use cosmetics and vowed that if she does she should be assur to have tashmish. This clearly affects the husband, and he would therefore surely be able to nullify it.
 - **Q:** Why can't she just not use the cosmetics and in that way remain mutar to the husband? **A:** People will begin calling her disgusting, so eventually she will use the cosmetics.
 - **Q:** If this is the case, why does the **T"K** say that she must get divorced immediately? Why don't we wait until she uses the cosmetics, and when she becomes assur he will have to divorce her within 2 weeks according to **B"S**, or within a week according to **B"H** (as in the Mishna earlier where he promised not to have tashmish with her)!? **A:** That is only true when he makes the vow, because she is not sure she wants to get divorced, because she thinks that he may calm down. However, when she made the vow and he didn't annul it, she sees that he really hates her and therefore can demand an immediate divorce.

R' YOSE OMER BA'ANIYOS SHELO NOSSAN KITZBAH

- **Q:** How much may the time limit be? **A:** **R' Yehuda in the name of Shmuel** said, 12 months. **Rabbah bar bar Chana in the name of R' Yochanan** said, 10 years. **R' Chisda in the name of Avimi** said, only until Yom Tov, because Jewish girls use cosmetics for Yom Tov.

U'VA'ASHIROS SHLOSHIM YOM

- **Abaye** explained, the reason for the 30 day allowance is because a cosmetic application continues to benefit the woman for 30 days.

MISHNA

- If a husband makes a vow prohibiting his wife to go to her father's house, if the father lives in the same city as them, he may stay married to her if the vow is for not more than one month. If it is for more, he must divorce her and pay her kesubah. If the father lives in another city, then if the vow was only for over one Yom Tov, he may remain married to her. If it was for over 3 Yomim Tovim, he must divorce her and pay her kesubah.
- If a husband makes a vow prohibiting his wife from going to a house of mourners or a wedding, he must divorce her and pay her kesubah, because he has "locked the door in front of her". However, if he made this vow because of "something else", that would be permitted and he need not divorce her.
- If the husband makes a vow on condition that she tell someone about a private thing that she had told her husband or a private thing that he had told her, or on condition that she "fill up and pour out into the garbage", he must divorce her immediately and pay her kesubah.

GEMARA

- **Q:** The Mishna speaks of a vow of one or 3 Yomim Tovim, but what is the Halacha if the vow included 2 Yomim Tovim? **A:** **Abaye** said, when the Mishna says that 3 would require an immediate divorce (which suggests that 2

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would not) it is following **R' Yehuda**, who allows the Kohen extra time before requiring a divorce. **Rabbah bar Ulla** said, a woman who is eager to go back to her father's house may demand a divorce even for a vow that includes 2 Yomim Tovim. Otherwise, she can't do so unless it includes 3 Yomim Tovim.

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HAMADIR ES ISHTO...

- **Q:** Prohibiting her from going to a wedding clearly has the aspects of “locking a door in front of her” (not allowing her enjoyment). However, how does that concept apply by not allowing her to go to a house of mourning? **A:** It is like a Braisa says, if he doesn't allow her to go console mourners, when she dies there will be no one who will want to mourn and eulogize for her.

V'IHM HAYA TO'EIN MISHUM DAVAR ACHER RASHAI

- **Q:** What is meant by “something else”? **A: R' Yehuda in the name of Shmuel** said, it means he prevents her from going there because unrefined people are there.
 - **R' Ashi** said, this is only if such people are established as being there, not just based on the husband's say-so.

V'IHM AMAR LAH AHL MENAS SHETOMRI

- **R' Yehuda in the name of Shmuel** said, this refers to something that would be embarrassing for the wife to repeat in front of that person.

OH SHETIHEI MIMAL'A U'ME'ARA L'ASHPA

- **R' Yehuda in the name of Shmuel** explained, this means that the husband is demanding that the woman should prevent herself from becoming pregnant after having tashmish. A Braisa says this means that he is demanding that she fill 10 pitchers of water and pour them out into the garbage.
 - **Q:** According to the reason of the Braisa, why can she demand a divorce? Why can't she just do what she is asked? **A: Rabbah bar Chana in the name of R' Yochanan** said, because it makes her look like she is insane.
 - **R' Kahana** said, if a husband makes a vow prohibiting his wife from borrowing or lending out utensils, she can demand a divorce, because not lending out things would bring her a bad name.
 - A Braisa says this as well.

MISHNA

- The follow women are divorced and do not get their kesubah paid:
 - A woman who does not follow the halachos in the Torah or the Jewish customs.
 - The “laws of the Torah” includes: feeding her husband produce that did not have maaser removed; having tashmish with him as a niddah; she does not remove challah when she bakes; she makes vows and does not fulfill them.
 - The “Jewish customs” include: going out with her hair uncovered; she spins in the marketplace; she speaks to every man; **Abba Shaul** says, also someone who curses his parents in his presence; **R' Tarfon** says, also a noisy woman who can be heard by her neighbors when she talks in her house.

GEMARA

- **Q:** If he knows that she gives him food without taking maaser, he should not be eating it, and if he does not know, how is he withholding kesubah payment based on that? **A:** She tells him that a particular Kohen took care of the maaser for her and he later finds out that she lied.
- **Q:** If he knows she was a niddah, he should not have had tashmish with her, and if he didn't know, he can rely on her say-so that she was not a niddah!? **A:** She claimed that she asked a shailah with a particular chochom and he later found out that she lied.

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- **Q:** If he knows that she gives him food without taking challah, he should not be eating it, and if he does not know, how is he withholding kesubah payment based on that? **A:** She tells him that a particular baker took care of the challah for her and he later finds out that she lied.
- It is very bad if the woman does not fulfill her vows, because we have learned based on a pasuk that children die for the sin of their parents not fulfilling their vows.
 - A Braisa brings a machlokes between **R' Meir** and the **Rabanan**. **R' Meir** says that if one's wife vows and is not fulfilling the vow, he should have her make the vow again in front of him and then annul it, to prevent her from not fulfilling the vow. The **Rabanan** say this is like living with a snake in a basket (she will eventually make another vow without him knowing and not fulfill it, causing his children to die).
 - There is a similar Braisa regarding a woman who does not take off challah. **R' Yehuda** says the husband should take challah so that he knows it is taken care of (and can't withhold her kesubah based on this). The **Rabanan** say, one cannot be expected to live with a snake in a basket...
 - The one who taught the second Braisa that the husband has to take care for himself will surely hold of the first Braisa, because it is a less common occurrence. The reverse may not be true.

V'EIZOHI DAS YEHUDIS YOTZA V'ROSHA PARU'AH

- **Q:** The requirement for a married woman to cover her hair is learned from a pasuk and is therefore D'Oraisa!? **A:** D'Oraisa a small covering is sufficient. D'Rabanan a more full covering is required.
 - **R' Assi in the name of R' Yochanan** said, there is no issur for a married woman to wear a small covering on her head. **Abaye** explained, this was said when she is going from one chatzer to another by way of a mavuy.

V'TAVA BASHUK

- **R' Yehuda in the name of Shmuel** said, this refers to where she bares her arms to people as she spins the wool. **R' Chisda in the name of Avimi** said, this refers to where she spins near her private area, calling attention to that area.

UMIDABERES IHM KOL ADAM

- **R' Yehuda in the name of Shmuel** explained, this refers to where she talks to the young men.

ABBA SHAUL OMER AHF HAMIKALELES YOLDAV B'FANAV

- **R' Yehuda in the name of Shmuel** said, this refers to a woman who curses the husband's parents in front of his children.

R' TARFON OMER AHF HAKOLANIS

- **R' Yehuda in the name of Shmuel** explained, this refers to a woman who speaks loudly when talking about tashmish.
 - A Braisa says it is a woman who can be heard in the next courtyard when she is having tashmish.
 - **Q:** Why wouldn't this be taught with the other mumin in another Mishna? **A:** We must use the first explanation.

MISHNA

- If a man is mekadesh a woman on condition that she is not under any vows and it turns out that she is, she is not mekudeshes. If he was mekadesh her without any condition and it turns out that she is under vows, the kiddushin is effective, but she may be divorced without a kesubah payment.
- If a man is mekadesh a woman on condition that she does not have any mumin and it turns out that she has, she is not mekudeshes. If he was mekadesh her without any condition and it turns out that she has, the kiddushin is effective, but she may be divorced without a kesubah payment.
 - Any mum that would make a Kohen pasul would also make a woman "pasul" for purposes of the above scenario.

GEMARA

- **Q:** This Mishna is already written in Mesechta Kiddushin, so why the need to say it here? **A:** Here we write it for the kesubah aspect, and there we write it for the kiddushin aspect.

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- **R' Yochanan in the name of R' Shimon ben Yehotzadak** said, our Mishna is discussing the following types of vow: a vow that she will not eat meat, that she will not drink wine, or that she will not dress up with colored clothing. A Braisa says this as well.
 - **R' Pappa** said, this can't be going on the first part of the Mishna, because in that case, since the husband said he doesn't want any vows, then a vow of any type should be a problem. Therefore, it must be going on the next case of the Mishna, where he marries her without a condition. **R' Ashi** said, it is going on the first case of the Mishna. Even when making a condition, we assume he is only particular about the types of vows that most people would be particular about.