



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

Gittin Daf Chuf Zayin

MISHNA

- If a shaliach was bringing a get and lost it on the way, if he finds it immediately it remains valid. If not, it is passul (we are concerned that this get found is not the get that was lost, but is instead another get written for people with the same names). If the shaliach found the get in a "chafisah" or "seluskema" container, or if the shaliach recognizes the get, the get is valid.

GEMARA

- **Q:** A Mishna says, if a person finds a get or other document, it should not be given to the intended recipient of the get or document, because the maker of the get or document may have had it written and changed his mind before ever giving it over. Now, this implies that if the maker tells the finder to give it to the intended recipient, he would do so, even if it was found a while after it was lost, which is contradictory to our Mishna, that says that a get is only returned if it is found immediately!? **A: Rabbah** said, our Mishna is discussing a place where there are a lot of travelers (and we must be concerned that the get found was dropped by one of the travelers, and is not the get lost by the shaliach). The other Mishna is discussing a place where there are not a lot of travelers, and there is therefore no such concern.
 - The Gemara says, even in a place where there are a lot of travelers, the concern that the get found is a different get only exists if we know that there is another man and wife that have the same name as the maker of the get lost and his wife, and live in the same city. We must say this is the only time we have a concern, because if we don't say that, we will have a contradiction between two statements of **Rabbah**. For we find that when a get was found in **R' Huna's** Beis Din and **R' Huna** said the get may not be returned to the shaliach who said he lost it, but **Rabbah** said it should be returned. Now, the Beis Din of **R' Huna** is considered to be a place with many travelers, and still **Rabbah** said it may be returned. It must be that in that case there was no known other couple with the same name, whereas in **Rabba's** earlier statement there was.
 - In an actual case where a get was found in the flax house of Pumbedisa, **Rabbah** allowed for it to be returned. Some say that it was the place where flax was soaked, and even though there was another couple with identical names, since it was not an area travelled by many people, he allowed it to be returned. Others say it was the place where flax was sold, and although it was a place travelled by many people, since there was no known other couple with the same names, he allowed it to be returned.
 - **Q: R' Zeira** asked, our Mishna says we only return a lost get if it was found immediately. However, a Braisa says that if a get is found, then if the husband admits to having given it to his wife, it may be returned to his wife. If he doesn't admit to it, it should not be returned to either party. Now, this implies that if the husband admits to it, it may be returned to the wife even if it was lost for a while, which contradicts what our Mishna said!? **A:** He answered, our Mishna is discussing a place where there are a lot of travelers (and we must be concerned that the get found was dropped by one of the travelers, and is not the get lost by the shaliach). The Braisa is discussing a place where there are not a lot of travelers, and there is therefore no such concern.
 - **Some say** that he says it should not be returned in the Mishna only when there is also a known second couple with the same names, which would mean that **R'**

Zeira is saying the same thing as **Rabbah**. **Others say** that he says it may not be returned even if there is no known second couple with the same names, which would mean that he is arguing on **Rabbah**.

- **Q:** We can understand why **Rabbah** asked from another Mishna instead of this Braisa, because asking from a Mishna produces a stronger question. However, why did **R' Zeira** ask from the Braisa instead of the Mishna quoted by **Rabbah**?
A: He feels that when we imply from the Mishna that if the husband says "give it to her" we would give it to her, it may mean that we would only do so if it was found immediately, which would be in agreement with our Mishna.
- **R' Yirmiya** said, the other Mishna and the Braisa are not a contradiction to our Mishna because they are talking about a case where the signing witnesses say that they only signed on one get with a husband and wife having these names. Therefore, there is no concern that it is a different get, and it may be returned even if it was found a while after it was lost.
 - **Q:** That would seem to be obvious!? **A:** We would think that besides being concerned for the possibility of another couple with the same names, maybe we also have to be concerned that there are other witnesses with the exact same names signed on that get.
- **R' Ashi** said, the other Mishna and the Braisa are not a contradiction to our Mishna because they are talking about a case where the shaliach or the one claiming the get gives a "siman muvhak", as where he says there is a hole right near a particular letter. That is why we return it to him.
 - The Gemara says this is only if the siman is unique. However, if he says that there is a hole somewhere on the document, it would not be returned, because he is unsure whether the concept of simanim are D'Oraisa or D'Rabanan. Therefore, he requires it to be unique.
- **Rabbah bar bar Chana** once lost a get (he was bringing as a shaliach) in the Beis Medrash. The **Rabanan** there found it. He said to them, if you want I can give you a siman, if you want I can simply tell you if I recognize the document. They returned the get to him. He later said, I don't know if they returned it based on the siman, which would mean that they held that simanim are D'Oraisa, or whether they returned it based on my recognition, which is something they would only do for a talmid chochom.

V'IHM LAV PASSUL

- A Braisa asks, how much time must pass that it is no longer considered to be "immediately"? **R' Nossan** says, it means the get was lost for as long as it takes for a caravan to come by and rest there. **R' Shimon ben Elazar** says, it is considered "immediate" as long as someone was looking at that place and saw that no one else passed by. **Others** say for as long as no one else stayed there. **Rebbi** says "immediate" is the amount of time needed to write a get. **R' Yitzchak** says it is the time it takes to read a get. **Others** say it is the time it takes to write and read a get. The Braisa continues, that even if it was lost for a longer time, but someone claims the get and states a siman, it may be returned to him. [The Gemara says that the siman must be unique as saying that there is a hole at the side of a particular letter. Simply giving the characteristic as to the dimensions of the paper would be insufficient.] The Braisa continues, if the shaliach lost the get and then found it tied to a wallet or to a ring, and he recognizes the wallet or the ring, or if he found it in his house among his keilim, even if he first found it a while after losing it, it is still valid.
 - **R' Yehuda in the name of Shmuel** paskens that "immediate" is for as long as no other person stayed in that place. **Rabbah bar bar Chana in the name of R' Yitzchak bar Shmuel** says the halacha is that "immediate" is for as long as no other person passed by that place.

- **Q:** Why don't they just say they follow the Tanna'im who have that view in the Braisa, instead of quoting the actual halacha? **A:** There are different views as to who said what in the Braisa, so to avoid confusion they don't state the names.

MATZ'OH BACHAFISA OH B'DLUSKIMA

- **Rabbah bar bar Chana** explains that "chafisa" is a leather bottle.
- "Dluskima" is a box used by older people to keep their things.