



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

### Gittin Daf Samach Hey

#### MISHNA

- If a minor girl told a shaliach "accept my get for me", she is not divorced until the get reaches her own hand. Therefore, if the husband wants to retract the get, he may do until it reaches the girl's hand. This is all because a minor does not have the ability to appoint a shaliach. However, if her father told a shaliach "accept my daughter's get for her", the husband would not be able to retract the get once it was received by the shaliach.
- If a man tells a shaliach, "give this get to my wife in a particular place" and he went and gave it to her somewhere else, it is passul. If the husband had told him "give this get to my wife, who can be found in this particular place", and the shaliach then gave it to her in a different place, the get is valid.
- If a woman told a shaliach "accept my get for me in a particular place" and the shaliach accepted the get somewhere else, it is passul. **R' Elazar** says the get is valid. If the woman told the shaliach "bring my get to me from a particular place" and he brought it from a different place, the get is valid.

#### GEMARA

- **Q:** Why does **R' Elazar** only argue in the case of the woman but not in the case of the man? **A:** Regarding a man, who chooses to divorce his wife, he means to be particular and if his instruction is not followed, the get is passul. Regarding a woman, since she can be divorced against her will, when she gives such an instruction we take it as her telling the shaliach where he can expect to find the get for acceptance.

#### MISHNA

- If the wife of a Kohen told a shaliach "bring me my get", she may continue to eat terumah until the get reaches her hand. However, if she told a shaliach "accept my get for me", she must stop eating terumah immediately. If she told the shaliach "accept my get in a particular place", she may continue to eat terumah for as long as it takes for the get and the shaliach to make it to that particular place. **R' Eliezer** says she becomes assur to eat terumah immediately.

#### GEMARA

- **Q:** It seems that the **T"K** would hold that although the shaliach accepted the get in a place other than the one instructed by the woman it would be a get once he then brought it to the place as instructed. However, in the previous Mishna we said that it would be a passul get!? **A:** Our Mishna is talking about where she told the shaliach, go and accept the get wherever you find my husband to be, but I don't want it to be effective until you reach this particular place.

#### V'R' ELAZAR OSER MIYAD

- **Q:** This is obvious, because in the last Mishna **R' Elazar** already said that she only means to point out where the husband is, and not to set the place as a place to make it effective. So what is the Mishna here teaching? **A:** It is necessary to teach in a case where she told him that her husband is to the east and the shaliach went to the west. We would have thought that in that case she may continue eating terumah. The Mishna teaches that since it is possible that the husband met the shaliach before he left the town, she must stop eating terumah immediately.
  - **Q:** If a person instructs a shaliach to make an eiruv for him using dates and the shaliach instead used figs, one Braisa says it is a valid eiruv and another Braisa says it is not valid!? **A: Rabbah** said, the Braisa that says it is passul follows the **Rabanan** of our Mishna, who say that an instruction must be followed because it is sincerely meant. The

Braisa that says it is valid follows **R' Elazar**, who says that the instruction is meant to be helpful, but not something that must be done. **A2: R' Yosef** said, that both Braisos follow the **Rabanan**. The Braisa that says it is valid is where the shaliach used other fruit of the principle. The Braisa that says it is passul is discussing where he used someone else's fruit, and therefore it must be done with the fruit specified.

- **Q: Abaye** asked, if someone told a shaliach to make an eiruv in a tower and he instead went and made one in a dovecote, there is one Braisa that says it is valid and one that says it is passul. What distinction of "his own fruit" or "someone else's fruit" could be made to explain these Braisos? **A:** It can be that he means the fruit of the tower or the fruit of the dovecote, and the same answer can then be given.

#### MISHNA

- If a man says "write a get and give it to my wife" or he said "divorce her" or "write a letter and give it to her", the people may write a get and give it to her. However, if the husband told them "release her" or "provide for her" or "do for her as is customary" or "do for her as is befitting", his words are meaningless.

#### GEMARA

- A Braisa says, if a husband told someone "send her away", "abandon her", or "banish her", a get should be written and given to her. However, if he says "release her" or "provide for her" or "do for her as is customary" or "do for her as is befitting", his words are meaningless.
  - A Braisa says, **R' Nosson** says, if he said "patruha", a get should be written, but if he said "pitruha", his words are meaningless. **Rava** explained, **R' Nosson** was from Bavel, and in Aramaic the word "pitruha" refers to debts, not divorce.
- **Q:** What if the husband said "take her out" or "leave her" or "permit her" or "let her be" or "help her" or "do with her as the law requires"? **A:** We can answer one of these, because a Braisa says that "do with her as the law requires" is meaningless.

#### MISHNA

- Initially they said that if one is going out to be executed by the government, and he says "write a get for my wife", it should be written and given to her. They later said, that the same halacha would apply to one who is going off to sea, or going out on a caravan. **R' Shimon Shezuri** says, it also applies to someone who is dangerously ill.

#### GEMARA

- Geniva was being taken to be executed and he said "give 400 zuz to **R' Avina** from my wine in Nehar Panya". **R' Zeira** said, **R' Avina** should go get the money and then go to **R' Huna** for halachic support, because **R' Huna** holds that a gift is like a get – just as if he were to get free he could take back the gift, he would be able to do the same with a get, and also, just like by a get it is given even if he only says "write it" and doesn't say "give it", so too the gift should be given even if he only said "give it" and didn't say "be koneh it".
  - **Q: R' Abba** asked, if they are really treated the same, then just as there can be a gift after death there should also be able to be a get after death, and we know that is not the case!? **A:** A get can't take effect after death because at that point he is no longer her husband.
    - **Q: R' Abba** meant to ask as follows. Geniva only gave away some of his property, and the halacha is that a person facing death who gives away less than all his possessions can only do so with a kinyan, and no kinyan was done here!? **A:** That is true for someone who is sick and facing death, because there is a chance that he will get better. However, someone being executed has no chance to be saved, and therefore he need not make a kinyan even in this case.
      - **Q:** If so, what was **R' Abba's** question? **A:** He meant to ask that Geniva made a meaningless statement, because he said "take money from the wine" (and not "take the wine" or "take the proceeds from the wine").

**R' Huna** held that this language was meant to give **R' Avina** a lien on the wine.

- In EY they agreed with this understanding of **R' Huna**.