



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

### Gittin Daf Ayin Ches

L'TOCH CHEIKAH OH L'TOCH KALSAH MIGORESHEH

- **Q:** Again, this is a case of the keili of the buyer in the property of the seller, so why is she koneh?  
**A: R' Yehuda in the name of Shmuel** said, the case is where the basket is hanging from her (so it is like part of her body), and **Reish Lakish** said, the case can be where the basket is tied to her, even if it is not hanging from her. **R' Ada bar Ahava** said, the case is where the basket was on the ground between her legs (and that area is certainly temporarily given to her while she is occupying it). **R' Mesharshiya bar R' Dimi** said, the case can be where the husband is a basket merchant, and therefore he doesn't mind the space taken up by her basket, because that area is full of baskets anyway. **R' Yochanan** said, the husband gives her the place she needs for her basket, and **Rava** explains, this is because people are not particular about places of that size when someone else needs it.

MISHNA

- If a man gave a get to his wife and said to her "take this promissory note", or if she found the document behind him and she read it and found it to be her get, the get is not valid until he tells her "here is your get".
- If he gave her a get while she was sleeping, and she later wakes up and reads it and discovers that it is her get, it is not a valid get until he says to her "here is your get".

GEMARA

- **Q:** In the case of the Mishna where "she finds the get behind him", even if he tells her "here is your get", why would it be valid? **Rava** has said that if a husband tells his wife "take your get from the ground" it is not a good get!? **A:** The case is where he stuck the get into his belt and she took it from there, not off the ground.
  - **Q:** This is still not a case of "v'nossan b'yada", and it should therefore not be valid!? **A:** The case is that he turned his body towards her and she pulled it from his belt. That does satisfy the "v'nossan" requirement.
  - A Braisa says, if a man gave a get to his wife and said to her "take this promissory note", or if she pulled it from behind him and she read it and found it to be her get, **Rebbi** says the get is not valid until he tells her "here is your get". **R' Shimon ben Elazar** says it is not valid until he takes it back from her, gives it to her again and tells her "here is your get". If he gave her a get while she was sleeping, and she later wakes up and reads it and discovers that it is her get, **Rebbi** says the get is not valid until he tells her "here is your get". **R' Shimon ben Elazar** says it is not valid until he takes it back from her, gives it to her again and tells her "here is your get".
    - Both cases are necessary to be taught. If we would only have the first case, we would think that **Rebbi** agrees in the second case that since she is sleeping, she is not fit to be divorced and would agree with **R' Shimon**. If we only had the second case, we would think that **R' Shimon** would agree that in the first case, since she was fit to be divorced, he does not have to give it to her a second time, and would agree with **Rebbi**.
- **Rava** said, if a man wrote a get and put it into the hand of his wife's slave who was sleeping and was guarded by his wife, it is a valid get. If he was awake it is not valid, because she would not be guarding him, rather he would be guarding himself.

- **Q:** Even when he is sleeping, since he has the ability to move, he has the status of a moveable chatzer, which can't be koneh!? **A:** The case must be where he is tied up, and therefore unable to move.

#### MISHNA

- If she was standing in the reshus harabim and he threw a get to her, if it landed closer to her, she is divorced. If it landed closer to him, she is not divorced. If it was equidistant, she is divorced and not divorced (it is a safek). The same is true regarding a kiddushin.
  - The same is true regarding a debt. If the creditor said "throw me the money that you owe me" and the debtor threw it to him, but it never reached the creditor's hand and was lost, if the money had landed closer to the creditor, the creditor was koneh it and the debtor is now off the hook. If it had landed closer to the debtor, he remains chayuv to pay the creditor. If it was equidistant, they must each bear half the loss.

#### GEMARA

- **Q:** What does the Mishna mean by "closer to him" and "closer to her"? **A: Rav** said, "closer to her" means it lands within her 4 amos, and "closer to him" means it lands within his 4 amos.
  - **Q:** According to this explanation, what is the case of "equidistant" (the Mishna calls it "half and half")? **A: R' Shmuel bar R' Yitzchak** said, that means that it fell in a place within 4 amos of where he and she were standing.
    - **Q:** Why don't we see who entered those 4 amos first, and say that it belongs to that person? **A: R' Kahana** said, the case is where there was exactly 8 amos between them and the get landed partially in his 4 amos and partially in her 4 amos.
      - **Q:** Since the get never totally left his reshus, it cannot be valid!? **A: Rabbah and R' Yosef** both say, the Mishna is discussing where there are 2 sets of witnesses: one says the get landed in his 4 amos and the other says it landed in her 4 amos. That is why there is a safek.
  - **R' Yochanan** said, "closer to her" can even mean it is 100 amos away from her and "closer to him" can mean it is 100 amos away from him – it all depends on who it is actually closer to it. As **R' Shemen bar Abba** explained, this means it all depends on who can guard it (if she can and he can't, it is "closer to her", and if he can and she can't, it is "closer to him"). The case of "half and half" is where they can both guard it or where they both cannot guard it.
    - We find that **R' Yonason** explained like this as well, and a Braisa is understood using this explanation as well.
  - **Shmuel** told **R' Yehuda**, "closer to her" means that she is able to simply bend down and pick it up. However, you should not pasken that a woman is divorced until the get actually reaches her hand.

#### V'CHEIN L'INYAN KIDDUSHIN

- **R' Assi in the name of R' Yochanan** said, this concept of "closer to her" and "closer to him" only applies to get, but not to any other area.
  - **Q: R' Abba** asked **R' Assi**, the Mishna clearly says that it also applies to kiddushin!? **A:** It applies there only because of the hekesh between get and kiddushin taught in the pasuk ("v'yatza, v'huysa").
    - **Q:** The Mishna clearly says that it applies to a debt as well!? **A:** The case is where the creditor specifically said "throw me the money to a place closer to me, and you will be patur from having to pay me". That is why it applies in that specific case.
      - **Q:** This case is obvious, so why would the Mishna have to mention it? **A:** Rather, the case must be where the creditor said, "throw me the money as if it were a get".
      - **Q:** That is also obvious that the laws of get would apply, so why would the Mishna mention it? **A:** We would think the creditor could later say, "I was joking around with you", and if something happened to the

money the debtor would have to pay again. The Mishna therefore teaches that he cannot claim that.

- **R' Chisda** said, if the get is in her hand, but it is attached to a string that is still in his hand, then if the string is strong enough to pull the get to him, she is not divorced. If not, she is divorced. This is because if he can pull it back there is no "krisus" (separation).
- **R' Yehuda** said, if her hand was sloped downward and he threw a get to her hand, even if it reaches her hand, she is not divorced (because it will roll right off).
  - **Q:** The get will fall into her 4 amos, so why won't she be divorced!? **A:** The case is where it doesn't come to rest on the ground (e.g. it rolls off into a fire and gets burned).
  - **Q:** She should be koneh with the airspace of her 4 amos, and since we are saying that she is not, we should learn that airspace of one's 4 amos is not koneh from him!? **A:** The case is that her hand is positioned over a river. Therefore, there is no chance of it falling into her 4 amos, in which case all would agree that the airspace is not koneh for her.