



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

Kiddushin Daf Chuf Gimmel

V'KONEH ES ATZMO B'KESEF...

- **Q: R' Meir** in the Mishna seems to hold that money can be used only through other people, but not through money given on his own. What are the circumstances of the case? It can't be where other people are freeing the slave without his knowledge, because **R' Meir** holds that it is considered a bad thing for the slave to be set free and therefore could not be done without his knowledge. Rather, it must be that it is being done with his knowledge, and the chiddush is that it can only be done by other people, because he holds that it is impossible for the slave to have any money that does not belong to the master. If so, why does **R' Meir** say that if he is freed with a shtar it must be given to him, which suggests that it can't be given to someone else? If it is being done with his knowledge, why can't someone else accept the shtar for him? You can't say that **R' Meir** means to say that he can *even* accept the shtar on his own, and the chiddush would be that he is koneh his hand and the shtar at the same moment, because a Braisa clearly says that **R' Meir** says that a shtar can only set him free when it is accepted by him directly!? **A: Abaye** said, the case is where he was freed without his knowledge. However, since he can be acquired with money against his will, he can also be freed with money against his will.
 - **Q:** If so, the same should be said about shtar!? **A:** The purchase shtar and the shtar shichrur are very different, and therefore cannot be compared in this way.
 - **Q:** The money used for purchase and the money used for freedom are also very different!? **A:** The coins are the same and there is no noticeable difference between the two.
 - **A: Rava** said, when it comes to money, it is the acceptance of the master that sets him free, and it can therefore be done without the slave's consent. Regarding shtar, it is the acceptance by the other people on behalf of the slave that sets him free, and that can only be done with his knowledge and consent.

VACHACHOMIM OMRIM B'KESEF AHL YIDEI ATZMO

- **Q:** The **Rabanan** seem to say that he can be freed if he himself gives the money, but not by having other people give the money for him. Why would this be? You can't answer that the case is that it was done without his knowledge, because the **Rabanan** hold that it is a good thing for him to be freed, and as such it can be done on his behalf without his knowledge!? You can't say that they mean to say that he can *even* free himself on his own, and surely other can give money on his behalf, and the chiddush is that a slave is able to acquire money without it belonging to his master, because the end of the Mishna says he can be freed with a shtar on his behalf, but can't accept a shtar on his own. Now, we pasken that he can accept a get on his own, because he acquires his hand and the shtar at the same moment!? If you will say that the Mishna means that he can *even* be freed with a shtar given to others on his behalf, and the chiddush is that it is considered a good thing for him to be freed, then the **Rabanan** should have taught the cases of money and shtar in one case – he can be freed with money or with shtar, either directly on his own or given/accepted on his behalf!? **A:** We must say that **Rabanan** hold that money can be given from his own or by others on his behalf, whereas a shtar can only be accepted on his behalf by others, but not by himself, and that statement regarding shtar is following **R' Shimon ben Elazar**, who says so in a Braisa.
 - **Rabbah** explains, the view of **R' Shimon ben Elazar** is based on a gezeirah shava on the word "lah", learned from a woman. Just as by a woman her get is only effective if it leaves the reshus of the husband, so too by a slave, the get shichrur will only be effective when it leaves the reshus of the master, and giving it to the slave himself does not accomplish it leaving the reshus of the master.

- **Q: Rabbah** asked, according to **R' Shimon ben Elazar**, can a slave appoint a shaliach to accept the shtar on his behalf? On the one hand, the gezeirah shava should teach that just as a woman may appoint such a shaliach, the slave should be able to do so as well. On the other hand, maybe a woman can do so because she has the ability to accept the get on her own, but a slave who does not have the ability to accept the shtar can't appoint a shaliach either. What is the halacha? **A: Rabbah** answered, the gezeirah shava will teach that he can appoint a shaliach.
 - **Q:** We have learned that **R' Huna the son of R' Yehoshua** said that Kohanim must be considered to be the shluchim of Hashem (when they bring korbanos), because since we (non-Kohanim) ourselves can't bring korbanos, we wouldn't be able to have a shaliach do it for us. According to what **Rabbah** just said, we see that a person can appoint a shaliach to do something for him that he himself could not do!? **A:** There is a difference between these cases. A non-Kohen has no connection to bringing korbanos at all, and therefore cannot appoint a shaliach to do so. A slave does have the ability to accept a shtar shichrur on behalf of another slave of another master, and therefore he is considered to be connected to the concept of shtar and can appoint a shaliach to accept a shtar on his behalf.

UVILVAD SHEYIHEI HAKESEF MISHEL ACHEIRIM

- **Q:** Maybe we should say that the machlokes is that **R' Meir** holds a slave cannot acquire anything without his master having rights to it and similarly a wife cannot acquire anything without her husband having rights to it, whereas the **Rabanan** hold that a slave can acquire something without his master having rights to it and similarly a wife can acquire something without her husband having rights to it? **A: Rabbah in the name of R' Sheishes** said, it may be that all agree that a slave cannot acquire anything without his master having rights to it and similarly a wife cannot acquire anything without her husband having rights to it, and the case in the Mishna is where a person gave money to the slave on the condition that his master have no rights to the money. In that case **R' Meir** holds that the slave acquires the money, but the condition is meaningless and therefore the master acquires the money, and the **Rabanan** hold that the condition is valid, and therefore the master does not get any rights in the money.
 - **R' Elazar** says, in this case all would agree that the master would get rights to the money. The case of the Mishna is where a person gave money to the slave and gave it on the condition that it be used to gain his freedom. In that case **R' Meir** holds that the slave acquires the money, but the condition is meaningless and therefore the master acquires the money, and the **Rabanan** hold that the slave does not acquire the money at all, because it was given for his freedom, not to him, and therefore the master is not automatically koneh the money, and it can therefore be used to gain his freedom.
 - **Q:** A Braisa says, a woman may not redeem maaser sheini without adding a fifth of the value (which is what must be done when the owner of the maaser sheini is redeeming it himself), and **R' Shimon ben Elazar in the name of R' Meir** says that a woman does redeem without adding a fifth. Now, what is the case of the Braisa? If she is using her husband's money and it is her husband's maaser, then she is simply being his shaliach, and all would hold that she must add a fifth!? If she is using her own money (from her nichsei melug) and it is the husband's maaser, then all would learn from the pasuk that says "ish" that she would not have to add a fifth!? Rather, we must say that the case is where someone else gave her money on the condition that it be used to redeem the maaser, and we see that the **Rabanan** (the T"K) hold that the husband would acquire the money and **R' Meir** says that he would not. This is a contradiction to their views regarding the parallel case of the slave, above!? **A: Abaye** says we must flip the shitos in the Braisa. **Rava** says the Braisa is discussing maaser that was inherited by the woman from her father. **R' Meir** holds (like he does elsewhere) that maaser is considered to be the property of Heaven, and therefore the husband does not acquire this from his wife, therefore when she then uses his money to redeem the maaser she does not pay a fifth, because he is not the owner. The **Rabanan** hold that maaser sheini is considered to be the property of the person, and therefore, as soon as she acquires it, it becomes the property of the husband, and therefore, when she then uses his money to redeem it, she must add a fifth since she is simply his shaliach.