



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

Kiddushin Daf Nun Beis

MAASEH B'CHAMESH NASHIM

- **Rav** said, we can learn 4 halachos from our Mishna, however **Rav** himself only accepted 3 of the 4.
 - We can learn that using shmitta produce for kiddushin is a valid kiddushin.
 - We can learn that using stolen items for kiddushin, even if the items are stolen from the woman herself, is an invalid kiddushin.
 - We learn this from the fact that the Mishna says “the figs belonged to the women, and it was figs of shmitta”. This teaches that it was a kiddushin only because the fruit was hefker, because it was of shmitta. If it had been from another year, the kiddushin would have been invalid.
 - We can learn that a woman can be a shaliach to accept kiddushin for another woman, even if that other woman is going to become her co-wife through this shlichus.
 - The 4th halacha that can be learned from the Mishna, and that **Rav** did not accept, is that we can learn from the beginning of the Mishna that a kiddushin which will not result in a permitted bi'ah, is still a valid kiddushin. The reason **Rav** did not accept this is because he was unsure whether the halacha follows **Rava or Abaye**.
- **R' Zeira** repeated the second halacha (regarding kiddushin with stolen goods) to **R' Yochanan**. **R' Yochanan** was surprised that **Rav** said this halacha. The Gemara asks that we find that even **R' Yochanan** said that a person cannot give kiddushin with stolen property!? The Gemara answers, **R' Yochanan** was surprised that **Rav** agreed with him.
 - **Q:** A Braisa says, if a person uses stolen property for kiddushin, or if he grabs money from the woman and gives it back to her as kiddushin, she is mekudeshes. We see that stolen items may be used for kiddushin!? **A:** The Braisa is discussing items that were stolen from the woman herself,
 - **Q:** The second part of the Braisa discusses items that were stolen from the woman herself, which suggests that the first case is discussing items stolen from somebody else!? **A:** The second part of the Braisa is explaining the first part of the Braisa, and is saying that the case being discussed is where he steals something from the woman that he is giving the kiddushin to.
 - **Q:** **Rav** said that it is not a valid kiddushin even if he uses something stolen from the woman herself!? **A:** The Braisa is discussing a case where this man and woman had previously agreed to get married. **Rav** is discussing where this discussion and agreement never took place.
 - A man once grabbed money from another person and threw it to a woman and told her to become mekudeshes with this money. **Rava** said, no one holds like **R' Shimon** who says that we assume that the owner of the money gave up hope of getting the money returned. Therefore, the kiddushin is not valid.
 - A sharecropper once took a handful of onions from the field and gave it to a woman as kiddushin. **Rava** said to him, the owner of the field owns some of those onions as well, and therefore the kiddushin is not valid.
 - The Gemara says, this is only the case because he used a handful of onions. However, if he would have used a bundle of onions the kiddushin would have been valid, because he could tell the owner of the field – I took this bundle and you can take a different bundle.
 - A person once took the dates already used for making beer, that were owned by his boss, and gave them to a woman as kiddushin. When his boss heard what he did, he said to him, “Why didn't you give her from the better dates!?” They asked **Rava** whether

the kiddushin was valid (did the boss's statement mean that he was really okay with him taking the dates that he took, or not). **Rava** said, we only find that the statement of "why didn't you take better ones" shows that the person was okay with what was taken, regarding the separation of terumah (if someone took terumah for another person without his permission). However, in any other context, we assume that the person made this statement because he was embarrassed to say that he was upset about what was taken.

MISHNA

- If a person is mekadesh with his portion of a korbon, whether it is of kodshei kodashim or of kodshei kalim, she is not mekudeshes.
- If he is mekadesh with maaser sheini, **R' Meir** says whether he used this b'shogeg or b'meizid, it is invalid. **R' Yehuda** says, if it was done b'shogeg it is invalid, and if it was done b'meizid, it is valid.
- If he is mekadesh her with hekadesh, **R' Meir** says if it was done b'meizid the kiddushin is valid and if it was done b'shogeg it is invalid. **R' Yehuda** says, if it was done b'shogeg it is a valid kiddushin, and if it was done b'meizid it is invalid.

GEMARA

- **Q:** Maybe we must say that the Mishna doesn't follow **R' Yose Haglili**, who says in a Braisa that a pasuk teaches that kodshei kalim are considered to be owned of the person who has it (which should mean that if he gives it for kiddushin, the kiddushin should be valid)!? **A:** He only says that when the animal is still alive. Once the animal has been shechted as a korbon, he agrees that it is no longer considered to be owned by the person who has it, because when the person get a portion to eat, it is given to him from "Hashem's portion".
- A Braisa says, after **R' Meir** passed away, **R' Yehuda** prohibited the students of **R' Meir** from entering the Beis Medrash, because he said "They are not coming to learn, but are rather coming to harass me" and to show that **R' Meir's** way of learning was sharper. **Sumchos** fought his way in to the Beis Medrash and said, "**R' Meir** taught the Mishna that if one uses kodshei kalim or kodshei kodashim as kiddushin, the kiddushin is not valid". **R' Yehuda** became angry and said, this is why I told you to keep them out of here. They are only coming to harass me. A woman is not allowed into the Azarah (and kodshei kodashim cannot be taken out of the Azarah), so how can we even have a case of someone using kodshei kodashim for kiddushin!? **R' Yose** was present and knew that **R' Meir's** statement was correct. He said, I can't remain quiet now out of respect for **R' Yehuda**, because then the correct version of the Mishna will be lost. **R' Yose** therefore said, a man can accept kiddushin for his daughter, and a woman can appoint a shaliach to accept kiddushin, and a woman can force her way into the Azarah (albeit unrightfully so), and in those cases we have to be taught that kodshei kodashim cannot be used for kiddushin.