



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

Kiddushin Daf Nun Ches

MACHRAN V'KIDEISH BIDMEIHEN MIKUDESSES

- **Q:** How do we know that the issur hana'ah does not transfer to the money? **A:** The pasuk regarding avodah zarah says "vihayisa cheirem kamohu", which teaches that by avodah zarah, the payment received for it is assur. This suggests, that for all other issurim, the issur does not transfer to the money.
 - **Q:** Why don't we learn from avodah zarah to all other places in the Torah? **A:** Because the pasuk regarding shmitta also teaches that money received in exchange for shmitta is assur like the shmitta itself. Therefore, we have 2 pesukim teaching the same principle, and therefore we do not learn from there to other places.
 - **Q:** According to the view that we do learn from 2 such pesukim to other places, why don't we in this case? **A:** The pesukim have exclusionary language. Regarding avodah zarah the pasuk says "ki cheirem hu", and regarding shmitta the pasuk says "Yovel hee". Each of these teaches to limit the application to that specific case, and no other.

MISHNA

- If a man is mekadash a woman using terumah, maaser, the pieces of an animal that must be given to a Kohen, with parah adumah water, or with parah adumah ashes, she is mekudeshes, even if the man is a Yisrael.

GEMARA

- **Ulla** said, the right that one has to choose the Kohen that he wants to give his terumah and maaser to, is not considered a true monetary ownership sufficient with which to be mekadash a woman.
 - **Q: R' Abba** asked **Ulla**, our Mishna says that if a Yisrael is mekadash with terumah it is a valid kiddushin, which refutes **Ulla's** view!? **A: Ulla** said, the case of the Mishna is where the Yisrael inherited tevel produce from his maternal grandfather who was a Kohen. Therefore, he actually owns the terumah that it contains (since his grandfather would have been able to keep it for himself), and that is why he can use it to be mekadash a woman (who can then sell it to a Kohen).
 - **R' Chiya bar Avin** asked **R' Huna**, is the right that one has to choose the Kohen that he wants to give his terumah and maaser to, considered a true monetary ownership or not? He answered, from our Mishna we see that it is. **R' Chiya bar Avin** asked, didn't we explain that our Mishna is discussing a Yisrael who inherited the produce from his maternal grandfather who was a Kohen? **R' Huna** said, "you are a hutza'ah". **R' Chiya bar Avin** became embarrassed, because he thought that he was being told that he does not know what he is talking about. **R' Huna** told him, what I meant was that **R' Assi** of Hutzal says like you say.
 - **Q:** Maybe we can say that it is actually a machlokes among Tanna'im. A Braisa says that if one steals the tevel produce of another, **Rebbi** says he must pay for the value of the entire tevel, including the value of the terumah and maaser that will be separated from it. **R' Yose the son of R' Yehuda** says he must only pay the value of the chullin produce (and not for the terumah and maaser). Presumably we can say that the machlokes is that **Rebbi** says the right to choose who to give the terumah and maaser to is a monetary right and it must therefore be paid for, whereas **R' Yose the son of R' Yehuda** says it is not!? **A:** It may be that all agree that it is not a monetary right. The case here is where a Yisrael inherited the produce from his maternal grandfather who was a Kohen,

before the terumah was separated. The machlokes is whether the terumah is considered as if it is separated, and therefore it belonged to the grandfather and now belongs to his grandson, which is why **Rebbi** says it must be paid for, or if we say that the terumah is not considered to have been separated, and therefore the grandson must now separate it and give it to a Kohen, and therefore it is not considered as if it was stolen from the grandson, as **R' Yose the son of R' Yehuda** says. **A2:** It may be that everyone would agree that the terumah is considered as if it was already separated, and everyone also agrees that the right to choose who to give it to is not a monetary right, and the machlokes is regarding the halacha of **Shmuel**, who says that separating a single grain as terumah is sufficient to fulfil the terumah obligation. **Rebbi** holds like **Shmuel** and the thief must therefore pay for the entire produce (less one grain), and **R' Yose** does not. **A3:** It may be that all don't hold of **Shmuel**, and the reason **Rebbi** says the thief must pay for the full amount is a penalty so that the thief not be able to pay less than the amount he actually stole. **A4:** It may be that all agree with **Shmuel**, and **R' Yose** holds the thief does not have to pay for the terumah, as a penalty to the owner of the produce, who should never have left his produce for so long without separating the terumah.

- **Q:** Our Mishna says that if one is mekadesh with the water of the parah adumah or the ashes of the parah adumah, it is a valid kiddushin. However, another Mishna says that if one accepts payment to sprinkle the parah adumah or to mix the ashes and the water, they become passul, which suggests that it is assur to benefit from, and yet our Mishna said it can be used for kiddushin!? **A: Abaye** said, our Mishna refers to the benefit he gets for carrying the ashes or drawing the water. These acts require work, and one may therefore get paid for them (and therefore use this right for kiddushin). The other Mishna is discussing the sprinkling and the mixing, for which one is not entitled to take payment.

HADRAN ALACH PEREK HA'ISH MEKADESH!!!