



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

### Gittin Daf Yud Ches

- A woman must wait 3 months after getting divorced before she may remarry. **Rav** says we count these 3 months from the time that she receives the get. **Shmuel** says we count from the time that the get was written.
  - **Q: R' Nosson bar Hoshaya** asked, according to **Shmuel** we can have a situation where 2 wives were given the get at the same time, but one can marry before the other (where the get of one was written before the other), which will lead to confusion!? **A: Abaye** said, the fact that each get has a date written on it will avoid any confusion.
  - There is a Braisa that says like **Rav**. The Braisa says that if a get is sent to a woman and it took the shaliach 3 months to travel, the woman begins counting her 3 months (of waiting to get remarried) from the time that the get reaches her hand.
  - There is a Braisa that says like **Shmuel**. The Braisa says, if a husband gives a get to a shaliach and instructs him to hold for 3 months before giving it to his wife, the wife may remarry immediately as soon as she receives the get from the shaliach.
  - **R' Kahana, R' Pappi, and R' Ashi** all said she must wait 3 months from the time the get was written, and **R' Pappa and R' Huna the son of R' Yehoshua** said, the wait begins from when she receives the get. The Gemara paskens that she must wait from the time that the get was written.
- The halacha is that a loan becomes cancelled during the shmitta year. There is a machlokes regarding at what point in time a kesubah obligation becomes a loan, in the sense that it too will get cancelled during shmitta. **Rav** says this happens when partial payment on the kesubah was given *and* the remaining balance is then converted into a loan. **Shmuel** says this happens *either* when partial payment is given, *or* when the kesubah is set up as a loan.
  - There is a Braisa that says clearly like **Rav**. There is another Braisa that says like **Shmuel** and adds that it is considered to be converted into a loan at the time that they go to Beis Din and Beis Din says the husband is obligated to make the payment.
- **Shmuel** said, a kesubah is like an act of Beis Din – just as an act of Beis Din may be written by day and signed the following night, the same may be done with a kesubah (and a predated kesubah would therefore be valid).
  - The kesubah of **R' Chiya the son of Rav** was written by day and signed the following night, and **Rav** did not say anything to disagree with that.
    - **Q:** Maybe we can say that **Rav** holds like **Shmuel**? **A:** It may be that **Rav** only allowed it because they were busy with the actual writing from the daytime until the time of signing (that took place at night). In that case we find that **R' Elazar the son of R' Tzadok** said in a Braisa that it would be valid. However, it may be that **Rav** would rule other cases of predated kesubos to be passul.

### R' SHIMON MACHSHIR

- **Rava** said, the reason for **R' Shimon's** view is that he holds that as soon as a man has decided to divorce his wife he already loses rights to the nichsei melug.
- **Reish Lakish** said, **R' Shimon** only validated a predated get when it was signed at the beginning of the day after which it was written. However, if there was a 10 day space between the writing and the signing, it would be passul, because we are concerned that they reconciled during that time and had bi'ah, which then makes this predated get passul as a "get yashan". **R' Yochanan** said that **R' Shimon** allowed even a 10 day lapse between the writing and the signing. He is not concerned for a reconciliation, because if there was a reconciliation, people would know about it.

- If a man tells 10 people, “write a get for my wife”, **R’ Yochanan** says two of the people must serve as essential witnesses and the other 8 also sign the get, since they were made to be a condition to the get. **Reish Lakish** says all 10 must sign as essential witnesses.
  - **Q:** What is the case? It can’t be where he did not specifically say “all of you”, because we have learned in a Mishna that if he does not say “all of you”, then only one of the 10 needs to write the get and only 2 need to sign. **A:** It must be that the case is where he said “all 10 of you write and sign the get”.
  - **Q:** What is the difference between **R’ Yochanan** and **Reish Lakish**? **A:** The difference would be in a case where 2 of them signed on the day it was written and the others signed on a later day. According to **R’ Yochanan**, the necessary signatures happened in a timely fashion and therefore the get would be valid. According to **Reish Lakish**, since the necessary witnesses signed on a day after the writing, the get is passul as a predated get. **A2:** Another difference would be where one of the 10 is a relative to the parties of the get or is otherwise passul to be a witness. According to **R’ Yochanan**, as long as 2 witnesses are valid, the get would be valid. According to **Reish Lakish**, if any of the witnesses are passul, they all become passul and therefore the get would be passul as well.
    - According to **R’ Yochanan**, if one of the first two people to sign the get would be passul, some say the get would still be valid, because we would view this person as being part of the condition rather than the essential witness, and others say that the get would be passul, because we are concerned that people would become confused and think that any other document can be valid with this type of witness signing as well.
  - We see from an actual case that came about, that **R’ Yehoshua ben Levi** held like **R’ Yochanan** with regard to his view that **R’ Shimon** validates a predated get even if there were 10 days between the writing and the signing. He also held like **Reish Lakish** with regard to his view that when the husband instructs “all 10 of you” to write and sign a get, all 10 people become essential witnesses on the get (and are not merely a condition of the get).