

23.3.5; 27b (משנה ד') → 28b (והא איקרבא דעתיה לגבה)

1. לא יומתו אבות על בנים ובנים לא יומתו על אבות איש בחטאו יומתו: דברים פרק כד פסוק טז

2. נצרך חסד לאלפים נשא עון ופשע וחטאה ונקה לא ינקה פקד עון אבות על בנים ועל בני בנים על שלשים ועל רבעים: שמות פרק לד פסוק ז

3. והנשארים בכם ימקו בעונם בארצת איביכם ואף בעונות אבתם אתם ימקו: ויקרא פרק כו פסוק לט

4. וכשלו איש באחיו כמפני חרב ורדף אין ולא תהיה לכם תקומה לפני איביכם: ויקרא פרק כו פסוק לו

5. משפט אחד יהיה לכם כגר כאזרח יהיה כי אני ה' אלהיכם: ויקרא פרק כד פסוק כב

6. ערות אחי אבין לא תגלה אל אשתו לא תקרב דדתך הוא: ויקרא פרק יח פסוק יד

I 'ד invalidity of witnesses (and דינים) due to kinship

a ר"ע:

i List of 9 – each includes them, their sons and their sons-in-law

1	Brother	5	Father's sister's hus-	7	Mother's husband (step-
2	Father's brother		band (uncle)		father)
3	Mother's brother	6	Mother's sister's hus-	8	Wife's father
4	Sister's husband		band (uncle)	9	Wife's sister's husband

ii #10 – only he is invalid, not his sons nor sons-in-law

1 Wife's son (step-son)

b יוסי: the משנה ראשונה only lists inheriting relatives:

i Father's brother (uncle)

ii Father's brother's son (cousin)

1 And: anyone else who can inherit from him – if he is a קרוב at the time (of the act and/or עדות)

2 But: if he was originally a קרוב and became dis-related – כשר

3 Dissent (יהודה): if his daughter dies but leaves children, his (former) son-in-law is still פסול

c Source for invalidity of קרובים v. 1, which cannot mean "not bearing parents'/children's sins", as per v. 2-4

i Note: this source only invalidates parents and brothers and only paternal relatives

1 Maternal relatives and cousins: extended via אבות אבות, יומתו יומתו

2 And: extension to דיני ממונות via v. 5

d ב's extension: רב suggests symmetry, which leads to שלישי בראשון being קורבה

i Suggestion: he gets it from our משנה and reads חתניהן as "sons-in-law of the sons" (3rd gen.)

1 Rejection: then it should teach "sons and grandsons" (defense: teaches כאשתו)

2 Rejection: ר' חייא's multiplicative "8→24" should be "8→32"

(a) Rather: משנה means "sons-in-law" of the principal; ר"א ruled like ר"א who also invalidated בשני שלישי

(i) But: רב permits בשני שלישי

(ii) Answer: רב holds like ר"א (based on reading בנים ובנים על אבות) but not to the same extent

e נחמן's application: mother-in-law's brother, or either of her nephews

i Support: משנה rules that sister's husband and his son-in-law etc. – by reciprocity, ר' נ' rule is supported

1 Story: רב was asked if a man can testify for/against his step-son's wife

(a) Answer: husband and wife are as one (→ פסול), as per v. 6

f Analysis of next clause: son of mother's husband

i Challenge: that is his brother

ii Answer: includes step-brother

1 Dissent: ר"ח permitted a step-brother to testify, interpreting our משנה as paternal and maternal brothers

2 Note (ר"ח): father of groom and father of bride may testify

3 דבב"ח: a man may testify for his fiancée

(a) דבניא: only to have her lose money, not gain (as he will gain it later)

(b) Rejection: in either case, he cannot testify

(i) Clarification: רב"ח was misled by ruling that fiancées are not מטמא for each other (e.g. if he is a כהן and she dies), nor mourn for each other; if she dies, he doesn't inherit her estate and if she dies, he keeps the כתובה,

1. Distinction: that is dependent on a full marital relationship of שאר which doesn't yet exist

2. But here: it is due to emotional/financial attachment, which exists already

II 'ה (still יהודה): disqualification due to emotional attachment to דין בעל

a אוהב – if he is his "best man" – only during the week of the wedding (or that day)

b שונא – if he hasn't spoken with the דין בעל for 3 days due to enmity

i Dissent (רבנן): עם ישראל isn't suspected of lying due to such emotional entanglements