

14.1.8

10a (איתמר) → 11a (דוכרנית דלא ילדה)

Note: regarding debts, land becomes collateral for the amount owed; this is true for loans, torts and other obligations – such as כתובה. Land is graded in to 3 types: עדית (the finest), בינונית and זיבורית (the worst). Clearly, it is ideal to collect from עדית – it involves taking superior, likely arable land and less of it. As such, obligations which are דאורייתא (e.g. נזיקין) attach to עדית, whereas obligations which are מד"ס attach to זיבורית. Then, there are all sorts of added considerations which may move the status to or from one to another and to בינונית. The central discussion of this topic is in the 1st chapter of קמא.



- I Status of כתובה
 - a פתח פתוח מצאתי כתובה established חכמים: שמואל
 - i Challenge: what did they gain through the תקנה?
 - ii Answer: we assume he won't engineer a marriage he intends to torpedo ("he won't make a feast for naught")
 - b Observation: since כתובה is מד"ס, she only collects from זיבורית (see note)
 - i Dissent: מה"ת רשב"ג claims that כתובה is מה"ת
 - ii Challenge: רשב"ג disagrees with חכמים's appropriation of v. 1 to "support" כתובה
 - iii observation: 2nd ברייתא is in error, (final משנה in כתובות, where רשב"ג clearly supports the position that כתובה מה"ת)
 - 1 Answer1: the opinions in that ברייתא should be inverted
 - 2 Answer2: the entire ברייתא is רשב"ג – who avers that כתובת בתולה is מה"ת, but כתובת אלמנה is not
- II Case Law: claims of פתוח פתוח and דמים
 - a Case1: ר' נחמן accepted claim of פ"פ, but flogged the claimant, questioning the source of his expertise
 - i Alternatively: he wasn't believed, and only a previously married man is believed (and not flogged)
 - b Case2: ר"ג suggested that perhaps the groom had had ביאה בהטייה (intentionally or otherwise) and therefore "found" a פ"פ
 - c Case3: ר"ג ברבי had a חתן come before him with טענת בתולים. He had the מפה washed and found drops of blood.
 - i Note: cannot be done where they use strong detergents, as that will wash the blood away
 - d Case4: ר"ג ברבי had a חתן come before him with טענת דמים. He performed "barrel test" & proved her to be a בתולה.
 - e Case5: ר"ג הזקן had a חתן come before him with טענת דמים. Her counter-claim: she was from "bloodless" family.
 - i Note: this is not a blessing (even though they don't have to worry about נדה), since blood generates fertility
 - f Case6: רבי had a חתן come before him with טענת דמים. He saw that they were emaciated from hunger, ordered them bathed and fed and he found דם רבי – applied v. 2 to them
- III כתובה: value of משנה בו
 - a 200 זוז – בתולה
 - i includes a divorcee, widow or חלוצה from status of אירוסין – and טענת בתולים can be claimed
 - b 100 זוז – אלמנה
 - i etymology of אלמנה – that the rabbis will eventually grant her 1 מנה.
 - ii Example of verses written in תורה (בראשית לח:יא) referring to later events (v. 3)
 - iii Several other etymological homilies:
 - 1 מטר (v. 4)
 - 2 מזבח
 - 3 תמרי
 - 4 דשא
 - 5 דרגא
 - 6 פוריא
 - 7 איילונית