

14.13.3

107b (משנה ב') → 109a (אינק לא)

I חנן's 2<sup>nd</sup> ruling: משנה ב'

- a If someone goes abroad and another voluntarily fed his wife:
  - i חנן: he lost his money (no claim on the husband when he returns) (ריב"ז supports: "הניח מעותיו על קרן הצבי")
  - ii בני כהנים גדולים (ר' דוסא בן הרכינס) supports: he can swear to the amount he laid out and collect
- b Association of our משנה with משנה נדרים ד:ב: if A is מודר from B, he may still perform מצוות financial (e.g. מחצית השקל) on his behalf, as well as pay his debt
  - i challenge: A is benefiting B by paying off his loan
    - 1 Answer1 (ר' אושעיא): follows חנן in our משנה (voluntarily paying another's debt can't be claimed)
    - 2 Answer2 (ר'בא): case where B borrowed money from X without giving X rights of collection → A didn't "help" B in any way
      - (a) Challenge: B is still ashamed in front of X, and A has removed that shame (→ must be חנן)

II אדמון's first ruling: משנה ג'

- a (תקנת חכמים): if a man dies and leaves a small estate, the girls are fed and the boys beg
  - i אדמון (supported by ר"ג): boys should at least be equal
    - 1 reason1: because they study
      - (a) challenge: then it should only apply to boys who study
    - 2 reason2: because they are the proper heirs

III אדמון's second ruling: משנה ד'

- a If someone claims a debt of X jugs of oil and the defendant agrees to the jugs alone,
  - i אדמון (supported by ר"ג): considered מודה במקצת הטענה and he must take an oath (מדאורייתא)
  - ii חכמים: since the concession is not in the same material as the claim, he is exempt
  - iii inference: if A claims wheat and barley and B admits to barley alone, חכמים exempt
    - 1 challenge: to שמואל – in such a case he obligates שבועה
    - 2 defense: in our משנה, A claims an amount of oil and B admits to the barrels alone
      - (a) challenge: אדמון's position
      - (b) rather: the dispute hinges on our interpretation of the claimant's words:
        - (i) case: he stated: "I have ten jugs of oil in your property"
        - (ii) אדמון: could mean "ten jugs", could mean "ten jugs' worth"; the response may answer the claim
        - (iii) חכמים: only means "ten jugs' worth" → the responses doesn't answer the claim
        - (iv) challenge: if all agree that the claim may imply "jugs" he is חייב
        - (v) contra: ר' חייא בר אבא – if A claims wheat and barley and B admits to barley – פטור
        - (vi) Defense: our case is like claiming a pomegranet and its peel
        - (vii) Block: a pomegranet cannot exist without its peel, unlike oil
        - (viii) Rather: A claims 10 jugs of oil, B rejects claim of oil and admits to 5 jugs
          - 1. אדמון: claim implies jugs as well, since he can force an oath (מה"ת) on jugs, he can tether an oath on the oil (גלגול שבועה)
          - 2. חכמים: claim implies oil only, the claim and the concession are unrelated – no oath

IV אדמון's third ruling: משנה ה'

- a If someone agreed to pay his son-in-law a dowry and then went bankrupt:
  - i חכמים: the girl may be stuck for life (the husband isn't compelled to marry or divorce)
  - ii אדמון (supported by ר"ג): she can claim: "had I made the agreement, fine; since father did, marry or divorce"
  - iii variant read (ר' יוסי בר יהודה): all agree that if father committed, husband must divorce or marry;
    - 1 dispute: only if she made the agreement:
      - (a) אדמון: I thought I could live up to it – marry or divorce
    - iv addendum: dispute only if girl is an adult; if she's a minor, husband must marry or divorce
  - b ruling(s): everywhere it states that אדמון supported ר"ג, we rule in accordance
    - i statement that הלכה follows בו וכיוצא בו refers to ריב"ז who supported both of his ruling
    - ii statement that אין הלכה כאדמון וכיוצא בו means that sometimes הלכה doesn't follow חנן or his supporters – in every case except where ר"ג supports him where we do rule in accordance with אדמון