

18.02.05; 19a (משנה ג) → 20a (כתבו על איסורי הנאה כשר)

1. כי יקח איש אשה ובעלה ויהיה אם לא תמצא חן בעיניו כי מצא בה ערות דבר וכתב לה ספר פרישת ונתן בגדה ושלחה מביתו: דברים כד, א
 2. עזי וזמרת יה ויהי לי לישועה זה אלי ואגהו אלהי אבי וארממנהו: שמות טו, ב

- I גט valid materials for writing a משנה ג'
- a inks: דיו (ink), סם (paint), סקרא (red paint), קומוס (gum) and קנקנתום (bootblack) or anything that lasts
 - 1 Includes: lees or nut-juice
 - 2 additionally: if written with lead, pigment (black) or coal, it is valid
 - ii invalid: liquids, fruit juice or anything which doesn't last
 - b canvas: (anything may be used) an olive leaf, bovine horn (gives her the animal), slave's hand (he gives her the slave)
 - i dissent: יוסי הגלילי invalidates anything alive and foodstuff
- II Paralleling שבת כתיבה of גט with כתיבה vis-à-vis מלאכת שבת
- a Ruling: if one overwrites a text in paint with ink – all agree he's חייב twice – מוחק and מוחק
 - i Additionally: all agree that if he overwrites with the same type of ink – פטור
 - ii Question: if he overwrites a text in ink with paint:
 - iii Some say he is חייב – for מוחק
 - iv Some say he is פטור – since that erasure falls under the rubric of מקלקל
 - b application: what if עדים don't know how to sign, can we write in paint and allow them to overwrite with ink?
 - i Answer (ר' יוחנן): overwriting isn't considered כתב
 - 1 Challenge (ר"ל): you taught that overwriting is חייב on שבת (as above)
 - 2 Response: this is theoretical and I wouldn't issue a practical ruling based on it (e.g. for a קרבן חטאת)
- III Revisiting the "fill-in" for witnesses who don't know how to sign their names
- a רב: we make a cut into the שטר and allow them to fill in with ink
 - b שמואל: we write with lead (must mean – water soaked in lead; since lead itself is valid)
 - i comments: other אמוראים add other suggestions - prepare it with מי טריא, if the parchment was prepared with מי טריא, so that the original כתב won't show up (and they can fill in with ink over it) or with spittle
 - 1 note: this is only valid in case of גיטי נשים, but not other שטרות, (we search for literate עדים)
 - c זרייתא: supporting רב, with caveat of רשב"ג that we only permit incision for גיטי נשים to avoid עיון
 - i note: dispute as to whether we accept רשב"ג's caveat
 - ii challenge: רב כהנא administered מכות to someone who utilized the "pre-cut" signature for a שטר
 - iii answer: dispute is whether we allow reading for illiterate witnesses in other שטרות; all accept רשב"ג re: pre-cut
 - iv stories: of אמוראים who needed שטרות to be read to them (due to failing eyesight)
 - 1 note: ר' נחמן, who had expert scribes, was permitted, but only with expert scribes and only with ר"ג of whom they were in awe and wouldn't misrepresent the שטר
 - v Tangent: ר' פפא permitted using a שטר פרסי, by having 2 independent פרסיים come in and relate, matter-of-factly, what was written; he would even allow collecting from משועבדים
 - 1 Further: אממר permitted a שטר פרסאי, signed by Jews, to be used, as long as it fit the general parameters of a proper שטר – teaching that the allowance of שטרות in other languages isn't limited to גיטי נשים
- IV שמואל's ruling about a blank גט; if he gives wife blank parchment & declares גיטיך – ה"ז גיטיך that it was written with מילין
- a challenge: it he writes a גט, gives it to her and she destroys it...and then he says "it wasn't a גט" – it is, nonetheless, a גט
 - b implication: only if it was written do we consider it a גט
 - i answer: in our case, we held it up to a fire and the writing showed – so we're חושש, since it only appeared now
 - c ruling: witnesses must read the גט;
 - i challenge: (from ruling above) – if the witnesses saw it, how can he then retract and say it wasn't a גט?
 - ii Answer: he took it from them and gave it back – we might think that he switched them – קמ"ל
 - iii Story: man threw a גט among barrels and a מזוזה was found → that was it, not a גט (
 - 1 Caveat: 1 is found; if several are found, we assume that the גט was real and was destroyed/eaten by mice
 - iv Story: man took ס"ת out and gave to his wife, saying גיטיך ה"ז
 - 1 Ruling: ר' יוסף – no concern; מי מילין aren't considered writing on top of מילין, מי מילין must be לשמה (v. 1)
 - 2 Suggestion: the validity of a retraced גט is subject to dispute ר' יהודה/רבנן about "fixing" ה' ס"ת in שם ה'
 - (a) Disalignment: רבנן invalidate there due to v. 2
 - d גיטין ד' חסדא I could invalidate all
 - i explanation: because it says וכתב and she pays the סופר – rejection: רבנן transferred ownership to him
 - ii rather: it says ונתן and he gives her nothing of valud – rejection: נתן refers to גט (proof: may use איסורי הנאה)