

18.04.03

34b (משנה ב) → 35b (ההוא גט יבמין הוה)

- I **22** משנה ב: enforcing use of all names by which either the husband or wife is commonly known
- a *Originally*: they would write the names by which they are known in the location where it was written
- b *Ordinance*: for ר"ג הזקן, תיקון העולם, ordained that they write "and all names by which he/she is known"
- i **דב אשי** only if both names are commonly used
- 1 *support*: ברייתא which obligates using both names but, if he goes to a "neutral location", doesn't obligate it
- (a) *Resolution*: where the 'other name' isn't commonly used, no requirement
- ii *Interpretation1*: that's what they would write – names as known where the גט was written and "all the names..."
- iii *Interpretation2*: they would write both (sets of) names explicitly (ר"ת)
- iv *Interpretation3*: they would write both – explicit names commonly used and "all the names..." (ראב"ד)
- c *Case*: a woman was named מרים but was known in some places as שרה – the גט must read "מרים and any other name"
- II **ג'** משנה 3: 3 more ordinances תיקון העולם
- a *premise*: an אלמנה may not collect her כתובה from the יתומים without a שבועה; however, they refuse to administer a שבועה
- i *reason*: she rationalizes that she has been helping the יתומים, so she interprets her use of the estate "liberally" and will lie under oath
- ii *ruling*: she may take a נדר as per their demand and collect (ר"ג הזקן)
- iii administering oath outside of ב"ד
- 1 *version #1* (סורא) רב ושמואל agree that it may be done outside of ב"ד
- (a) *challenge*: רב never allowed collection of a כתובה by an אלמנה - **קשיא**
- 2 *version #2* (נהרדעא) שמואל permits – but רב forbids
- (a) *support*: רב never allowed collection of a כתובה by an אלמנה
- (i) *question*: why not administer a נדר (as per ר"ג הזקן)
- (ii) *answer*: in רב's day, people treated נדרים lightly and he wasn't wont to initiate one
- iv *stories*:
- 1 **דב הונא** refused to administer oath
- (a) *woman*: initiated her own oath and רב הונא allowed collectxon (קופצת שאני)
- 2 **דב בר רב הונא** refused to administer oath as per רב; also refused to give her מזונות as per ruling of שמואל
- (a) *Ruling*: once a widow sues for collection of כתובה, she loses מזונות
- (b) *Challenge*: רב הונא רבה בר רב הונא ruled against her by employing 2 opposite authorities (רב/שמואל)
- 3 **דב יהודה** ordered she be given נדר inside ב"ד and an oath outside – and he insisted on hearing about the collection
- v *גרושה* שמואל limited the restriction to אלמנה, but allowed a גרושה to take an oath
- 1 *Challenge*: document sent from א"י which described a גרושה who took a נדר that she would ban all פירות שבעולם on herself if she had collected more than *n* of the כתובה
- (a) *Implicstion*: they wouldn't administer oath and she had to take נדר
- (b) *Answer*: that was a גט יבמין
- (i) *Meaning*: she was a יבמה who was invalidated from the brothers and needed a גט, but the collectxon was from the dead brother's estate –i.e. as an אלמנה → no oath → נדר
- b witnesses sign on a גט due to תיקון העולם
- c in order to encourage loans, פרוזבול was established (הלל)