

18.06.03

65a (משנה ג) → 66a (משנה אבא במקום אבא)

- I שליח: details of appointing משנה ג'
- a a קטנה:
- i she may not appoint a שליח לקבלה, therefore, גט is only in effect after she gets it
 - ii *however*: her father may appoint a שליח לקבלה and it takes effect immediately
- b specifying a location
- i *if*: he tells the שליח to give it to her in a specific place and he gives it elsewhere – invalid
 - 1 *however*: if he tells the שליח that he can find her in a specific place and he gives it to her elsewhere – valid
 - (a) *reason*: he's just pointing out the place
 - ii *if*: she tells the שליח to receive it at a particular place and he gets it elsewhere – invalid
 - 1 *dissent*: ר"א validates
 - (a) *Distinction*: he doesn't disagree in the earlier clause, since the husband has the purview over divorce, he can specify where to effect it; here, she has no control over it, ergo, she's just identifying his location
- II 'משנה ד': point of end-of-marriage, for purposes of אכילת תרומה
- a *if*: she tells the שליח to "bring" her the גט, she eats until it arrives to her
- b *but if*: she tells the שליח to "receive" the גט for her, she is immediately forbidden to eat
- i *if*: she told him to receive the גט at a specific place, she may eat until the גט arrives there
 - 1 *note*: this is only in a case where she told him that he could receive it anywhere, but it won't take effect until he gets to that location – otherwise, the גט is invalid if he didn't receive it at that specific location
 - ii *dissent*: ר"א forbids her to eat תרומה immediately
 - 1 *Challenge*: this is obvious, since ר"א maintains that she is merely identifying the easiest place to find him
 - (a) *Answer*: even if he went in the opposite direction (he may meet the husband on the way)
- c Related ruling: if the dispatcher told the agent to use dates for the עירוב and he used figs (or vice-versa)
- i Dispute as to whether it is valid
 - 1 *Resolution #1* (רבה): רבנן (who consider this a specific request – קפידא) vs. ר"א (considers it an example)
 - 2 *Resolution #2* (ר' יוסף): all רבנן; his fruit (valid) vs. his fellow's fruit (he has no רשות to use others)
 - (a) *Challenge*: could we apply same resolution to a parallel dispute about locations (tower vs. dove-cote)?
 - (b) *Answer*: indeed – could have meant "fruit that I have in the tower" etc.
- III משנה ה': proper and improper formulae for directions to write and give a גט
- a if he says anything that includes the formal writing or divorcing – valid
- b however, if he says something which is equivocal (e.g. feed her) – invalid
- i *note*: פטרוה vs. פיטרוה in בבב תנאים were more careful with fine distinctions of language
- IV משנה ז': evolution of circumstances where we may give a גט on a threatened man's command to write (w/o saying "give")
- a originally – only if he was being taken out to be executed
- b later – also someone who goes to say or in a caravan
- i *addendum*: ר"ש שזורי – even someone who is sick
 - ii *story*: גניבא was being taken out to be executed and directed 400 זוז be given to ר' אבינא "from the wine"
 - 1 *Ruling*: if the recipient goes to רב הונא, who equates גט שכ"מ to מתנה שכ"מ – he'll gain it without קנין
 - (a) *Challenge*: he didn't say "the wine" or "value of the wine", rather "from the wine"
 - (b) *Answer*: he said it that way to give him multiple avenues of collection
- V משנה ו': we may write a גט based on an "unseen" command (hearing a voice coming from a pit, e.g.)
- a *challenge*: perhaps it's a daemon
- b *answer*: only if the writer saw it's shadow's shadow (which daemons don't have)
- c *note*: it's only valid during times of danger, when we ignore the possibility that this is a צרה trying to hurt her co-wife
- VI משנה ז': if a healthy man directs "write" (w/o saying "give"), he's merely harassing her
- a *story*: a man said that, then went up to the roof and fell off and died
- b *ruling* (רשב"ג): if he fell of his own accord – גט should be given; if the wind pushed him, may not be given
- c *Note*: story seems to contradict ruling;
- d *Answer*: there is a deficiency in the text – to wit, if the end proved the intent, we may give it as per the story
- i *Story*: a man appointed a teacher (whose son was with him) and another to write a גט – the teacher died
 - 1 *ל"ג*: we don't assume that he would have wanted to appoint the son in his father's place
 - 2 *ל"פ*: we may assume that he would have wanted to appoint the son in his father's place – וכן הלכה