19.01.06

7b (בעי רבא שתי בנותיך) ← 8a (כגון דנפיק על ידי הדחק)

> *ז. אִם עוֹד רַבּוֹת בַּשָׁנִים לְפִיהֶן יָשִׁיב גְּאֻלָּתוֹ מִכֶּסֶף מִקְנָתוֹ: ויקרא כה, נא*

I   Analyzing the פרוטה – 3 hypothetical questions – all unresolved (תיקו)

   a   רבא: if he said (to a father of קטנות/נערות) "I'm מקדש your 2 daughters with a פרוטה"

     i   *lemma1*: we look at the קנין from the perspective of the donor and donee – and we have a פרוטה

     ii   *lemma2*: we look at the קנין from the perspective of the מתקדשות – and there is less than a פרוטה for either

   b   ר' פפא: if he said (to the father of a קטנה/נערה) "your daughter and cow for a פרוטה"

     i   *lemma1*: did he mean "each for a ½ פרוטה" – invalid

     ii   *lemma2*: did he mean "your daughter for the פרוטה and the cow via משיכה" – valid

   c   ר' אשי: if he said "to the father of a קטנה/נערה) –"your daughter and land for a פרוטה"

     i   *lemma1*: did he mean "each for a ½ פרוטה" – invalid

     ii   *lemma2*: did he mean "your daughter for the פרוטה and the land via חזקה" – valid

II   שומא – the possible requirement to determine the value of the vehicle for קידושי כסף

   a   *story*: a man offered קידושין with some silk

     i   *רבה*: no need for an appraisal

     ii   *ר' יוסף*: must be appraised

       1   *version 1*: disagreement only in a case where he declared them to be worth X and they were worth X

         (a)   *reason*: if he didn't declare a value – she accepted them at "face value"

         (b)   *and*: if he declared a value ("X") and they were worth less – מקח טעות

         (c)   *positions*:

           (i)   *רבה*: since they were worth the declared value – no need

           (ii)   *ר' יוסף*: since a woman isn't typically familiar with these values, she doesn't rely on it

       2   *version 2*: disagreement even if he doesn't declare a value

         (a)   *positions*:

           (i)   *ר' יוסף*: שוה כסף::כסף – just as כסף has a clear, set amount, so too with שוה כסף

           (ii)   *Argument1*: v. 1 – עבד עברי buying his way out –

             1. *note*: he may use שוה כסף (as per ישיב) but produce and vessels are excluded

             2. *case*: שוה כסף has value (>ש"פ) but they weren't appraised → not considered שוה כסף

             3. *counter (רבה)*: can't be transferred *a la* תבואה וכלים (i.e. חליפין)

               a. *Block*: ר"נ already ruled that פירות can't be used for חליפין – so what's excluded

               b. *Rather*: case is where the מטלטלין were worth <ש"פ

                 i. *סד"א*: since the seller gets immediate benefit (e.g. fruit) he'll accept at <ש"פ – קמ"ל

           (iii)   *argument2*: from rule of פדיון הבן

             1. *if*: a man gives an item (e.g. animal, clothing) to כהן without specifying an amount – לא פדוי

             2. *but if*: he declares it to be worth 5 שקלים – valid

               a. *case*: must be where it was worth 5 – but without appraisal/declaration – invalid

               b. *counter*: it may have been worth less, but if it has subjective value to כהן – סד"א valid

                 i. *support*: רב כהנא accepted a (less expensive) turban – to him it was worth ה' סלעים

                 ii. *Note*: only applies to people (like רב כהנא) who, due to their station, need a סודר

III   קידושי כסף and partial payments

   a   ר"א: if he offered a מנה (100 דינר) and gave her a דינר – קידושין are valid immediately and he owes her the rest

     i   *reason*: the "100" should be seen as a condition (and all ע"מ are understood as מעכשיו)

     ii   *challenge*: if he said "100" and was counting it out, even at the final דינר, either can back out

       1   *answer*: in that case, he said "*this* 100 (דינר) מנה"

       2   *block*: the סיפא of that ברייתא invokes מנה זו; implying that the רישא was מנה (w/o זו)

       3   *defense*: the סיפא is explaining the רישא

         (a)   *support*: else, סיפא is tacit, since if מנה סתם doesn't work, certainly מנה זו

         (b)   *block*: perhaps the סיפא is coming to clarify that the רישא, even though it's מנה סתם, is *still* invalid

       4   *alternate answer (רב אשי)*: counting it out is different; they intend the full amount (and can back out until then)

       5   *note*: ברייתא invoked copper דינר (invalid) and "bad דינר" (valid, but he must exchange it)

         (a)   *Definition of "bad דינר"*: if it can't be used at all (no one will accept it) should be same as "copper"

           (i)   *Rather*: it can be used in exigencies (most merchants won't accept it)