

19.02.08

48b (משנה ב') → 49b (ואחד נטלו כל העולם כולו)

1. ואשא עיני וארא והנה שתיים נשים יוצאות ורוח בכנפיהם ולהנה כנפים ככנפי החסידה ותשאנה את האיפה בין הארץ ובין השמים: ואמר אל המלאך הדבר בי אנה המה מולכות את האיפה: ויאמר אלי לבנות לה בית בארץ שנער והוכן והניחה שם על מכנתה: זכרה ה, ט-יא

2. אחות לנו קטנה ושדים אין לה מה נעשה לאחתנו ביום שידבר בה: שיר השירים ח, ח

I Misrepresented קידושין which are invalid

a Examples

- i Barrel represented as wine is really honey or the inverse
- ii Coin represented as silver is really gold or the inverse
- iii Fiance represents himself as rich and is really poor or the inverse
- iv Note: if someone is מקדש with a cup of liquid and states "התקדשי לי בכוס זה":
 - 1 If: the substance is water, he intends the cup (cup must be ש"פ)
 - 2 If: the substance is wine, he intends the liquid only (wine must be ש"פ)
 - 3 If: the substance is oil (perhaps fish oil) – he intends both (sum value must be ש"פ)

b dissent: ר"ש – if the truth is more advantageous (wine, gold, rich) – מקודשת

- i Challenge: doesn't ר"ש agree that some prefer silver to gold (as per example with wine and vinegar)?
 - 1 Answer1 (אב"י): case where he sent שליח from whom he borrowed (e.g) silver and שליח instead gave הוב
 - (a) חכמים: he really intended silver (קפידא – an insistence on his exact wishes being carried out)
 - (b) ל"ש: he was just מראה מקום (providing data)
 - (c) challenge: language of משנה militates against it – should be לו התקדשי, should be הטעהו
 - 2 answer2 (ר' חייא בר אבין and רבא): case where she sent שליח to accept קידושין that were promised to be (e.g.) silver
 - (a) חכמים: there's a definitive קפידא
 - (b) ל"ש: she was merely מראה מקום
 - (i) note: "it turned out to be gold" – because the coin was wrapped up

c tangent: מראה מקום אב"י's alignment of תנאים who accept principle of מקום:

- i ל"ש in our case
- ii דשב"ג in case of a גט פשוט or vice-versa
 - 1 note: רשב"ג's leniency only operates in location where both types of שטר are common
 - (a) Case: he told the סופר to prepare one kind and he did the other – מראה מקום (and not a קפידא)
- iii ל"א in case of sending שליח to a particular place to receive a גט

d range of the dispute:

- i כהן – only when the appreciation is monetary, not יוחסין (e.g. לוי)
 - 1 reason: she's not interested in someone "too good" (the shoe's too big for her foot)
 - 2 supporting שמעון ברייתא: שבת יוחסין ר' concurs in case of שבת יוחסין
 - 3 supporting (ר' אשי): next משנה involves שבת יוחסין and ר"ש is silent
 - (a) Challenge: ר"ש is also silent in re: having (or not having) an adult daughter or slavegirl – שבת ממון
 - (i) Rather: his silence is simply a tacit extension of his earlier dissent
 - (ii) Defense: no reason to repeat his dissent in re: שבת ממון, but re: שבת יוחסין he should vocalize dissent
 - (iii) Block: that case may also be שבת יוחסין – adult daughter means one who is growing up and her concern is that she doesn't want her wearing her clothes etc. (competition)

II Definition of terms for קידושין (if he gives her קידושין contingent on him being...)

- a קריינא – once he's read 3 פסוקים in shul (i.e. from the תורה) – sufficient
 - i dissent: ר' יהודה requires him to also read the תרגום
 - ii however: קריינא – must be a master of Scripture
- b מדרש תורה ר' יוחנן; (משנה) חזקיה; שונה
 - i note: this is if he said תנינא; if he calls himself a תנא, he must be an expert in all areas of תושבע"פ
- c תלמיד – as long as he can answer from any area where he has studied
- d חכם: as long as he can respond to a question about חכמה and answer
- e גבור: as long as his peers fear him
- f עשיר: as long his townfolk honor him
- g רשע or צדיק: anyone, as he may have had righteous thoughts or considered apostasy

III אגדות about the 9/10 of each character trait in the world taken by specific groups (vv. 1-2)