

22.10.5

165b (משנה ב) → 167a (ואמרי לה קם אזרנוקא וכתב)

I 22 משנה ב: deciphering ambiguity on a שטר

- a If: the שטר reads 100 זוז which are 20 סלעים (=80 זוז) - then it is 80 זוז
- b If: the שטר reads 100 זוז which are 30 סלעים (=120 זוז) - then it is 100 זוז
- c If: it states זוזין דאינין כסף and the amount is erased - he gets 2 silver סלעים (same with דרכונות)
- i **ברייתות** *Associated*
- 1 **כסף**:
- (a) If: he states כסף - understood to be one דינר כסף
- (i) Note: as long as it states "coin"; else it could be a piece of silver
- (ii) Note: only if it is a place where they don't make פרוטות כסף; else it may mean that
- (b) If: he states דינרין כסף or כסף דינרין - 2 דינרין כסף
- (c) If: he states כסף בדינרין - means 2 זוז דינרין worth, paid in silver
- 2 **זהב** (same as above; they never make פרוטות from gold)
- (a) *דהב בדינרין* means 2 דינרין כסף paid in gold
- (b) *challenge*: perhaps he means pieces of gold
- (c) *answer* (**אבוי**): the owner of the שטר is always on the short end (יד בעל השטר על התחונה)
- (i) Question: why do we interpret דינרין differently in each ברייתא (gold vs. silver)?
- (ii) Answer (**ר' אשי**): in first case, mentioned דינרין (means gold) and second mentioned דינרין (silver)
1. Support: story of רשב"ג forcing prices of קינים down - from דינרין (זהב) to דינרין (כסף)
- d If: there is a discrepancy between what is written above and below - the lower amount is the final one
- i Question: if so, why is it written above?
- ii Answer: if one letter is erased from the lower line, it can be inferred from the upper line
- 1 Parameters: only one missing letter can be "filled in" by upper line
- (a) Reason: perhaps it'll be a 3-letter name, and a majority filled in by upper line
- 2 **פלא ג' ספל** if it says ספל above and קפל below - lower line defines the term
- (a) Question: if it says קפל above and ספל below, do we assume a fly turned the ס into a ק (and allow lower line to define the term) or not? תיקו
- iii *Rulings from בית מדרש אבוי*
- 1 Case: שטר had "600 and 1 זוז" written -
- (a) Question: does it mean 600 סלעים and a זוז or 600 פרוטות and a זוז?
- (b) Answer: it certainly doesn't mean פרוטות, as those are grouped (into a larger denomination)
- (i) Rather: may mean 600 זוזים or 600 סלעים → יד בעל השטר על התחונה and lesser amount assumed
- 2 Ruling: someone who wants to sign a דוגמא for ב"ד, should sign at top of מגילה; not below
- (a) Reason: if someone takes his signature and adds a liability, it is collectible (from בני חורין)
- (b) Supporting story: Jewish מוכס asked for אבוי's signature, to verify his exemptions for students
- (i) אבוי began writing on top of the text; he tried to pull אבוי's hand down to sign lower - אבוי caught on and noted that the רבנן had "beaten him to the punch"
- 3 Ruling: סופר shouldn't write any amount between 3 → 10 at end of line
- (a) Concern: בעל השטר will add plural suffix
- (b) And: if it happens, he should mention number several times in שטר; certainly some occasions will fall in the middle of the line
- (i) Story: a man wrote "3 for an orchard" - (תילתא בפרדיסא); בעל השטר erased top and bottom of בית, turning it into "3 and an orchard" - (תילתא ופרדיסא) - אבוי noted that there was a large space between the וי"ו and the פ"א - he forced the forger to confess
- (ii) Parallel story: א שטר indicated the portion of אחי ושמעון אחי (who are brothers); they had a brother named אחי, the בעל השטר added a וי"ו before אחי; אחי אבוי noted that the space between וי"ו and אל"ף was very tight - he forced the forger to confess
- iv Case in *בית מדרש דבא*
- 1 Story: שטר came before רבא with his signature and בר אדא ר' אחא בר אדא; he recognized his own, but noted that he had never signed before רבא; רבא אבוי forced the forger to confess
- (a) Epilogue: he understood how the forger had forged his own signature, but was mystified how he had forged רבא's signature; his hand trembled
- (i) Answer: he either put his hand on a taut rope or stood on a water pipe which was moving