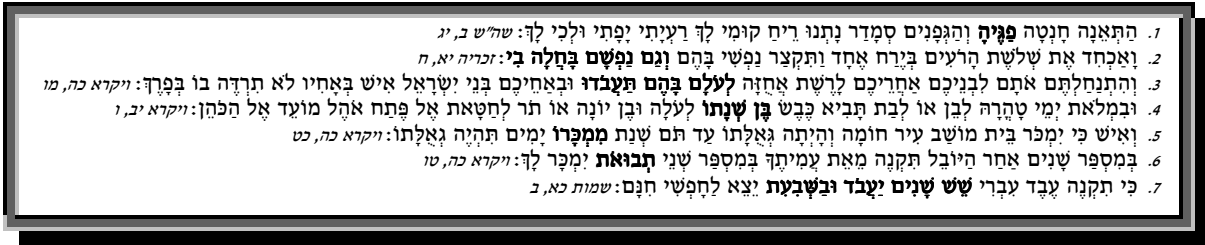


39.5.7; 47a (משנה ז) → 48a (סיום הפרק)



- I ז משנה ז: nomenclature adopted by חכמים, using stages of growth of a fig
 - a תינוקת פגה (unripe per v1): yet a
 - b נערות בחל (per מעשרות א:ב v2): days of
 - i During all of these: father has control over her מציאה, wages, נדרים, גדרים,
 - c צמל (as in "יצאה מלאה") after she reaches בגרות – at this point, father has no more rights over her
- II ח משנה ח: Definition of סימנים: various opinions about growth of breasts
 - a שמואל used his slavegirl to check but paid her for בושת, per v. 3 – only given for work, not for shaming
 - i Tangent: varying levels of treatment of slave girls among the חכמים
 - b בריתא gives further סימנים of the torso – for בגרות (more developed than סימנים in משנה ג)
 - i דשב"י there are 3 סימנן "below", corresponding to 3 above
 - 1 If: she is a "פגה" above, we know that she doesn't yet have שתי שערות below
 - 2 If: she is a "בוהל" above, we know that she has brought שתי שערות below
 - 3 If: she is a "צמל" above, we know that the "palm" has softened below
 - (a) Clarification: the "כף" is a spot just above the genital area which is round; as she grows, it softens
 - ii Final ruling: רבי – we follow each opinion לחומרא (once she has any of the סימנים, we are מחמיר and treat her as גדולה)
 - 1 Note: רבי's answer "הלכה כדברי כולן להחמיר" may have been about an entirely different issue (ר"פ vs. ר"נ חגיגה)
 - (a) חצר הצורית which is קובע for מעשרות – various opinions as to what constitutes חצר הצורית
 - (i) דב"י ruled that if any of these criteria are found there – קובע למעשרות
- III ט משנה ט: time-line for סריס and איילוניות; if they reach the age without שתי שערות, bring proof of their age and they are declared
 - a Consequently: they cannot be חולץ or מייבם
 - b ז"ה 20 years for each
 - c ז"ש 18 years for each
 - i ד' אליעזר rules like ז"ה for men and ז"ש for women, who mature faster
 - d Challenge: we equate a boy who is 9 and one who is 20 for ייבום (i.e. his ביאה is like מאמר of adult; we are still waiting)
 - i Answer (ר"ב): in our משנה, he already showed signs of being a סריס – seen in our משנה's wording – "והוא סריס" –
 - ii Question: if he doesn't show סימני סריס, how long do we wait for סימנים before declaring him?
 - 1 Answer (ר' חייא): a majority of his life-span (i.e. 35)
 - 2 Note: when a potential סריס would be brought to ר' חייא, if he was weakly, he would instruct them to fatten him up
 - (a) And if: he was overweight, he would instruct them to put him on a diet – סימנים may be affected by body state
- IV Summary discussion about years in our פרק – are they full years ("מעט לעת") or "into that year"?
 - a דב: all spans in our פרק are מעל"ע
 - b עולא: when it states אחד יום..., it is a complete year; else, it is into that year
 - i Challenge (to ר"ב): why would it say it in some משניות but not others?
 - ii Additionally: later תנאים ruled that 1 month into 20th year (כ"ה) or 1 month into 18th year (כ"ש) is "the age"
 - iii דב: this is a dispute among תנאים
 - 1 מעל"ע: these years are all מעל"ע:
 - (a) קדשים: per v. 4
 - (b) ערי חומה בית בערי חומה – v. 5
 - (c) שדה אחוזה 2 years which the seller must wait to force back a buy-back – v. 6
 - (d) עבד עברי goes free after 6 full years from his sale – per allusion in v. 7
 - (e) ר' יוסף (ר' יוסף) may mean for ערכין (רב) or for our chapter (ר' יוסף)
 - (i) Note: they don't disagree (clearly, as רב is the one who claims that all the years in our chapter are מעל"ע)
 - (ii) Rather: רב assumed that the בריתא was listing only those written in תורה
 - 1. דב יוסף: if so, בריתא should have said לזכר ולנקבה – not ונת בן (which alludes to our chapter)
 - c Final ruling: follows בן כיפר in ר' יוסי בן כיפר in ר"א's name – for סריס/איילוניות, 30 days into 20th year is sufficient (with סימני סריס)