



בס"ד Intro

Today we will מסכת כתובות of ידף נ learn מסכת כתובות. Some of the topics we will learn about include.

A continuation of the תקנות אושא Several regulations initiated by the Chachamim while the Sanhedrin was in the city of אושא:

המבזבז אל יבזבז יותר מחומש

A generous person should NOT disperse more than one-fifth of his assets to Tzedakah.

שיהא אדם מתגלגל עם בנו עד שתים עשרה שנה מכאן ואילך יורד עמו לחייו

A father encourages his son gently to learn Torah, until he reaches the age of twelve. However, once he becomes twelve the father compels his son to learn Torah.

האשה שמכרה בנכסי מלוג בחיי בעלה ומתה הבעל מוציא מיד הלקוחות

When a woman sells her גנסי מלוג, and she subsequently dies, her husband extracts the נכסי מלוג from the לוקח.



The Machlokes regarding מזונות הבת נגבית ממטלטלין, if the daughters collect support from the movable assets of the deceased father

Some of the terms and concepts we will learn about include.

נכסי מלוג

The wife's assets that are NOT included in the Kesubah, in which she owns the קדן, the principal, while her husband is entitled to the פירות, the profits.

If she dies, her husband inherits these assets, because he is her μ , inheritor.









תנאי כתובה

Additional provisions in the Kesubah which provide benefits for her and her children - These benefits will be discussed at length in subsequent Dafim.

Some of these benefits include מזונות אלמנה

When he dies, although his estate is inherited by his יורשים, the widow is supported from his estate.

מזונות הבת

When he dies, her daughters that they had together are supported from his estate.

כתובת בנין דכרין

The sons they had together inherit their mother's Kesubah after their father dies.

תנסים שיש להן אחריות, refers to land, which are everlasting. תנסים שאין להם אחריות, refers to movable assets, which are NOT everlasting









1 So let's review ...

The Gemara in the previous Daf mentioned two of the תקנות אושא

The regulations initiated by the Chachamim while the Sanhedrin was in the city of אושא:

The Gemara continues with additional תקנות אושא

3.

ר' אילעא says

באושא התקינו

המבזבז אל יבזבז יותר מחומש

The Chachamim of אושא initiated that a generous person should NOT disburse more than one-fifth of his assets to Tzedakah. As the Braisa explains;

שמא יצטרך לבריות

So that he should NOT become destitute, and be dependent upon others.

There is a אסמכתא, a Torah source, for this תקנה in Yaakov Avinu's pledge to Hashem

וכל אשר תתן לי עשר אעשרנו לך

Whatever you give me, I shall separate a tenth for you. The repetitive words עשר אעשרנו, imply two-tenths, which is the equivalent of one-fifth.

=========









2

Another one of the תקנות אושא

רב יצחק says

באושא התקינו

שיהא אדם מתגלגל עם בנו עד שתים עשרה שנה

מכאן ואילך יורד עמו לחייו

The Chachamim of אושא initiated that a father encourage his son gently to learn Torah, until he reaches the age of twelve. However, once he becomes twelve-years-old the father compels him to learn Torah.

The Gemara mentions a statement of בד that בר שית that

קביל וספי ליה כתורא

When a son becomes six years old, his father force-feeds him Torah as one force-feeds an ox. This implies that he compels him from the age of six.

The Gemara gives two explanations.

1.

ספי ליה כתורא

מיהו אינו יורד עמו לחייו עד לאחר שתים עשרה שנה

He force-feeds him Torah when he becomes six-years-old. However, he does NOT compel him to learn until he is twelve years.

2.

הא למקרא

הא למשנה

He compels him to learn Chumash at six, and Mishnah at twelve.

=======

5

The Gemara proceeds to another one of the תקנות אושא regarding

נכסי מלוג;

The wife's assets that are NOT included in the Kesubah, in which she owns the קדן, the principal, while her husband is entitled to the פירות, the profits.

If she dies, her husband inherits these assets, because he is her יורש, inheritor.

רבי יוסי בר חנינא says

באושא התקינו

האשה שמכרה בנכסי מלוג בחיי בעלה ומתה

הבעל מוציא מיד הלקוחות

The Chachamim of אושא initiated that when a woman sells her גנסי מלוג, and she subsequently dies, her husband extracts the נכסי מלוג from the לוקח.

Although a יורש, an inheritor is NOT entitled to assets that were previously sold.

However, Rashi explains, the Chachamim initiated that בעל כלוקח ראשון

The husband is considered the initial buyer.

Therefore the sale was only valid while she was alive, however when she dies the sale is void in which the assets are transferred to her husband.

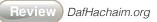
========

Dedicated By: _











4

The Gemara now returns to the Mishnah in the previous Daf where רבי אלעזר בן עזריה compared the following two benefits written in the Kesubah

הבנים יירשו

והבנות יזונו

1.

The sons they have together inherit their mother's Kesubah.

2.

The daughters they have together are entitled to much, support.

מה הבנים אינן יורשין אלא לאחר מיתת האב אף הבנות אין ניזונות אלא לאחר מיתת אביהן

Just as the sons only inherit the Kesubah after their father dies, so too, the daughters are only entitled to their father their father dies.

רב המנונא says that these benefits are also comparable in another aspect:

כשם שאין הבנים יורשין אלא מן הקרקע

כך אין הבנות ניזונות אלא מן הקרקע

Just as the sons only collect the Kesubah from the father's קרקע, but NOT from מטלטלין, movable assets - So too, the daughters only collect, מזונות, from the father's קרקע, but NOT from מטלטלין – Because,

מטלטלין מטלטלין CANNOT be collected from מטלטלין

The Gemara cites an opposing opinion, that of רב יצחק בר יוסף

בעלייה התקינו שיהו בנות ניזונות מן המטלטלין

The Chachamim initiated that the daughters collect מזונות from מטלטלין as well.





Dedicated By: _





After relating a number of cases where it was ruled that אין הבנות ניזונות מן המטלטלין אין הברות ניזונות מן הקרקע

The Gemara in the next Daf concludes that this issue is actually a מחלוקת תנאים in a Braisa.

תנו רבנן

אחד נכסים שיש להן אחריות

ואחד נכסים שאין להן אחריות מוציאין למזון אשה ולבנות

דברי רבי

רבי rules that both, the widow and the daughters, collect their מזעות from both, קרקע and מאטלין.

רבי שמעון בן אלעזר אומר נכסים שיש להן אחריות מוציאין לבנות מן הבנים אלזר רבי שמעון בן אלעזר holds that the daughters collect their מזונות only from קרקע

This Braisa will be discussed in full in the next Daf.





