

A

τ"οב Intro

Today we will בע"ה learn דף ס"ז of הסכת יבמות זי of מסכת יבמות the topics we will learn about include.

If a Bas-Yisroel marries a Kohen she may eat Trumah because of him, because she's קנין כספו, as explained in the previous Daf. If he dies or divorces her, it depends: If she has children with him, she retains the latest status, and continues to eat Trumah because of her children - If she does not have children with him, she reverts to her previous status, and may not eat Trumah anymore.

If a Bas-Yisroel marries a Kohen she may eat Trumah because of him, because she's 1000 pp

If he dies or divorces her...

If she has children with him, she retains the latest status

If a Bas-Yisroel marries a Kohen she have of him, because of him, because of him, because of him, because she's 1000 pp

Conversely, if a Bas-Kohen – who eats Trumah in her father's home – marries a Yisroel, she may not eat Trumah anymore. If he dies or divorces her, it depends – If she has children with him, she retains the latest status, and may not eat Trumah because of her children. If she does not have children with him, she reverts to her previous status, and may again eat Trumah because of her father.

The Gemara later on דף סח cites the sources from the Psukim in Parshas Emor.

If a Bas-Kohen marries a Yisroel, she may not eat Trumah anymore

If he dies or divorces her...

If she has children with him, she retains the latest status

If she does not have children with him, she reverts to her previous status

**C** The Gemara will also discuss A Machlokes whether a עבדי צאן ברזל disqualifies עבדי צאן ברזל from Terumah











The reasons why a טובר is different than a son

The תקנה when a daughter inherits in the place of a son.



תקנה The when a daughter inherits in the place of a son







So let's review

## Zogt Di Mishna

בת ישראל שניסת לכהן ומת והניחה מעוברת

A Bas Yisroel married a Kohen – and as Rashi explains based on a Braisa cited later in the Gemara, they had children. He then died, leaving her מעוברת:

רבי יוסי rules as follows:

The wife continues to eat תרומה because of her children, and the עבדי מלוג continue to eat because of her, since they are HER possessions.

However, regarding the עבדי צאן ברזל, the רבי יוסי says; לא יאכלו עבדיה בתרומה

מפני חלקו של עובר

They are not allowed to eat Terumah, because they were the husband's possessions, now inherited by his children, among them the עובר;

שהעובר פוסל ואינו מאכיל

דברי רבי יוסי

 $\boldsymbol{A}$  עובר can disqualify, but not cause others to be allowed to eat Terumah.

The Gemara explains that

טעמא דרבי יוסי

The reasoning of רבי יוסי can be understood two ways:

אמר רבה קסבר

עובר במעי זרה

זר הוא

רבה says the status of the עובר is like that of its mother, a Yisroel, who may not eat Terumah, and therefore, disqualifies the עבדי צאן ברזל from eating.

רב יוסף אמר

ילוד מאכיל

שאינו ילוד אינו מאכיל

קסף says that the status of the עובר is like that of his father, a Kohen, who may eat Terumah. However, since the Pasuk states;

ויליד ביתו

הם יאכלו בלחמו

This teaches us that only a born child entitles his servants to eat Terumah, but a עובר cannot entitle his servants to eat Terumah.

למאי נפקא מינה

לעובר במעי כהנת

The difference between the two reasons will be in a case where she was a Bas Kohen.

According to רבה, who says;

עובר במעי זרה זר הוא

In this case, since his mother is a Bas Kohen, the עברי is also considered a Kohen. Therefore, the עבדי צאן ברזל are allowed to eat Terumah.

According to רב יוסף, who says;

שאינו ילוד אינו מאכיל

Dedicated By: \_

Even in this case, מובר cannot entitle his servants to eat Terumah. Therefore, the עבדי צאן ברזל are not allowed to eat Terumah.











The Gemara now cites the סיפא of the Mishnah: אמרו לו מאחר שהעדת לנו על בת ישראל לכהן

According to your ruling regarding a case of a Bas Yisroel married to a Kohen

אף בת כהן לכהן ומת והניחה מעוברת

Why don't you apply this ruling to a case of a Bas Kohen married to a Kohen?

לא יאכלו עבדיה בתרומה מפני חלקו של עובר

The עבדי צאן ברזל should not be allowed to eat Trumah because of the יעובר?

רבי יוסי responds in a Breisah אמר להם זו שמעתי וזו לא שמעתי

I heard this ruling that in a case of a Bas Yisroel it is אסור, but not in a case of a Bas Kohen where it would be מותר.

The Gemara asks according to רב יוסף אינו שאינו מאכיל who says ילוד מאכיל שאינו ילוד אינו מאכיל יאינו אינו מאכיל in both cases? אינו, this question remains unanswered.

אמרו לו מאחר שהעדת לנו
על בת ישראל לכהן...
אף בת כפן לכהן ומת והניחה מעוברת
לא יאכלו עבריה בתרומה
מפני חלקו של עובר?
מפני חלקו של עובר?
אמר להם
אמר להם
זו שמעתי וזו לא שמעתי
אמר און לא שמעתי
אוו לא שמעתי
אסור און אפל שאין אור אין אפל אין אור אין אפל אין אור אין אפל should hold that it's יוסי
קשיא.
קשיא.

The Gemara proceeds to explain and elaborate on the opinion of the התמים:

אמר רב יהודה אמר שמואל

זו דברי רבי יוסי

=========

אבל חכמים אומרים

יש לו בנים אוכלים משום בנים

Shmuel says that the חכמים disagree with רבי יוסי, and they hold that the עבדי צאן ברזל does not disqualify the עבדי צאן ברזל, and they are allowed to eat Trumah because of the remaining sons.

אין לו בנים אוכלים משום אחים

If the Kohen has no sons, the עבדי צאן ברזל eat via the next inheritor, his brother.

אין לו אחים אוכלים משום משפחה כולה

If he has no brothers, the עבדי צאן ברזל eat via the next inheritor, the closest relative.



אין לו אחים

אין לו בנים אוכלים יש לו בנים

אוכלים משום משפחה כולה

משום אחים Via the next אוכלים משום בנים

Via the next inheritor, the closest relative

Via the next inheritor, his brother

עבדי צאן ברזל are allowed to eat because of the remaining sons







The Gemara explains the Machlokes: רבי יוסי holds

המזכה לעובר קנה

A עובר can acquire ownership of assets prior to his birth. Therefore, he inherits a portion of the עבדי צאן ברזל, and disqualifies them from eating Terumah.

The חכמים hold המזכה לעובר לא קנה

A עובר cannot acquire ownership of assets prior to his birth. Therefore, he does not inherit a portion of the עבדי , and does not disqualify them from eating Terumah – And they may eat because of the other brothers.

=========









The Gemara brings a Braisa which quotes two other opinions in this Machlokes. They both basically agree with יוסי that העובר פוסל that.

However

רבי ישמעאל ברבי יוסי אומר משום אביו הבת מאכלת הבן אינו מאכיל

אמר אביי

הכא בנכסים מועטים עסקינן

וכגון דאיכא בן בהדי בת

אב" explains that הבת מאכלת is referring to a case where there are both, sons AND daughters, but the father's assets were insufficient to provide for both, the needs of the daughters, and the inheritance of the sons. In such an instance, the תקנה initiated a תקנה that the sons relinquish their portion to the daughters.

Therefore, הבת מאכלת means that the עבדי צאן ברזל may eat because of the בת, and the עובר does not disqualify them, because

מה נפשר

אי האי דמעברא בן הוא

לא עדיף מהאי דקאי

If the עובר is a son, then he is no better than his brothers, and he relinquishes his portion to the daughters.

אי בת היא

If the עובר is a daughter,

אמאי אכלה בתקנתא דרבנן

כמה דלא נפיק לאויר העולם לא תקינו רבנן

She would only acquire the assets through the חקנה, but she is not included in this חקנה until she is born.

Therefore, in this case the עובר cannot disqualify the עבדי from eating Terumah.

However, הבן אינו מאכיל: If there are only sons, the עובר inherits with them, and disqualifies the עבדי צאן ברזל.









However, the Gemara questions אביי's explanation והאמר רב אסי אמר רבי יוחנן

יתומין שקדמו ומכרו בנכסים מועטין

מה שמכרו מכרו

רבי יוחנן says that if the sons sold the insufficient assets, then the sale is valid.

This implies that although there is a חקנה, the assets still belong to the sons. If so the עובר will disqualify the עבדי עבדי from eating?

Therefore the Gemara explains

אלא מאי בת דקתני

אם

וכולה רבי ישמעאל

כרבי יוסי קתני לה

בת refers to the Kohen's wife, who entitles her possessions, the עבדי מלוג, to eat.

However, the sons do not entitle their possessions, the רבי ישמעאל ברבי יוסי, to eat. According to this רבי ישמעאל ברבי יוסי, ויוסי agrees completely with his father, רבי יוסי.



The Braisa also cites another opinion:

רבי שמעון בר יוחאי אומר

זכרים

יאכלו

If the father left sons – even if there are daughters too – the עבדי צאן ברזל may eat Trumah.

Why?

והאיכא עובר

Doesn't the עובר disqualify them from eating Terumah?









9 The Gemara gives two explanations.

One;

קסבר אין חוששין למיעוטא

Because there is only a 50% chance that the עובר will be a son, and there is also a possibility of a miscarriage. Since it is only a small chance that she will give birth to a healthy son that can disqualify them, therefore we are not concerned, and allow the עבדי צאן ברזל to eat because of the other sons.

Two,

דעבדינן לה תקנתא

We can appoint a אפוטרופוס to divide the assets between the sons. This way the עובר will acquire other assets, while the sons acquire the עבדי צאן ברזל. Since the טעבר מאח does not own a portion in the עבדי צאן ברזל, they are allowed to eat because of the sons.



10 However,

כולן נקבות

לא יאכלו

If there were only daughters, the עבדי disqualifies the עבדי צאן ברזל.

Why?

חדא דנקיבה נמי פסלה

Because there is a 50% chance that the עובר will be a daughter who inherits a share in the עבדי צאן ברזל with the other daughters, since there are no sons.

ועוד שמא ימצא עובר זכר ואין לבנות במקום הבן כלום

There is also a 50% chance that the עובר will be son, and he will be the sole יורש, because daughters do not inherit when there are sons.

Therefore in both possibilities the עובר disqualifies the עבדי צאן ברזל from eating Trumah.

We will review the next Mishnah in the following Daf.





