



# Points to Ponder

הערות של רב יחיאל גרינהויז

**THE SIXTH PEREK OF YEVIKOS IS DEDICATED:**

לע"נ גרשון בן החבר מרדכי

## יבמות דף סה

1. If a lady was married twice and in both cases she didn't have kids for ten years, she shouldn't marry a third husband, unless he already has children. The Gemara asks, if she married a third husband and remains childless, can the first two husbands reclaim the כתובה which they paid her. The Gemara says that she can claim that she was able to conceive when she was married to the first 2 husbands, and only now became infertile. Since we know that *המוציא מחבירו עליו הראיה*, meaning that the one who wants to collect must always prove his case, why doesn't she just say, please prove your claim?
2. When does the obligation of paying a כתובה start? Is it based on the understanding at the time of the marriage?
3. Further to the above if a lady didn't have children with 3 husbands and later has a child from a fourth husband, she shouldn't claim a כתובה from the 3rd, because that may cause him to claim that he is regretting the divorce, and her children are *מחזרים*. Since she got divorced from the 3rd husband because of a *חזקה* of being previously married to 2 men and not having any children, how can she now claim her כתובה? The fact that she has a child with the fourth husband can't retroactively change the circumstances of the divorce.
4. If a lady claims that her husband is unable to get her pregnant, and it's his fault that she hasn't conceived, we believe her. Why aren't we concerned that she is making up the story because she wants to marry someone else?

5. The Gemara says that one should not say something that will not be well received by the listener. How do we reconcile this with the גמרא in ע"א לא מצינא דף לא ע"א which says that when admonishing someone you have to do so even 100 times, if necessary. הוכח אפי' ק' פעמים משמע

6. One can change a story for the sake of peace. For example the brothers told יוסף that their father instructed them to tell him not to hold a grudge against them, even though יעקב never said anything about it. There are 2 additional sources for this הלכה, why weren't they satisfied with this source from אחי יוסף?

7. פרו ורבו of מצוה's wife asked him whether she is obligated in מצוה, because she had a lot of pain in childbirth. After he told her that she is not, she drank something that made her infertile. Since she already had children, why would it make a difference if she is obligated? She already fulfilled her obligation? (See תוס' שבת דף קי תוס' שבת דף קי). (ע"ב ד"ה והתניא מנין).

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