



לע"נ ברוך בענדיט וברכה גרוס ע"ה  
by Mr. & Mrs. Duvy Gross

# Points to Ponder

הערות של רב יחיאל גרינהויז

## יבמות דף פט

1. In the case of our משנה whereby a lady thought that her husband was dead and remarried, and now her first husband comes back she loses her כתובה from both. Even if she grabbed, she has to return what she took. In explaining this the גמרא says that I may think that if she grabbed we let her keep it. Why would there be such a חינוך? She took something that doesn't belong to her.
2. The גמרא discusses a husband inheriting his wife's estate if she died before becoming a נערה. Since a קטן or a קטנה have no ability to acquire anything, how does she have assets that are now available to inherit? (אין קנין לקטן).
3. Further to the above, רש"י says that we are talking about a יתומה. Why is this necessary? If we are looking for a case where her קידושין were דרבנן he can choose a case of a קטנה who was married once before, since a father is only entitled to marry her off once.
4. The גמרא explains that when a husband is יורש a קטנה it works with הפקר בי"ד because really her father should be the one inheriting her estate. According to רש"י that our case is a יתומה, how can the גמרא say that the father should be the יורש?

5. רש"י explains that since a קטנה can be מומאן when she grows up and that would retroactively undo her marriage, we should be concerned about it if she died a קטנה. What is her status before she is מומאן? If her current marriage is only דרבנן which is why she can be מומאן, why do we need to know what could have happened if she lived to be מומאן, right now it only a marriage מדרבנן which shouldn't entitle him to be a יורש.

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