

V.

BAVLI KETUBOT CHAPTER FIVE

FOLIOS 54B-65B

5:1

- A. Even though they have said, “A virgin collects two hundred zuz and a widow a maneh” [M. 4:7A],
- B. if [the husband] wanted to increase that sum, even by a hundred maneh, he may add to it.
- C. [If] she was widowed or divorced, whether at the stage of betrothal or at the stage of consummated marriage, she collects the full amount.
- D. R. Eleazar b. Azariah says, “[If she is widowed or divorced] at the stage of consummated marriage, she collects the full amount. [If it was] at the stage of betrothal, the virgin collects [only] two hundred zuz, and the widow, a maneh,
- E. “for he wrote over [any additional sum] only on condition of consummating the marriage.”
- F. R. Judah says, “If he wants, he writes to a virgin a bond for two hundred, and she writes, ‘I have received from you a maneh, ‘
- G. “And to a widow, he writes a bond for a maneh, and she writes, ‘I have received from you fifty zuz.’”
- H. R. Meir says, “Whoever pays less to a virgin than two hundred zuz and to a widow less than a maneh – lo, this is fornication.”

- I.1** A. **[If [the husband] wanted to increase that sum, even by a hundred maneh, he may add to it:]** *So what else is new?*
- B. *Well, otherwise what might you have supposed? Rabbis made a fixed limit, so as not to humiliate someone who doesn't have more? So we are informed that that is not the case.*
- I.2** A. **If [the husband] wanted to increase that sum, even by a hundred maneh, he may add to it:**
- B. *The language that is used is not, he wanted to write over to her, but rather, wanted to increase. That supports the view that R. Aibu said R. Yannai said, for said R. Aibu said R. Yannai, "The supplementary stipulations in a marriage contract enjoy the same standing as the statutory marriage contract."*
- C. *Yeah, so what difference does that make?*
- D. It pertains to a woman who sells or forgives payment of her marriage settlement, who rebels, who impairs her claim on a marriage settlement [saying part of it has already been paid], who claims payment of her marriage contract, who violates the law [of the Torah], **[55A]** with respect to improvements on the estate of the husband after he has died [and the collection of the statutory marriage contract cannot be recovered from these postmortem improvements, so the additional funds stipulated in the marriage contract also cannot be collected from them either], or with respect to her having to take an oath, or with respect to the Sabbatical Year [which remits all debts but this one], and with respect to one who writes over all his property to his sons, and with respect to recovering payment out of real estate, and from real estate of the worst quality, and with respect to the law covering the widow in her father's house, and with respect to the stipulation in the marriage settlement concerning the male children."
- I.3** A. *It has been stated:*
- B. *With respect to the stipulation in the marriage settlement concerning the male children, the Pumbeditans say, "Payment of that clause may not be exacted from property that has been sold or mortgaged, for we have learned in the Mishnah: **They shall inherit** [If he did not write for her, "**Male children which you will have with me will inherit the proceeds of your marriage contract, in addition to their share with their other brothers,**" he nonetheless is liable [to pay over the proceeds of the marriage contract to the woman's sons], for this is [in all events] an unstated condition*

imposed by the court (M. 4:10)] *[and inheritances derive only from unencumbered assets].”*

- C. *The authorities of Mata Mehassayya say, “Payment of that clause may be exacted from property that has been sold or mortgaged, for we have learned in the Mishnah: **They shall collect** [as the wording of the Mishnah paragraph].”*
- D. *And the decided law is: Payment of that clause may not be exacted from property that has been sold or mortgaged, for we have learned in the Mishnah: **They shall inherit.***

- I.4**
- A. *Movables that are in hand may be collected [by the widow in payment for her marriage contract] without an oath [though otherwise she would have to take an oath that her late husband has not paid off some money or objects of value for her marriage settlement (Slotki)]. As to those that are not in hand –*
 - B. *The Pumbeditans say, “Payment may be exacted without her taking an oath.”*
 - C. *The authorities of Mata Mehassayya say, “Payment of that clause may be exacted only with her taking an oath.”*
 - D. *And the decided law is: Payment of that clause may be exacted from such assets without her taking an oath.*

- I.5**
- A. *If the husband designated a plot of land for her by defining its four boundaries [as security for the payment of her marriage settlement], she may take possession of it without taking an oath. If he designated only one of its four boundaries –*
 - B. *The Pumbeditans say, “Payment may be exacted without her taking an oath.”*
 - C. *The authorities of Mata Mehassayya say, “Payment of that clause may be exacted only with her taking an oath.”*
 - D. *And the decided law is: Payment of that clause may be exacted from such assets without her taking an oath.*

- I.6**
- A. *If someone said to witnesses, “Write and sign off on a document and give it to him,” and they effected possession of it from him, it is not necessary further to consult him about the document. If they did not effect possession of the document from him –*
 - B. *The Pumbeditans say, “It is not necessary further to consult him about the document.”*
 - C. *The authorities of Mata Mehassayya say, “It is necessary further to consult him about the document.”*

D. *And the decided law is: It is necessary further to consult him about the document.*

II.1 A. R. Eleazar b. Azariah says, “[If she is widowed or divorced] at the stage of consummated marriage, she collects the full amount. [If it was] at the stage of betrothal, the virgin collects [only] two hundred zuz, and the widow, a maneh, for he wrote over [any additional sum] only on condition of consummating the marriage”:

B. *It has been stated:*

C. Rab and R. Nathan –

D. One said, “The decided law accords with the position of R. Eleazar b. Azariah.”

E. And the other said, “The decided law does not accord with the position of R. Eleazar b. Azariah.”

F. *You may conclude that it is R. Nathan who has said, “The decided law accords with the position of R. Eleazar b. Azariah,” for there is a tradition concerning R. Nathan that he followed the rule of assumption [Eleazar’s position is based on the assumption that he wrote over any additional sum only on condition of consummating the marriage].*

G. For said R. Nathan, “The decided law follows the position of R. Simeon Shezuri in the case of the dying man [who ordered a writ of divorce handed over to his wife]. **At first they ruled, ‘He who goes out in chains and said, “Write a writ of divorce for my wife” – lo, these should write and deliver it to her.’ They reverted to rule, ‘Also: He who is taking leave by sea or going forth in a caravan [may give the same valid instructions].’ R. Simeon Shezuri says, ‘Also: he who is dying’ (M. Git. 6:5J-L); [55B]** and in respect to separating the heave-offering of the tithe from doubtfully tithed produce [**Regarding heave-offering of the tithe from demai produce which returned to its place [which fell back into the now-tithed demai produce from which it was originally separated, thus rendering the entire mixture prohibited to a non-priest – R. Simeon Shezuri says, ‘Even on a weekday he inquires of him [the vendor] and eats at his word’ (M. Dem. 4:1A-M).**].”

H. *But doesn’t Rab follow the rule of assumption? But lo, it has been stated:*

I. As to a gift in contemplation of death, in which a deed was recorded containing a clause involving the transfer of title –

J. *the household of Rab in the name of Rab say, “In doing so, the testator has saddled the donee on two harnessed horses”* [Slotki: his claim has double force: that of the gift of a dying man, that of legal acquisition].

K. *Samuel said, “I don’t know how to judge this case.”*

L. *The household of Rab in the name of Rab say, “In doing so, the testator has saddled the donee on two harnessed horses”*: [1] Lo, it is in the category of a gift of someone in perfectly fine health; lo, it is also [2] in the category of a gift in contemplation of death.

M. [1] Lo, it is in the category of a gift of someone in perfectly fine health: *For* if the man got well, he cannot retract the gift.

N. Lo, it is also [2] in the category of a gift in contemplation of death: *For* if he said that his loan shall be given as a gift to Mr. So-and-so,” his loan is to be given to Mr. So-and-so [Slotki: even though the money was not in his possession at that time, even though the gift was not made in the presence of the three concerned parties].

O. *Samuel said, “I don’t know how to judge this case”*: Maybe he decided to transfer title only in a deed, and possession by means of a deed cannot take place after death.

P. **[56A]** *In fact, both Rab and R. Nathan are guided by the rule of assumption. He who has said that the decided law is in accord with R. Eleazar b. Azariah made a reasonable statement, and the one who said that the decided law is not in accord with him may say that here, too, the ruling rests on an assumption, namely, the man’s purpose was to form a mutual understanding [between him and the bride], and such a mutual understanding has taken place.*

II.2 A. *R. Hanina, in session before R. Yannai, said, “The decided law is in accord with R. Eleazar b. Azariah.”*

B. *He said to him, “Go, recite your Scripture study [like other infants] outside [since you don’t belong here]:* The decided law isn’t in accord with R. Eleazar b. Azariah.”

II.3 A. *Said R. Isaac bar Abedimi in the name of Our Rabbi, “The decided law is in accord with R. Eleazar b. Azariah.”*

- B. Said R. Nahman said Samuel, “The decided law is in accord with R. Eleazar b. Azariah.”
 - C. *And R. Nahman on his own account said*, “The decided law is not in accord with R. Eleazar b. Azariah.”
 - D. *The Nehardeans in the name of R. Nahman say*, “The decided law is in accord with R. Eleazar b. Azariah.”
 - E. *And even though R. Nahman cursed, saying*, “Any judge who judges the law in accord with the position of R. Eleazar b. Azariah, may thus and so happen to him,” even so, the decided law is in accord with R. Eleazar b. Azariah.
 - F. And, in practice, the decided law is in accord with R. Eleazar b. Azariah.

- II.4** A. *Rabin raised this question*: “If the girl entered the marriage canopy but did not have sexual relations, what is the law? Is it the affection involved in arranging the marriage canopy that effects acquisition of the contents of the marriage contract [so she gets the full settlement of her marriage contract], or is it the affection involved in actually having sexual relations that effects the acquisition of the contents of the marriage contract?”
- B. *Come and take note of what R. Joseph set forth as a Tannaite rule*: “For he wrote over [any additional sum] only on account of the affection involved in arranging the first night of sexual relations.” *Now if you maintain that it is the affection involved in arranging the marriage canopy that effects acquisition of the contents of the marriage contract, that is in line with the reference to the first night of sexual relations. But if you hold that it is the affection involved in actually having sexual relations that effects the acquisition of the contents of the marriage contract, then do sexual relations take place only on the first night and not subsequently?*
 - C. *Then what? That the affection involved in arranging the marriage canopy takes place only by night and not by day?*
 - D. *And according to your thinking, does the sexual act take place only by night and not by day? Did not Raba state*, “If it was in a dark room, then it is permitted to have sexual relations by day?”
 - E. *That’s not a challenge. What he was telling us is proper conduct, which is that sexual relations should take place by night. But if it is held that it is the affection involved in arranging the marriage canopy that effects acquisition of*

the contents of the marriage contract, *there is a problem [in Joseph's allusion to night]*.

- F. *That, too, is no problem. Since in general the marriage canopy is set up for sexual relations, he tells us proper conduct, which is that it should be done at night.*

II.5 A. *R. Ashi raised this question: "If the girl entered the marriage canopy and her period began, what is the law? If you should propose to maintain that the affection involved in arranging the marriage canopy is what effects acquisition of the contents of the marriage contract, then must it be a marriage canopy that is appropriate [for sexual relations], but not a marriage canopy that is not suitable for sexual relations? Or perhaps there is no difference?"*

- B. *The question stands.*

III.1 A. **R. Judah says, "If he wants, he writes to a virgin a bond for two hundred, and she writes, 'I have received from you a maneh,' and to a widow, he writes a bond for a maneh, and she writes, 'I have received from you fifty zuz'":**

- B. *But does R. Judah take the position that a receipt for payment of a marriage contract is written out [by a creditor to whom part of the debt is repaid, so there is no need to exchange the document for one in which only the balance is entered (Slotki)]? And have we not learned in the Mishnah: **He who had paid off part of his debt – R. Judah says, "He should exchange [the bond for another one, in which what is now owing is specified]."** R. Yosé says, "[The creditor] should write him a receipt." Said R. Judah, "It turns out that this one has to guard his receipt from rats." Said to him R. Yosé, "That's good for him, so long as the right of the other party has not been damaged" [M. B.B. 10:6E-H]?*

- C. Said R. Jeremiah, "It is a case in which the receipt was written within the document itself [in this case, the marriage settlement, so the husband does not have to preserve the document at all (Slotki)]."

D. *Abbaye said, "You may even say that it is a case in which the receipt was not written within the document itself. There, in respect to paying a debt, there should be no receipt, since the debtor had certainly paid the debt, and the receipt may be lost, so the creditor could produce the bond and collect the debt a second time. But here, did he give her anything at all? It's only a statement that she said to*

him [but she got no money from the husband]. So if he preserved the receipt, well and good. But if not, he has caused his own loss.”

E. Now obviously Abbaye did not explain matters in the way that R. Jeremiah did, because the language, in which the receipt was written within the document itself, is not used. But as to R. Jeremiah, how come he did not take the view of Abbaye?

F. He sees the prohibition of a receipt as a precautionary decree, against the possibility of permitting such a thing elsewhere [where it should not be used].

- III.2** A. *The operative consideration that the husband is exempt from having to pay the part of the marriage contract that the wife has given up is that she gave him a receipt in writing. But if she had said so orally, that would not be the case? It is surely a monetary matter, and we have heard a tradition that R. Judah maintains that as to a monetary matter, the stipulation is valid, for it has been taught on Tannaite authority:*
- B. “He who says to a woman, ‘Lo, you are betrothed to me on the stipulation that you have no claim upon me for provision of food, clothing, and sex’ – lo, she is betrothed, and his stipulation is null,” the words of R. Meir.
- C. And R. Judah says, “With respect to property matters [food, clothing], his stipulation is valid.”
- D. *R. Judah maintains that the marriage contract derives from the authority of rabbis, and in the present matter, sages have strengthened their ruling more than would be required in the case of a ruling deriving from the Torah.*
- E. *Well, then, what about the usufruct, which derives from the authority of rabbis, but rabbis did not in that matter strengthen their ruling at all? For we have learned in the Mishnah: He who writes for his wife, “I have no right nor claim to your property,” lo, this one [nonetheless] has the usufruct during her lifetime. And if she dies, he inherits her estate. If so, why did he write to her, “I have no right nor claim to your property”? For if she sold or gave away [her property], her act is valid. [If] he wrote for her, “I have no right nor claim to your property or to its usufruct [consequent profits],” lo, this one does not have the usufruct in her lifetime. But if she dies, he inherits [her estate.] R. Judah says, “Under all circumstances in any event he has the usufruct of the usufruct unless he writes for her, ‘I have no right nor claim to your property, to its usufruct, or to the usufruct of its usufruct, without limit’ [M. 9:1A-J]. [56B] And it is an*

established fact so far as we are concerned that by “writing” “saying” is meant.

- F. *Said Abbaye, “While all women have a marriage settlement, not all of them have usufruct too. With respect to what is common, rabbis reenforced their ruling, with regard to what is uncommon, rabbis didn’t reenforce their ruling.”*
- G. *So what about the matter of ass drivers, which is commonplace, but in which case rabbis did not reenforce their ruling, for we have learned in the Mishnah: [Regarding] the ass drivers who entered the city, [and] one [of them] said, “My [produce] is new [this year’s produce, which is prohibited before the offering of the sheaf], and that of my companion is old [last year’s produce, which may be eaten before the offering of the sheaf]; my [produce] is not tithed, and that of my companion is tithed” – they are not believed. R. Judah says, “They are believed” [M. Dem. 4:7]?*
- H. *Said Abbaye, “In connection with what is a matter of certainty, rabbis reenforced their ruling, but with respect to what is subject to doubt, rabbis didn’t reenforce their ruling.”*
- I. *Raba said, “In the matter of doubtfully tithed produce, they made a lenient ruling to begin with.”*

IV.1 A. R. Meir says, “Whoever pays less to a virgin than two hundred zuz and to a widow less than a maneh – lo, this is fornication”:

- B. **Whoever pays less** – even if it was a mere stipulation [though the woman in fact will get the full amount], *therefore he takes the position that the stipulation is null, and the woman gets her full marriage settlement. But since he said to her, “You will have only a maneh,” she really did not rely on him, with the result that his act of sexual relations was mere fornication. But lo, we have it as a tradition for R. Meir, who has said, “Whoever stipulates against something that is written in the Torah – his stipulation is null.” So it must follow, if it was a stipulation against a ruling made by rabbis, the stipulation is valid!*
- C. *R. Meir takes the view that the marriage settlement derives from the Torah.*

IV.2 A. It has been taught on Tannaite authority:

- B. *R. Meir says, “Whoever pays less to a virgin than two hundred zuz and to a widow less than a maneh – lo, this is fornication.”*
- C. *R. Yosé says, “One is permitted [to do just that].”*

- D. R. Judah says, “If one wanted, he may write to a woman a bond for two hundred zuz, and she writes for him, ‘I have received a maneh [a hundred] from you,’ and for a widow, a maneh, and she writes for him, ‘I have received from you fifty zuz.’”

IV.3 A. *But does R. Yosé hold the theory that it is permitted to do just that? And an objection may be raised: A woman’s marriage settlement may not be made a charge on movables, on account of the good order of the world. Said R. Yosé, “What good order of the world is involved in this? The price of the movables is not fixed, and do they not deteriorate in value” [but the marriage settlement is a fixed amount]?” Now the initial Tannaite authority also concurs that the marriage settlement may not be a fixed charge on movables? So is this not the sense of his statement: That is the case [that movables may not be security for the marriage settlement] where he did not accept responsibility to make up the loss of the goods if that should take place, but if he accepted responsibility to make up the loss of the goods, the marriage settlement may be made a charge on movables, and that is what R. Yosé then intends to call into question: “Even if he accepted responsibility to make up the goods if they should be lost, how could the marriage settlement be made a charge on them, when the price is not fixed and they deteriorate?” Now if in connection with movables assigned as security, where the diminution in value is only a possibility, R. Yosé provides for that possibility, here, where the husband has certainly assigned only half of the legal requirement, would he not all the more so adopt the same course?*

B. *Yeah, but how are the cases parallel? In that case, she didn’t know that the value would be going down, so as to consider she was giving up her rights, but here, she knew the facts full well and agreed to do so.*

IV.4 A. *For the sister of Rammi bar Hama was married to R. Avayya. [57A] Her marriage contract was lost. When they came before R. Joseph, he said to them, “This is what R. Judah said Samuel said, ‘That is the ruling of R. Meir, but sages say, “A man may live with his wife without a marriage contract for two or three years.””’*

B. *Said to him Abbayye, "But lo, said R. Nahman said Samuel, 'The decided law accords with the position of R. Meir with respect to his precautionary measures'!"*

C. *"Yeah, well then go write her another one."*

IV.5 A. *When R. Dimi came, he said R. Simeon b. Pazzi said R. Joshua b. Levi in the name of Bar Qappara [said], "The dispute [on the woman's verbally renouncing her marriage contract, between Judah and Yosé] concerns the rule to begin with, but after the fact, all parties concur that she does not surrender any part of what is coming to her in her marriage contract [but this can be done only by a written receipt that part has been paid, and then she surrenders that part].*

B. *"And R. Yohanan said, 'One way or the other, there is a dispute.'"*

C. *Said R. Abbahu, "R. Yohanan personally explained this matter to me: 'I and R. Joshua b. Levi don't differ with one another. When R. Joshua b. Levi says, "To begin with," he means, "At the beginning of the bridal canopy," and by "after the fact," he means, "When sexual relations have been completed." And when I say, "One way or the other there is a dispute," what I mean is, "At the beginning of the marriage canopy and at the end of the marriage canopy," which is to say, at the beginning of the act of sexual relations.'"*

IV.6 A. *When Rabin came, he said R. Simeon b. Pazzi said R. Joshua b. Levi said in the name of Bar Qappara, "There is a dispute as to the end of the process, but at the outset, all parties concur, she may forgive any portion of her marriage settlement.*

B. *"And R. Yohanan said, 'One way or the other, there is a dispute.'"*

C. *Said R. Abbahu, "R. Yohanan personally explained this matter to me: 'I and R. Joshua b. Levi don't differ with one another. When R. Joshua b. Levi says, "At the end of the process," he means, "At the end of the marriage canopy," and by "at the beginning" he means, "At the beginning of the marriage canopy." And when I say, "One way or the other there is a dispute," what I mean is, "At the beginning or at the end of the act of sexual relations.'"*

D. *Said R. Pappa, "If it were not for the fact that said R. Abbahu, 'R. Yohanan personally explained this matter to me: "I and R. Joshua b. Levi don't differ with one another....,"' I*

should have said: R. Yohanan and R. Joshua do differ, but R. Dimi and Rabin do not differ. What is the meaning of ‘at the end’ that Rabin said? It is, ‘at the end of the marriage canopy.’ And what is the meaning of ‘at the outset,’ which R. Dimi said? It means, at the outset of the act of sexual relations.”

E. And what do we learn thereby? We learn thereby that the two Amoraic authorities differ on their own opinions, rather than that the two Amoraic authorities differ on the opinion of some third-party Amoraic authority. [Slotki: In that case one of the two must be definitely wrong, since the view of the Amoraic authority that both of them claim to represent could not possibly have agreed with both of their statements. Had not Abbahu’s statement been authoritative, coming from Yohanan, Pappa would have been preferred to his.]

5:2

- A. They give a virgin twelve months to provide for herself from the time that the husband has demanded her.
- B. And just as they give [a time of preparation] to the woman, so they give a time of preparation to a man to provide for himself.
- C. And to a widow they give thirty days.
- D. [If the time came and he did not marry her,] she in any event is supported.
- E. And she eats heave-offering [if he is a priest, and she is not] –
- F. R. Tarfon says, “They give her all of her support in heave-offering.”
- G. R. Aqiba says, “Half in unconsecrated produce and half in heave-offering.”

5:3

- A. The levir cannot feed heave-offering [to the sister-in-law who is widowed at the stage of betrothal and is awaiting consummation of the levirate marriage (M. Yeb. 7: 4)].
- B. If she had waited six months for the husband [M. 5:2A], and six months awaited the levir,

- C. [or] even if all of them were waiting for the husband but only one day was spent waiting for the levir,
- D. or all of them were awaiting the levir, except one day awaiting the husband,
- E. she does not eat heave-offering.
- F. This is the first Mishnah.
- G. The succeeding court ruled: [57B] “The woman does not eat heave-offering until she enters the marriage canopy.”

I.1 A. [They give a virgin twelve months to provide for herself from the time that the husband has demanded her:] *What is the source in Scripture for this rule?*

- B. Said R. Hisda, “Said Scripture, ‘And her brother and her mother said, “Let the girl stay with us for days, at the least ten”’ (Gen. 24:55). *Now what can be the meaning of ‘days’? If I should say it is ‘two days,’ would people talk in such a way? If when they proposed to him two days, he said no, would they then propose ten days? So ‘days’ must mean, a year, for it is written, ‘Days shall he have the right of redemption’ (Lev. 25:29) [and days here refers to a full year].*”
- C. *But maybe it means a month:* “But a month of days” (Num. 11:20)?
- D. *Say:* The meaning of “days” utilized without further specification should be derived from another usage of the word “days” without further specification, but no comparison is to be drawn between the usage of “days” without further specification from “days” of which “a month” is said.

I.2 A. *Said R. Zira, “A Tannaite statement: As to a minor girl, either she or her father may object [to an immediate consummation of the marriage] [T. Ket. 5:1C].”*

B. *Now there is no problem understanding why she may object to the immediate consummation of the marriage, but as to her father, if she is happy enough to go ahead with the wedding, what difference does it make to her father one way or the other?!*

C. *He might be thinking, “Well, now she doesn’t know what’s involved, but tomorrow she may well object, leave him, come back home, and become a burden on me.”*

- I.3** A. Said R. Abba bar Levi, “Firm arrangements for marrying off a girl who is a minor are not made while she is a minor. But firm arrangements for marrying off a girl who is a minor may be made to take effect once she has matured.”
- B. *So what else is new?*
- C. *What might you otherwise have thought? One should provide for the possibility that apprehension may take over right away, so she may fall ill. So we are informed that that is not the case.*
- I.4** A. Said R. Huna, “If on the very day on which she turned pubescent, she was betrothed, she is permitted thirty days for preparation of her trousseau, just like a widow” [Slotki: but not twelve months; it is assumed that on approaching adolescence a woman begins to prepare her marriage outfit, and the shorter period of one month is regarded as sufficient for completing it].
- B. *An objection was raised: **Once she has become pubescent, lo, it is as though she were demanded for marriage** [T. Ket. 5:1A]. Does this not mean, demanded for marriage as in the case of a virgin?*
- C. *No, it means, demanded for marriage as in the case of a widow.*
- D. *Come and take note: A pubescent woman who waited twelve months – R. Eliezer says, “Since her husband is liable to support her, he annuls her vows” [cf. M. Ned. 10:5A-B].*
- E. *Read: A pubescent woman or one who waited twelve months – R. Eliezer says, “Since her husband is liable to support her, he annuls her vows.”*
- F. *Come and take note: He who betroths a virgin, whether the husband now demands her to complete the marriage and she objects, or she demands and the husband objects – they assign her twelve months from the moment of the demand, but not from the moment of the betrothal. If she reached puberty, lo, it is as though she were demanded. How so? If she reached puberty by only a single day and then was betrothed, they give her twelve months, and to a betrothed girl, thirty days. Is this not a refutation of the position of R. Huna?*
- G. *Sure is.*
- I.5** A. *What is the meaning of the statement, and to a betrothed girl, thirty days?*
- B. Said R. Pappa, “This is the sense of the statement: A pubescent girl for whom twelve months have passed of adolescence, when she is betrothed, is assigned thirty days as is a widow.”

II.1 A. [If the time came and he did not marry her,] she in any event is supported:

- B. Said Ulla, “By the law of the Torah, a girl of Israelite caste who was betrothed to a priest is permitted to eat priestly rations: ‘But if a priest buy any soul, the purchase of his money...’ (Lev. 22:11) – *and this one also falls into the class of ‘purchased of his money.’* And what is the reason that they have said that she may not eat priestly rations? Lest a cup of wine in the status of priestly rations be mixed for her in her father’s house and she share it with her brother or sister [who are not in the priestly caste].”
- C. *Then why not say the same rule pertains where the time came and he did not marry her, she in any event is supported and she eats heave-offering?*
- D. *In that case the husband-to-be provides a place for her [outside the father’s house].*
- E. *Then what about the case of a gleaner of the priestly caste working for an Israelite: he, too, should not eat priestly rations, lest he come to eat along with the others?*
- F. *If they give him out of their food, are they going to have to eat his food? [Surely not.]*

II.2 A. R. Samuel bar R. Judah said, “[The reason that before the priest is liable to maintain the daughter of an Israelite, she may not eat priestly rations] is that there may be some bodily defect.” [It may turn out that no wedding is going to take place, and the betrothal may be retroactively annulled.]

- B. *If that is the case, then even if she entered into the marriage canopy but sexual relations did not take place, she also should not be permitted to eat priestly rations.*
- C. *In that case, the husband will surely inspect her carefully and only then take her in.*

II.3 A. *Well what about the slave of a priest, purchased from an Israelite – he, too, should not eat priestly rations, since there may be some defect [causing retraction of the sale]?*

B. *Retracting sales is not an option when it comes to slaves. For if the defect is on the surface, then the buyer saw it; and if it is inside, then since the buyer needs the slave only to do work, he couldn’t care less about some sort of hidden blemish. And if the slave turned out to*

be a thief or [58A] a gambler, the sale still is final. So what else could cause a problem?

C. It could turn out to be a thug or outlaw.

D. But these are pretty well known.

II.4 *A. So whether in the view of one authority or the other [Ulla or Samuel], the girl does not eat priestly rations, where's the beef?*

B. A case in which the intended husband agreed to the defects, or whether the father handed her over to the husband's agents, or the husband went with them [now Ulla's consideration is null].

III.1 *A. And she eats heave-offering [if he is a priest, and she is not] – R. Tarfon says, "They give her all of her support in heave-offering." R. Aqiba says, "Half in unconsecrated produce and half in heave-offering":*

B. Said Abbaye, "The dispute concerns only the daughter of a priest betrothed to a priest, but as to the daughter of an Israelite betrothed to a priest, all parties concur that she gets half in unconsecrated produce and half in heave-offering."

C. And said Abbaye, "The dispute concerns only a betrothed girl, but as to a married one, all parties concur that she gets half in unconsecrated produce and half in heave-offering."

III.2 *A. So, too, it has been taught on Tannaite authority:*

B. R. Tarfon says, "They give all of her food to her out of priestly rations."

C. R. Aqiba says, "Half and half."

D. Under what circumstances?

E. In the case of a priest girl married to a priest.

F. But in the case of a girl in the Israelite caste married to a priest, all concur that they give her half of her food from unconsecrated produce and half from priestly rations.

G. Under what circumstances?

H. At the stage of betrothal.

I. But at the stage of marriage, R. Tarfon concedes that they give her half in unconsecrated produce and half in priestly rations.

J. R. Judah b. Betera says, "Two thirds in priestly rations, one third in unconsecrated food."

- K. **R. Judah says, “They give her the whole of it in priestly rations, and she sells it and buys unconsecrated food out of the proceeds.”**
- L. **Rabban Simeon b. Gamaliel said, “Where priestly rations is at issue, the woman is given twice the quantity of unconsecrated food” [T. Ket. 5:1D-I].**

III.3 A. *What is at issue between them?*

B. *At issue is whether or not we put the woman to so much trouble.*

IV.1 A. **The levir cannot feed heave-offering [to the sister-in-law who is widowed at the stage of betrothal and is awaiting consummation of the levirate marriage (M. Yeb. 7: 4)].**

B. *What is the foundation for this rule in Scripture?*

C. Scripture said, “What he has purchased with his money” (Lev. 22:11) – and this one was purchased by his brother.

V.1 A. **If she had waited six months for the husband [M. 5:2A], and six months awaited the levir, [or] even if all of them were waiting for the husband but only one day was spent waiting for the levir, or all of them were awaiting the levir, except one day awaiting the husband, she does not eat heave-offering:**

B. *If you have made the statement covering the husband, can there be any question as to the rule governing the levir?!*

C. What we have is a formulation, “It goes without saying,” namely, “This – and it goes without saying, that....”

VI.1 A. **This is the first Mishnah. The succeeding court ruled: “The woman does not eat heave-offering until she enters the marriage canopy.”**

B. *What is the operative consideration behind this rule?*

C. Said Ulla, or some say, R. Samuel bar Judah, “The reason is that there may be some bodily defect.” [It may turn out that no wedding is going to take place, and the betrothal may be retroactively annulled.]

D. *Now there is no problem understanding Ulla’s perspective on these matters; the initial case is explained by the possibility that she might have a cup of wine in the status of priestly rations in her father’s house, and the later case is that there may be some bodily defect. [58B] But from the perspective of R. Samuel bar Judah, how can it be that both the earlier case and the later case are to be explained by*

appeal to the possibility that there may be some bodily defect? So what's the difference?

E. The difference is whether an examination by a third party counts. The author of the earlier Mishnah paragraph takes the view that an examination by a third party counts, the other authority maintains that an examination by a third party doesn't count.

5:4

- A. **He who sanctifies to the Temple the fruits of his wife's labor [her wages], lo, this woman [continues to] work and eat [maintain herself].**
- B. **And as to the excess –**
- C. **R. Meir says, "It is consecrated."**
- D. **R. Yohanan Hassandlar says, "It is unconsecrated."**

I.1 A. Said R. Huna said Rab, "A woman has the power to say to her husband, 'I shall not accept maintenance from you, and I do not want you to benefit from the work that I do.'"

B. He holds the theory that, when rabbis provided support for the wife, the provision of maintenance was the main thing, while giving her wages [that is, the wife's handwork, the wool she must spin] to her husband was only to avoid ill will, so if she said to him, "I shall not accept maintenance from you, and I do not want you to benefit from the work that I do," she is well within her rights.

- C. *An objection was raised: Sages have provided maintenance for the wife in exchange for her wages [that is, the wife's handwork, the wool she must spin].*
- D. *Read: Sages have provided [the husband with] her wages [that is, the wife's handwork, the wool she must spin] in exchange for her maintenance.*

*E. May one propose that our Mishnah paragraph supports [Huna's] position: **He who sanctifies to the Temple the fruits of his wife's labor [her wages], lo, this woman [continues to] work and eat [maintain herself]**? Is this not the case of a wife whom the husband can maintain [Slotki: and since he nonetheless cannot consecrate her wages [that is, the wife's handwork, the wool she must spin], it follows that the wife can refuse support and retain her own wages [that is, the wife's handwork, the wool she must spin]].*

F. No, it is a case in which he is not able to provide for her upkeep.

G. *So if it's a case in which he is not able to provide for her upkeep, then what's the point? Even in the opinion of him who says that the master may say to his slave, "Work with me, but I won't support you," that is the case only with a Canaanite slave, concerning whom Scripture does not write, "With you," but that does not apply to a Hebrew slave, concerning whom Scripture has written, "With you" (Deu. 15:16) – and all the more so his wife!*

H. *It was required to set the stage for the concluding part of the same passage: **And as to the excess – R. Meir says, "It is consecrated."***

R. Yohanan Hassandlar says, "It is unconsecrated."

I. *R. Huna's position differs from that of R. Simeon b. Laqish, for said R. Simeon b. Laqish, "Don't suppose that the operative consideration behind R. Meir's position in permitting the husband to consecrate the wife's wages [that is, the wife's handwork, the wool she must spin] is that he maintains that someone may consecrate something that has not yet come into being, but rather, the operative consideration in the mind of R. Meir is that, since the husband has the power to force her to work, it is as if he said to her, 'May your hands be consecrated to him who made them.'"* [So Simeon b. Laqish thinks that Meir thinks that the husband can force his wife to work.]

J. *But the husband has said no such thing!*

K. *Since we have a tradition in hand that R. Meir maintains, someone does not just babble [but speaks purposively], the language that he has used is as though he had said to her, "May your hands be consecrated to him who made them."*

L. *And does R. Meir really take the position that someone may consecrate something that has not yet come into being? And has it not been taught on Tannaite authority: He who says to a woman, "You are betrothed to me after I convert to Judaism," "...after you convert to Judaism," "...after I am emancipated," "...after you are emancipated," "...after your husband dies," "...after your levirate connection performs the act of removing the shoe with you [and so frees you of the levirate bond]," "...after your sister dies [and it*

becomes legal for you to marry me]” – the woman is not deemed betrothed. R. Meir says, “She is deemed betrothed”?

M. True enough, from that formulation, such a conclusion may be inferred, but from our Mishnah paragraph, that point does not follow [and Simeon b. Laqish’s reason may operate here].

- II.1** A. **And the excess [if he consecrated only the excess] – R. Meir says, “It is consecrated”:**
- B. At what point does it become consecrated?
- C. *Both Rab and Samuel say, “The surplus is held consecrated after the wife’s death” [when her husband inherits it along with her estate (Slotki)].*
- D. R. Ada bar Ahbah said, “The surplus is held consecrated in the wife’s lifetime.”
- E. *R. Pappa examined this matter: “Under what circumstances [would these two positions make sense]? If we should say a situation in which the husband is providing her upkeep and also is providing her a silver coin for her other needs, then what can be the reason for the position, ‘The surplus is held consecrated after the wife’s death’? But if it is a case in which he does not provide her upkeep and does not give her a silver coin for her other needs, then what can be the reason for the position, ‘The surplus is held consecrated even in her lifetime’?”*
- F. *In point of fact, it is a case in which he does provide for her upkeep, but he doesn’t give her a silver coin for her other needs. Rab and Samuel maintain that sages provided [59A] upkeep in exchange for her wages [that is, the wife’s handwork, the wool she must spin], and the silver coin in place of the surplus, and since he is not giving her the silver coin, the surplus belongs to her. R. Ada bar Ahbah maintains that sages provided upkeep in exchange for the surplus of her wages [that is, the wife’s handwork, the wool she must spin], and the silver coin in exchange for her wages [that is, the wife’s handwork, the wool she must spin], and since he is giving her upkeep, the surplus belongs to him.*
- G. *So what’s at issue between Rab and Samuel and R. Ada bar Ahbah? The two masters maintain that what is ordinary [upkeep] is*

for what is ordinary [her wages, but a surplus over what is needed for her upkeep is uncommon], and the other authority takes the view that what is subject to a fixed sum [the silver maah] is exchanged for what is a fixed volume [which is what the wife must produce by way of handiwork, that is, her wages].

H. *An objection was raised:* Sages have provided maintenance for the wife in exchange for her wages!

I. *Say:* in exchange for the surplus over her wages.

J. *Come and take note:* **And if he does not give her a silver maah for her needs, the fruit of her labor belongs to her [M. 5:9C].** [The silver coin is in exchange for her wages, not the surplus, vs. Rab and Samuel (Slotki).]

K. *Read:* **The surplus of her labor belongs to her.**

L. *But in that regard a Tannaite statement sets forth:* **And how much work does she do for him? The weight of five selas of warp must she spin for him [M. 5:5B7] in Judea (which is ten selas weight in Galilee), or the weight of ten selas of woof in Judah (which are twenty selas in Galilee)!** [Slotki: How then could the insertion of “surplus” be justified?]

M. *This is the sense of the statement:* **And how much work does she do for him so that we may know how much is surplus? The weight of five selas of warp must she spin for him [M. 5:5B7] in Judea (which is ten selas weight in Galilee), or the weight of ten selas of woof in Judah (which are twenty selas in Galilee).**

- II.2** A. Said Samuel, “The decided law is in accord with R. Yohanan Hassandlar.”
- B. *But did Samuel say any such thing? And have we not learned in the Mishnah:* **If she said, “Qonam if I work for you,” he need not annul that vow, which is null to begin with. R. Aqiba says, “Let him annul it lest she do more work for him than is required”** [and that excess would indeed be subject to her vow, even though the work has not yet been done]. **R. Yohanan b. Nuri says, “Let him annul it, lest he divorce her, and she be prohibited from returning to him” [M. Ned. 11:4B-D]?** And Samuel said, “The decided law is in accord with R. Yohanan Hassandlar” [Slotki: according to whom the woman’s vow becomes valid after her divorce, though at the time the vow was made the work she would do afterwards has not yet come into existence? From this it follows that a person may similarly consecrate anything that is not

yet in existence. How could Samuel, who adopts this view as the law, also state that the law is in agreement with Yohanan, according to whom a thing which is not yet in existence cannot be consecrated]?!

- C. When Samuel said, "The decided law is in accord with R. Yohanan Hassandlar," that pertains only to the surplus [but not to all her work, which has not yet come into existence (Slotki)].
- D. *So let him say*, "The decided law is in accord with R. Yohanan Hassandlar in regard to the surplus," *or*, "The law is not in accord with *the initial authority*," *or*, "The law is in accord with R. Aqiba"!
- E. *Rather, said R. Joseph*, "Are you speaking of oaths that use the language, *qonam*? Oaths that use the language, *qonam*, are exceptional, for, since one may impose upon himself a prohibition of the produce of his fellow, so, too, he may in that instance declare holy something that has not yet come into existence."
- F. *Said to him Abbayye*, "Well, there is no problem explaining why one may impose upon himself a prohibition of the produce of his fellow, for one may also impose upon his fellow a prohibition as to his own produce. But can he really declare holy for his fellow something that has not yet come into existence, since one may not declare forbidden to one's fellow produce that belongs to one's fellow!"
- G. Rather, said R. Huna b. R. Joshua, "[The ruling of Yohanan, which Samuel declared is law,] pertains to a case in which a woman said, 'My hands shall be consecrated to him who made them,' *and that is valid since her hands are in being*."
- H. *But if she made such a statement, are the hands sanctified? Lo, the hands are mortgaged to the husband!*
- I. *She used the language*, "When he divorces me."
- J. *And can there be a case in which something now is not consecrated, but later on will be consecrated?*
- K. *Said R. Ilai*, "So why not? If someone said to his fellow, 'Lo, this field that I am selling to you, when I buy it back from you, will be consecrated,' *is it not consecrated [from that later point]?*"
- L. *Objected R. Jeremiah*, "But are the cases really comparable? In that case, the man has the power to consecrate the field, but in this case, the woman has not got the power to secure her own divorce! So the cases are hardly parallel. Rather, the point of comparability is to a case in which one says to his fellow,

- ‘This field that I have sold to you, when I shall buy it back from you, will be consecrated,’ *in which case the field is certainly not consecrated.*”
- M. *Objected R. Pappa, “But are the cases comparable? There [in the case of the field that has been sold], both the field and the produce belong to the buyer, but here, the wife’s person remains in her own domain. Rather, the point of comparability is to a case in which one says to his fellow, [59B] ‘This field that I have mortgaged to you, when I shall redeem it from you, will be sanctified,’ in which case the field is certainly consecrated.*”
- N. *Objected R. Shisha b. R. Idi, “But are the cases properly compared? In that case, the man has the power to redeem the field, but in this case, does the woman have the power to arrange her own divorce? Rather, the point of comparability is to a case in which one who says to his fellow, ‘This field that I have mortgaged to you for ten years, when I shall redeem it from you, will be consecrated,’ in which case it is consecrated.*”
- O. *Objected R. Ashi, “But are the cases properly compared? In that case, the man has the power to redeem the field after ten years, but in this case, the woman will never have the power to arrange her own divorce.*”
- P. *Rather, said R. Ashi, “Are you speaking of oaths that use the language, qonam? Oaths that use the language, qonam, are exceptional, for they effect the sanctification of the body itself. And it is in accord with Raba, for said Raba, ‘Sanctification of cattle [mortgaged for a liability] or of leaven and the freeing of a slave remove these things from the mortgage that may have previously pertained.’ [Slotki: Similarly here, the consecration cancels the husband’s claim on the body or work of his wife; hence the validity of her consecration.]”*
- Q. *But then the wife’s hands should be consecrated immediately.*
- R. *Rabbis have accorded a husband’s rights over the wife greater power, so that the hands do not become consecrated right off the bat.*

5:5

- A. **These are the kinds of labor which a woman performs for her husband:**
- B. **she (1) grinds flour, (2) bakes bread, (3) does laundry, (4) prepares meals, (5) gives suck to her child, (6) makes the bed, (7) works in wool.**
- C. **[If] she brought with her a single slave girl, she does not (1) grind, (2) bake bread, or (3) do laundry.**

- D. [If she brought] two, she does not (4) prepare meals and does not (5) feed her child.
- E. [If she brought] three, she does not (6) make the bed for him and does not (7) work in wool.
- F. If she brought four, she sits on a throne.
- G. R. Eliezer says, “Even if she brought him a hundred slave girls, he forces her to work in wool,
- H. “for idleness leads to unchastity.”
- I. **Rabban Simeon b. Gamaliel says, “Also: He who prohibits his wife by a vow from performing any labor puts her away and pays off her marriage contract. For idleness leads to boredom.”**

I.1 A. Grinds flour:

- B. *Under what circumstances [can we imagine that a woman would grind flour, which involves moving heavy machinery]?*
- C. *Read: taking charge of the grinding.*
- D. And if you prefer: grinding with a hand mill.

I.2 A. *Our Mishnah paragraph is not in accord with R. Hiyya, for R. Hiyya set forth the following Tannaite rule:*

- B. [Marrying] a woman is only for her beauty, only for children.
- C. *And R. Hiyya set forth the following Tannaite rule:*
- D. A wife is for wearing women’s ornaments.
 - E. *And R. Hiyya set forth the following Tannaite rule:*
 - F. He who wants his wife to be attractive should dress her in linen clothes. He who wants his daughter to have a bright skin should feed her young chicken and give her plenty of milk to drink as she comes toward her first period.

II.1 A. Gives suck to her child:

- B. *May one say that this does not accord with the position of the House of Shammai? For it has been taught on Tannaite authority:*
- C. **If she took a vow not to give suck to her child,**
- D. **the House of Shammai say, “She pulls her teats from the child’s mouth.”**
- E. **And the House of Hillel say, “He can force her to give suck to her child.”**
- F. **If she was divorced, however, they do not force her to give suck to him.**

- G. **If her son recognized her as his mother, they give her a wage, and she gives suck to him, because of the danger to the child's life. The husband cannot force his wife to give suck to the child of his fellow, and the wife cannot force her husband to permit her to give suck to the child of her girlfriend [T. Ket. 5:5A-H].**
- H. *Well, you may even maintain that the House of Shammai stand behind our Mishnah paragraph. Here with what case do we deal? It is a case in which she took the oath and he confirmed it for her. The House of Shammai take the view that he has put his finger between her teeth [the vow is his fault], and the House of Hillel maintain that she put her finger between his teeth.*
- I. *So let them differ in more general terms in respect to the marriage contract! And furthermore, it has been taught on Tannaite authority: The House of Shammai say, "She does not have to give suck to the child" [so how can our Mishnah paragraph accord with the House of Shammai]. So it's really more sensible to conclude that our Mishnah paragraph really does not accord with the position of the House of Shammai.*

II.2 A. If her son recognized her as his mother:

- B. **[60A]** To what age?
- C. Said Raba said R. Jeremiah bar Abba said Rab, "Three months."
- D. And Samuel said, "Thirty days."
- E. And R. Isaac said R. Yohanan [said], "Fifty days."
- F. Said R. Shimi bar Abbaye, "The decided law is in accord with what R. Isaac said R. Yohanan [said]."

II.3 A. *Now there is no problem understanding the positions of Rab and R. Yohanan, since each one of them takes into consideration the child's perception, but as to Samuel, would you find such a case [where at such an early age, the child knew the difference between one breast and another]?*

B. *When Rammi bar Ezekiel came, he said, "Don't pay any attention to those governing principles that my brother, Judah, set forth in Samuel's name. This is what Samuel said: 'As soon as as the child knows her.'"*

II.4 A. *A divorced woman came to Samuel and said she would not give suck to her son. He said to R. Dimi bar Joseph, "Go, look into her case." He went and set her*

among some women and took her infant and carried him among them. When he came to her, he looked at her face with joy, but she lowered her eyes from him. He said to her, "Raise your eyes. Come, take away your son."

II.5 A. *How does a blind child know?*

B. *Said R. Ashi, "Through the smell and taste."*

II.6 A. *Our rabbis have taught on Tannaite authority:*

B. **An infant continues to suckle all twenty-four months. From that point forward, he is like one who sucks from an abomination,** the words of R. Eliezer.

C. **And R. Joshua says, "The infant continues to suck even for five years; if he left the nipple and came back after the age of twenty-four months, lo, this is one who is as though he sucks from an abomination"** [T. **Nid. 2:3A-B**].

II.7 A. The master has said, "...if he left the nipple and came back after the age of twenty-four months, lo, this is one who is as though he sucks from an abomination":

B. *And by way of contradiction:*

C. Might one suppose that human milk is unclean? For it is a matter of logic: If an unclean beast, in which case the law has applied a lenient ruling as to touching it but a strict ruling as to its milk [so that its milk is unclean], those who walk on two legs, in which case the law has imposed a strict ruling as to contact, surely should be subject to a prohibition as to their milk [which should be unclean too]!

D. Scripture to the contrary states, "The camel, because it chews the cud...it is unclean for you" (Lev. 11: 4) – it is unclean, but human milk is not unclean but clean.

E. Then I shall eliminate the milk, which is not alike in all cases [the milk of a clean animal is permitted, that of an unclean one is forbidden], but blood, which is forbidden in all cases, I shall not eliminate!

F. Scripture says, "This is unclean for you" (Lev. 11:29) – this is unclean, but the blood of those who walk on two legs is not unclean but clean.

G. Said R. Sheshet, “The blood of those who walk on two feet – even the religious duty of keeping distant from it does not pertain to it.”

H. *That poses no contradiction: The rule that permits human milk to be permitted speaks of milk that has left the breast, the former [which prohibits milk once the child has sucked for a given period of time] refers to milk in the breast.*

I. *And the opposite is the case with blood, for it has been taught on Tannaite authority: The blood that is found on a loaf of bread is scraped away, and then the loaf may be eaten; that which is between the teeth may be sucked and swallowed without hesitation.*

II.8 A. The master has said: **And R. Joshua says, “The infant continues to suck even for four or five years....”**

B. *But has it not been taught on Tannaite authority: R. Joshua says, “Even if he carries a bundle on his shoulders” [he still may be breast-fed (Slotki)]?*

C. *Both statements speak of exactly the same age.*

II.9 A. Said R. Joseph, “The decided law is in accord with R. Joshua.”

II.10 A. *It has been taught on Tannaite authority:*

B. R. Marinus says, “Someone who has a chest cold may suck milk on the Sabbath.”

C. *How come?*

D. *Sucking represents an uncommon form of unloading, and, when there is a matter of pain to be relieved, is not a matter concerning which rabbis have made a precautionary decree.*

II.11 A. Said R. Joseph, “The decided law is in accord with R. Marinus.”

II.12 A. *It has been taught on Tannaite authority:*

B. Nahum of Gallayya says, “Rubbish that was collected in a gutter – one may crush it with his foot, but not in an ostentatious manner, and need not scruple.”

C. *How come?*

D. *The operative consideration is that this is a repair carried out in an uncommon way, and, when there is loss, it is not a*

matter concerning which rabbis have made a precautionary decree.

II.13 A. Said R. Joseph, “The decided law is in accord with Nahum of Gallayya.”

II.14 A. **...if he left the nipple and came back after the age of twenty-four months, lo, this is one who is as though he sucks from an abomination:**

B. How long [would leaving the nipple involve, for the reversion to be so classified]?

C. Said R. Judah bar Habiba said Samuel, “Three days.”

D. There are those who say, R. Judah bar Habiba set forth as a Tannaite teaching before Samuel, “Three days.”

II.15 A. *Our rabbis have taught on Tannaite authority:*

B. **A nursing mother whose husband died within twenty-four months of the birth of the child should not become betrothed or married [60B] until twenty-four months have passed,” the words of R. Meir.**

C. **R. Judah permits remarriage after eighteen months.**

D. **Said R. Nathan bar Joseph, “These two positions represent the opinions of the House of Shammai and the House of Hillel,**

E. **“for the House of Shammai say, ‘Twenty-four months,’ and the House of Hillel, ‘Eighteen months.’”**

F. **Said Rabban Simeon b. Gamaliel, “I shall explain the matter: In accord with the one who says, ‘Twenty-four months,’ she is permitted to be wed in twenty-one months; in accord with the opinion of the one who says, ‘Eighteen months,’ she may be wed in fifteen months, for the milk deteriorates only after three months of conception” [T. Nid. 2:2].**

II.16 A. Said Ulla, “The decided law is in accord with R. Judah.”

B. And said Mar Uqba, “R. Hanina permitted me to marry a nursing mother fifteen months after the birth of the child.”

II.17 A. *Abbayye’s sharecropper came before Abbayye. He said to him, “What is the law on betrothing a woman fifteen months after the birth of her child?”*

B. *He said to him, “First of all, when there is a dispute between R. Meir and R. Judah, the decided law is in accord with R. Judah; and, furthermore, where there is a dispute between the House of Shammai and the House of Hillel, the*

decided law is in accord with the House of Hillel. And said Ulla, ‘The decided law is in accord with R. Judah.’ And said Mar Uqba, ‘R. Hanina permitted me to marry a nursing mother fifteen months after the birth of the child.’ *All the more so, then, you [need not wait], since you plan only on betrothing the woman anyhow!*”

- C. *When [Abbaye] came before R. Joseph, he said to him, “Both Rab and Samuel say, ‘She has to wait out three months, exclusive of the day on which the husband died, and exclusive of the day on which the betrothal is to take place.’”*
- D. *Abbaye then ran three parasangs after the man – some say, one parasang, but through sand hills – but couldn’t catch up with him [to correct his ruling].*

II.18 A. *Said Abbaye, “This matter that rabbis have stated, ‘Even a question concerning whether it is permitted to eat an egg with a milk preserve someone should not decide in a district that is in the jurisdiction of his master.’ That is not because this might appear chaotic [that diverse authorities are giving out opinions], but because a disciple would not do well in dealing with the matter. For I learned such a tradition of Rab and Samuel, and yet I didn’t get the chance to apply it [having forgotten it].”*

II.19 A. *Our rabbis have taught on Tannaite authority:*

- B. *If a nursing mother gave her son to a wet nurse or weaned him or he died, she is permitted to get married forthwith.*

II.20 A. *R. Pappa and R. Huna b. R. Joshua considered making a practical decision in accord with this Tannaite statement. Said to them an old lady, “In my own case there was such a situation, and R. Nahman forbade me from doing so.”*

B. *Can this be true? But lo, R. Nahman permitted the household of the exilarch [to do so in that situation]!*

C. *The exilarch’s house is exceptional, because in their connection no nurse would retract from her agreement with them [to nurse the baby, so there would be no reason not to permit such an arrangement].*

D. *Said to them R. Pappi, “But couldn’t you have thought logically to the same conclusion on the basis of the following, which has been taught on Tannaite authority: If a woman was yearning to go home to her father’s house, or was subject to her husband’s wrath, or*

her husband was old or sick, or her husband had gone overseas, or her husband had been imprisoned, and she who aborts after her husband's death, and the barren woman, and the woman past menopause, and the woman who does not exhibit the signs of femininity, and a minor who is not yet ready to give birth – 'All of the above must wait three months before remarrying,' the words of R. Meir. And R. Judah permits betrothal and remarriage forthwith' [T. Yeb. 6:6A-L]? And in this connection said R. Nahman said Samuel, 'The decided law accords with R. Meir when it comes to the decrees that he has made.'"

E. They said to him, "That never came to mind."

II.21 A. *The decided law is that if the child died, the mother may remarry right away; if she weaned him, she may not remarry.*

B. *Mar bar R. Ashi said, "Even if he died, it is also forbidden to remarry right away, lest she kill the baby so that she can remarry."*

C. *There was a case, and the mother strangled the child.*

D. *Yeah, but that is null. It was a woman who was deranged; normal women don't strangle their infants.*

II.22 A. *Our rabbis have taught on Tannaite authority:*

B. A woman who was given a baby to suckle should not suckle with it her own son or the son of her girlfriend.

C. If she agreed to only a small food allowance, she still should eat a great deal.

D. She shouldn't eat while nursing it food that is bad for the milk.

II.23 A. *So if you have said she shouldn't suckle her own son, what need is there to say she shouldn't suckle her girlfriend's?*

B. *What might you have imagined? It is concerning her son in particular that she might show affection and so give it more milk than the other child, but in the case of the offspring of her girlfriend, she wouldn't have given any if she had no surplus of milk. So we are informed that even the offspring of the girlfriend she may not suckle.*

II.24 A. If she agreed to only a small food allowance, she still should eat a great deal:

B. *Where's she going to get the money?*

C. Said R. Sheshet, "From her own resources."

- II.25** A. She shouldn't eat while nursing it food that is bad for the milk:
B. *Such as?*
C. *Said R. Kahana, "Such as cuscuta, lichen, little fish, and dirt."*
D. *Abbaye said, "Even pumpkins and quinces."*
E. *R. Pappa said, "Even palm's heart and unripe dates."*
F. *R. Ashi said, "Even curdled milk or fish hash."*
G. *Some of these stop the milk and some of them spoil it.*

- II.26** A. *A woman who has sexual relations in a mill will have epileptic children.*
B. *One who does it on the ground will have children with giraffe necks.*
C. *Someone who when pregnant walks on the blood of an ass will have scabby children.*
D. *Someone who when pregnant eats mustard will have intemperate children.*
E. *One who eats cress will have bleary-eyed children.*
F. *One who when pregnant eats fish brine will have children with blinking eyes.*
G. *A woman who when pregnant eats clay will have ugly children.*
H. *A woman who when pregnant drinks hard liquor will have swarthy children.*
I. *A women who when pregnant eats meat and drinks wine will have nice, [61A] healthy children.*
J. *A women who when pregnant eats eggs will have children with googly eyes.*
K. *A women who when pregnant eats parsley will have beautiful children.*
L. *A women who when pregnant eats fish will have grateful children.*
M. *A women who when pregnant eats coriander will have fatties.*
N. *A women who when pregnant eats etrogs will have sweet-smelling children.*
O. *The daughter of King Shapur's mother ate etrog when pregnant with her, and they would present her before her father as his best perfume.*

- II.27** A. *Said R. Huna, "R. Huna bar Hinnena gave us a test with this question: 'If the wife says she wants to suck the child and the husband says she shouldn't suck it, we listen to her. For the pain would be hers [to do it, and she is willing.]'*
B. *"If the husband says he wants her to suck the child and she says she doesn't want to suck it, what is the law?' In any case in which it is not her family's practice, we obey her, to be sure. But if this is the practice in her family but not his, what is the law? Do we accept the custom of his family or of hers?*

And this is how we solved the problem: ‘She rises in status with him but does not decline in status with him.’”

C. Said R. Huna, “So what’s the scriptural proof?”

D. “For she is a man’s wife” (Gen. 20: 3) – when he goes up, not when he goes down.

E. R. Eleazar said, “‘Because she was the mother of all living’ (Gen. 3:20) – she was given to her husband to live, not to be pained by him.”

III.1 A. [If] she brought with her a single slave girl, she does not (1) grind, (2) bake bread, or (3) do laundry:

B. *But the rest of the duties she has to do.*

C. *But why can’t she say to him, “I brought you another woman in my place [for all manner of work, not just for this]”?*

D. *Because he can say to her, “That slave girl works for me and for herself, who’s going to work for you?”*

IV.1 A. [If she brought] two, she does not (4) prepare meals and does not (5) feed her child:

B. *But the rest of the duties she has to do.*

C. *But why can’t she say to him, “I brought you another woman in my place [for all manner of work, not just for this], and she’s going to work for me and for her, and the first one will work for you and for herself”?*

D. *Because he can say to her, “So who’s going to work for our guests and visitors?”*

V.1 A. [If she brought] three, she does not (6) make the bed for him and does not (7) work in wool:

B. *But the rest of the duties she has to do.*

C. *But why can’t she say to him, “I brought you a third one still, to work for our guests and visitors”?*

D. *Because he can say to her, “The bigger the household, the more numerous the guests and the visitors.”*

E. *If so, then even if she brought in four, you could have the same colloquy!*

F. *If there are four, since they are that many, they help one another.*

- V.2** A. Said R. Hana, and some say, R. Samuel bar Nahmani, “It is not that she actually **brought** them, but, if she is in a position to bring them in, even though she didn’t actually bring them in, the rule applies.”
- V.3** A. *A Tannaite statement:* All the same are the cases of her actually bringing in a slave girl or whether she merely saved up to buy one out of her own income.
- VI.1** A. **If she brought four, she sits on a throne:**
 B. Said R. Isaac bar Hanania said R. Huna, “Even though they have said, **If she brought four, she sits on a throne**, nonetheless she mixes his cup of wine for him, spreads out his bed, and washes his feet and his hands.”
- VI.2** A. Said R. Isaac bar Hanina said R. Huna said, “Whatever acts of service a wife does for her husband, a menstruating wife does for her husband, except she does not mix the cup [pouring out wine], make the bed, or wash his face, hands, and feet.”
 B. As to making the bed –
 C. said Raba, “That has been stated only when he is present, but if he is absent, it is of no consequence.”
 D. As to mixing the cup –
 E. *[when she had completed her menstrual period but not yet immersed,] Samuel’s wife would change her usual practice and serve him with her left hand.*
 F. *Abbaye’s would put it on the edge of the wine cask.*
 G. *Raba’s would put it on the head side of his couch.*
 H. *R. Pappa’s would put it on his footstool.*

Topical Composite on the Provisions Made for the Waiter at a Meal

- VI.3** A. Said R. Isaac bar Hanina, “Everything may be kept back from the waiter while he is serving the meal, except for meat and wine” [which he must be fed forthwith].
 B. Said R. Hisda, “Fat meat and old wine.”
 C. Said Raba, “Fat meat throughout the entire year, and wine in the dry season.”
- VI.4** A. *Said R. Annan bar Tahalipa, “I was standing before Mar Samuel, and they brought him a bowl of mushrooms, and if he hadn’t given me some, my life would have been endangered.”*

B. Said R. Ashi, "I was standing before R. Kahana and they brought him slices of turnips in vinegar, and if he hadn't given me some, my life would have been endangered."

VI.5 A. R. Pappa said, "Even a sweet-smelling date [if one doesn't eat it, will endanger one's life]."

B. This is the encompassing rule: If it is something that has a strong flavor or a sharp taste, if one doesn't taste it, he may endanger his life.

VI.6 A. Abbuha bar Ihi and Minyamin bar Ihi – one of them [gave to their waiter] one portion of every kind of dish, and the other gave him a taste of only one kind.

B. With the one Elijah entered into conversation, but not with the other.

VI.7 A. Two pious men – and some say, R. Mari and R. Phineas, sons of R. Hisda – one master gave the waiter his share first, the other, last.

B. With the one Elijah entered into conversation, but not with the other.

VI.8 A. Amemar and Mar Zutra and R. Ashi were in session at the gate of the household of Izgur the King [Yezdegerd]. The table steward of the king went by. R. Ashi saw Mar Zutra [61B] turn pale, so with his finger, he took up some food [from the plate carried by the waiter] and put it in his mouth. The waiter said to him, "You've spoiled the king's meal."

B. The [king's staff] said to him, "Why did you do this?"

C. He said to them, "The man who made that dish ruined the king's food."

D. They said to him, "Why?"

E. He said to them, "I noticed a piece of pig meat in it."

F. They examined the food but didn't find it.

G. He took his finger and put it on the plate, saying, "So did you look at this part?"

H. They examined it and found that it was so.

I. Rabbis asked him, "So why rely on a miracle?"

J. He said to them, "I saw the demon of leprosy hovering over him."

VI.9 A. A certain Roman said to a woman, "Will you marry me?"

B. *She said, "No."*

C. *He brought some pomegranates, split them, and ate them before her. All the spit that bothered her she swallowed, but he didn't give her any, until she swelled up. He said to her, "So if I cure you, will you marry me?"*

D. *She said, "Yes."*

E. *He brought some pomegranates, split them, and ate them before her. He said to her, "All the spit that bothers you, spit out at once, and over and over." She did it, until it came out of her body like a green palm branch, and she was healed.*

VII.1 A. And does not (7) work in wool:

B. *Well, yes, linen no? Then in accord with what authority is our Mishnah paragraph? It must accord with R. Judah, for it has been taught on Tannaite authority: He may not force her to work for his son, daughter, brothers, or her brothers, or feed his cattle [in a place in which it is not customary to do any one of these things, he cannot force her to do them]. But he may compel her to put straw before his herd.*

C. **R. Judah says, "Nor may he force her to work in flax, because flax causes the mouth to be sore and stiffens the lips" [cf. T. Ket. 5:4E-G].**

D. *And that is the case with reference to Roman flax.*

VIII.1 A. R. Eliezer says, "Even if she brought him a hundred slave girls, he forces her to work in wool, for idleness leads to unchastity":

B. Said R. Malkio said R. Ada bar Ahbah, "The decided law is in accord with R. Eliezer."

C. Said R. Hanina b. R. Iqa, "R. Malkio: rulings on a spit, slave girls, and follicles; R. Malkia: a forelock, wood ash, and cheese."

D. *R. Pappa said, "A statement in our Mishnah and in a Tannaite passage belongs to R. Malkia; a tradition, R. Malkio."*

E. And your mnemonic is, "The Mishnah is the queen."

F. *What is at stake in the debate?*

G. *At stake is the attribution of the statement about maidservants. [Mishcon: According to Hanina, it is attributed to Malkio, and according to Pappa, it is attributed to Malkia.]*

- IX.1** A. **Rabban Simeon b. Gamaliel says, “Also: He who prohibits his wife by a vow from performing any labor puts her away and pays off her marriage contract. For idleness leads to boredom”:**
- B. *So that’s what the initial Tannaite authority [Eliezer] says [since what’s the practical difference between unchastity or idiocy]?*
- C. *The practical difference is the case of a woman who plays chess or checkers.*

5:6

- A. **He who takes a vow not to have sexual relations with his wife –**
- B. **the House of Shammai say, “[He may allow this situation to continue] for two weeks.”**
- C. **And the House of Hillel say, “For one week.”**
- D. **Disciples go forth for Torah study without [the wife’s] consent for thirty days.**
- E. **Workers go out for one week.**
- F. **“The sexual duty of which the Torah speaks (Exo. 21:10): (1) those without work [of independent means] – every day; (2) workers – twice a week; (3) ass drivers – once a week; (4) camel drivers – once in thirty days; (5) sailors – once in six months,” the words of R. Eliezer.**

- I.1** A. **[He who takes a vow not to have sexual relations with his wife – the House of Shammai say, “[He may allow this situation to continue] for two weeks.” And the House of Hillel say, “For one week”:] What is the operative consideration in the position of the House of Shammai?**
- B. *They appeal to the generative analogy of a woman who bears a female child [Lev. 12: 5, who cannot have sexual relations for two weeks thereafter].*
- C. *What is the operative consideration in the position of the House of Hillel?*
- D. *They appeal to the generative analogy of a woman who bears a male child [Lev. 12: 5, who cannot have sexual relations for one week thereafter].*
- E. *So why should the House of Hillel not invoke the generative analogy of the woman who bears a female child?*
- F. *Had they appealed to the analogy of child bearing, that would have been a perfectly legitimate question. But they derive their ruling by analogy to the law governing the menstruant [who is unclean for seven days, Lev. 15:19].*
- G. *So what’s the difference anyhow?*

H. *One authority takes the view that the rule governing what is commonplace [fights between husbands and wives] is to be drawn by analogy from cases that are commonplace [such as menstruation], and the other that the rule governing what the husband has brought about [the vow] should be derived from that which he has brought about [the pregnancy and birth; but he has no bearing on the menstrual cycle].*

- I.2** A. Said Rab, “The Houses differ in a case in which the man spelled out the span of abstention, but if he did not specify the span of abstention, both parties concur that he has to divorce the wife forthwith and pay off her marriage settlement.”
- B. And Samuel said, “Even if the vow did not specify the span of abstention, too, he must wait the specified period, perhaps he may find a way of releasing his vow.”

C. *Lo, concerning that issue, however, the two masters have already disputed, for have we not learned in the Mishnah: **He who prohibits his wife by vow from deriving benefit from him for a period of thirty days, appoints an agent to provide for her. [If the effects of the vow are not nullified] for a longer period, he puts her away and pays off her marriage contract?*** And said Rab, “That statement has been made only in a case in which the man spelled out the span of abstention, but if he did not specify the span of abstention, both parties concur that he has to divorce the wife forthwith and pay off her marriage settlement.” And Samuel said, “Even if the vow did not specify the span of abstention, too, he must wait the specified period, perhaps he may find a way of releasing his vow.”

D. *It was necessary to set forth the dispute for both cases. For if it had been stated only in the case of the vow concerning sexual relations, it might have been that in that case Rab took the position that he did, for there would be no possibility of appointing a third party to provide for her, but in the other case, in which it was possible to set up a third party to provide support, I might have thought that he concurs with Samuel. And if the dispute were stated only in that case, in that case, for the same consideration, Samuel would have been thought to take the position that he did, but in this, I might have*

supposed that he concurred with Rab. So it was necessary to set forth the dispute for both cases.

- II.1** A. **Disciples go forth for Torah study without [the wife's] consent for thirty days:**
- B. And with permission for how long?
- C. *As long as he wants.*
- D. **[62A]** And what would be the usual period?
- E. Said Rab, "A month here, a month at home: 'In any matter of the courses which came in and went out month by month throughout all the months of the year' (1Ch. 27: 1)."
- F. R. Yohanan said, "A month here and two months at home: 'A month they were in Lebanon and two months at home' (1Ki. 5:28)."
- G. *And how come Rab did not draw his evidence from the other verse?*
- H. *The building of the house of the sanctuary is an exceptional situation, since it was possible to do the work through others.*
- I. *And how come R. Yohanan did not draw his evidence from the other verse?*
- J. *That case was exceptional, since each participant has a respite.*

- II.2** A. Rab said, "A sigh breaks half the body of a man, as it is said, 'Sigh, therefore, you son of man, with the breaking of your loins and with bitterness you shall sigh' (Eze. 21:11)."
- B. And R. Yohanan said, "Even the whole of a man's body, as it is said, 'And it shall be, when they say to you, "Why are you sighing?" you shall say, "Because of the news, for it comes, and every heart shall melt and all hands shall be slack and every spirit shall faint and all knees shall run with urine"' (Eze. 21:12)."
- C. *And from R. Yohanan's perspective, too, is it not written, "With the breaking of your loins"?*
- D. *The meaning is, when the breaking begins, it starts at the loins.*
- E. *And from Rab's perspective, too, is it not written, "And every heart shall melt and all hands shall be slack and every spirit shall faint and all knees shall run with urine"?*

F. *News concerning the house of the sanctuary is exceptional, since that was a terrible blow.*

G. *An Israelite and a gentile were walking along the way together. The gentile couldn't keep up with the Israelite. He reminded him of the destruction of the house of the sanctuary. He got weak and sighed. Still the gentile couldn't keep up with him. He said to him, "Don't you people say, 'A sigh breaks half the body of a man'?"*

H. *He said to him, "That covers something new, but as to something old, that is not so. People say, 'A woman who is used to bereavements isn't confused [at a new one].'"*

III.1 A. The sexual duty of which the Torah speaks (Exo. 21:10): (1) those without work [of independent means] – every day:

B. *What is the definition of those without work [of independent means]?*

C. *Said Raba, "People who attend the public lectures regularly."*

D. *Said to him Abbaye, "They are the ones of whom Scripture states, 'In vain do you rise early and sit up late, you who eat of the bread of toil, as he gives unto those who chase their sleep away' (Psa. 127: 2)."*

E. *And said R. Isaac, "This refers to the wives of disciples of sages, who keep sleep out of their eyes in this world and so come to the world to come, and you say, 'People who attend the public lectures regularly'?"*

F. *Rather, said Abbaye, "It is in accord with Rab, for said Rab, 'For example, R. Samuel bar Shilat, who eats of his own food and drinks of his own drink and sleeps in the shade of his villa, and a state official never passes by his door.'"*

G. *When Rabin came, he said, "It would be someone like the self-indulgent Westerners [from the Land of Israel]."*

III.2 A. *R. Abbahu [a Westerner] was once standing at the bath house, with two slaves supporting him. The door of the bath house collapsed under him. He was near a column, on which he climbed, taking them with him.*

B. *R. Yohanan was once climbing the stairs, with R. Ammi and R. Assi supporting him. The staircase*

collapsed. He climbed up and brought them up with him.

C. Said to him rabbis, "Since you're that strong, how come you lean on them?"

D. He said to him, "Otherwise, what shall I have when I get old? [So I'm saving my strength.]"

IV.1 A. Workers – twice a week:

B. *But has it not been taught on Tannaite authority: Workers – once a week?*

C. *Said R. Yosé b. R. Hanina, "There is no contradiction. The one speaks of those who work in their own town, the other, those who work in some other town."*

D. So, too, it has been taught on Tannaite authority: Workers – twice a week. Under what circumstances? In the case of those who work in their own town. But in the case of those who work in some other town, it is once a week.

V.1 A. Ass drivers – once a week:

B. *Said Rabbah bar R. Hanan to Abbaye, "Does the Tannaite framer of the passage go to the trouble of telling us the rules governing the man of independent means and the worker?"*

C. *He said to him, "Not at all. [62B] The same rule applies to all of the other cases as well, where the vow may be made only for the specified times."*

D. *"But lo, the passage says, **six months!**"*

E. *"You can't compare someone who has a piece of bread in his basket with someone who does not have a piece of bread in his basket." [The sailor will come home, but the vow is not determinate.]*

V.2 A. Said Rabbah bar R. Hanan to Abbaye, "An ass driver who is appointed as a camel driver – what is the rule?"

B. *He said to him, "A woman would rather have a qab [of grain] and a little fun than ten qabs and total celibacy."*

VI.1 A. "...sailors – once in six months," the words of R. Eliezer:

B. *Said R. Berona said Rab, "The decided law is in accord with R. Eliezer.*

C. *Said R. Ada bar Ahbah said Rab, "'This represents the opinion of R. Eliezer.' But sages say, 'Disciples of sages go forth for the study of the Torah for two or three years without their wives' consent.'"*

- D. *Said Raba, “Rabbis appeal to the example of R. Ada bar Ahbah, but they thereby risk their lives.”*
- E. *For example, R. Rehummi would frequent the session of Raba in Mahoza. He would customarily return home at the eve of every Day of Atonement. Once he was preoccupied with his study and he forgot to go home. His wife waited for him: “Now he’s coming, now he’s coming.” But he didn’t come. She became upset and wept. At that moment, he was sitting on a roof. The roof collapsed under him, and he was killed.*

VI.2 A. **[“The sexual duty of which the Torah speaks (Exo. 21:10): (1) those without work [of independent means] – every day; (2) workers – twice a week; (3) ass drivers – once a week; (4) camel drivers – once in thirty days; (5) sailors – once in six months,” the words of R. Eliezer:]** As to the sexual duty of disciples of sages, when is it?

- B. *Said R. Judah said Samuel, “Once a week, on Friday night.”*

VI.3 A. *“Who brings forth its fruit in its season” (Psa. 1: 3) – said R. Judah, and some say R. Huna, and some say R. Nahman, “This refers to one who has sexual relations every Friday night.”*

VI.4 A. *Judah, son of R. Hiyya, son-in-law of R. Yannai, would go and remain at the session of the household of the master, but every Friday he would come home, and when he would come home, people saw a pillar of light moving before him. But once, he was so distracted by his subject that he didn’t go home. Since that sign was not seen, said R. Yannai to them, “Turn over his bed, for if Judah were alive, he would not neglect his duty.” It was like “an error that comes from the king” (Qoh. 10: 5), and he died.*

VI.5 A. *Rabbi was involved in the marriage preparations for his son into the household of R. Hiyya. When the time came to write the marriage contract, the bride dropped dead. Said Rabbi, “God forbid, is there some reason that the union was invalid?”*

B. *They went into session and examined the genealogy of Rabbi [and found:] “Rabbi comes from Shephatiah [2Sa. 3: 4, son of David], son of Abital, and R. Hiyya is from the family of Shimei, brother of David.” [Slotki: As the latter was not a*

descendant of the anointed king's family, it was not proper for his daughter to be united in marriage with one who was.]

C. *He went on to take up the marriage preparations for his son into the household of R. Yosé b. Zimra. They contracted that the son would spend twelve years at the schoolhouse. They brought the girl by him. He said to them, "Let it be six years."*

D. *They brought the girl past him again. He said, "I'd rather marry her now [no waiting], then I'll go." He was embarrassed before his father.*

E. He said to him, "My son, you have the very mind of the one who created you, for it is written first, 'You bring them in and plant them' (Exo. 15:17), and then, 'and let them make me a sanctuary that I may dwell among them' (Exo. 15:17)."

F. *He went and remained at the session for two years in the schoolhouse, but by the time he came home, his wife went sterile. Said Rabbi, "What should we do? Should he divorce her? People will say, 'This poor woman waited for him for nothing.' Should he marry someone else? People will say, 'This one is his wife, that one is his whore.' So he prayed for mercy for her, and she was healed."*

VI.6

A. *R. Hananiah b. Hakhinai was going to the schoolhouse at the end of R. Simeon b. Yohai's wedding celebration. The other said to him, "Wait for me, so I can come with you." He didn't wait for him. He went off and remained at the session for twelve years in the schoolhouse. By the time he got home, the streets of the town had changed, and he didn't know how to get to his house. He went and sat down at the river bank, and there he heard a girl being spoken to in this language: "Daughter of Hakhinai, daughter of Hakhinai, fill up your jug and let's go."*

B. *He thought, "It must follow that this girl is ours."*

C. *He followed her. His wife was sitting and sifting flour. She looked up and saw him, her heart was overwhelmed and she died. He said before him, "Lord of the world, is this to be the*

reward of this poor woman?" So he prayed for mercy for her, and she lived.

VI.7 A. R. Hama bar Bisa went to the session for twelve years at the house of study. When he came home, he said, "I'm not going to act like Ben Hakhinai." He went into the session and sent word to his wife. His son [born after he left town], R. Oshayya, came along and went into session before him. He asked him a question on a tradition. He saw he was a sharp wit in his traditions. He became depressed. He said, "If I had been here, I could have produced children like this one."

B. He went home. His son came in. He rose before him, thinking he wanted to ask him some more questions. Said to him his wife, "Is there a father who rises before his son?"

C. R. Ammi bar Hama recited in his regard: "'And a threefold cord is not quickly broken' (Qoh. 4:12) – this refers to R. Oshayya son of R. Hama son of Bisa."

VI.8 A. R. Aqiba was the shepherd of Ben Kalba Sabua. His daughter saw that he was chaste and noble. She said to him, "If we become betrothed to you, will you go to the schoolhouse?"

B. He said to her, "Yes."

C. She became betrothed to him secretly and sent him off.

D. Her father heard and drove her out of his house and forbade her by vow from enjoying his property.

E. He went and remained at the session for twelve years at the schoolhouse. When he came back, he brought with him twelve thousand disciples. He heard a sage say to her, "How long [63A] are you going to lead the life of a life-long widow?"

F. She said to him, "If he should pay attention to me, he will spend another twelve years in study."

G. He said, "So what I'm doing is with permission." He went back and stayed in session another twelve years at the schoolhouse.

H. When he came back, he brought with him twenty-four thousand disciples. His wife heard and went out to meet him.

Her neighbors said to her, "Borrow some nice clothes and put them on."

I. *She said to them, "A righteous man will recognize the soul of his cattle' (Pro. 12:10)."*

J. *When she came to him, she fell on her face and kissed his feet. His attendants were going to push her away. He said to them, "Leave her alone! What is mine and what is yours is hers."*

K. *Her father heard that an eminent authority had come to town. He said, "I shall go to him. Maybe he'll release me from my vow." He came to him. He said to him, "Did you take your vow with an eminent authority in mind [as your son-in-law]?"*

L. *He said to him, "Even if he had known a single chapter, even if he had known a single law [I would never have taken that vow]!"*

M. *He said to him, "I am the man."*

N. *He fell on his face and kissed his feet and gave him half of his property.*

O. *The daughter of R. Aqiba did the same with Ben Azzai, and that is in line with what people say: "A ewe copies a ewe, a daughter's acts are like the mother's."*

VI.9 A. *R. Joseph b. Raba was sent by his father to the schoolhouse before R. Joseph. They contracted that he could stay for six years. When he had been there three years, at the approach of the Day of Atonement, he said, "I'll go and see the men of my household."*

B. *His father heard about it. He took a tool and went to meet him, saying to him, "What you remember is your whore."*

C. *There are those who say: "He said to him, 'You remember your dove.'"*

D. *They quarreled, and this master did not eat a final meal prior to the fast, nor did that one.*

5:7

- A. She who rebels against her husband [declining to perform wifely services (M. 5: 5)] –
- B. they deduct from her marriage contract seven denars a week.
- C. R. Judah says, “Seven tropaics.”
- D. How long does one continue to deduct?
- E. Until her entire marriage contract [has been voided].
- F. R. Yosé says, “He continues to deduct [even beyond the value of the marriage contract], for an inheritance may come [to her] from some other source, from which he will collect what is due him.”
- G. And so is the rule for the man who rebels against his wife [declining to do the husband’s duties (M. 5: 4)] –
- H. they add three denars a week to her marriage contract.
- I. R. Judah says, “Three tropaics.”

I.1

- A. ...rebels...: *How so?*
- B. Said R. Huna, “She won’t have sex with him.”
- C. Said R. Yosé b. R. Hanina, “She won’t work for him.”
- D. *We have learned in the Mishnah: **And so is the rule for the man who rebels against his wife.** Now from the perspective of him who says, “She won’t have sex with him,” that makes perfectly good sense. But from the perspective of him who says, “She won’t work for him,” is he obligated to work for her?*
- E. *Yes indeed! He might say, “I won’t feed or support my wife.”*
- F. *But didn’t Rab say, “He who says, ‘I won’t feed or support my wife,’ must divorce the woman and pay off her marriage settlement”?*
- G. *But isn’t it required to consult him? [Sure it is, and he may resume his obligations; during that time he adds to the marriage settlement (Slotki).]*
- H. *An objection was raised: **All the same is the law pertaining to [the rebellion of any woman, including] the betrothed, married, or menstruating woman, and even a sick woman, and even one who is awaiting the levir [T. Ket. 5:7E-F].** Now, from the perspective of him who says, “She won’t have sex with him,” that makes perfectly good sense when it speaks of a sick woman. [63B] But from the perspective of him who says, “She won’t work for him,” is a sick woman going to be able to work?*

- I. *Rather, all parties concur that a wife who refuses to have sexual relations is classified as rebellious. Where they differ, it concerns work. One master maintains that if a wife refused to work, that does not classify her as rebellious, and the other maintains that if she refuses to work, she is classified as rebellious.*

I.2 A. *Reverting to the body of the text just now cited:*

- B. **She who rebels against her husband – they deduct from her marriage contract seven denars a week.**
- C. **R. Judah says, “Seven tropaics.”**
- D. **Our rabbis ordained that the court warn her four or five consecutive weeks, twice a week. If she persists any longer than that, even if her marriage contract is a hundred maneh, she has lost the whole thing.**
- E. **All the same is the law pertaining to [the rebellion of any woman, including] the betrothed, married, or menstruating woman, and even a sick woman, and even one who is awaiting the levir [T. Ket. 5:7C-F].**

F. Said R. Hiyya bar Joseph to Samuel, “So is a menstruating woman one who is suitable for sexual relations?”

G. He said to him, “You can’t compare someone who has a piece of bread in his basket with someone who does not have a piece of bread in his basket.”

I.3 A. Said R. Ammi bar Hama, “They make an announcement concerning the rebellious wife only in synagogues and schoolhouses.”

B. *Said Raba, “A close reading of the Mishnah yields the same point, for the Tannaite statement is: **four or five consecutive weeks.**”*

C. *That proves it.*

I.4 A. Said R. Ammi bar Hama, “Twice they send word to her from the court, once before the public announcement, once afterward.”

I.5 A. R. Nahman bar R. Hisda expounded, “The decided law is in accord with our rabbis.”

B. *Said Raba, “What absurdity!”*

C. *Said R. Nahman bar Isaac to Rabbi, “What’s so absurd? I am the one who told it to him, and it was in the name of an eminent authority that I said it to him. And who is it? It is R. Yosef b. R. Hanina. And in accord with whom did he make the statement? It is in accord with the*

following, which has been stated: Raba said R. Sheshet [said], ‘The decided law is that she has to be consulted.’ R. Huna bar Judah said R. Sheshet said, ‘The decided law is that she does not have to be consulted.’”

- I.6**
- A. *What is the definition of a rebellious woman?*
 - B. *Said Amemar, “She said, ‘So I want him, but I like tormenting him.’ But if she said, ‘I find him loathsome,’ they don’t pressure her to stay with him.”*
 - C. *Mar Zutra said, “They do force her to stay with him.”*
 - D. *There was a practical case, and Mar Zutra put on pressure, and in consequence was born R. Hanina of Sura.*
 - E. *But that’s not the real reason, the real reason was just that Heaven helped out.*

- I.7**
- A. *The daughter-in-law of R. Zebid rebelled. He grabbed her silk cloak. In session were Amemar, Mar Zutra, and R. Ashi, with R. Gameda with them. In session they stated, “If she rebelled, she forfeits the claim on her worn-out clothes that are still available.”*
 - B. *Said to them R. Gameda, “Is it because R. Zebid is a major authority that you want to play the flatterers to him? Didn’t R. Kahana say, ‘Raba only raised the question, but he never successfully answered it’?”*
 - C. *There are those who say, “In session they stated, ‘If she rebelled, she does not forfeit the claim on her worn-out clothes that are still available.’*
 - D. *“Said to them R. Gameda, [64A] ‘Is it because R. Zebid is a major authority that you turn the law on its head against him? Didn’t R. Kahana say, “Raba only raised the question, but he never successfully answered it”?’”*
 - E. *Now that there is no statement either in the one direction or in the other, if she seized the worn-out clothes, we do not retrieve them from her, but if she hasn’t yet done so, they are not given to her. We make her wait twelve months, a year, for her divorce, and, during that period, she has no claim on the husband for support.*

- I.8**
- A. Said R. Tubi bar Qisna said Samuel, “They write out a certificate of rebellion against a betrothed woman, but they do not write out a certificate of rebellion against a woman awaiting levirate marriage.”
 - B. *An objection was raised: All the same is the law pertaining to [the rebellion of any woman, including] the betrothed, married, or menstruating woman, and even a sick woman, and even one who is awaiting the levir [T. Ket. 5:7C-F]!*
 - C. *That’s no contradiction, the cited passage addresses a situation in which the man has come to claim her in marriage, the other, a situation in which she has claimed him [and he refused to marry her (Slotki)].*
 - D. *For said R. Tahalipa bar Abimi said Samuel, “If the prospective husband claimed her in marriage, the court acts on his claim; if she claimed him, the court does not act on her demand.”*
 - E. *To what situation do we apply the statement of Samuel then? Is it to one where she claimed him? Then, instead of using the language, They write out a certificate of rebellion against a betrothed woman, what is required is, They write out a certificate of rebellion in favor of a betrothed woman!*
 - F. *Well, that’s no problem either! Just read: They write out a certificate of rebellion in favor of a betrothed woman.*
- I.9**
- A. *How come in the case of a woman awaiting levirate marriage we do not write out a certificate of rebellion in her favor?*
 - B. *Because we say to her, “Get out, you’re not commanded to marry [only the man is]!”*
 - C. *Well, the same goes for the betrothed woman, why not say to her, “Get out, you’re not commanded to marry [only the man is]”?*
 - D. *And if it is a case in which she comes with a claim, “I want to have a staff in my hand and a spade to bury me” [a son, a funeral], this, too, would be a valid claim for a woman awaiting levirate marriage!*
 - E. *Well, both statements pertain to a case in which the husband is the one who laid claim [and the wife refused him], but there is no problem. The one speaks of a case involving the rite of removing the shoe, the other, the consummated levirate marriage. For said R. Pedat said R. Yohanan, “If the levir claimed her to perform the rite of removing the shoe, the court acts in his*

behalf, if he laid claim to enter into levirate marriage, the court does not attend to his claim.”

F. *And what's the difference in the case of entry into the fully consummated marriage?*

G. *We tell him, “Go marry someone else.”*

H. *Well, with regard to the rite of removing the shoe, why not say to him, “Go, marry someone else”?*

I. *And if he should say, “Since she's bound to me, no other wife is going to be given to me,” here, too, can't he say, “Since she's bound to me, no other wife is going to be given to me”?*

J. *Rather, both rules address a case in which he has laid claim on her for the levirate marriage, but there still is no conflict among the rules. The one accords with the earlier formulation of the Mishnah rule, the other, in accord with the later formulation of the Mishnah rule. For we have learned in the Mishnah: **The requirement of levirate marriage takes precedence over the ceremony of the rite of removing the shoe. At first, when they would consummate the levirate marriage for the sake of fulfilling a commandment they favored levirate marriage over the rite of removing the shoe. But now, that they do not consummate the levirate marriage for the sake of fulfilling a commandment, they have ruled: The requirement of the rite of removing the shoe takes precedence over the requirement of levirate marriage [M. Bekh. 1:8F-I].*** [Slotki: No certificate of rebellion is issued against a woman who refuses such a marriage.]

- II.1** A. **How long does one continue to deduct? Until her entire marriage contract [has been voided]. R. Yosé says, “He continues to deduct [even beyond the value of the marriage contract], for an inheritance may come [to her] from some other source, from which he will collect what is due him. And so is the rule for the man who rebels against his wife [declining to do the husband's duties (M. 5: 4)] – they add three denars a week to her marriage contract. R. Judah says, “Three tropaics”:**
- B. *What are tropaics?*
- C. *Said R. Sheshet, “An istira.”*
- D. *So what's an istira?*
- E. *A half-zuz.*

- F. *So, too, it has been taught as a Tannaite statement: R. Judah says, “Three tropaics, which are nine maahs, at the rate of one and a half maahs per day.”*

II.2 A. *Said R. Hiyya bar Joseph to Samuel, “How come he gets a reduction for all of the days of the week including the Sabbath [seven tropaics], while she is not given an addition for the Sabbath [nine maahs at one and a half a day cover six days a week]?”*

- B. *“In the case of the woman, since it is a matter of reducing the amount due her, the seventh that the husband gets doesn’t appear to be pay for the Sabbath. In his case, by contrast, in which they add to what is coming to her, [64B] it appears as though it is pay for the Sabbath day.”*

II.3 A. Said R. Hiyya bar Joseph to Samuel, “What’s the difference between the husband who rebels against the wife and the wife who rebels against the husband [he loses a half a tropaic a day, she loses a whole one]?”

- B. He said to him, “Go, learn from the whore market. Who hires whom? Furthermore, this one’s desire shows right on the surface, that one’s desire is hidden inside.”

5:8

- A. He who maintains his wife by a third party may not provide for her less than two qabs of wheat or four qabs of barley [per week] –
- B. Said R. Yosé, “Only R. Ishmael ruled that barley may be given to her, for he was near Edom” –
- C. And one pays over to her a half-qab of pulse, a half-log of oil, and a qab of dried figs or a maneh of fig cake.
- D. And if he does not have it, he provides instead fruit of some other type.
- E. And he gives her a bed, a cover, and a mat.
- F. And he annually gives her a cap for her head, and a girdle for her loins, and shoes from one festival season to the next, and clothing worth fifty zuz from one year to the next.
- G. And they do not give her either new ones in the sunny season or old ones in the rainy season.
- H. But they provide for her clothing fifty zuz in the rainy season, and she clothes herself with the remnants in the sunny season.
- I. And the rags remain hers.

5:9

- A. He gives her in addition a silver maah [a sixth of a denar] for her needs [per week].
- B. And she eats with him on the Sabbath by night.
- C. And if he does not give her a silver maah for her needs, the fruit of her labor belongs to her.
- D. And how much work does she do for him?
- E. The weight of five selas of warp must she spin for him [M. 5:5B7] in Judea (which is ten selas weight in Galilee), or the weight of ten selas of woof in Judah (which are twenty selas in Galilee).
- F. And if she was nursing a child, they take off [the required weight of wool which she must spin as] the fruit of her labor, and they provide more food for her.
- G. Under what circumstances?
- H. In the case of the most poverty-stricken man in Israel.
- I. But in the case of a weightier person, all follows the extent of his capacity [to support his wife].

- I.1** A. [Two qabs of wheat or four qabs of barley per week:] *In accord with what authority is our Mishnah paragraph? It cannot be either R. Yohanan b. Beroqa or R. Simeon, for we have learned in the Mishnah: What is its requisite measure? Food sufficient for two meals for each one, "[composed of] the food he eats on an ordinary day and not on the Sabbath," the words of R. Meir. R. Judah says, "On the Sabbath and not on an ordinary day." And this one and that one intend [thereby] to give a lenient ruling. R. Yohanan b. Beroqah says, "[Not less than] a loaf worth a pondion, from wheat at one sela for four seahs of flour." R. Simeon says, "Two-thirds of a loaf of a size of three to a qab." Half of that measure is what is required for a house afflicted with a mark of the skin ailment [described at Lev. 13-14], and half of that is the measure to invalidate the [person's] body [for the eating of food in the status of heave-offering] [M. Erub. 8:2]. Now whose position can be before us here? Should I say, R. Yohanan b. Beroqa? Then two qabs would serve for only eight meals [Slotki: according to Yohanan b. Beroqa, a loaf that contains food for two meals is one that is purchased for a dupondium when the cost of wheat is at the rate of four seahs for a sela; each sela is four denarii, each denar, six maahs, each maah, two dupondia. Consequently a sela = 4x6x32, or forty-*

eight dupondia. A seah = six qabs = 12 half-qabs. Consequently four seahs = 4x12 or forty-eight half-qabs. For a dupondium therefore half a qab of wheat is obtained, and since this quantity supplies two meals, each quarter of a qab provides one meal; two qabs then provide only eight meals], *and if it is R. Simeon, then two qabs would serve for eighteen meals* [Slotki: Simeon's minimum is two-thirds of a loaf, three of which are made of a qab. If two-thirds represent two meals, each third represents one meal. If three loaves are made from one qab, each qab represents nine meals, that is, 3x3. The two qabs, that is, 2x9, represent eighteen meals. Now since according to our Mishnah, a wife must be allowed fourteen meals plus one additional meal or two for the Sabbath, neither the view of Yohanan nor that of Simeon can be represented by it]!

- B. *In point of fact it is the view of R. Yohanan b. Beroqa, in line with what R. Hisda has said, "Deduct a third of them for the profit of the storekeeper"* [Slotki: though the storekeeper buys at the rate of four seahs for a sela = half a qab for a dupondium, he sells at a higher price, leaving for himself a profit of one-third of the purchase price; for each dupondium therefore he sells only two-thirds of half a qab; one-third of half a qab or one-sixth of a qab provides one meal; two qabs therefore produce 2x6 or twelve meals]. *So here, too, in our Mishnah paragraph, take a third* [Slotki: the shopkeeper's profit, which the husband saves by the supply of wheat instead of baked loaves], *and add to them* [Slotki: to the presumed number of eight, four is a third of twelve, which is the number of meals two qabs provide].
- C. *Still, they add up to only twelve!* [Slotki: She requires fourteen plus one or two meals for the week, she is still short by three or four meals.]
- D. *She eats with him Friday nights.*
- E. *Well, that poses no problem to him who has said, "eating" to which our Mishnah paragraph refers means, literally, eating; but according to him who says, "eating" refers to sexual relations, what is to be said? And furthermore, she'd still only have thirteen meals!*
- F. *Rather, it is in accord with what R. Hisda said, "Deduct half of the profit for the storekeeper." Here, too, take half and add to them.*

I.2 A. *So isn't there a conflict between the statements of R. Hisda?*

B. *Not really. The one speaks of a locale in which wheat sellers provide the wood, the other, a locale in which wheat sellers don't*

provide wood [for baking bread, so the profit has to be half of the purchase price, to cover the cost of wood (Slotki)].

I.3 A. *So anyhow, the number of meals is sixteen* [Slotki: each half qab producing four, instead of two, meals, so two qabs produce sixteen meals].

B. *In accord with whom is this formulation then? It accords with R. Hidka, who said, “Four meals is a person obligated to eat on the Sabbath.”*

C. *You may even say that it accords with the position of rabbis, for you take off one of the meals, to provide for guests and people who drop in.*

D. *Well, once you’ve got that far, you might as well say that our Mishnah paragraph represents the position even of R. Simeon, for according to rabbis, you deduct from the total provided for her three meals, to cover guests and people who drop in, while in the view of R. Hidqa, you deduct two meals for guests and people who drop in.*

II.1 A. **Said R. Yosé, “Only R. Ishmael ruled that barley may be given to her, for he was near Edom”:**

B. *So they eat barley only in Edom and nowhere else in the world, huh?*

C. *This is the sense of the statement: **Only R. Ishmael ruled that barley may be given to her, for he was near Edom**, granting a supply equal to twice the volume of wheat, because the barley of Edom was inferior.*

III.1 A. **And one pays over to her a half-qab of pulse, a half-log of oil, and a qab of dried figs or a maneh of fig cake:**

B. *So how about wine? That supports R. Eleazar for said R. Eleazar, [65A] “They do not provide an allowance for the woman for wine.”*

C. *And if you cite the verse, “I will go after my lovers, who give me my bread and my water, my wool and my flax, my oil and my drink” (Hos. 2: 7) [including wine], this refers to things that a woman lusts after, and what are they? They are really jewelry.*

III.2 A. *Expounded R. Judah of Kefar Nabirayya, and some say, of Kefar Napor Hayil, “How on the basis of Scripture do we know that they do not provide an allowance for the woman for wine? ‘So Hannah rose up after she had eaten in Shilah and after drinking’ (1Sa. 1: 9) – he had drunk, but she hadn’t drunk. So what about, ‘She had eaten,’ meaning, then he didn’t eat? In fact, the text has*

been revised, for note: It was dealing with her, so why change the form? It follows that he was the one who drank, but she didn't drink."

- B. *And objection was raised:* If she was accustomed to drink wine, she is given an allowance for that purpose.
- C. *A case in which she is accustomed to drink wine is exceptional, for* said R. Hinena bar Kahana said Samuel, "If a woman is accustomed to drink wine, they give her one cup, if not, they give her two."

D. *What's the sense of this statement?*

E. *Said Abbaye, "This is the sense of the statement:* If she was in the habit of drinking two cups in the husband's presence, she gets one in his absence; if in the presence of the husband she was used to drinking one, she is given none in his absence."

F. *And if you prefer, I shall say:* If she is accustomed, they give her some wine, but only for her puddings.

G. For said R. Abbahu said R. Yohanan, **"There was the case of the daughter-in-law of Naqedimon b. Gurion, for whom sages provided a stipend of two hundred zuz for wine for her puddings from one Friday to the next. She said to them, 'So may you provide as niggardly an amount for your daughters'" [T. Ket. 5:9C-D].**

H. *A Tannaite statement:* She was in the status of a levirate widow awaiting the levir, so they didn't reply, "Amen," after her statement [even though they would have been glad to have that much money].

- III.3** A. *A Tannaite statement:* One cup is comely for a woman, two disgusting, in three, she asks for it, after four, she even asks an ass in the marketplace and couldn't care less.

B. Said Raba, "That statement was repeated only in a case in which her husband was not with her, *but if her husband was with her, we have no objections to it.*"

C. *But lo, Hannah is a case in which her husband was with her [and still she refused to drink wine]!*

D. *When a woman is a guest, things are different, for* said R. Huna, "How on the basis of Scripture do we know that a guest is forbidden to have sexual relations? 'And they rose up in the morning early and

worshipped before the Lord and returned, and came to their house to Ramah; and then Elkanah knew Hannah his wife, and the Lord remembered her' (1Sa. 1:19) – *then, but not before.*”

- III.4** A. *Homa, the wife of Abbayye, came to Raba [after he died], asking him, “Provide me an allowance of board,” and he did it.*
B. *“Provide me an allowance for wine.”*
C. *He said to her, “Well, I knew Nahmani, and he never drank wine.”*
D. *She said to him, “By your life! He would give me wine to drink in shofar cups like this one.”*
E. *While she was showing him the cup, her arm was uncovered, and light was reflected from it into the courtroom. Raba got up, went home, and importuned the daughter of R. Hisda [his wife, to go to bed with him]. The daughter of R. Hisda said to him, “So who was in court today?”*
F. *He said to her, “Homa, the wife of Abbayye.”*
G. *She went after her and hit her with the straps of a chest until she threw her out of the whole town of Mahoza, saying to her, “You have now killed three, and you want to kill another one!”*
- III.5** A. *The wife of R. Joseph b. Raba came before R. Nehemiah b. R. Joseph and said to him, “Provide me an allowance of board,” and he did it.*
B. *“Provide me an allowance for wine.”*
C. *He did it. He said to her, “I know that the Mahozans drink wine.”*
- III.6** A. *The wife of R. Joseph b. R. Menasia of Devil came before R. Joseph and said to him, “Provide me an allowance of board,” and he did it.*
B. *“Provide me an allowance for wine.”*
C. *He did it.*
D. *“Provide me an allowance to buy silk.”*
E. *He said to her, “How come silk?”*

F. *She said to him, "For you, your best friend, and for all your colleagues" [Slotki: to keep up her social standing].*

IV.1 A. And he gives her a bed, a cover, and a mat:

- B. *How come he gives her a cover, and a mat?*
- C. *Said R. Pappa, "This is done in a place in which they are accustomed to hold up the bed with ropes, which would bruise her [so these are covered with a cover and a mat]."*

IV.2 A. Our rabbis have taught on Tannaite authority:

- B. *They do not give her a pillow and a quilt.*
- C. *In the name of R. Nathan they said, "They give her a pillow and a quilt."*

IV.3 A. *How is the background of this dispute to be imagined? If it is customary, then what can stand behind the position of the initial Tannaite authority? And if it is not customary, then how can the position of R. Nathan be explained?*

B. *The rule is necessary to deal with a case in which it is the husband's custom but not the wife's. The first Tannaite authority maintains that the husband may say to her, "When I go away from you, I'm going to take them away, and when I come back, I'll bring them back with me." R. Nathan maintains that she can say to him, "Sometimes you may come back only at twilight, and you won't be able to bring them, and you'll take mine and make me sleep on the ground" [so the husband has to provide these things at all times (Slotki)].*

V.1 A. And he annually gives her a cap for her head, and a girdle for her loins, and shoes from one festival season to the next:

- B. *Said R. Pappa to Abbaye, [65B] "This Tannaite authority thinks: 'Send him out naked and give him a pair of shoes!'" [Slotki: By the time the woman gets her second or third pair of shoes, her clothes will be worn to tatters, and yet she'll be wearing new shoes.]*
- C. *He said to him, "The Tannaite authority refers to a mountainous area, in which case she cannot manage with fewer than three pairs of shoes annually; moreover, tangentially he lets us know that these are given to her on a festival, so that she should have some pleasure from them."*

VI.1 A. And clothing worth fifty zuz from one year to the next:

- B. *Said Abbaye, “Fifty flat coins [that is, of lesser value, a flat one was worth only an eighth of a Tyrian one]. How so? Since the Tannaite statement proceeds: Under what circumstances? In the case of the most poverty-stricken man in Israel. But in the case of a weightier person, all follows the extent of his capacity [to support his wife]. Now if it should enter your mind that this means fifty zuz literally [that is, the Tyrian can], where in the world would a poor man get fifty zuz!? So it must mean fifty flat zuz.”*

VII.1

- A. **And they do not give her either new ones in the sunny season or old ones in the rainy season. But they provide for her clothing fifty zuz in the rainy season, and she clothes herself with the remnants in the sunny season. And the rags remain hers:**
- B. *Our rabbis taught on Tannaite authority:*
- C. **The excess of food beyond her needs goes back to him, the excess of worn-out clothing belongs to her [T. Ket. 5:9A].**

VII.2 A. **The excess of worn-out clothing belongs to her – for what good are they to her anyhow?**

B. *Said Rahbah, “She can wear them during her menstrual period, so that she will not be repulsive [through wearing the same clothes all the time] to her husband. [When at the end of her period she changes into fine clothing, she is all the more attractive.]”*

C. *Said Abbaye, “We hold in hand the following: The excess of worn-out clothing of a widow goes to her husband’s heirs. For in that case, the operative consideration is that she not be repulsive to her husband, but in this case, we most certainly want her to be as repulsive as she likes.”*

VIII.1 A. **He gives her in addition a silver maah [a sixth of a denar] for her needs [per week]. And she eats with him on the Sabbath by night:**

- B. *What is the meaning of And she eats with him on the Sabbath by night?*
- C. *Said R. Nahman, “Eating, literally.”*
- D. *R. Ashi said, “Sexual relations.”*
- E. *We have learned in the Mishnah: And she eats with him on the Sabbath by night. Now that poses no problem to him who has said, “eating” to which our Mishnah paragraph refers means, literally, eating; but according to him who says, “eating” refers to sexual relations, what is to be said?*

F. *It is a euphemism, in line with this usage:* “She eats and wipes her mouth and says, ‘I haven’t done anything wrong’” (Pro. 30:20).

G. *An objection was raised:* Rabban Simeon b. Gamaliel says, “She eats with him on Friday nights and on the Sabbath day.” *Now that poses no problem to him who has said, “eating” to which our Mishnah paragraph refers means, literally, eating, that is in line with the reference to the Sabbath day; but according to him who says, “eating” refers to sexual relations, do people have sexual relations on the Sabbath day? Didn’t R. Huna state, “Israelites are holy and do not have sexual relations by day”?*

H. *Yeah, but didn’t Raba say, “In a dark room it’s o.k.”?*

IX.1 A. **And if she was nursing a child, they take off [the required weight of wool which she must spin as] the fruit of her labor, and they provide more food for her:**

B. *R. Ulla the Elder at the gate of the patriarch expounded, “Even though they have said, ‘A man is not obligated to provide upkeep for his minor sons and daughters,’ he still has to provide them upkeep while they are infants.”*

C. *How long is that?*

D. *Until they are six.*

E. *That is in accord with what R. Assi said, for said R. Assi, “A child of the age of six is covered, for purposes of being permitted to carry in a bounded area, by the fusion meal prepared for his mother.”*

F. *Now what can be the source [of Ulla’s statement]?*

G. *It is in line with that which is set forth in the following Tannaite statement: **And if she was nursing a child, they take off [the required weight of wool which she must spin as] the fruit of her labor, and they provide more food for her.** Now what can possibly explain that rule? Isn’t it because the offspring must eat with her?*

H. *Maybe it’s because she’s sick?*

I. *If so, then the formulation should be, if she was sick, why use, **if she was nursing a child?***

J. *Maybe what this teaches us is that nursing mothers are assumed to be sick?*

X.1 A. **[And they provide more food for her:] What is this addition for?**