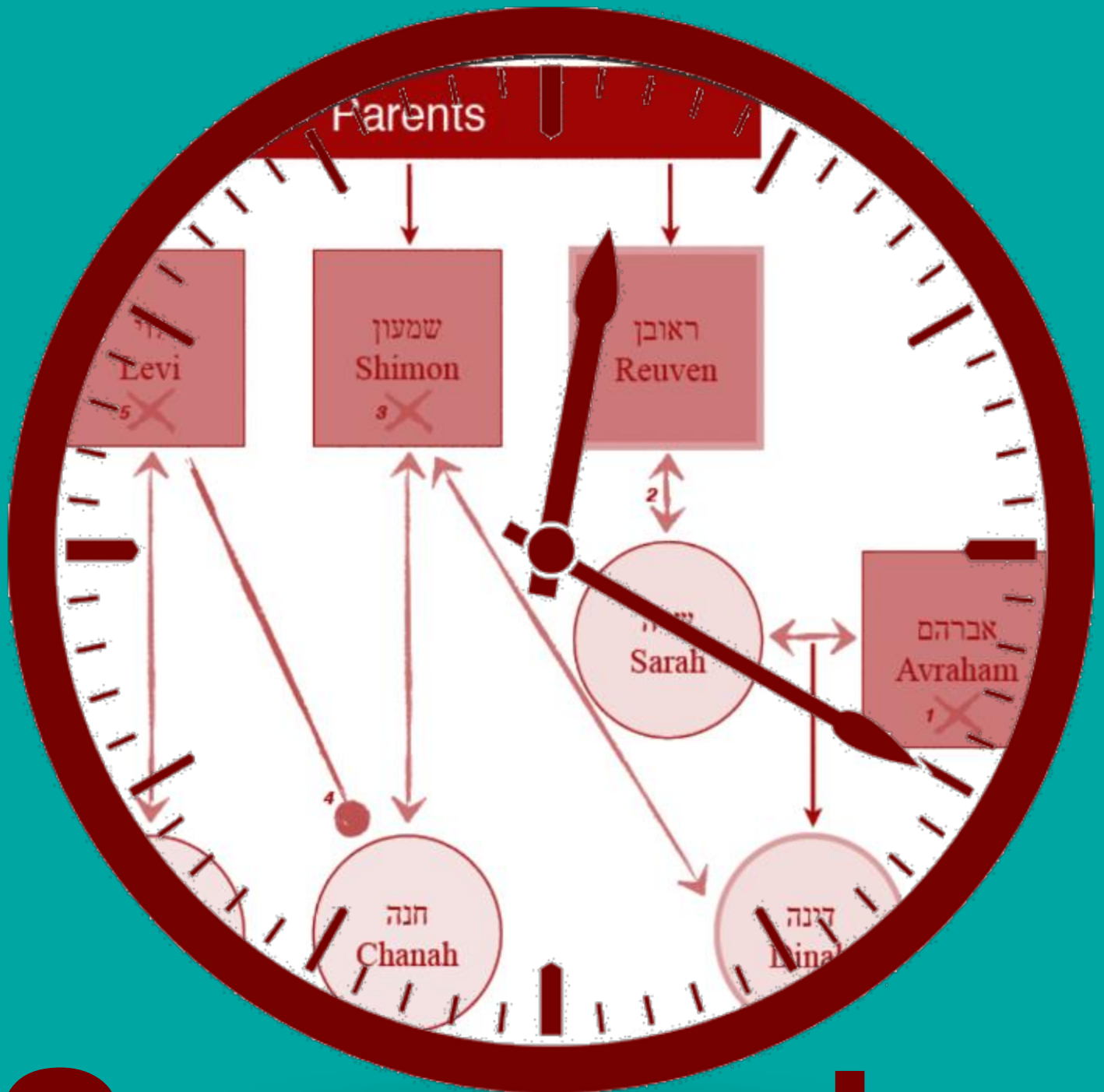


# TIME 4 MISHNA



# Summaries

# יבמות

# TIME 4 MISHNA

## summaries יבמות

time4mishna@gmail.com

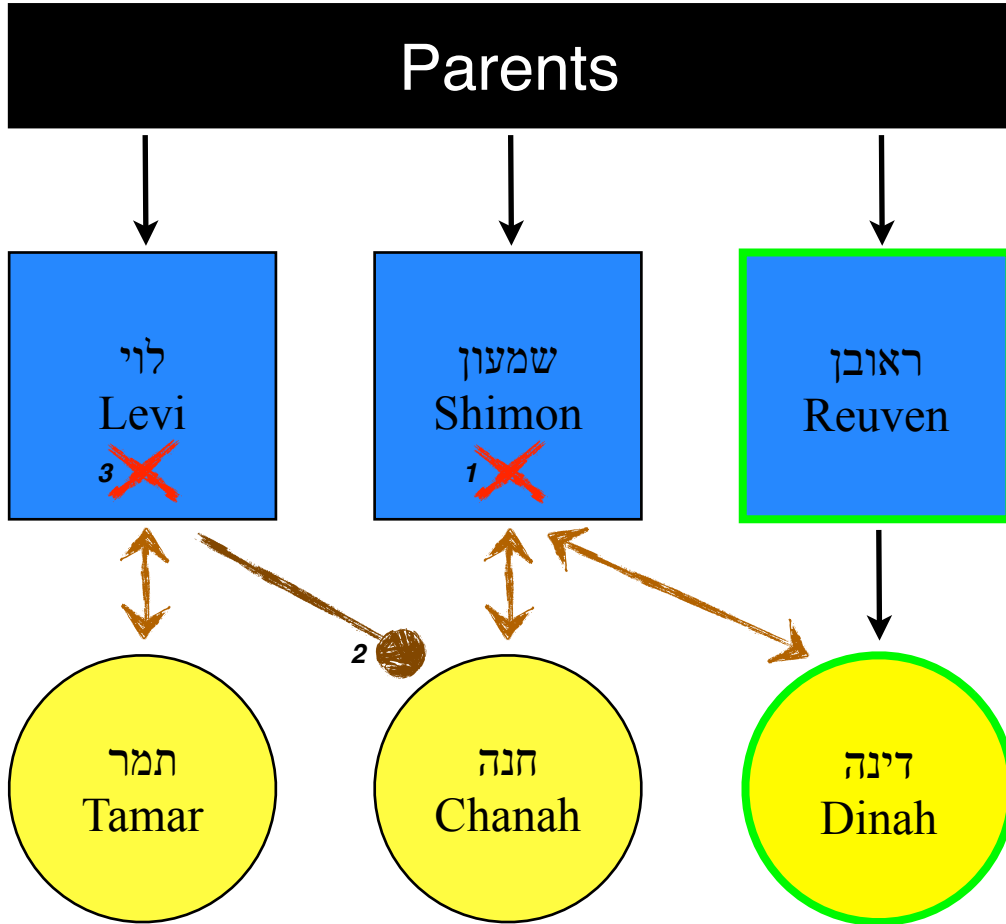
- א - ד • **The 15 ערויות - relatives - towards whom it is אסור to perform יבום:**
- **Daughter; son/daughter/wife/wife's son & daughter's daughter; Mother-in-law and her mother; father-in-law's mother; Maternal sister/brother's wife; mother/wife's sister; יבמה of brother born after dead brother's death; daughter-in-law**
  - **צרה** of his ערוה: His ערוה's 'צרה' - co-wife - is also אסור.
    - If one's ערוה **dies**, is **divorced**, performs 'מאן' - cancellation of a pre-מזונה marriage - or is found to be an אילונית before her husband's death, he's חייב to perform יבום or חליצה to the צרה.
    - The צרה of an orphaned ערוה under בת מזונה who was only **married מדרבנן** requires **חליצה**, since מדרבנן she can't do יבום since she's his ערוה's צרה.
    - If she does get **חליצה**, she is still **permitted to marry a כהן** since it wasn't valid.
    - If she does get **יבום**, she is **forbidden** to marry a כהן since she has had illegal relations.
    - If the ערוה was his: **mother; father's wife/sister; paternal sister/brother's wife; father's brother's wife**, then her צרה is **מוותר** since the ערוה is also the dead brother's ערוה which means their marriage was invalid.
  - **בית שמאי**: His ערוה's צרה is **מוותר**, so only חליצה would forbid her to marry a כהן.
    - Despite their disputes, followers of **בית שמאי & בית הלל** still **intermarried**.
      - Despite their disputes with regards to the purity of certain things, they still **borrowed** each other's utensils.

# TIME 4 MISHNA diagrams

א:א

“בְּתוֹ”

א:א

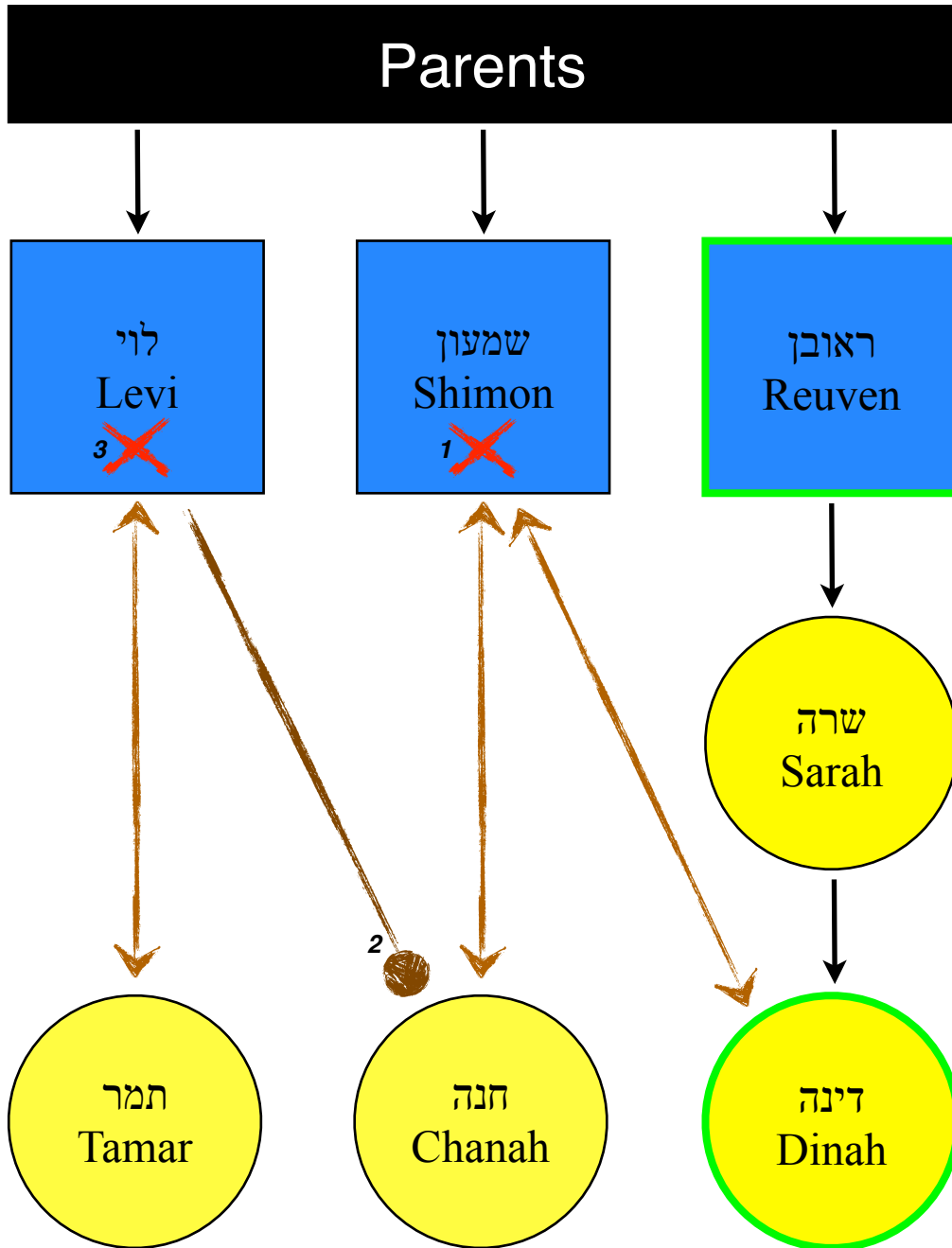


1. Shimon dies
  - Reuven is forbidden to Dinah (עֲרֻה) and Chanah (צָרָה)
  - Levi is permitted to Dinah and Chanah
2. Levi is מֵיבָם Chanah
3. Levi dies
  - Reuven is forbidden to Chanah (צָרָה) and Tamar (צָרַת צָרָה)

א:א

”בֵּית בְּתוּרִי”

א:א



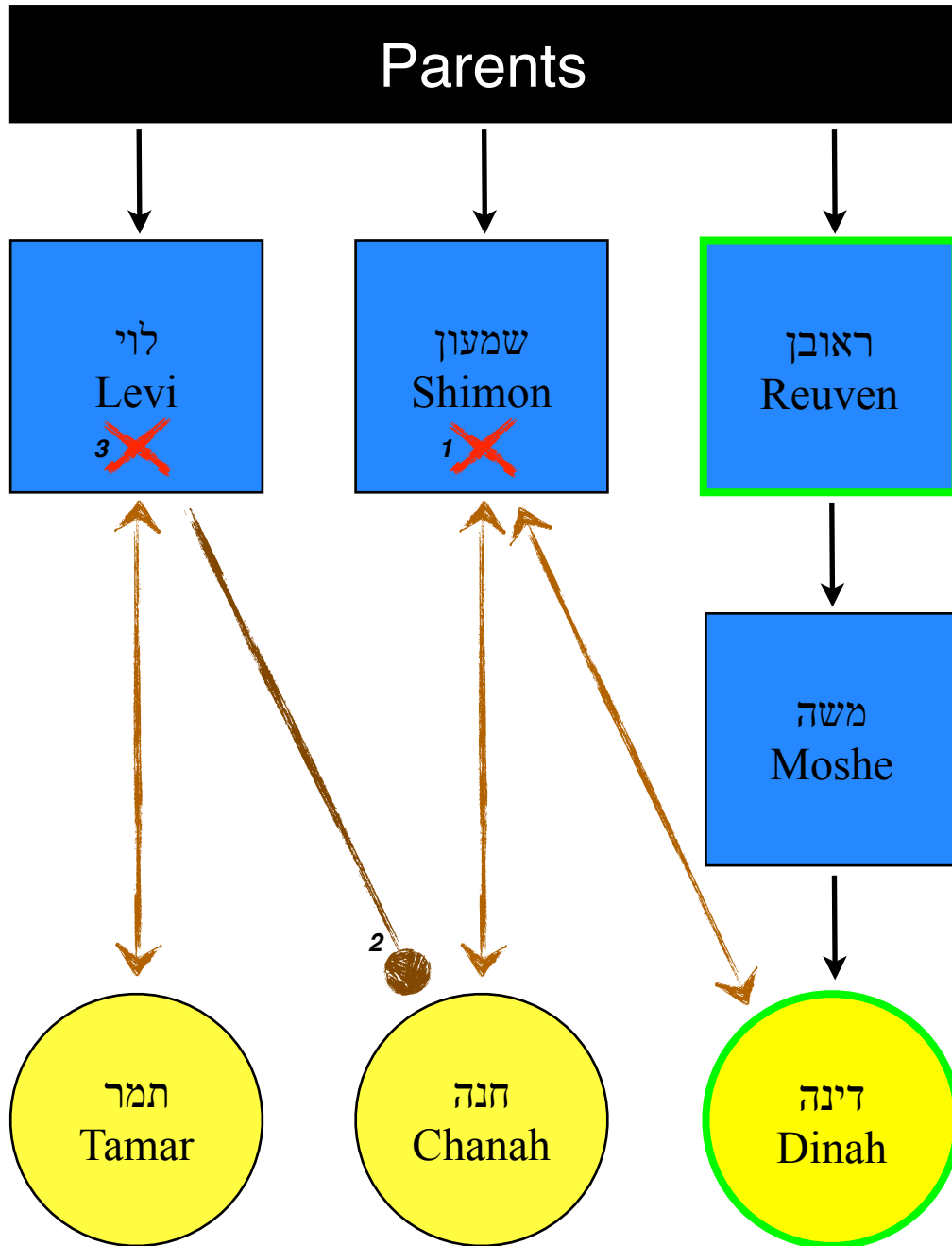
1. Shimon dies
  - Reuven is forbidden to Dinah (עֲרוּהָ) and Chanah (צָרָה)
  - Levi is permitted to Dinah and Chanah
2. Levi is מִיבָּם Chanah
3. Levi dies
  - Reuven is forbidden to Chanah (צָרָה) and Tamar (צָרַת צָרָה)

# TIME 4 MISHNA diagrams

א:א

”בֵּית בְּנוֹ”

א:א



## 1. Shimon dies

- Reuven is forbidden to Dinah (עֲרוּהָ) and Chanah (צָרָה)
- Levi is permitted to Dinah and Chanah

## 2. Levi is מְיָבָם Chanah

## 3. Levi dies

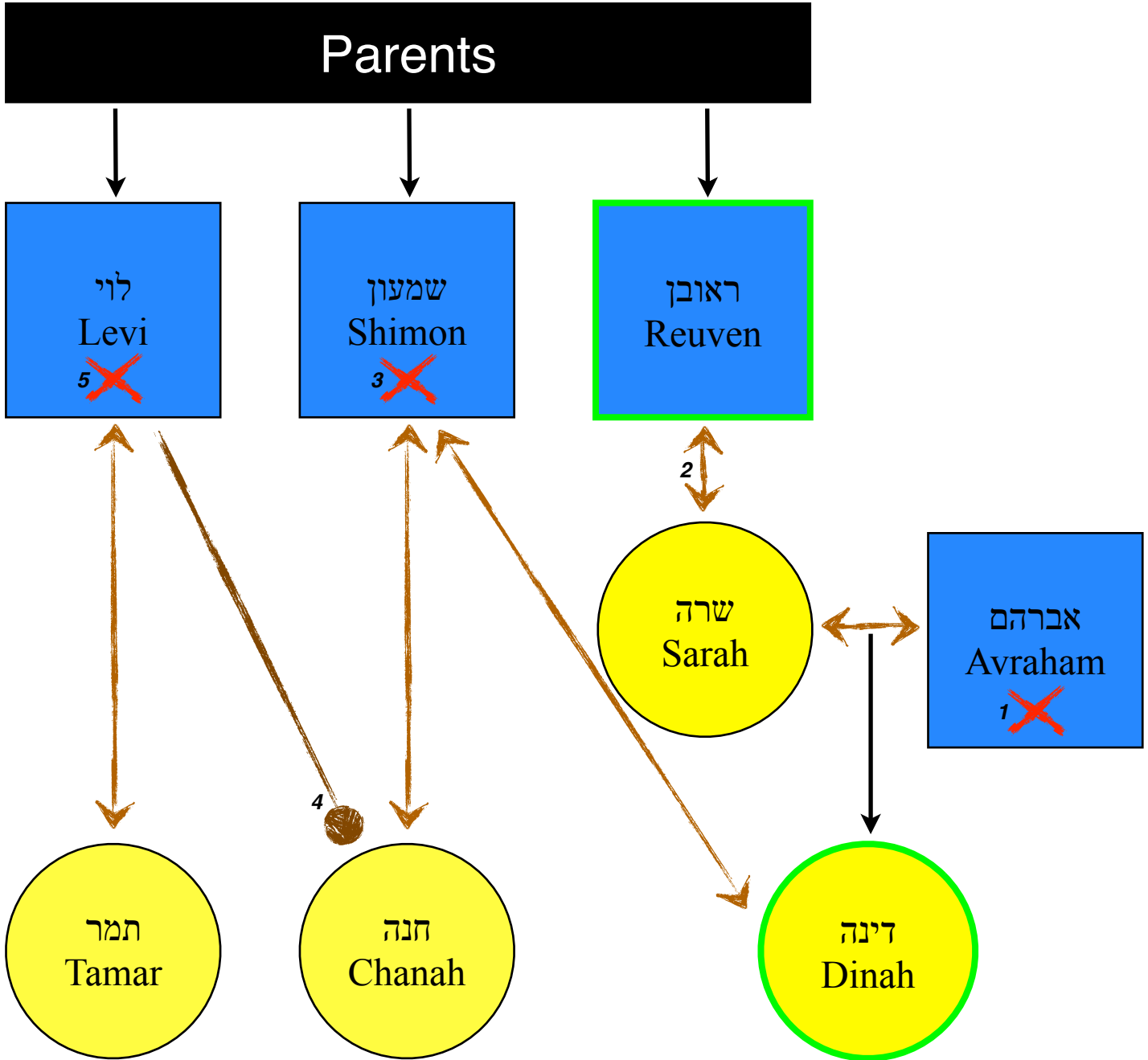
- Reuven is forbidden to Chanah (צָרָה) and Tamar (צֶרֶת צָרָה)

# TIME 4 MISHNA diagrams

א:א

”בֵּית אִשְׁתּוֹ”

א:א



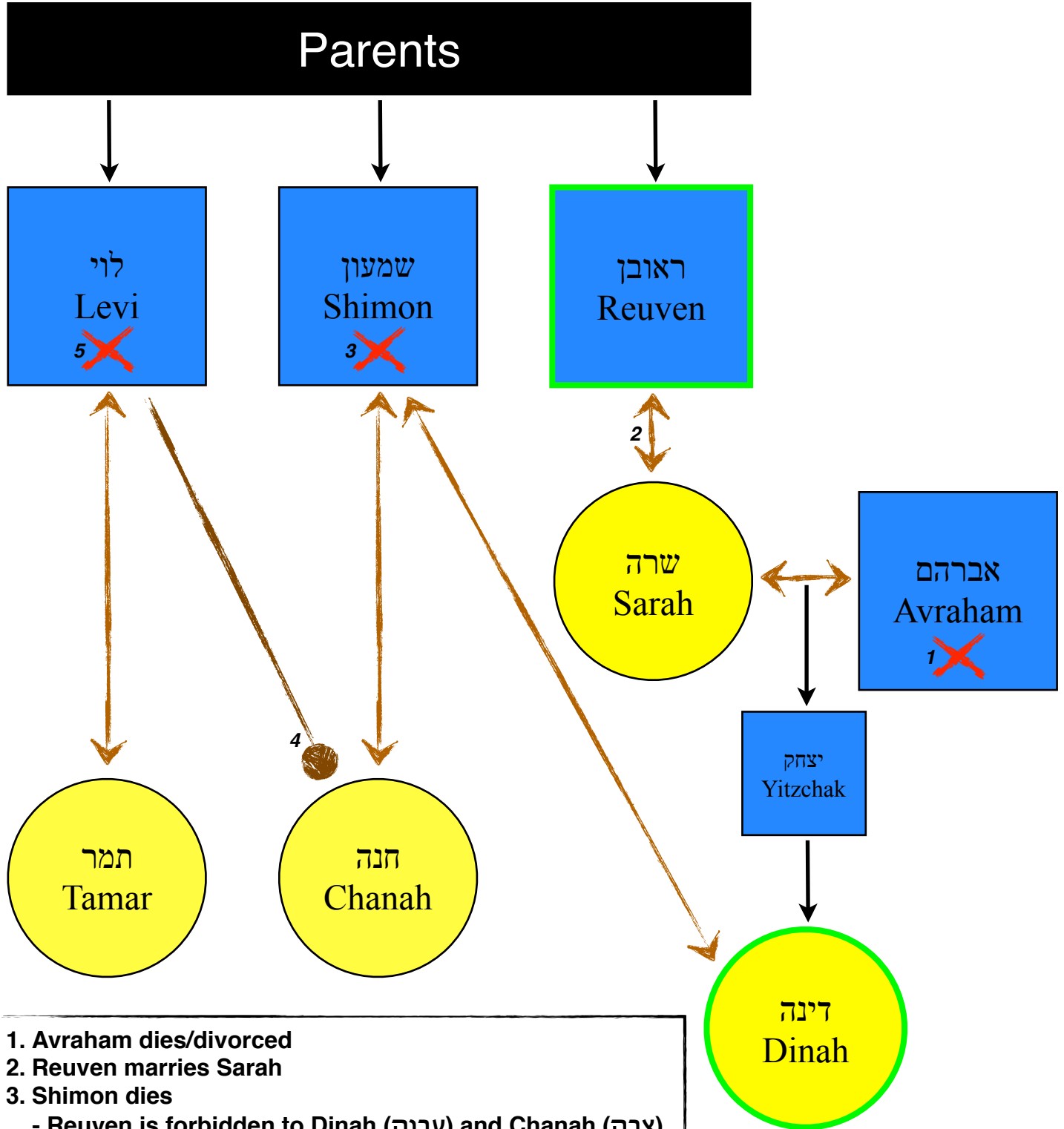
1. Avraham dies/divorced
2. Reuven marries Sarah
3. Shimon dies
  - Reuven is forbidden to Dinah (עֲרוּהָ) and Chanah (צָרָה)
  - Levi is permitted to Dinah and Chanah
4. Levi is מֵיבָם Chanah
5. Levi dies
  - Reuven is forbidden to Chanah (צָרָה) and Tamar (צֶרֶת צָרָה)

# TIME 4 MISHNA diagrams

א:א

”בֵּית בְּנֵיהּ”

א:א



1. Avraham dies/divorced
2. Reuven marries Sarah
3. Shimon dies
  - Reuven is forbidden to Dinah (ערוה) and Chanah (צרה)
  - Levi is permitted to Dinah and Chanah
4. Levi is מְיָבָם Chanah
5. Levi dies
  - Reuven is forbidden to Chanah (צרה) and Tamar (צרת צרה)

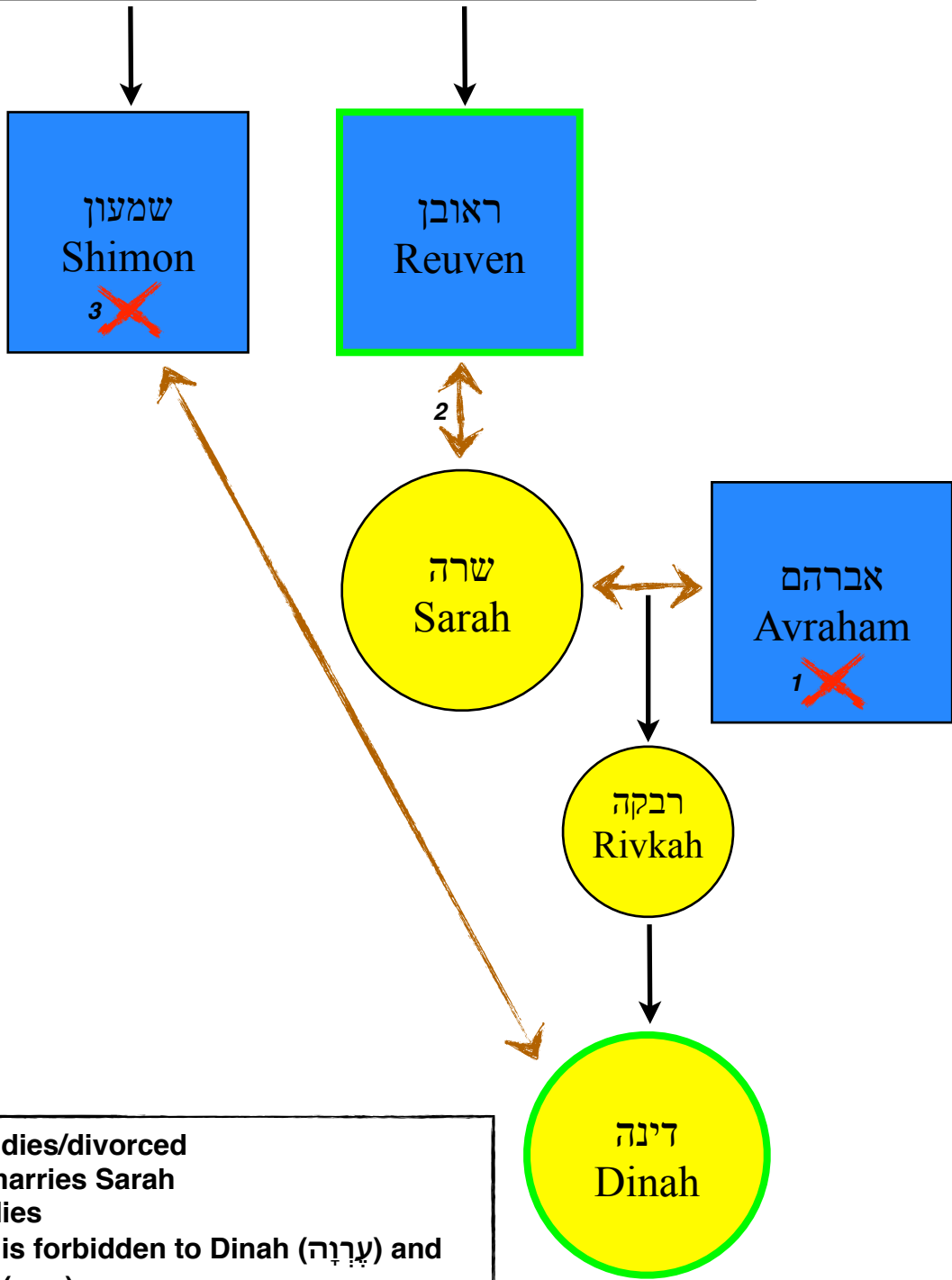
# TIME 4 MISHNA diagrams

א:א

“בֵּית בְּתוּלָה”

א:א

## Parents



1. Avraham dies/divorced
  2. Reuven marries Sarah
  3. Shimon dies
    - Reuven is forbidden to Dinah (עֲרוּהָ) and Chanah (צָרָה)
- The remaining cases of this Mishna follow the exact same pattern for Levi (the last 2 stages) so have been left out of the remaining diagrams.

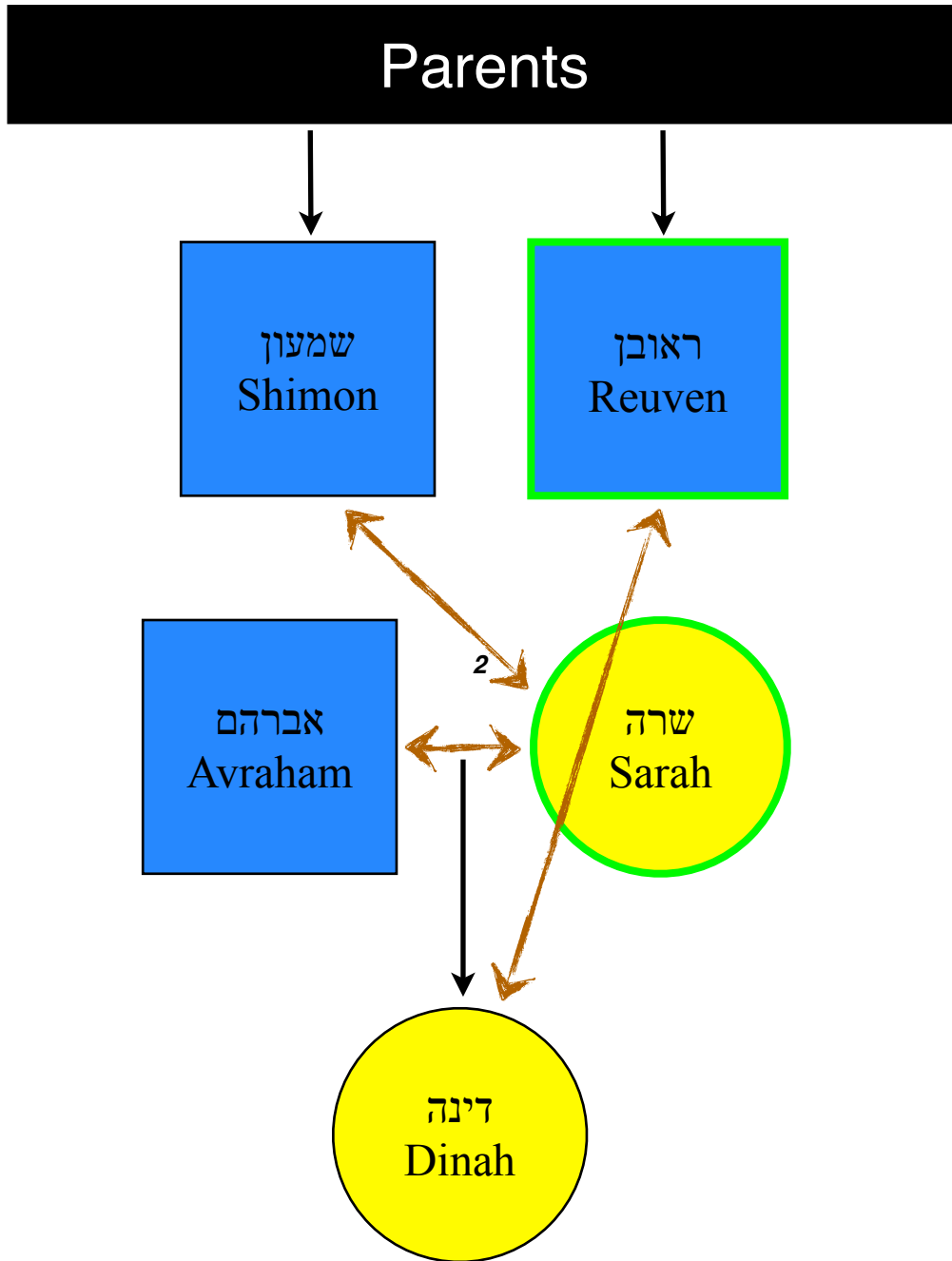


# TIME 4 MISHNA diagrams

א:א

”חמותו”

א:א

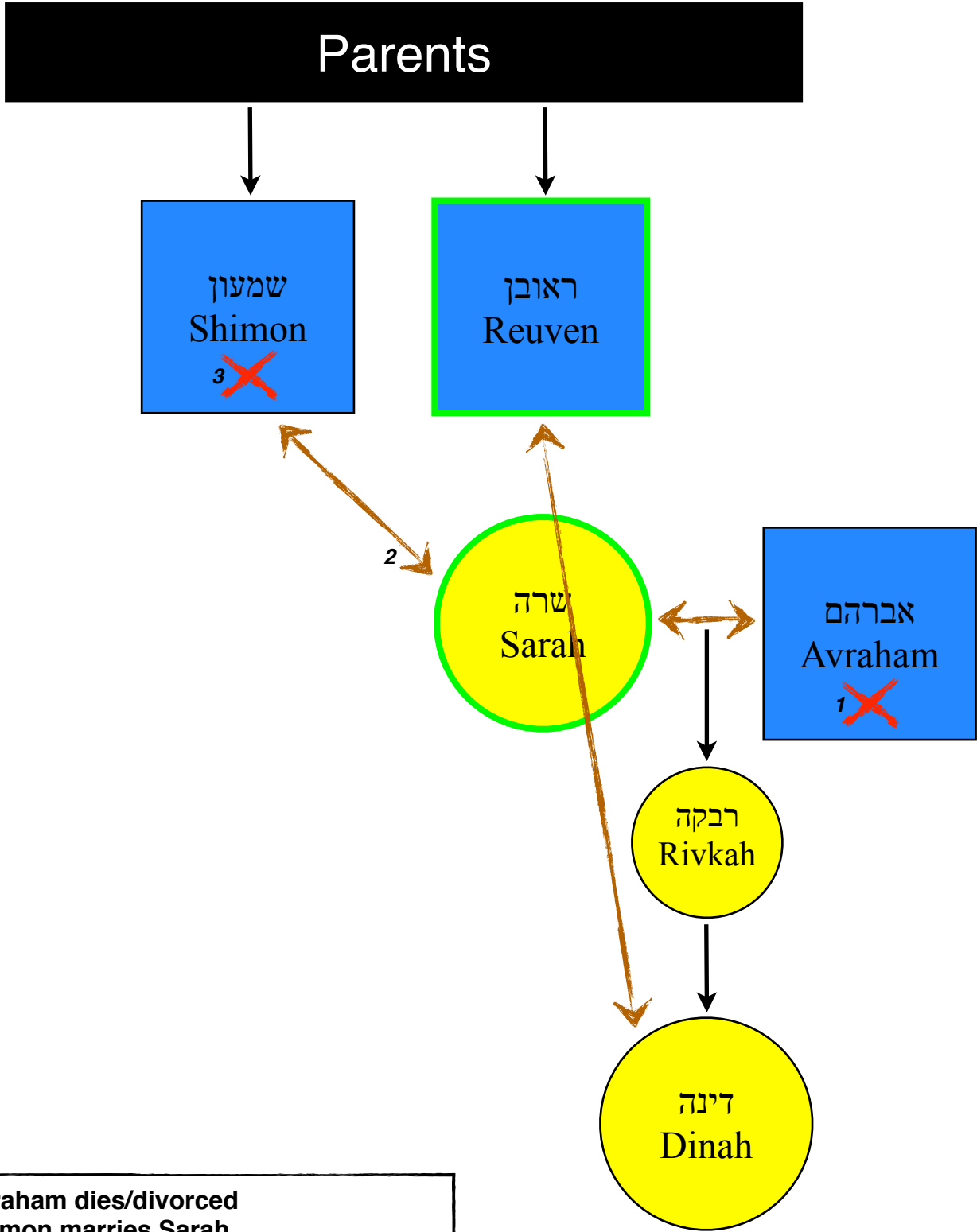


1. Avraham dies/divorced
2. Shimon marries Sarah
3. Shimon dies  
- Reuven is forbidden to Sarah (ערוה) and Chanah (צרה)

א:א

”אם תמותו“

א:א



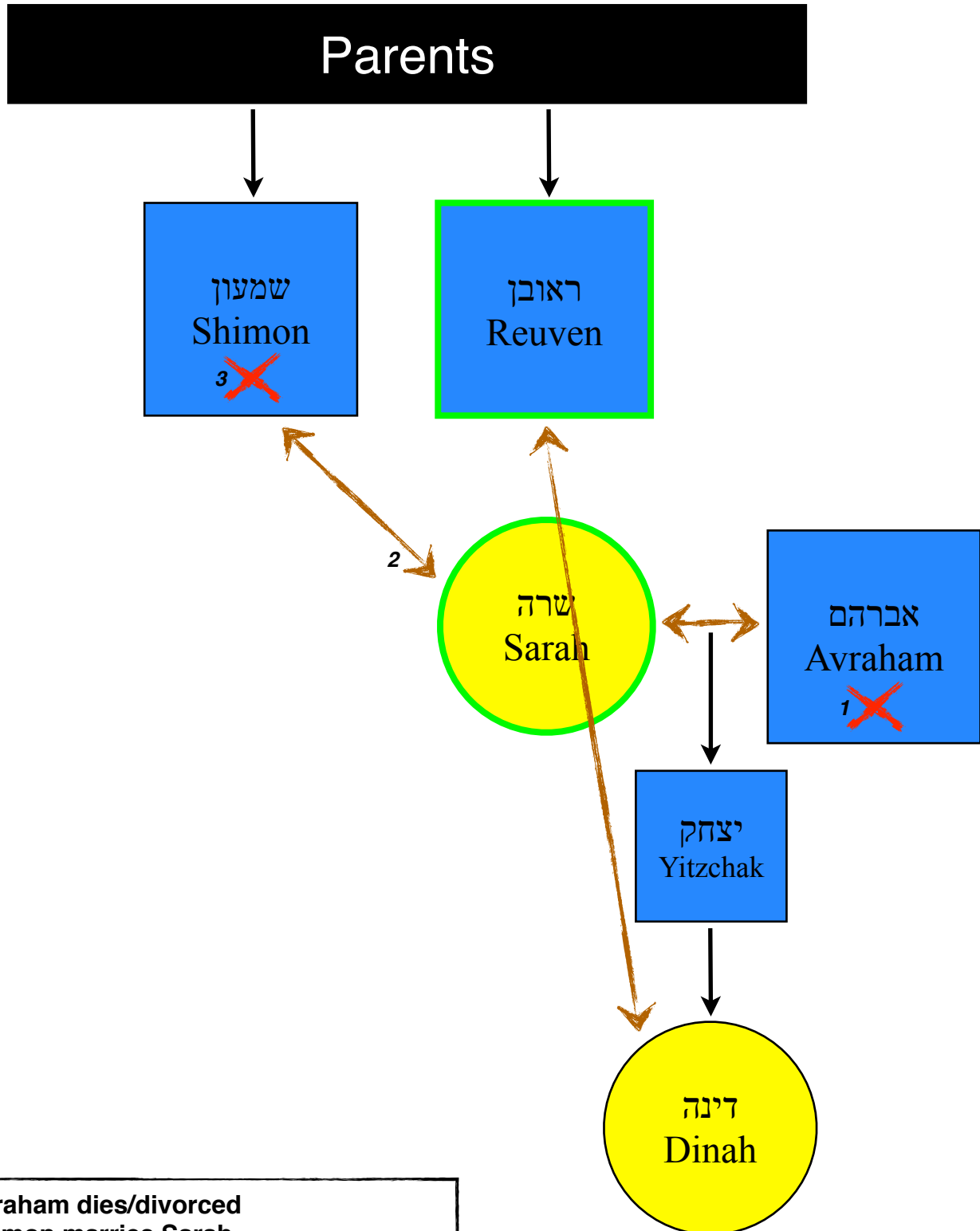
1. Avraham dies/divorced
2. Shimon marries Sarah
3. Shimon dies
  - Reuven is forbidden to Sarah (ערוה) and Chanah (צרה)

# TIME 4 MISHNA diagrams

א:א

”אם חמיו“

א:א



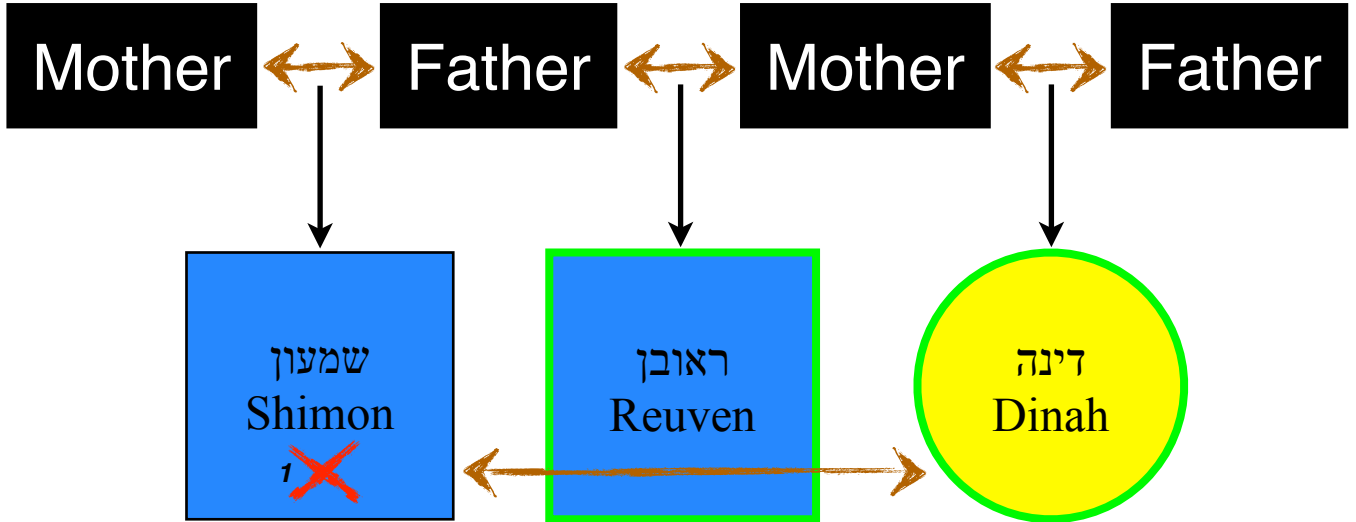
1. Avraham dies/divorced
2. Shimon marries Sarah
3. Shimon dies
  - Reuven is forbidden to Sarah (ערוה)
  - and Chanah (צרה)

# TIME 4 MISHNA diagrams

א:א

“אַחֻתוֹ מְאֻמוֹ”

א:א



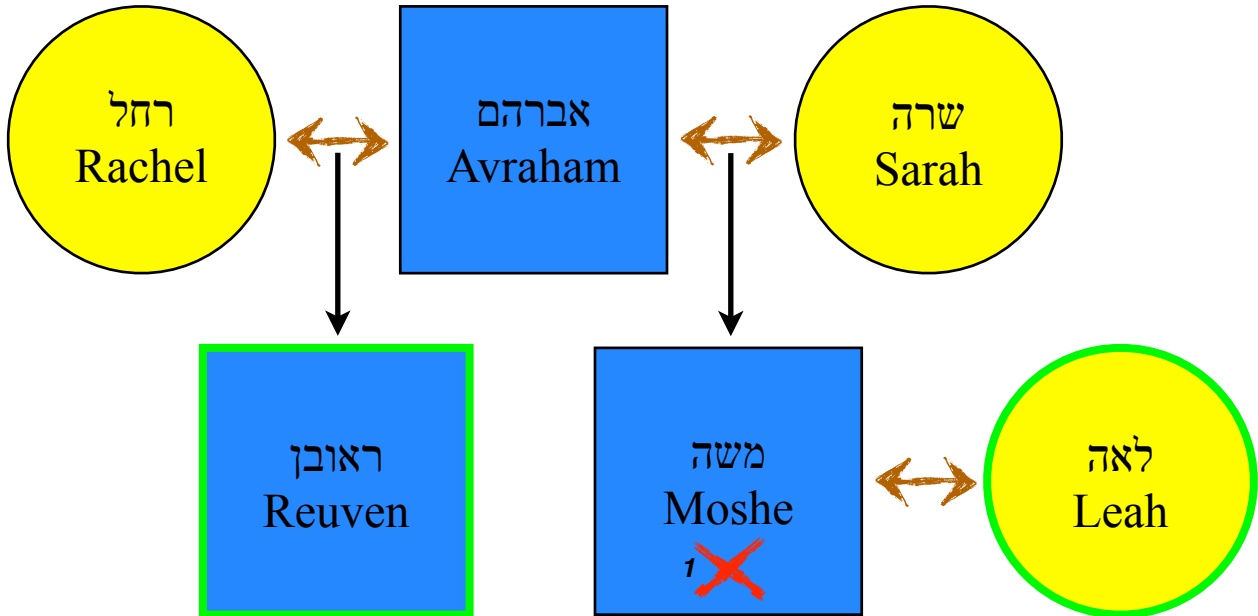
1. Shimon dies  
- Reuven is forbidden to Dinah (עַרְוָה) and Chanah (צָרָה)

# TIME 4 MISHNA diagrams

א:א

“אָחוֹת אִמּוֹ”

א:א



1. Moshe dies  
- Reuven is forbidden to Leah (עֲרֻה)

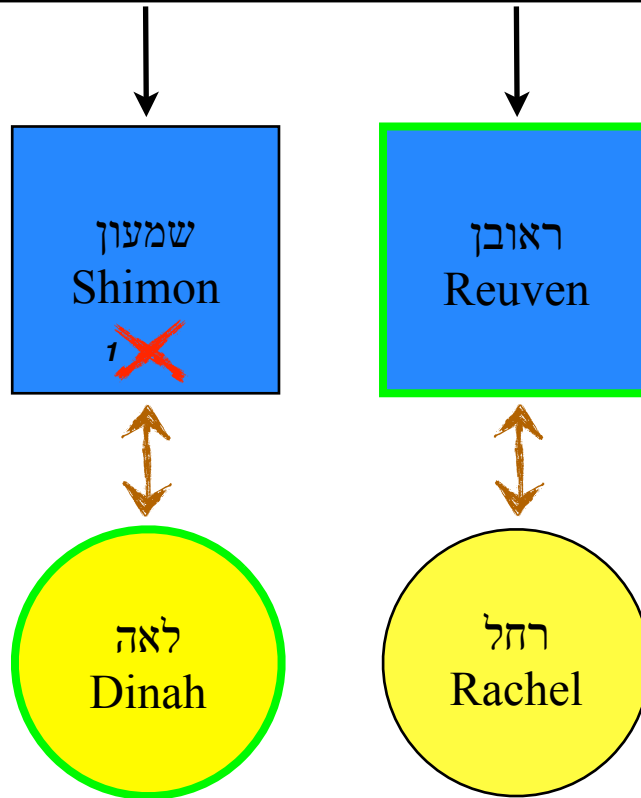
# TIME 4 MISHNA diagrams

א:א

“אַחֹת אִשְׁתּוֹ”

א:א

Parents



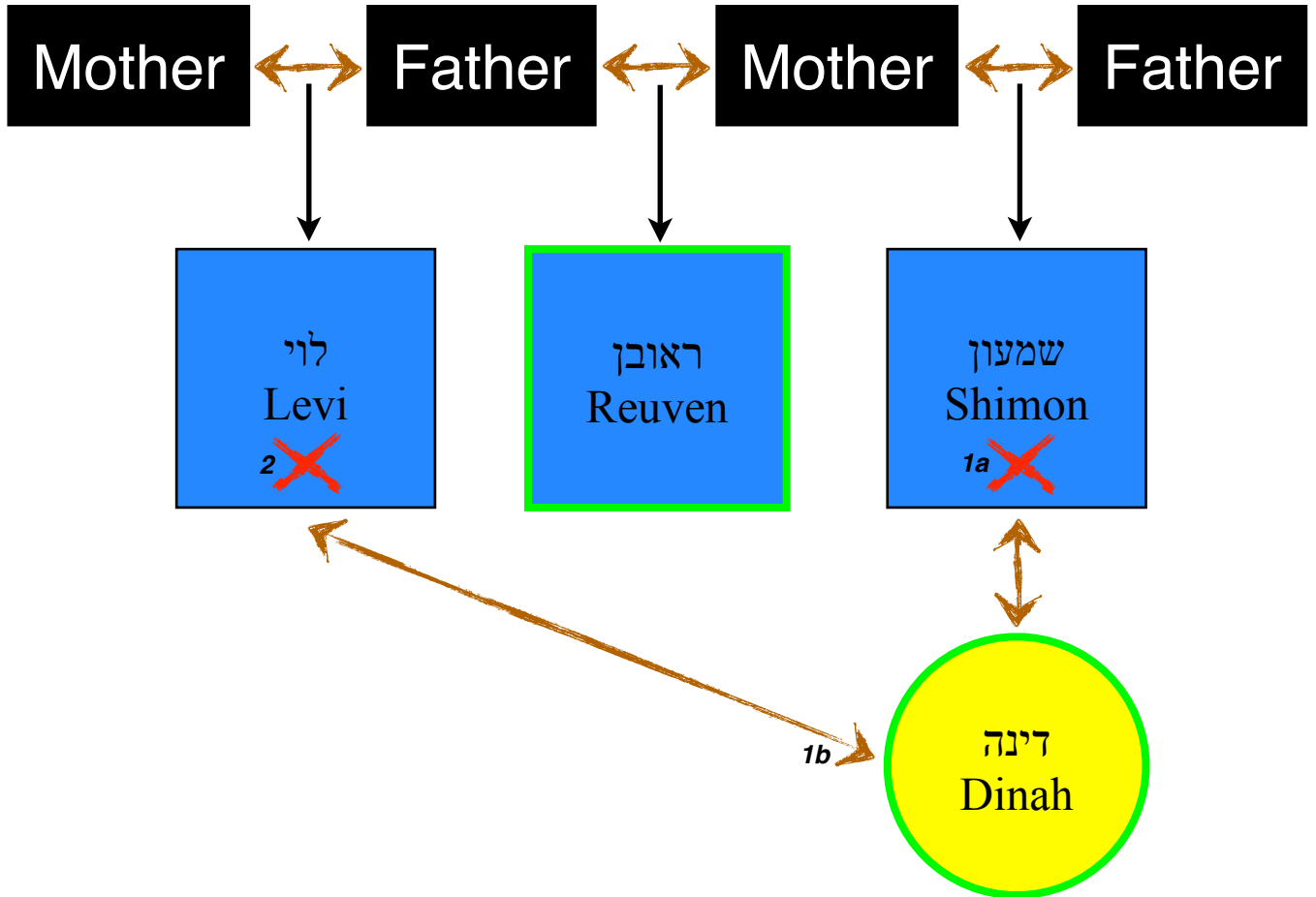
1. Shimon dies  
- Reuven is forbidden to Leah (עֵרְוָה)

# TIME 4 MISHNA diagrams

א:א

“אִשֶּׁת אָחִיו מֵאִמּוֹ”

א:א



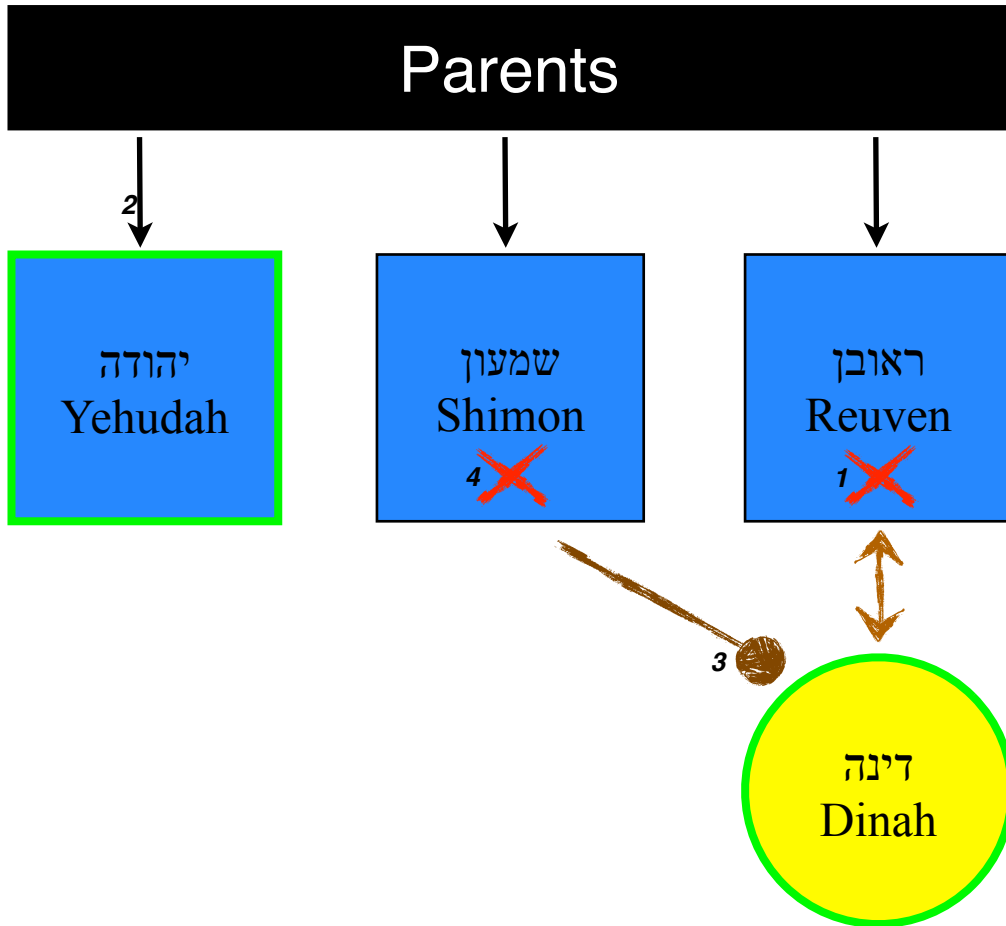
- 1. Shimon dies, and Levi marries Dinah
- 2. Levi Dies
  - Reuven is forbidden to Dinah (ערוה)

# TIME 4 MISHNA diagrams

א:א

”אִשֶּׁת אָחִיו שְׁלֹא הָיָה בְּעוֹלָמוֹ”

א:א



1. Reuven dies
  2. Yehudah is born
  3. Shimon is מְיָבָם Dinah
  4. Shimon dies
- Yehudah is forbidden to Dinah, (עֲרִוָה), since he did not have a חַיִּיב יְבוּם towards her at Reuven's death)



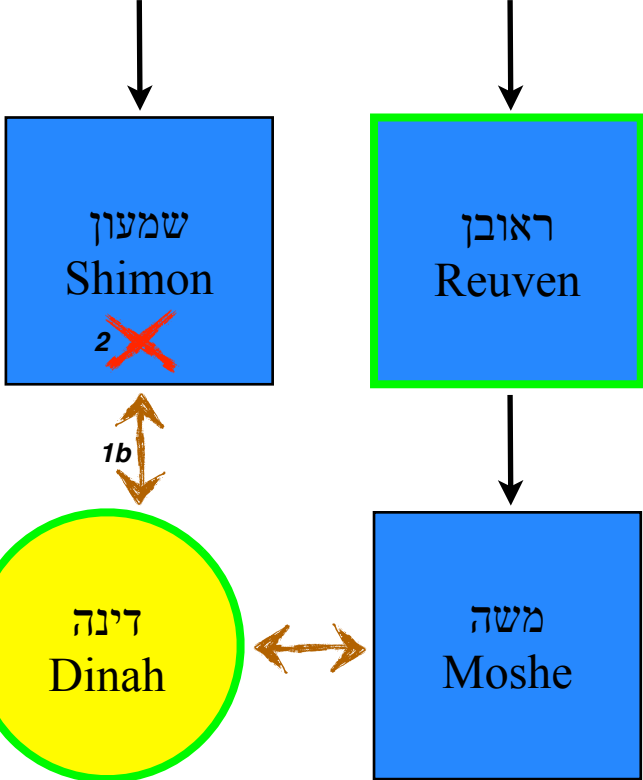
# TIME 4 MISHNA diagrams

א:א

“בְּלֶתוֹ”

א:א

Parents



1. Moshe dies, and Shimon marries Dinah
2. Shimon dies  
- Reuven is forbidden to Dinah (עֲרֻה)

# TIME 4 MISHNA

## summaries יבמות

time4mishna@gmail.com

### א - ה • Case of the **יבמה** of the brother born after the dead brother's death:

- If he was born **before** another brother performed **איסור**: יבום.
- **חכמים**: If he was born **after** another brother performed יבום: **איסור**.  
**מופתר**: ר' שמעון, since he is continuing the 2nd brother's marriage, not the 1st.
- If another brother performed **מאמר** – Rabbinic קידושין (engagement) before יבום – and died before יבום: her **צרה** requires **חליצה**.

- 1) If one's brother's wife is an **ערוה**: She requires **neither יבום nor חליצה**
- 2) If she is an **ערוה מדרבנן**, e.g. grandmother, or another unrelated woman to whom he'd be forbidden to remain married, e.g. a divorcee for a **כהן**: **חליצה**
- 3) If **2 brothers married to 2 sisters** die and both יבמות fall to 1 brother, but 1 was an **ערוה**: **יבום or חליצה**

- A **ממזר** is still considered a son/brother to make her **פטור** in יבום.
- The **oldest brother** has the primary obligation of יבום/חליצה, but the younger brother may do it instead.

### ו - ז • Marriages involving sisters:

- If **he's unsure** on which sister he performed קידושין, then they both require a **גט** or if he dies then **חליצה**, or one of them can get יבום.
- If **2 men are unsure** on which sister each one performed קידושין, then they both require a **גט** from both men or if they die then **חליצה** from each man's brother, or one of them can receive יבום after חליצה has been done to her sister.

### ח - י • Women to whom it is **איסור** to marry because of suspicion:

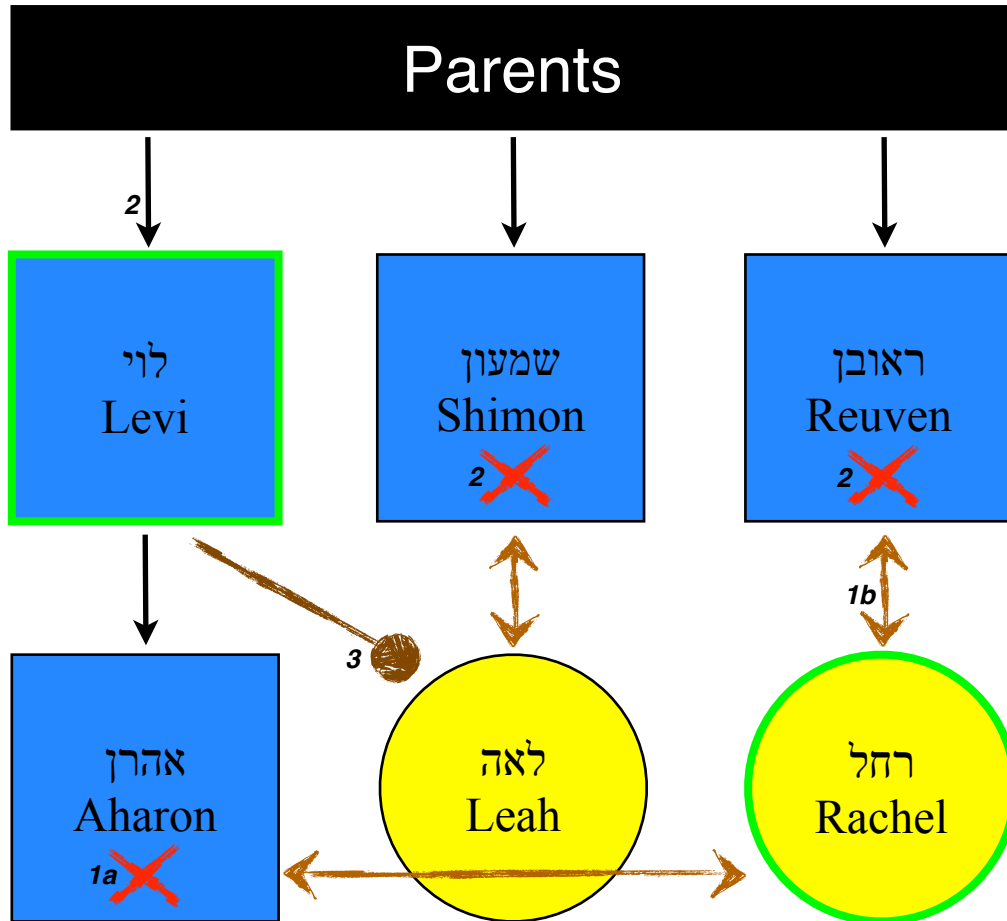
- 1) A **non-Jew** with whom he was suspected of having relations, even if she converts.
- 2) A **woman who was forcibly divorced** by **בית דין** because he'd been suspected of having relations with her.  
→ If he does marry her, he must **divorce** her, unlike in the other cases.
- 3) The wife of someone who made him a messenger to **bring a גט** to **בית דין** to divorce her or if he **testifies to her husband's death**.  
**ר' יהודה**: If he says he killed him, she can't marry at all since confession isn't valid testimony.
- 4) A woman whose **vow against her husband** is validated by him, obligating her to get divorced.  
→ A woman whose **חליצה** or **מאן** was performed in front of a **בית דין** including him is **מופתר**.  
→ The previous 2 cases are **מופתר** if his **other wife dies** or if he **marries a different woman** first after the incident, and **his son** may marry her now.

# TIME 4 MISHNA diagrams

ב:ג

”אַחוּתָהּ שְׁהִיא יְבַמְתָּהּ“

ב:ג



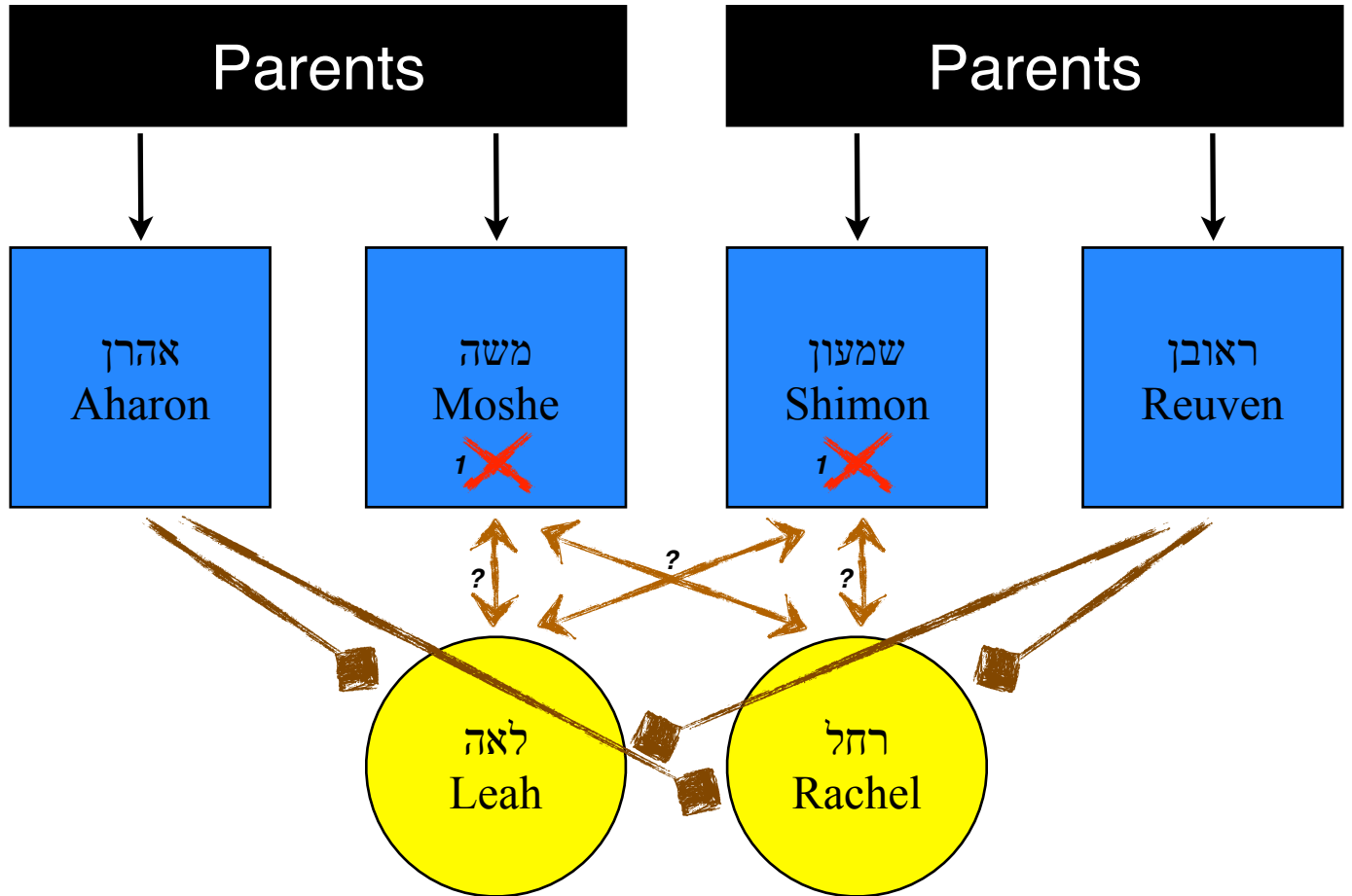
1. Aharon dies, and Reuven marries Rachel
2. Reuven and Shimon die
  - Levi is forbidden to Rachel (עַרְוָה) and permitted to Leah, since אַחוּת זְקוּקָתוֹ doesn't apply since Rachel is an עַרְוָה so not a זְקוּקָה

# TIME 4 MISHNA diagrams

ב:ז

“לָזָה אָח וְלָזָה אָח...”

ב:ז



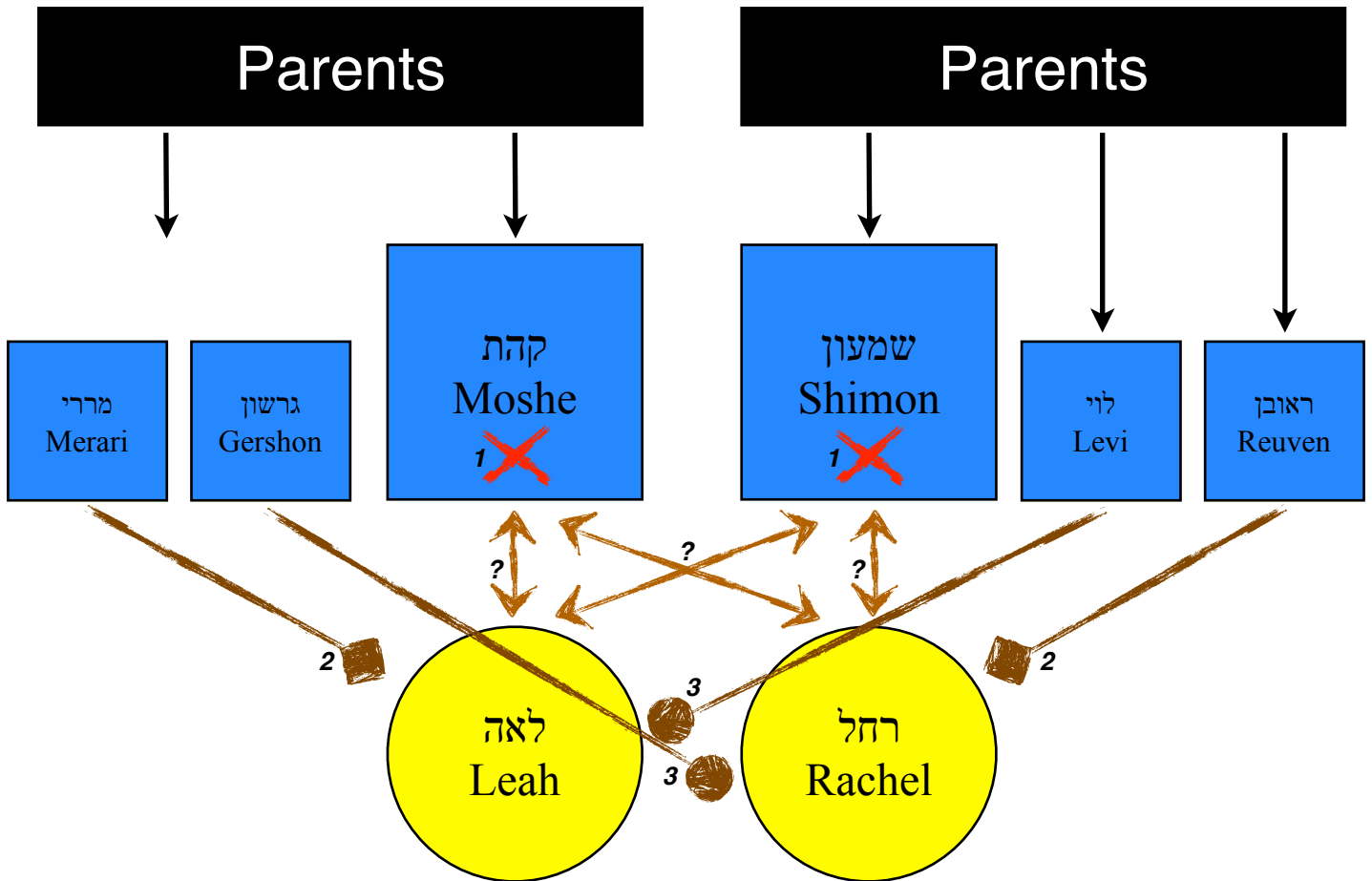
1. Shimon and Moshe - who each did קידושין on either Rachel or Leah - die  
- Reuven and Aharon must do חליצה on Rachel and Leah

# TIME 4 MISHNA diagrams

ב:ז

“...לָזָה שְׁנַיִם וְלָזָה שְׁנַיִם”

ב:ז



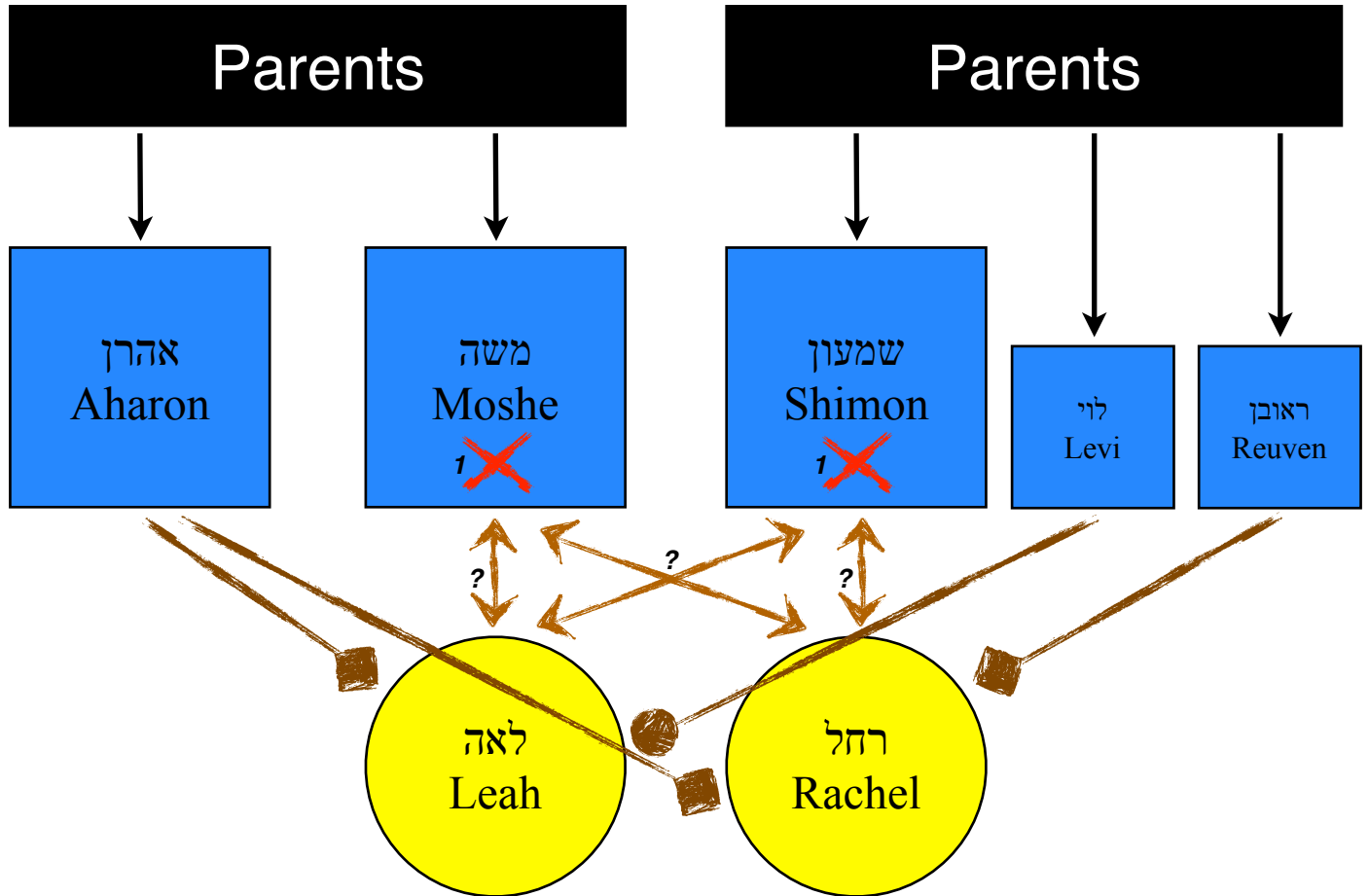
1. Shimon and Moshe - who each did קידושין on either Rachel or Leah - die
2. One of the Shimon brothers (Reuven) must do חליצה on one of the sisters (Rachel) and one of the Kehas's brothers (Merari) must do חליצה on the other sister (Leah)
3. Shimon's other brother (Levi) must do יבום or חליצה on the other sister (Leah) and Kehas's other brother (Gershon) must do יבום or חליצה on the other sister (Rachel)

# TIME 4 MISHNA diagrams

ב:ז

“לָזָה אֶחָד וְלָזָה שְׁנַיִם”

ב:ז



1. Shimon and Moshe - who each did קידושין on either Rachel or Leah - die
2. Aharon must do חליצה on Rachel and Leah, and one of Shimon's brothers (Reuven) must do חליצה on one of the sisters (Rachel).
3. Shimon's other brother (Levi) must do יבום or חליצה on the other sister (Leah)

# TIME 4 MISHNA

## summaries יבמות

time4mishna@gmail.com

### א - י • Marriages involving 2 brothers married to 2 sisters:

1) If the **brothers die** and both יבמות fall to the surviving brothers: חליצה for both, since each one is 'אחות זקוקתו' – the sister of the wife with a זיקה (the bond between a יבם & יבמה) to the brother.

ר' שמעון: They don't require anything, since a זיקה is as strong a bond as marriage so this case is like his wife's sister.

→ חכמים: If they did יבום; חייב to divorce.

חייב: בית הלל. פטור: בית שמאי: ר' אליעזר

→ If one of the sisters was an ערוה of a brother: the other sister is מותר for him.

- If each sister was an ערוה of a different brother, the same applies.

→ If one of the sisters was an 'אסור מצוה/אסור קדשה' – a woman who he may not marry but isn't an ערוה מדאורייתא – to a brother: חליצה for both.

→ If each sister was an ערוה of a different brother: each sister is מותר for the other one.

2) If 1 brother dies, the יבם performs 'מאמר' on the יבמה and the other brother dies: בית שמאי פטור She's and he may remain married, since מאמר is as strong as marriage so she's an ערוה מדאורייתא.

בית הלל: חליצה for both and a גט for the 1st one, since מאמר is only valid מדרבנן.

- If a יבם performs מאמר on his brother's ערוה and then dies, her צרה requires חליצה since the ערוה wasn't married to the יבם since he only did מאמר.

3) If 1 brother dies, the יבם performs יבום, the wife of the 2nd brother dies and the יבם dies: פטור, since she was once אסור to him as 'אחות אשתו' – his wife's sister.

4) If 1 brother divorces his wife, a brother not married to a sister dies, the first brother performs יבום and dies: חליצה זס יבום, since the 2nd brother's ערוה was divorced.

5) One brother dies and then the wife of the 2nd brother dies: פטור, since she was once אסור to him.

• If it's a **doubt whether an ערוה is a יבמה**, e.g. if the husband threw something to her for קידושין in a public domain and it's a doubt whether it's close enough to her for it to be valid, or if he gave her a גט which is only valid מדרבנן: חליצה for her צרה.

• חכמים: If a יבם performs מאמר on the יבמה and his remaining brother dies: חליצה, since she requires יבום on account of more than 1 husband, as מאמר is only valid מדרבנן.

ר' שמעון: חליצה זס יבום, since מאמר either works entirely or not at all, so either way she's only got a marriage bond to 1 husband.

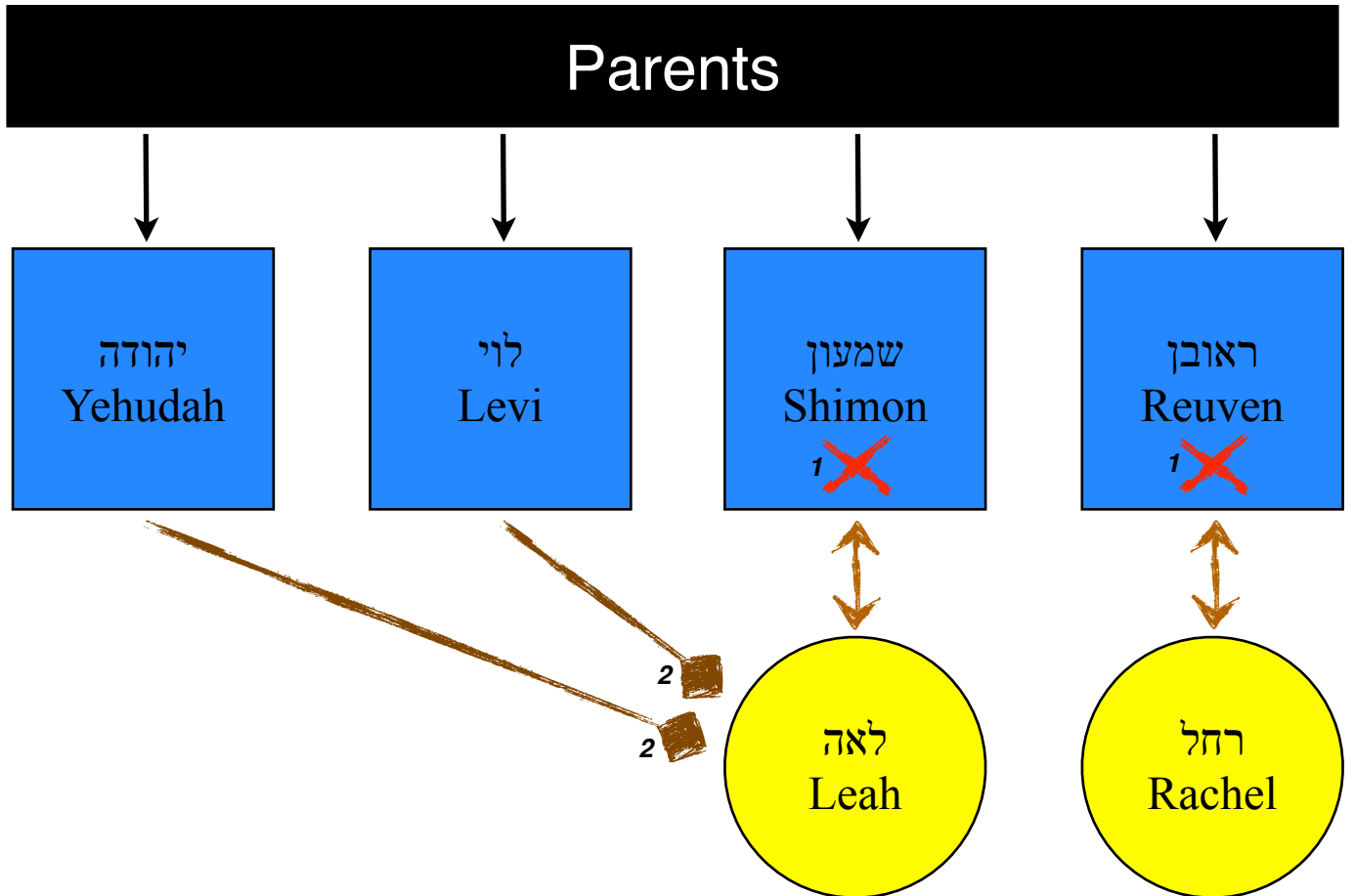
Continued on back page...

# TIME 4 MISHNA diagrams

ג:א

“אַחוֹת זְקוּקָתוֹ”

ג:א



1. Reuven and Shimon die
2. Levi and Yehudah must do חליצה, since two sisters fell to them for חליצה/יבום so each one is אַחוֹת זְקוּקָתוֹ - the sister of their זְקוּקָה

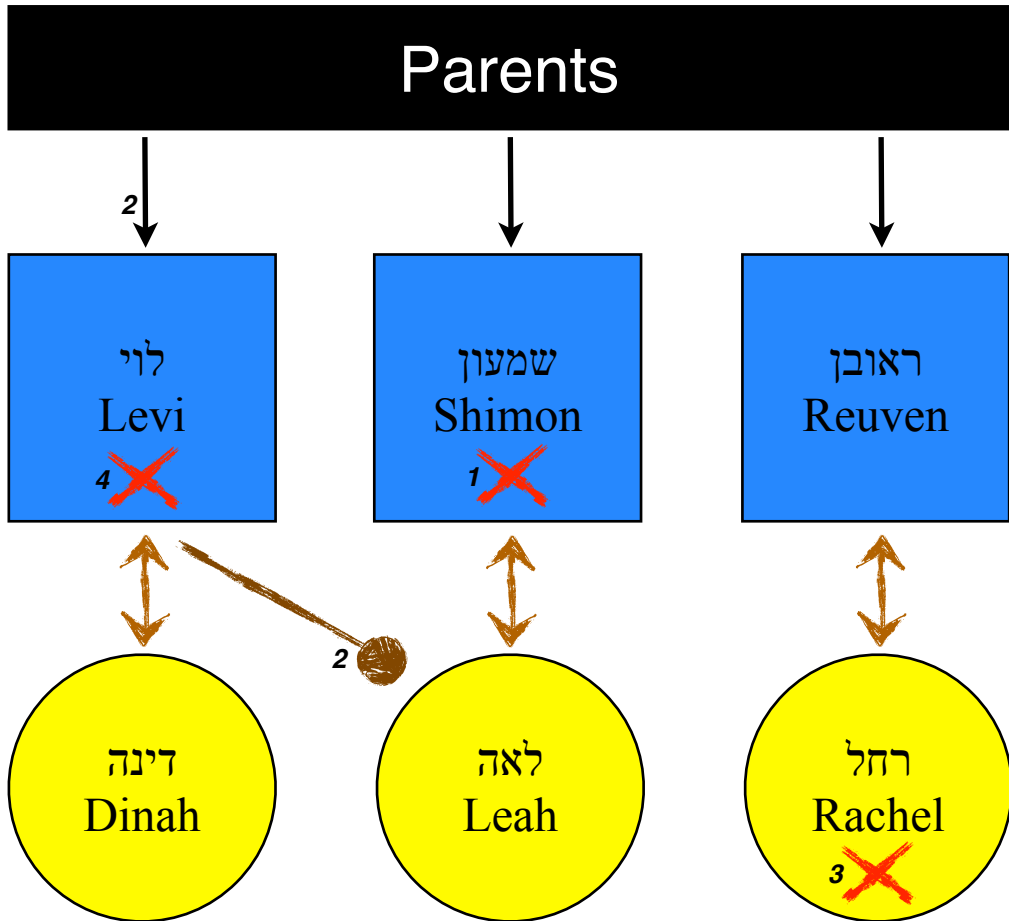


# TIME 4 MISHNA diagrams

ג:ז

”נְשֵׁלֶשָׁה אַחִים“: אֲסוּרָה עוֹלָמִית

ג:ז



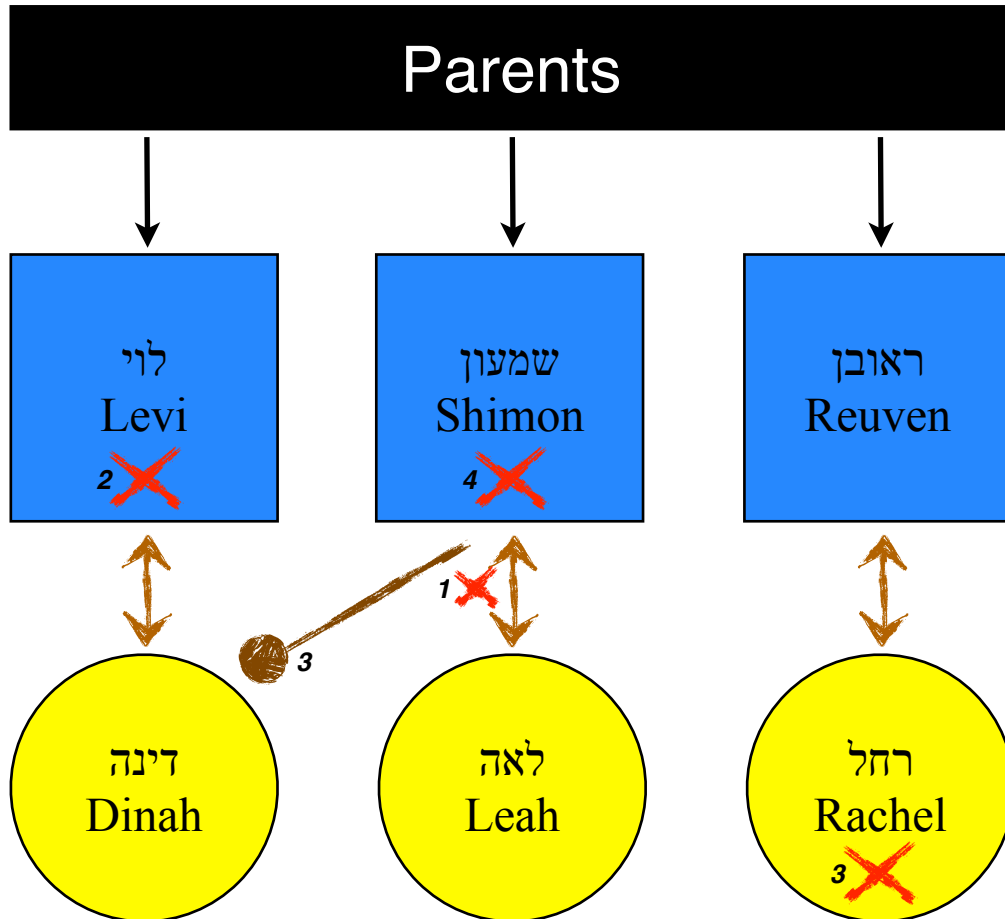
1. Shimon dies
  - Reuven is forbidden to Leah (עֲרוּרָה)
  - Levi is permitted to Leah
2. Levi is מִיבָם Leah
3. Rachel dies
4. Levi dies
  - Reuven is forbidden to Leah, even though she is no longer אֶשְׁתּוֹ אֲחוֹת אֶשְׁתּוֹ since Rachel died, because he was once forbidden to her. He's also forbidden to Dinah (צָרָה)
  - If Levi only did מֵאָמֵר on Leah, then Dinah requires חֲלִיצָה since מְדַאֲרֵי יֵתָא Levi is not married to Leah

# TIME 4 MISHNA diagrams

ג:ז

”שְׁלֵשָׁה אַחִים“: גִּירוּשֵׁין

ג:ז



1. Shimon divorces Leah
2. Levi dies
3. Shimon is **מִיבָּם** Dinah
4. Shimon dies
  - Reuven is permitted to Dinah, since she was never the **עֵרוּה** of Leah (his **עֵרוּה**)

# TIME 4 MISHNA

## summaries יבמות

time4mishna@gmail.com

### א - 1 • Consequences of חליצה and יבום:

- One who performs חליצה and **then gives birth** from her dead husband may still marry a פנה, since the חליצה was unnecessary and invalid.
- One who performs יבום and then gives birth from her dead husband must **separate from the יבם**, she and the יבם are חייב to bring a קרבן חטאת and the child is a ממזר – one who is born from certain illegal relations and may not marry a normal Jew.
  - If it is unknown whether she gave birth from her husband or the יבם, they must **separate**, bring a קרבן אשם תלוי out of doubt and the child **isn't a ממזר**.
- מותר for a שומרת יבם who inherits something to sell it or give it away.
  - If she dies: The 'נכסי צאן ברזל' – property she brought into the marriage for her husband – and her כתובה go to the יבם, since he takes his place.
  - בית שמאי: The 'נכסי מלוג' – property which belongs to her – are split between the יבם + her inheritors.
  - בית הלל: They go entirely to her inheritors.
- If a יבם does חליצה, he receives an equal share in the **inheritance** as all the brothers, but if he does יבום then he receives the entire inheritance.
  - חכמים: If his father is still alive and חליצה is performed, he receives the entire inheritance.
  - ר' יהודה: Even if יבום is performed.
- יבום is equivalent to marriage, except that her כתובה comes from her 1st husband's money.
- If none of the brothers want to do חליצה/יבום, we force the **oldest brother**.
  - We don't wait for a younger child to become בר מצוה or another brother to arrive from abroad, or allow a חרש or שוטה to do it, rather the oldest must.

### ב - 1 • Marital consequences of חליצה and יבום:

- A חלוץ & חלוצה – man & woman who performed חליצה on each other – are אסור to marry each other's relatives **as if they had divorced**.
  - One's חלוצה's sister who becomes his יבמה requires חליצה, but if one's חלוצה's sister becomes his יבמה, she's פטור since she's אסור to marry him.
- A חלוצה is מותר to marry his חלוצה's relatives, but not his חלוצה's relative's חלוצה, since people would confuse the relative for the חלוצה and permit marrying one's חלוצה's חלוצה.
- ר' יהודה בן בתירא: If a שומרת יבם's sister gets engaged to the יבם's brother, אסור to marry before חליצה/יבום is performed, because she is 'אחות זקוקתו'.
  - If the יבם dies, he must now perform חליצה so must divorce his ארוסה.

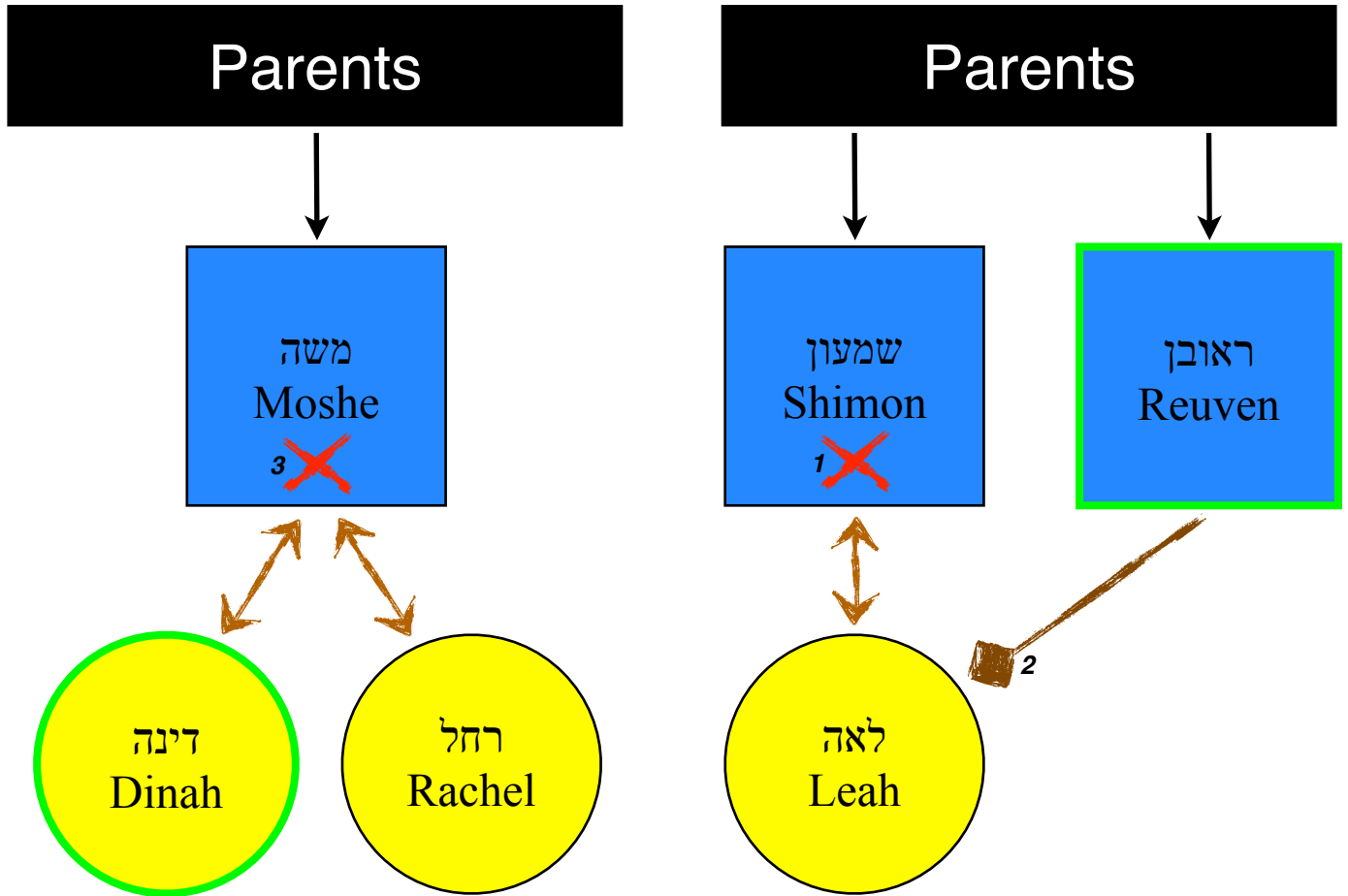
Continued on back page...

# TIME 4 MISHNA diagrams

ד:ז

“צָרַת קְרוּבַת חֲלוּצָתוֹ”

ד:ז



1. Shimon dies
  2. Reuven is מִיבָּם Leah
  3. Moshe dies
- Reuven is forbidden to Rachel (קְרוּבַת חֲלוּצָתוֹ) and Dinah (צָרָה), since people may confuse the חֲלוּצָה's sister for the חֲלוּצָה and if he'd marry her צָרָה then people would think that one may marry the צָרָה of his חֲלוּצָה

# TIME 4 MISHNA

## summaries יבמות

time4mishna@gmail.com

- א - 1 • **The Rabbinic validity of מְאָמַר for יבום and גֵּט for חליצה:**
- רבן גמליאל: The 2nd מְאָמַר/גֵּט from a יבם to 2 יבמות, or 2 יבמים to a יבמה, is **invalid**, since the 1st מְאָמַר/גֵּט removed the 2nd יבם/יבמה's זיקה Rabbinically.  
חכמים: The 2nd מְאָמַר/גֵּט is **valid**, since there is still a מְדַאֲרֵיתָא זיקה.
  - The 2nd חליצה/יבום from a יבם to 2 יבמות, or 2 יבמים to a יבמה, is **invalid**, since the 1st one was valid מְדַאֲרֵיתָא.

What a יבמה requires after Rabbinically valid acts (גֵּט/מְאָמַר):

- חליצה: גֵּט & מְאָמַר
- גֵּט: חליצה & מְאָמַר
- יבום & מְאָמַר: **nothing**
- חליצה + גֵּט: מְאָמַר & גֵּט
- חליצה + גֵּט: יבום & גֵּט
- חליצה & גֵּט: **nothing**

What 2 יבמות require after Rabbinically valid acts according to the חכמים:

- חליצה + גֵּט 2x: מְאָמַר & מְאָמַר
  - חליצה + גֵּט: מְאָמַר & מְאָמַר
  - חליצה + גֵּט 2x: יבום & מְאָמַר
  - גֵּט: חליצה & מְאָמַר
- This also applies if the acts were performed to 1 יבמה by 2 יבמים
- After חליצה is performed, all further acts are invalid.
  - חכמים: If יבום is the 1st act performed, all further acts are invalid. However, if it was preceded by a גֵּט then חליצה is required, since the יבום was אָסוּר.
  - ר' נחמיה: Whenever יבום is performed, all further acts are invalid.

# TIME 4 MISHNA

## summaries יבמות

time4mishna@gmail.com

- א • Even unintentional, forced or partial marital relations are **valid** to make a **יבמה & יבם** become married, and forbid a woman from marrying a **כהן** or eating **תְּרוּמָה** if it was illegal.
  
- ב - ה • **Forbidden marriages for a כהן:**
  - **אָסוּר** for a **כהן** widow **engaged** to a **גְּדוּל** or a divorcee to a **הַדְּיוּט** to eat **תְּרוּמָה**, but **מוֹתֵר** if she is widowed/divorced from the engagement.  
**ר' אלעזר + ר' שמעון**: It's only **אָסוּר** after **marriage**.
  - **אָסוּר** for a **כהן** to marry even a **widow** from '**אִירוּסִין**' – engagement.  
→ **מוֹתֵר** to marry a widow to whom he was engaged **before being appointed**.  
→ A **כהן** **גְּדוּל** must do **חֲלִיצָה** and not **יבום**, since a **יבמה** is a widow and he may not marry a widow.
  - **אָסוּר** to marry a **בּוֹגֶרֶת** - a 12 and a half year old who has fully matured.  
**ר' אלעזר + ר' שמעון** **מוֹתֵר**
  - **אָסוּר** to marry a **מַכַּת עֵץ** – a woman whose **בְּתוּלָה** – lack of having had relations – nature is altered due to injury.
  - **אָסוּר** for a **הַדְּיוּט** **כהן** to marry a '**זוֹנָה**', which is a **convert**, freed **maidservant** or one who has **had forbidden relations**.  
**ר' יהודה**: Even an '**אִילוּנִית**' - one incapable of having children - is considered a **זוֹנָה**.
  
- ו • **Fulfilling the מְצוּה of "פְּרוּ וּרְבוּ" - to have children:**
  - **חֲטִיב**: to have **2 sons**  
**בית שמאי**
  - **חֲטִיב**: to have **1 son and 1 daughter**  
**בית הלל**
  - **חֲטִיב** to marry another woman if one hasn't had a child after **10 years** of marriage
  - **חכמים**: **Men** are obligated but not women  
**ר' יוחנן בן ברוקא**: Both **men and women** are obligated.

# TIME 4 MISHNA

## summaries יבמות

time4mishna@gmail.com

### א - 1 • Who in relation to a כהן is מותר to eat תרומה:

- If he marries a divorcee: The **עבדי מלוג** – servants belonging to her – are **אסור**, since all profit & loss is hers, whereas the **עבדי צאן ברזל** – servants which she brings into the marriage for her husband - are **מותר**, since all profit & loss is his.
- If a **כהן marries** a **ישׂראל** בת: Both types of slave are **מותר**, since she is **מותר**.
- If a **ישׂראל marries** a **כהן** בת: Both types of slave are **אסור**, since he is **אסור**.

People who are 'פוסל' – disentitle a כהן – and not 'מאכיל' – doesn't entitle a non-כהן תרומה to כהן – certain people:

- 1) **Foetus** whose father has died - the mother: **פוסל** because she's not in the same state as before marriage when she was **מותר**; not **מאכיל** because he isn't alive.  
→ **עבדי צאן ברזל**: **ר' יוסי** are **אסור**, since they are partly owned by the foetus who isn't considered a כהן unless both parents are **כהנים**.  
**חכמים**: They are **מותר**, since they aren't owned by the foetus.
- 2) **יבם** – **יבמה**: She can't return to her pre-marriage status until **חליצה**; they're not married yet.
- 3) **Engaged man** – **ארוסה** (engaged woman): She's marrying a **ישׂראל**; in case she feeds her family the **תרומה**.
- 4) **חרש** - his wife: It's Rabbinically a valid marriage; it's Biblically an invalid marriage
- 5) **9-13 year old**: It's a valid marriage; he's under **בר מצוה** so cannot entitle others.

People who are neither **פוסל** nor **מאכיל** since they aren't related:

- 1) One who has **relations with an unmarried woman**  
→ If she becomes **pregnant**, **פוסל**; if she **gives birth**, **מאכיל**
  - 2) **שוטה** (mad person) – his wife
  - 3) **Non-Jewish slave** – his Jewish grandmother  
→ If he has relations with a female כהן, he is **פוסל** her.
    - A **ממזר** is **פוסל** and **מאכיל** his grandmother, since he is considered her grandson.
    - A **כהן גדול** can be **מאכיל** his mother and **פוסל** his grandmother if his father and grandfather die, since the mother has a descendent from a כהן husband, whereas the grandmother has a descendent from a **ישׂראל** husband.
- If it's unknown whether a man married to his niece died shortly before or after her, her **צרה** requires **חליצה**, in case the niece died first.

# TIME4MISHNA

## summaries יבמות

time4mishna@gmail.com

- א
- An **עָרֵל** – one who hasn't had a בְּרִית מִילָה – and one who is **טָמֵא** may not eat תְּרוּמָה, but their **servants** and **wives** may.
  - A **פְּצוּעַ דְּכָא** & **כְּרוּת שִׁפְכָה** – men who aren't able to have children because of an injury – may eat תְּרוּמָה, but their **wives** may not if they had relations.
- ב - ג
- **Those who are forbidden to marry someone born Jewish:**
    - 1) **פְּצוּעַ דְּכָא** – one whose testicles have been damaged, even 1 of them
    - 2) **כְּרוּת שִׁפְכָה** – one whose male organ was cut entirely
    - 3) **עַמוּנִי & מוֹאָבִי** and all their **male descendants**
    - 4) **מְצָרִי & אֲדוּמִי** and all their **descendants up to 3 generations**
      - **ר' שמעון**: Only **male** descendants
    - 5) **נְתִין & מְמָזֵר** and all their **descendants**
- ד - ו
- **Marriage laws of one who is unable to have children:**
    - 1) **ר' עקיבא**: A **קָרִיס אָדָם** – a man who became sterile – can perform חֲלִיצָה and if he dies then he wife can, however he is **מְדַרְבֵּן** to marry or do **יבום**.  
**ר' אליעזר**: This is the law for a **קָרִיס חֲמָה** – one born sterile – since he can be cured, but a **קָרִיס אָדָם** can't even do חֲלִיצָה.
    - 2) An **אֵילוּנִית** – woman who is unable to have children - can't perform **יבום/חֲלִיצָה**.
      - If they perform חֲלִיצָה, the woman may still marry a **כֹּהֵן**, since it's invalid.
      - If they perform **יבום**, she may not marry a **כֹּהֵן**, since she had forbidden relations.
      - If he's a **קָרִיס חֲמָה כֹּהֵן**, his wife may eat תְּרוּמָה, since the marriage is **מוֹתֵר**.
    - 3) **ר' יוסי + ר' שמעון**: The wife of an **אֲנְדְרוּגִינוּס כֹּהֵן** may eat תְּרוּמָה, since he's considered male.
      - He may only marry a woman.
      - A man who has relations with him is **חַיִּב סְקִילָה** for having relations with another man.
    - 4) **ר' יהודה**: A **טוּמְטוּם** whose skin covering his male & female parts is cut and he's discovered to be male doesn't perform חֲלִיצָה according to **ר' אליעזר**, since he's considered a **קָרִיס אָדָם**.



# TIME 4 MISHNA

## summaries יבמות

time4mishna@gmail.com

### א - ג • Women who are **אסור** to their husband or **יבם**:

**יבם to מותר** & **אסור to husband**:

- Widow = (married to) כהן הדיוט, brother of כהן גדול
- Woman = חלל, brother of כהן
- Woman = ישראל, brother of ממזר
- ממזרת = ממזר, brother of ישראל

**יבם to מותר** & **אסור to husband**:

- Widow engaged to כהן גדול, brother of כהן הדיוט
- חללה = כהן, brother of חלל
- ממזרת = ישראל, brother of ממזר
- Woman = ממזר, brother of ישראל

**אסור to husband** & **יבם**:

- Widow = כהן גדול, brother of כהן
- חללה = כהן, brother of כהן
- ממזרת = ישראל, brother of ישראל
- Woman = ממזר, brother of ממזר

- A woman is **אסור** to her husband & **יבם** if she is his **מדרבנן** ערוה, but requires **חליצה**.
- If one **marries his מדרבנן** ערוה, she isn't entitled to the following from her husband: a **כתובה**; **repayment** for the husband's benefit from her נכסי מלוג property, including **worn out clothes**; **food**, because 'דברי סופרים צריכים חיזוק' – Rabbinic decrees require strengthening and empowering.
  - The child of this marriage is **not a ממזר**, but they are **חייב to separate**.
  - If the marriage is **אסור מדאורייתא** but valid, she does receive these things.

### ד - ו • Who in relation to a **כהן/לוי** is **מותר** to eat **תרומה/מעשר**:

- A woman who is **engaged** to, **pregnant** from or a **שומרת יבם** of a **כהן/לוי**, or a **בת** **אסור**: ישראל to a **כהן/לוי**.
- **מותר** for a woman to eat whatever her current husband or youngest child may eat.
- **מותר** for a **כהן** to eat **תרומה** after her non-**כהן** husband and children die.

# TIME 4 MISHNA

## summaries יבמות

time4mishna@gmail.com

- א - ג • **If a woman remarries based on the testimony of 1 witness that:**
- 1) Her **husband** died; then her husband turns up:
    - **Divorce** from both men.
    - **No כְּתוּבָה, repayment or food** from either men, or **כְּתוּבַת בְּנֵי דְכָרִין** – her כְּתוּבָה and dowry which her sons inherit – for her sons.
      - ר' יוסי: She is entitled to a כְּתוּבָה from the 1<sup>st</sup> husband.
    - Any child from the 2nd, and child conceived from the 1st before divorcing the 2nd, is a **מִמְזָר**.
      - ר' שמעון: If the 1st husband dies before divorcing her, she requires either **יבום** or חֲלִיצָה, and a child from him is **not a מִמְזָר**.
    - Neither husband has rights to what she **finds/makes**, nor to **annul her vows**.
      - ר' אלעזר: The 1st man does have these rights.
    - She is forbidden to eat **תְּרוּמָה/מַעֲשֵׂר** and to **marry a כֹּהֵן**.
    - If the 1st husband dies before divorcing her, she requires חֲלִיצָה and not **יבום** as a punishment.
    - If the 2nd man dies before divorcing her, she requires חֲלִיצָה מִדְּרַבָּנָן since it looks like they were fully married.
      - If she remarries based on 1 witness and בֵּית דִּין's permission, she is **פְּטוּר** from a **קֶרֶבֶן חֲטָאת**, but if it's based on 2 witnesses' testimony alone, she is **חַיִּיב**.
  - 2) Her **husband** died and then her **child**; then they tell her it was the other way round and she'd required **יבום**: **Divorce**, and any child from the 2nd husband is a **מִמְזָר**.
  - 3) Her **child** died and then her **husband**; then they tell her it was the other way round and she was forbidden to her **יבם**: **Divorce**, and any child from the 2nd husband is a **מִמְזָר**.
  - 4) Her **husband** died; then they tell her that he was alive but died after she remarried: **Divorce**, and any child from the 2nd man who was born before the husband died is a **מִמְזָר**.
  - 5) Her **husband** died; then she gets engaged and her husband turns up: **מוֹתֵר** to return to the first husband, and a **טָה** from the 2nd man doesn't make her **אֲסוּר** to a **כֹּהֵן**.
- ד - ה • **If a man marries his wife's sister based on 2 witnesses' testimony that his wife died:**
- 1) And then his wife turns up: **מוֹתֵר** to remarry his wife, and he is not considered to have been married to the sister.
    - ר' יוסי: If they'd only been engaged, he's forbidden to remarry her. (See diagram)
  - 2) And then they tell him that she was alive but died after he married the sister: Any child from the sister who was born before the wife died is a **מִמְזָר**.

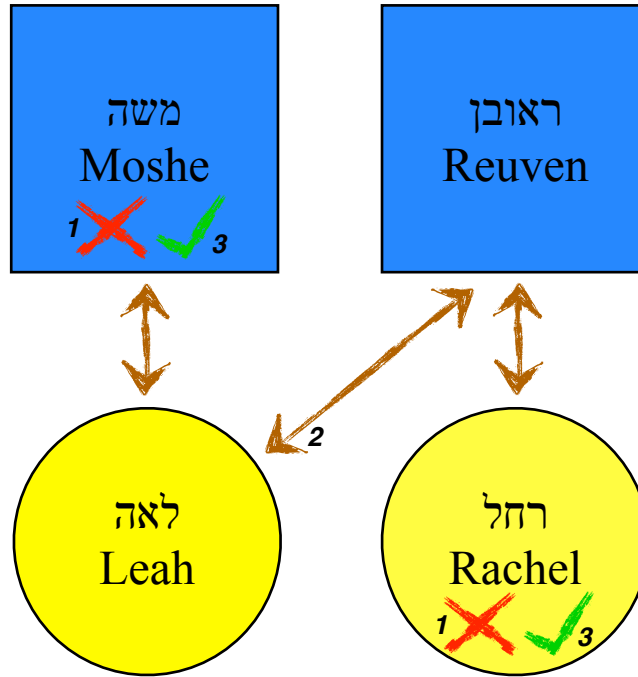
Continued on back page...

# TIME 4 MISHNA diagrams

י:ד

”מֵתָה אִשְׁתְּךָ”

י:ד



1. Witnesses testify that Moshe and Rachel died
2. Reuven marries Leah
3. Moshe and Rachel turn up
  - **According to the תנא קמא**: Moshe is forbidden to return to Leah as a penalty for her committing adultery, but Reuven is permitted to return to Rachel since there is no such penalty for him illegally marrying his wife's relatives
  - **According to רבי יוסי**: Both men can return to their wives, since a woman who mistakenly remarries is forbidden to return to her original husband to prevent people thinking that she had legally married the 2nd man after divorcing the 1st, so she would now be forbidden to return to the 1st. However, this doesn't apply in this case since it's forbidden to marry one's wife's sister until the wife dies.

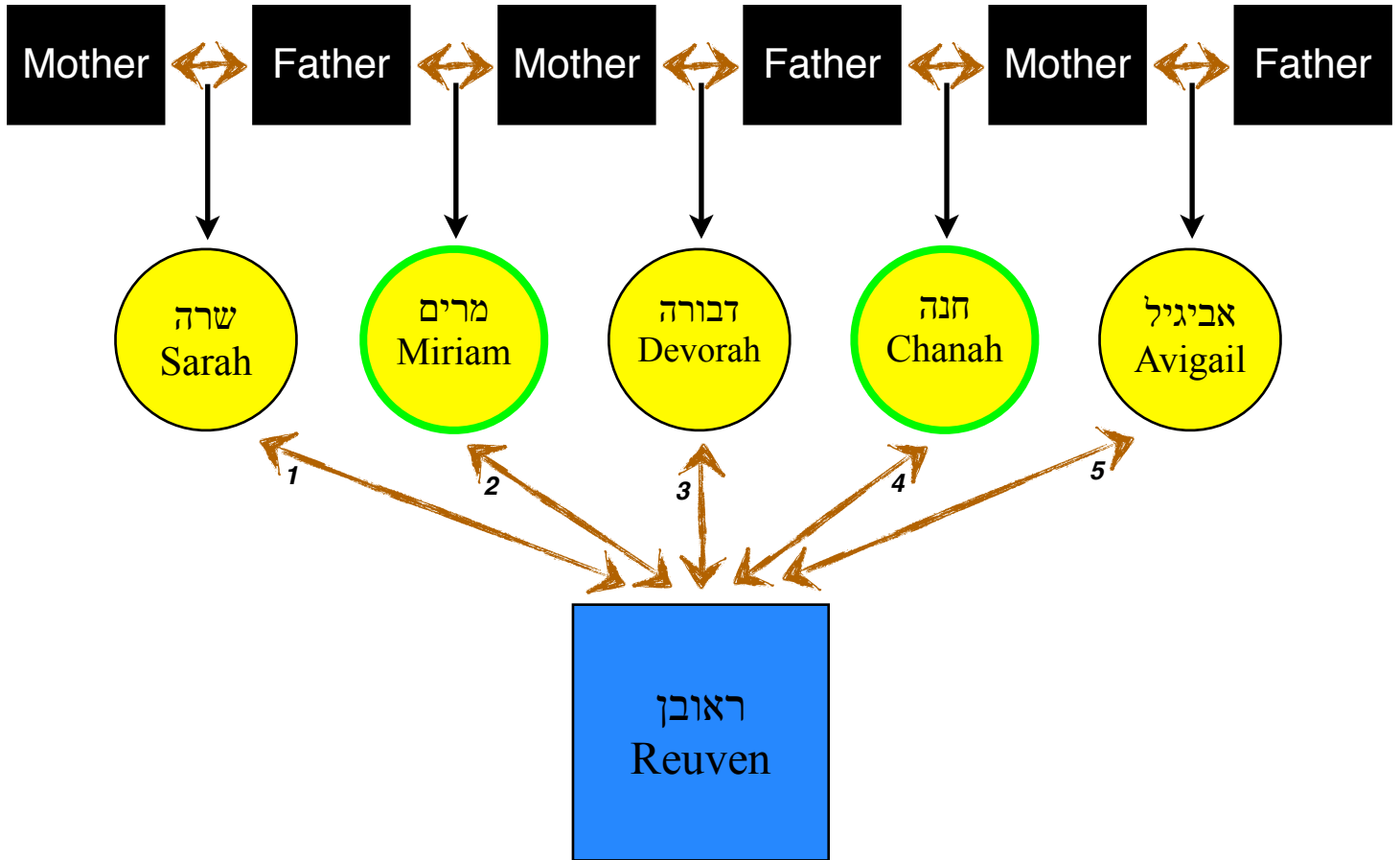
• **According to רבי יוסי**: If Reuven was only engaged to Rachel, then both men may not return to their wives, since people may think that they were engaged conditionally and the condition wasn't fulfilled so Leah's marriage to Reuven was legal. Reuven would also be forbidden to return to Rachel, since it looks like she's אחות גרושתו - the sister of the woman he divorced, namely Leah.

# TIME 4 MISHNA diagrams

י:ה

“אֲחוֹתָהּ מֵאָבִיהָ / מֵאִמָּהּ”

י:ה



1-5. Reuven marries Sarah, and when 2 witnesses testify that she died he marries her paternal sister, Miriam. When 2 witnesses testify that she died, he marries her maternal sister, Devorah...

- Reuven may remain married to Sarah, Devorah and Avigail, since they aren't related. He is forbidden to Miriam and Chanah, since they're relations of the woman to whom he was married with permission

# TIME 4 MISHNA

## summaries יבמות

time4mishna@gmail.com

### א - ב • Where there is no זיקה:

- **מוֹתֵר** to marry the relative of an unmarried woman with whom one **had forbidden relations**, unlike the relatives of one's wife.
- **מוֹתֵר** to marry a woman with whom his father/son had forbidden relations. **חכמים** **אָסוּר** in the case of the father. **ר' יהודה**
- Sons of a woman who **converts between their births** are not considered related.

### ג - ז • Where there is a doubtful זיקה:

- 1) A woman who has a son and then another son who gets **mixed up with 4 other women's sons** who also have 1 definite son, and the mixed up sons get married and die: Each wife requires **חליצה** from 4 definite brothers and **חליצה/יבום** from the 5th definite brother.
- 2) A woman whose **son & daughter-in-law's son** get mixed up and grow up and die: The definite son of the woman must do **חליצה** to both wives, since one of them is his **ערוה**; the definite son of the daughter-in-law may do **חליצה/יבום**, since neither of them are his **ערוה**.
  - If the **definite sons die**: The woman's son's wife requires **חליצה**, since she is the **ערוה** of the mixed up sons; the daughter-in-law's son's wife requires **חליצה then יבום**, since she is not their **ערוה**.
- 3) A **כהן's son & maidservant's son** get mixed up: they have the stringencies of both:
  - **מוֹתֵר** to eat **תְּרוּמָה** and receive a joint portion of **תְּרוּמָה** at threshing floors
  - **אָסוּר** to **become טמא** from a dead body, but they aren't **חייב מלקות** if they do.
  - **אָסוּר** to **marry**, since a **כהן** can't marry a servant and vice versa.
    - When they reach **בְּרַ מְצוּה**, they must free each other, and have the stringencies of a **כהן & יִשְׂרָאֵל**:
      - Must **marry** someone **מוֹתֵר** for a **כהן**
      - **אָסוּר** to eat **תְּרוּמָה** but they aren't **חייב** to pay if they do, and they can sell the **תְּרוּמָה** which they separate and keep the profit
      - They don't receive hides and meat of **קִרְבָּנוֹת**
      - **פְּטוּר** to give their **בְּכוֹר** - firstborn animal - and the **כהן's** portions of a **קִרְבָּן** to a **כהן**
      - Their **בְּכוֹר** should pasture until it develops a blemish and then they may eat it, since it's no longer fit to be offered as a **קִרְבָּן**
      - Their **קִרְבָּן מְנַחֵה** is divided as for a **יִשְׂרָאֵל** and it and the rest are burnt - separately - as for a **כהן**.

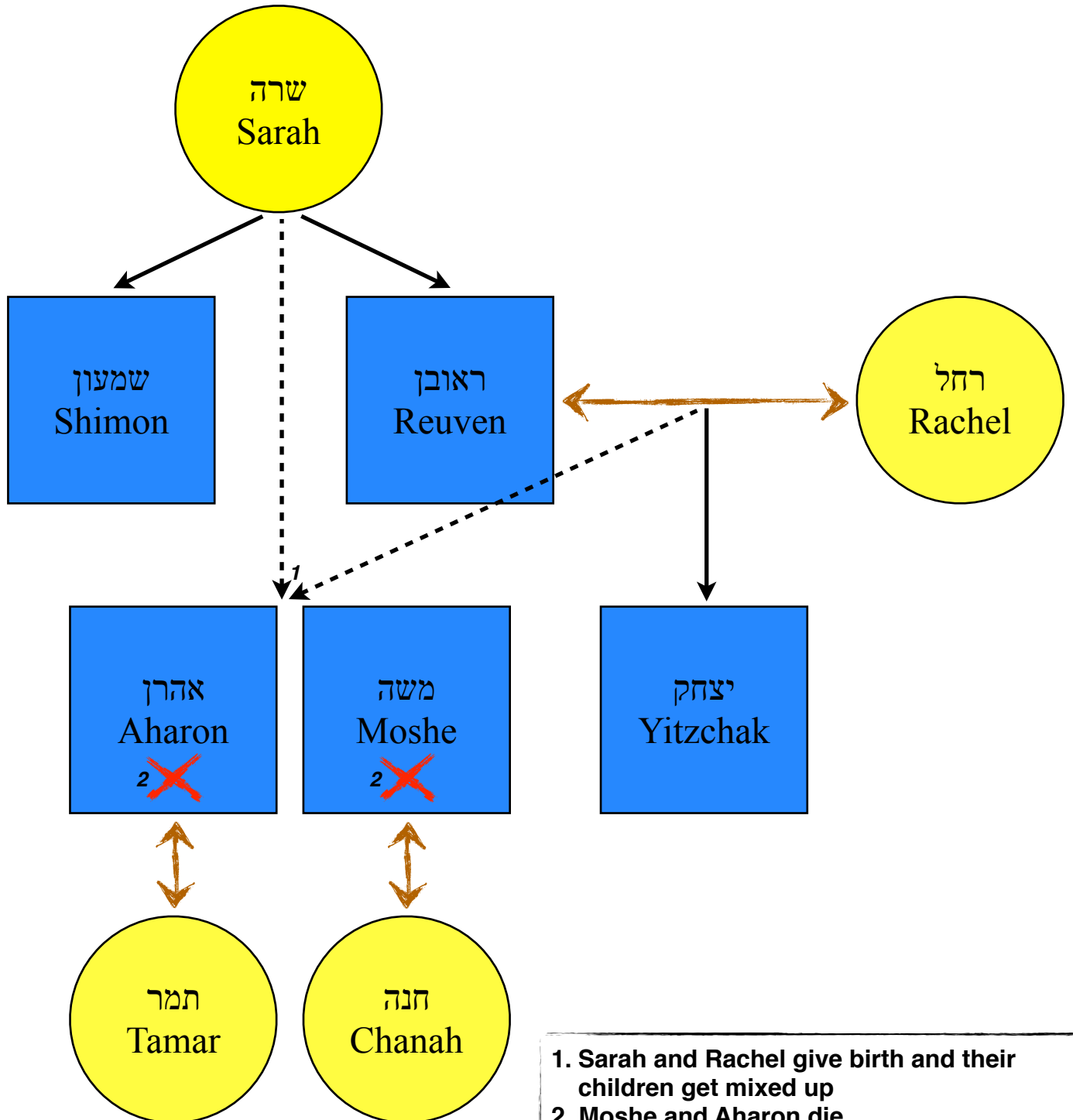
Continued on back page...

# TIME 4 MISHNA diagrams

יא:ד

”וְלָדָה בְּוֹלַד פְּלִתָּהּ, וּמָתוּ”

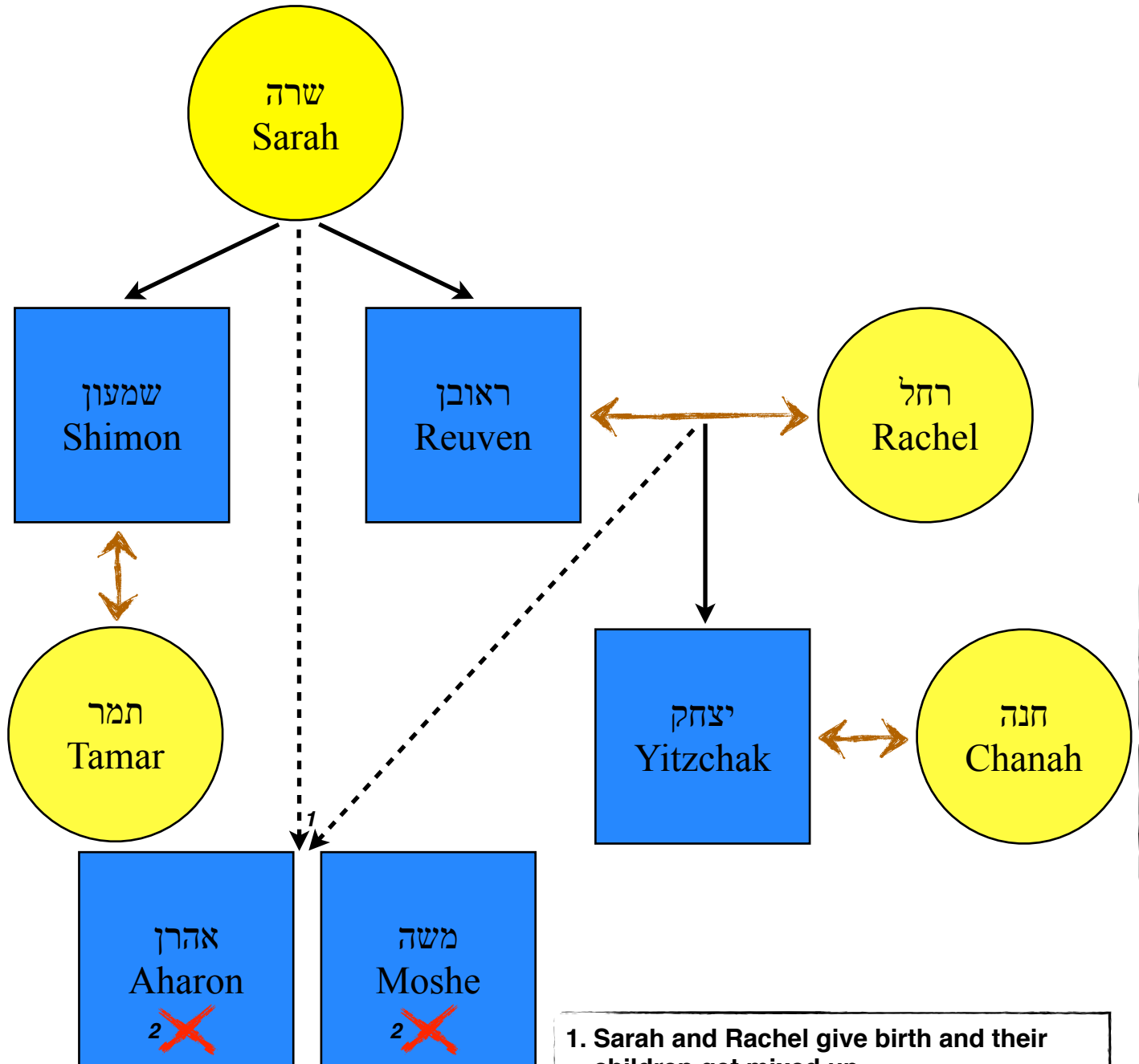
יא:ד



1. Sarah and Rachel give birth and their children get mixed up
2. Moshe and Aharon die
  - Yitzchak must do חֲלִיצָה on Chanah and Tamar, since either of them could be his עֲרֻה - his father's brother's wife. Shimon can do יְבוּם or חֲלִיצָה on both, since neither of them are his עֲרֻה

# TIME 4 MISHNA diagrams

”וְלָדָה בְּוֹלַד פִּלְתָּהּ, וּמָתוּ הַכְּשָׁרִים” יא:ד



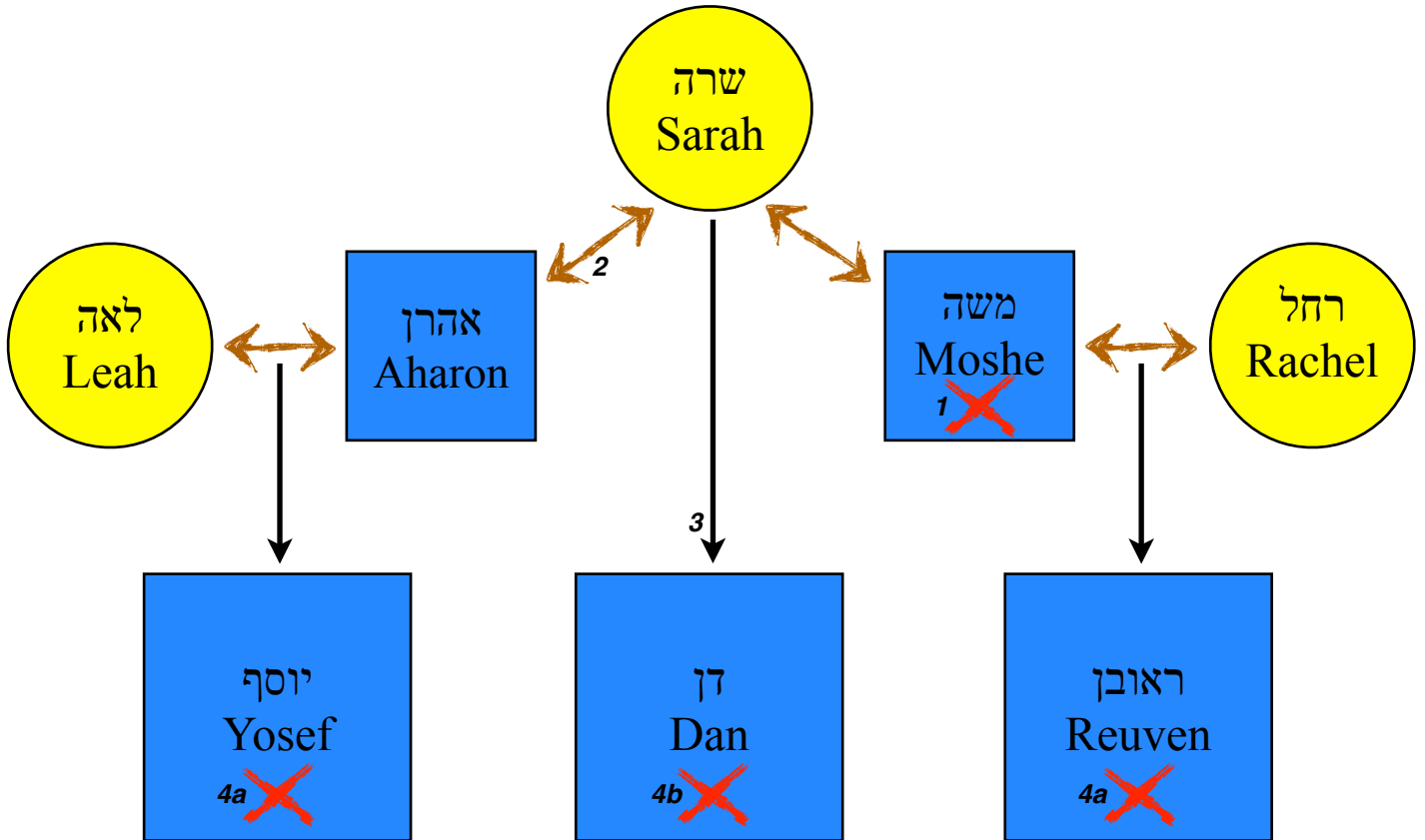
1. Sarah and Rachel give birth and their children get mixed up
2. Shimon and Yitzchak die
  - Tamar must receive חליצה from Moshe and Aharon, since she is the ערוה of one of them - his father's brother's wife. Chanah must receive חליצה from 1 of them and then חליצה or יבום from the 2nd, since she is the ערוה of neither of them

# TIME 4 MISHNA diagrams

יא:ד

”לא שְׁהֵתָה אַחַר בְּעֻלָּה“

יא:ד



1. Moshe dies/divorced
2. Sarah marries Aharon within 3 months of Moshe's death/divorce
3. Sarah gives birth to Dan and it is unknown whether his father was Moshe or Aharon
- 4a. Reuven/Yosef dies
  - Dan must perform יְבוּם or חֲלִיצָה, since one of the widows is his יְבֵמָה and the other one is totally unrelated
- 4b. Dan dies
  - Reuven/Yosef must perform חֲלִיצָה on Dan's widow and then Yosef/Reuven must perform יְבוּם or חֲלִיצָה on her, since if they're not related then the יְבוּם is a normal marriage



# TIME 4 MISHNA

## summaries יבמות

time4mishna@gmail.com

### א - 1 • The חליצה process:

- Must be performed in front of **3 men** who act as judges.  
→ חכמים: If it's performed in front of **2 witnesses** but no judges, it's פסול.  
ר' שמעון + ר' יוחנן הסנדלר + ר' עקיבא: It's כָּשֶׁר בְּדִיעָבָד.
- If he/she is **under the age** of מְצוּהָ בֵּר/בֵּת מְצוּהָ, it's פסול.

#### 1) The יבמה **removes the יבם's shoe**

- If she doesn't, it's פסול.
- A **cloth** shoe is פסול.
- A **sandal** which covers the heel is כָּשֶׁר.
- Only if the laces are **tied below the knee** is it כָּשֶׁר.

Shoes which are כָּשֶׁר בְּדִיעָבָד:

- A **leather** shoe shouldn't be used לְכַתְחֵלָה in case it will be used when torn.
- If it **doesn't belong to him**, is **wooden**, a **left shoe** on his right foot, **too large** but wearable, or **too small** but covers the majority of his foot.
- חכמים: If it's done **at night**, since it's like the end of a court case since she can now receive her כְּתֻבָּה.
- ר' אליעזר: It's פסול, since it's like the start of a court case.
- חכמים: If it's done with his **left foot**, it's פסול just like with regards to a מְצוּרָע.
- ר' אליעזר: It's כָּשֶׁר since מְצוּרָע laws aren't comparable to this case.

#### 2) She **spits**

- ר' אליעזר: If she doesn't, it's פסול since it's an action.
- ר' עקיבא: It's כָּשֶׁר since only if an action involving him is missed out is it invalid.

#### 3) She recites certain פסוקים

- If she doesn't, it's כָּשֶׁר.
- But if he/she is a חֵרֵשׁ – deaf mute – so *unable* to recite, it's פסול.

### Order of proceedings:

- 1) The יבם **advise** the יבמה whether he will get along with his יבמה if he does יבום.
- 2) The יבם & יבמה read פסוקים about how he isn't continuing his brother's legacy.
- 3) She removes his **shoe** and **spits**, and reads **more פסוקים**.
- 4) The **judges** proclaim "חלוץ הנעל" – "the one whose shoe was removed" – 3 times.  
→ ר' יהודה: **Everyone** present says it.

# TIME4MISHNA

## summaries יבמות

time4mishna@gmail.com

### א - 1 • **מאן - refusal of an orphan girl married by her mother & brothers**

- 1) **בית שמאי**: It only works if she's just engaged, so that people don't stop marrying orphans after seeing how easily the marriage can be dissolved, which defeats the purpose of **מאן**.  
**בית הלל**: Works even if she's **married**.
  - 2) **בית שמאי**: Doesn't work **after her husband's death** to exempt her from **חליצה/ביום**.  
**בית הלל**: Does work, since it nullifies the marriage from the start.
  - 3) **בית שמאי**: Doesn't work if he **isn't there**, since she might not do it if he was.  
**בית הלל**: Does work.
  - 4) **בית שמאי**: Must be done in front of 3 judges of **בית דין** to make sure she is eligible to do it.
    - Only an orphan girl married off by her **mother & brothers** with her consent may perform **מאן**.
    - **ר' חנינא בן אנטיגנוס**: She **must be mature enough** to keep her marriage document.
  - בית הלל**: Any 3 men.
  - 5) **בית שמאי**: She can perform **מאן** towards **multiple** husbands.  
**בית הלל**: Only once.
- **ר' אליעזר**: The marriage of a girl under **בת מצוה** **doesn't have legal significance**, except that it requires **מאן** to dissolve it.
  - Whereas divorce ends the marriage from the moment that it is given, **מאן** dissolves the marriage **from the start**, even if it was done after divorce.
    - Therefore, each may marry the other's **relatives**.
    - She may marry a **כהן**, since she's not a **גרושה** – divorcee.
    - She may **remarry him** after marrying and divorcing another man.

### ג - 2 • **דיוקנות Different levels of**

- A pre-**בת מצוה** girl married off by her father who got divorced may not be married off by her father again, since she left his authority when she got married.
  - If she remarries him and he dies, she requires **חליצה** since the 1st marriage was **מדאורייתא** and the 2nd marriage was **מדרבנן**, so the obligation of **ביום** is **מדרבנן** and doesn't override the Torah prohibition of marrying one's brother's wife.
  - **חכמים** **מוותר** to do **ביום** if the girl is **בת מצוה** and both marriages were **מדאורייתא**, or she was an **orphan** and both marriages were **מדרבנן**.
  - ר' אליעזר**, **אסור**, in case people come to permit **ביום** in the 1st case too.
- Although a **בם**'s **ערוה** **מדרבנן** usually requires **חליצה**, if the **חיוב ביום** is also **מדרבנן**, she's **פטור**.

# TIME 4 MISHNA

## summaries יבמות

[time4mishna@gmail.com](mailto:time4mishna@gmail.com)

- **ר' אליעזר**: If 2 brothers married 2 sisters, one couple was under **בְּרִית מְצוּה** and the adult man died, the girl should do **מֵאִין** so that the boy can do **יְבוּם** on the woman, since if he would do **חֲלִיצָה** the girl would be **מְדַרְבְּנָן** for him as the relative of his **חֲלוּצָה**.

**רבן גמליאל**: The girl can either do **מֵאִין** or **stay married** until **בְּרִית מְצוּה**, since **אֲחוֹת** **עֲרֻה מְדַאֲרֵייתָא** as she'll become an **אֲחוֹת זְקוּקָתוֹ**.

**ר' יהושע**: He must **divorce his wife** since we do not advise one to do **מֵאִין** and **אֲחוֹת גְּרוּשָׁה** is **אֲסוּר**, and do **חֲלִיצָה** towards his **יְבָמָה** since she's the relative of his **חֲלוּצָה**.
- The strength of women's marriages in order are: One **over בְּרִית מְצוּה**; **under בְּרִית מְצוּה**; a **חֲרָשׁ** – deaf-mute.

  - The **חֲלִיצָה/יְבוּם** of 1 widow **exempts her צְרוּת** only if their marriages were on **equal levels**.
  - If **יְבוּם** is performed on a 2nd **יְבָמָה**, it **does not invalidate the 1st יְבָמָה's יְבוּם** marriage if both women were married on **equal levels**.
  - If they were married on **different levels**, the **יְבוּם** of the woman married on the higher level **invalidates** the other woman, and both are **אֲסוּר**.

**ר' אלעזר**: In the case of **יְבוּם** to a **יְבָמָה** over **בְּרִית מְצוּה** invalidating the **יְבוּם** done to the one under **בְּרִית מְצוּה**, if the child does **מֵאִין** then the adult is **מוֹתֵר**.
- If a **יְבָמָה** or **יְבָם** who perform **יְבוּם** are under **בְּרִית מְצוּה** and they want to divorce, they must wait until he reaches **בְּרִית מְצוּה** since a **male child's גֵּט is invalid**.
- If a **יְבָמָה** claims within **30 days** of living with her **יְבָם** that he had **not yet performed יְבוּם** and the **יְבָם** claims that he has and he divorced her, she is believed and he must perform **חֲלִיצָה**.

  - After 30 days, he is only requested to do so unless he admits to her claim.
- If a **יְבָמָה** makes a **vow not to benefit from her יְבָם**, he must perform **חֲלִיצָה** unless she did so after her husband's death or to avoid **יְבוּם**, in which case she loses her right to her **כֶּתֶבָה**.

# TIME 4 MISHNA

## summaries יבמות

[time4mishna@gmail.com](mailto:time4mishna@gmail.com)

- **Marriages involving a חרש - deaf-mute:**
  - A חרש's **divorce** is only valid Rabbinically, so only works if he was a חרש from the start of the marriage and it was a Rabbinic marriage.
    - A חרשת can always get divorced, since her consent isn't needed.
      - Evidence of this is that ר' יוחנן בן גדגדה says that a חרשת under בת מדאורייתא who was married off by her father – which is valid – can get divorced when she grows up although she's no longer under her father's authority.
  - If one's wife becomes a שוטה (mad), he's forbidden to divorce her so that she is taken care of and protected.
  - One is פטור from חליצה/יבום even if the יבמה is an ערוה as a result of a marriage involving a חרש or חרשת, since an ערוה מדרבנן is enough to remove a מדרבנן.
  - If the יבמה/יבם is a deaf-mute, חליצה **cannot be performed** since they can't recite the פסוקים.
  - If a יבמה from a marriage דאורייתא falls to the man of a marriage דרבנן involving a deaf-mute, he must **divorce his wife** since she is זקוקתו, and his יבמה **may not marry anyone** since he can't do יבום because she is his מדרבנן and he can't do חליצה because he's a deaf mute.

# TIME4MISHNA

## summaries יבמות

time4mishna@gmail.com

- א - י • **Believing testimony to allow an 'עגונה' – one who has not received a גט from her husband and wishes to marry someone else – to remarry:**
  - **בית שמאי:** A **woman** is believed to say her husband is dead, since she knows that if her husband will come back then she'll need to divorce both husbands and her children from the 2nd marriage will be **ממזרים** so she won't lie.
    - בית הלל:** She's only believed if she claims he died **in that country**, since it's easy to confirm her testimony so she won't lie.
    - ר' יהודה:** She's only believed if she displays **public signs of mourning**.
      - If she'd **previously falsely claimed** that her husband had divorced her, or if she claims he was **killed** at war, she is not believed.
      - **בית שמאי:** She **receives her כתובה**, since in the כתובה it is written that whenever she is allowed to marry another man she receives the money.
      - בית הלל:** She **doesn't receive** it, just like the inheritors of her husband don't receive their inheritance.
        - **בית שמאי** later agreed with **בית הלל**.
  - Even the testimony of a single, **usually invalid witness** is believed, except for the following 5 people who don't get along with her so may lie: **mother-in-law & her daughter; צרה; צרה's wife**, since she could be her **צרה** in the future; **stepdaughter**.
    - But they are valid to deliver her **גט**, since the **גט** is proof and even if the husband later denies giving it he isn't believed.
  - If **2 witnesses** testify at a different time to a single witness, their testimony overrides his.
  - If **2 witnesses contradict each other** before **בית דין** rule like one of them, she is **אסור** to marry.
  - **ר' יהודה + ר' שמעון:** If **1 wife** says the husband died and 1 says he was killed or he's alive, the one who says he's dead **can remarry and receive her כתובה**.
  - ר' מאיר:** Since they contradict each other, **neither can**.
  - The **צרה** of a woman who testifies that her husband died is forbidden to marry, in case the woman is prepared to damage herself in order to damage her **צרה** too.
    - **ר' טרפון:** If the husband was a **כהן**, the **צרה** may **continue eating תרומה**.
    - ר' עקיבא:** **אסור**, to prevent her sinning either way.
      - The same applies for a woman's mother-in-law if she testifies that her husband and father-in-law died.
      - **ר' טרפון:** If one is unsure to whom out of **5 women he got engaged**, he must give a **גט** to each and 1 **כתובה between them**.
      - ר' עקיבא:** A **גט** and **כתובה** to **each**.

Continued on back page...

# TIME 4 MISHNA

## summaries יבמות

time4mishna@gmail.com

א - ז

- A woman whose husband is childless and dies is forbidden to do **יבום** or marry unless she knows whether he had a **child from her צרה**. She can't do **חליצה** in case it turns out that the **צרה** did have a child and the **חליצה** was unnecessary and she marries a **כהן**, which would lead people to think that a **חליצה** may marry a **כהן**.
  - **חכמים**: She doesn't need to worry that her mother-in-law gave birth to a **יבם** unless she was pregnant.
  - ר' יהושע**: Even if she's pregnant she doesn't need to worry, since there is a majority chance that she won't give birth to a **יבם**, rather to a girl or stillborn.
- If a **woman and her יבם's wife** testify about their childless husbands' deaths, **אסור** for both to marry, since the testimony of one's **יבם's wife** alone is not believed.
  - **חכמים**: If there were **other יבמים** who were **מיבם** them and died, the women are **forbidden** to marry.
  - ר' אלעזר**: They are **permitted**, since one would not damage herself by illegally marrying her husband's brother just to damage her **יבם's wife**.
- One can only testify about somebody's death if he recognised them from their face and saw them actually dead **without using circumstantial evidence**.
  - One **can** testify to somebody's death if he saw him by **candlelight** or moonlight, or if he **heard somebody announce his death**.
- **חכמים**: One **can't** testify if he saw him **3 days after he died**, as he's not recognisable.
  - ר' יהודה בן בבא**: The speed of the body's decomposition **varies** upon circumstance.
- The wife of someone who **fell into water** may not marry in case he emerged and is alive, as illustrated by a story quoted by **ר' מאיר**. However, stories quoted by **ר' יוסי** show that it is only if the borders are not within sight that she is forbidden.
- Testimony based on **overhearing women** saying that he died is valid.
  - **ר' יהודה**: Even based on overhearing **children** recall his burial and eulogies.
  - **חכמים**: Overhearing something is valid whether the person intended to testify or not.
  - ר' יהודה בן בבא**: A non-Jew's statement is **invalid** if he **intended to testify**.
- **אֶרֶץ יִשְׂרָאֵל** in **נהרדעא** told **ר' עקיבא** that although only **ר' יהודה בן בבא** there permits a woman to marry based on the testimony of **1 witness**, **רבן גמליאל הזקן** permitted it. So they established this as the law, not in accordance with **ר' יהושע + ר' אלעזר**'s opinion.
  - They also established that testimony from a **woman, slave, maidservant** or a witness **in the name of another witness** is valid to valid for an **עגונה**, unlike **ר' עקיבא**'s opinion.
    - The **חכמים** tried to prove **ר' עקיבא** wrong from a story when people accepted the testimony of a non-Jewish female innkeeper, but this is not a proof since she didn't have intention to testify.

# TIME 4 MISHNA

## summaries יבמות

time4mishna@gmail.com

### פרק ג continued:

- If 2 men's future wives to whom they are engaged are mixed up and each one has relations with the other one's wife, they have transgressed having relations with another man's wife, as well as possibly one's brother's wife, one's wife's sister and a נדה – impure woman with whom relations are forbidden.  
→ אסור for them to return to their real husbands for 3 months, in order to ascertain whether they became pregnant.

### פרק ד continued:

- **חכמים**: אסור to perform חליצה/יבום or for a woman to get engaged **within 3 months** of her husband's death, in case she is pregnant.  
ר' יהודה: מותר to get engaged, & to get married if she was previously only engaged.  
ר' יוסי: אסור for a widow to get engaged **within 1 month** of her husband's death.
- The חליצה/יבום of 1 widow exempts her צרות.
- If 1 יבמה is invalid to marry a כהן and 1 is valid, he shouldn't do חליצה to the valid one.
- What is considered a **ממזר**:  
ר' עקיבא: A child of any **forbidden relationship**, e.g. marrying one's גרושה, חלוצה or her relative.  
שמעון התמני: A child of a relationship **punishable by כרת**, e.g. with his גרושה's relative.  
ר' יהושע + ר' שמעון בן עזאי: **מיתת בית דין** punishable by **כרת**.

### פרק י continued:

- 1) If he marries her paternal sister, they tell him she died and she marries his 2nd wife's maternal sister, then his 3rd wife's paternal sister, then his 4th wife's maternal sister: מותר to remarry the **1st, 3rd and 5th** wife, since they're valid marriages as they're unrelated.
  - If the 1st was dead, מותר to marry the **2nd and 4th**.

### ט - ו • **A 9-13 year old's marriage & יבום:**

- His מאמר is valid if done before another brother performs חליצה/יבום or גט/מאמר.
- His יבום is valid to forbid the יבמה to another brother even if done after the brother did so.
- **חכמים**: If **2 of them do יבום**, the יבמה is forbidden to the 1st one, since his יבום has the **status of מאמר**.

# TIME4MISHNA

## summaries יבמות

[time4mishna@gmail.com](mailto:time4mishna@gmail.com)

- ר' שמעון: She's permitted, since the 1st one's יבום is either completely valid מדאורייתא or not at all, so the 2nd one's is definitely **invalid**.
- If he **dies after doing יבום**, the יבמה requires חליצה since his יבום has the status of מאמר.
- His wife doesn't require חליצה/יבום, since his marriage is entirely invalid except for יבום.
- If he dies having last had relations with his 1st wife as a 9-13 year old & his 2nd wife as an adult:  
**חכמים**: The 1st requires חליצה and the 2nd requires חליצה/יבום.  
**ר' שמעון**: Both require חליצה/יבום, since the 1st one requires it on account of just 1 brother.
- Someone who hasn't physically matured up to the age of **35 years old** has the same status as a 9-13 year old.

### פרק יא continued:

- 1) A woman who **remarries within 3 months** of her husband's death and gives birth, and it is a doubt who the father is, and the son or the woman's definite son dies: The dead man's wife requires חליצה.
  - If the sons had **different mothers** and the **definite sons** die, their wives require חליצה/יבום.
    - If the **doubtful sons** die, his wife requires חליצה, after which the other paternal brother may do יבום.
  - If her 1st husband was a ישראל and her 2nd husband was a כהן or vice versa: He has the stringencies of **כהן & ישראל** as mentioned above.
  - If both husbands were **כהנים**:
    - He becomes an **אונן** when they die and **can't become טמא** to bury them, and vice versa
    - He **doesn't inherit** his possible fathers if there are other heirs, but the fathers inherit him
    - He is **פטור** from the death penalty if he **hits or curses** his possible fathers
    - He serves in the בית המקדש in **both fathers' משמרות** (groups) but doesn't have a share in their קרבנות, unless they're both part of the same משמר.



# TIME 4 MISHNA

## summaries יבמות

[time4mishna@gmail.com](mailto:time4mishna@gmail.com)

### פרק טו continued:

- ר' טרפון: If one is unsure from whom out of 5 people he stole, he must return the item to **all of them**.  
 ר' עקיבא: He must pay the item or its value to **each**.
- A woman who claims that her **husband** died and then her **only child** died is believed, because it's consistent with her 'חזקה' - previous status - of not requiring יבום, unlike if she claims it was in the reverse order.  
 → If she claims she **gave birth** to her only child who died and then her husband died, she's believed, unlike if she claims it was the reverse.
- If she claims that an **only יבם was born** and then he died before or after her **husband** died, she's **believed** since she has a חזקה of not having a יבם to do יבום.
- If she claims that her **husband** and **יבם** died, or that her **sister** died, she **isn't believed** since this allows her to marry anyone or her sister's husband.
- If a man claims that **his brother** or **wife** died, he **isn't believed** since this allows him to be מְיָבָם his brother's wife or to marry his wife's sister.

