

HALAKHA

Surplus that is produced through extraordinary effort – **בְּהַעֲדָפָה שֶׁעַל יְדֵי הַדְּחָק** – If a woman exerts herself beyond her obligations, even her extra earnings belong to the husband, in accordance with the first *tanna* (Rambam *Sefer Nashim, Hilkhot Ishut* 21:2; *Shulhan Arukh, Even HaEzer* 80:1).

She performed two tasks for him simultaneously – **עָשְׂתָה לוֹ שְׁתֵּים בְּבַת אֶחָת**: There is a dispute among the authorities with regard to the *halakha* in this case. The Rif and the Rambam appear to hold that in any case in which the wife exerted herself and produced more than the standard, the surplus belongs to the husband. According to Rav Hai Gaon, this is true only if she worked longer than necessary, e.g., at night, but if she did more than one activity simultaneously, then the surplus belongs to her. Rabbeinu Hananel writes that although her extra production belongs to her husband, she owns whatever she produced through exceptional effort, whether through extra hours or by performing more than one task at a time. The dominant practice recorded in the *Bah* is that any hard-earned surplus belongs to her (*Tur, Even HaEzer* 80; *Shulhan Arukh, Even HaEzer* 80:1; *Beit Shmuel*).

If he spat and the saliva reached him – **רָקַק וְהִגִּיעַ**: If one spat at another and the saliva reached the other's body, or he removed another's garment from him; or he uncovered a woman's head, he must pay one hundred *se'a*, i.e., four hundred dinars. However, if one spat and the saliva touched only the other person's clothing, he is exempt. This ruling follows the mishna and Rav Pappa's opinion (Rambam *Sefer Nezikim, Hilkhot Hovel UMazik* 3:9; *Shulhan Arukh, Hoshen Mishpat* 420:38, 41).

NOTES

A lost object found by a wife is comparable to surplus produced through extraordinary effort – **מִצִּיאָתָהּ כְּהַעֲדָפָה עַל יְדֵי הַדְּחָק**: Rashi, followed by many other commentaries, explains that as most objects are found only through conscious search and effort, a found object is treated like surplus produced with difficulty. However, Rabbeinu Crescas Vidal explains that found objects are analogous to hard-earned surplus because both are rare, not because concerted effort is common to both. According to the Rashi manuscript, cited in the *Shita Mekubbetzet*, there is a third possibility: When she is occupied with the problem of the lost object, even for a short time, it interferes with her own work. Since she must then make up that work with more time and effort later, the lost object is treated as surplus acquired through difficulty.

דְּמַעְשָׂה יְדִיהָ הִיא, אָמַר רַבִּי עֲקִיבָא לְעִצְמָהּ, מִצִּיאָתָהּ לֹא כָּל שְׂבָבָן!

דָּתָנ: "קוֹנֵם שְׂאֵמָּה עוֹשֶׂה לְמִדָּה" – אִינוּ צָרִיךְ לְהַפְרֵי, רַבִּי עֲקִיבָא אָמַר: יִפְרֵ, שְׂמָא תַעֲדִיף עָלָיו יוֹתֵר מִן הָרְאוּ לוֹ. אֶלְא אִיפּוֹד: מִצִּיאָתָהּ הָאִשָּׁה לְבַעֲלָהּ, רַבִּי עֲקִיבָא אָמַר: לְעִצְמָהּ.

וְהָא בִּי אֶתָּא רַבִּין אָמַר רַבִּי יוֹחָנָן: בְּהַעֲדָפָה שְׂלֵא עַל יְדֵי הַדְּחָק – בּוֹלִי עֲלֵמָא לֹא פְּלִיגי דְּבַעַל הוּי, בִּי פְּלִיגי – בְּהַעֲדָפָה שֶׁעַל יְדֵי הַדְּחָק, תִּנָּא קִמָּא סָבַר: לְבַעֲלָהּ, וְרַבִּי עֲקִיבָא סָבַר: לְעִצְמָהּ? אָמַר רַב פַּפָּא: מִצִּיאָתָהּ – בְּהַעֲדָפָה שֶׁעַל יְדֵי הַדְּחָק דְּמִי, פְּלוּגְתָּא דְּרַבִּי עֲקִיבָא וְרַבִּין.

בְּעֵי רַב פַּפָּא: עָשְׂתָה לוֹ שְׁתֵּים בְּבַת אֶחָת מֵהוּ? בְּעֵי רַבִּינָא: שְׂלֵשָׁה אִו אַרְבָּעָה בְּבַת אֶחָת מֵהוּ? תִּיקוּ.

"בּוֹשְׂתָהּ וּפְגָמָה". מִתְקִיף לָהּ רַבָּא בְּרַב חָנָן: אֶלְא מַעֲתָהּ, בִּישׁ סוֹסָתוֹ שֶׁל חֲבִירוֹ הָכִי נִמִּי דְּבָעִי לְמִיתָ לִיהָ בּוֹשְׂתָ? וְסוֹס בְּרַב בּוֹשְׂתָ הוּא? אֶלְא, רַקַּק בְּבִגְדוֹ שֶׁל חֲבִירוֹ, הָכִי נִמִּי דְּבָעִי לְמִיתָ לִיהָ בּוֹשְׂתָ?

וְכִי תִיקָא הָכִי נִמִּי – וְהָתָנ: רַקַּק וְהִגִּיעַ בּוֹ הַרוֹק, וְפָרַע רֹאשׁ הָאִשָּׁה, וְהַעֲבִיר טְלִיתוֹ מִמֶּנּוּ – חַיִּיב לִיתָן לוֹ אַרְבַּע מֵאוֹת זָוָו. וְאָמַר רַב פַּפָּא: לֹא שָׁנוּ אֶלְא בּוֹ, אֲבָל בְּבִגְדוֹ – פְּטוֹר. בְּבִגְדוֹ – לִית לִיהָ זִילוּתָא, אִשְׁתּוֹ – אִית לָהּ זִילוּתָא.

which is categorized as part of her earnings and to which the husband has rights, Rabbi Akiva says the surplus belongs to her, then with regard to lost objects that she found, which are unrelated to her handiwork, do they not all the more so belong to her?

That is Rabbi Akiva's opinion with regard to surplus, as we learned in a mishna (*Nedarim* 85a): With regard to a woman who said to her husband: Anything that I produce will be *konam*, i.e., forbidden like an offering, to your mouth, he need not nullify the vow. The vow never took effect at all because a woman cannot prohibit her husband from items produced by actions that she is obligated to perform for him. Rabbi Akiva says: He should nullify the vow, lest she produce surplus that is more than the amount that is fitting for him, and the vow will take effect on the surplus, which she is not obligated to provide him. According to Rabbi Akiva, any surplus belongs to her. The Gemara answers: Rather, reverse the opinions: Lost objects found by a wife belong to her husband; Rabbi Akiva says: They belong to her.

The Gemara asks: But when Ravin came from Eretz Yisrael, didn't he say that Rabbi Yohanan said: With regard to surplus that is not produced through extraordinary effort, everyone agrees that it is the husband's. Where they disagree is in a case of surplus that is produced through extraordinary effort.^h The first *tanna* holds that the surplus belongs to her husband, and Rabbi Akiva holds that the surplus belongs to her. Apparently, there is no need to reverse the opinions, as Rabbi Akiva acknowledges that there are instances in which surplus belongs to the husband (Rid). The Gemara responds: Rav Pappa said: A lost object found by a wife is comparable to surplus that is produced through extraordinary effort,ⁿ as this is not a regular occurrence. Therefore, lost objects are subject to the dispute between Rabbi Akiva and the Rabbis.

Rav Pappa raises a dilemma: In a case where she performed two tasks for him simultaneously,^h what is the *halakha*; is the status of the earnings the same as surplus produced through exertion? Similarly, Ravina raises a dilemma: In a case where she performed three or four tasks simultaneously, what is the *halakha*? The dilemmas shall stand unresolved.

§ The mishna states that payments for her humiliation and for her degradation belong to her, but that Rabbi Yehuda ben Beteira holds that the husband receives a portion of the compensation. Rava bar Rav Hanan strongly objects to this: If that is so according to Rabbi Yehuda ben Beteira, then if one humiliated another's horse, is it then the *halakha* that also such an offender is required to give him payment for humiliation? The Gemara asks: And is a horse subject to humiliation? How is a horse, who suffers no humiliation, comparable to a person, who does suffer from humiliation? Rather, the question is: According to Rabbi Yehuda ben Beteira, if one spat on another's clothing, is the *halakha* that also such an offender be required to give him payment for humiliation?

And if you would say that indeed he would be required to pay, but didn't we learn in a mishna (*Bava Kamma* 90a): If he spat at another person and the saliva reached him,^h or if he uncovered a woman's head, or if he removed his garment from another, he is obligated to give him a payment of four hundred dinars, because of the extreme humiliation that he caused. And Rav Pappa said: They taught that he must pay four hundred dinars only when the spit reached his person. However, if the saliva reached his garment, the one who spat is exempt. Why, then, is one who humiliates a woman required to pay compensation to her husband? The Gemara rejects the comparison: When a person spits on one's garment, he does not suffer dishonor, but if one's wife is humiliated, she suffers dishonor, which causes him humiliation.

הפוסק מעות – לכתנו: If one pledged a sum of money for the marriage of his son-in-law or for his son, the pledge is contingent upon marriage and not merely betrothal. As such, if the groom dies before he marries his betrothed, then when she happens before the *yavam* for levirate marriage, the father may say to the latter: I wanted to give the money to your brother, but not to you. This is in accordance with the mishna (Rambam *Sefer Nashim, Hilkhot Ishut* 23:15; *Shulhan Arukh, Even HaEzer* 52:1).

פסקה להכניס – מתני': There are many different practices with respect to the dowry a woman brings her husband from her father's home. Without other specific arrangements, the marriage contract is written according to the local standards. In a new community where there is no established practice, it is appropriate to conduct matters in accordance with the practice of the Talmud. When the husband records the assets that his wife is entering into the marriage in the marriage contract, he adds 50 percent to the value of the cash that she is bringing as part of her dowry. When he records the value of the clothing and the jewelry that she is bringing, he subtracts 20 percent (see Rambam *Sefer Nashim, Hilkhot Ishut* 23:11–12 and *Maggid Mishne* there; *Shulhan Arukh, Even HaEzer* 66:11).

NOTES

He pledges one-fifth less – הוא פוסק פחות חומש – Rashi explains that the bride's family commonly exaggerated the value of the property she was bringing in at the time of the wedding. Therefore, the husband would write the actual value as one-fifth less than the assessment. However, Rav Hai Gaon and most other commentaries explain otherwise: Since these are articles for the use of the wife and not the husband, he appropriately reduces the value by one-fifth to account for wear and tear. That is also how it is explained in the Jerusalem Talmud (see *Tosafot*).

The appraisal is set at one hundred dinars and the property is worth one hundred dinars – שום במנה ושוה מנה – In accordance with his opinion throughout this discussion in the Gemara, Rashi explains that the actual value is recorded if the assessment was done according to the true price. Others explain that the Gemara is dealing with a case in which the two sides agree to record the actual values, as opposed to the convention of exaggerating the assessments (Rabbeinu Hananel; *ge'onim*).

אפילו ראשון עם הארץ – Even if the first is an ignoramus – A father who designates money for his son-in-law is not obligated to give the same sum to the *yavam*. This is so even if the original son-in-law is an ignoramus and the *yavam* is a Torah scholar, and even if the woman wants to marry the *yavam*. This ruling is in accordance with the *baraita* cited in the Gemara (Rambam *Sefer Nashim, Hilkhot Ishut* 23:15; *Shulhan Arukh, Even HaEzer* 53:1).

אמר ליה רבינא לרב אשי: אלא מעתה, בייש עני בן טובים, דאית להו זילותא לכולהו בני משפחה, הכי נמי דביעי למיתן להו בושת לכל בני משפחה? אמר ליה: התם לאו גופייהו, הכא – אשתו גופייהו הואי.

Ravina said to Rav Ashi: However, if that is so, if one humiliated a poor person of noble descent, where there is dishonor for all members of the family, is the *halakha* also that he is required to give payment for humiliation to all members of the family? Rav Ashi said to him that there is a distinction between one's wife and one's relatives. There, where a relative was humiliated, it is not as if they themselves had suffered the humiliation. Here, since one's wife is considered his own self, it is as if he himself were humiliated.

MISHNA In the case of one who pledges to set aside a sum of money for his son-in-law^H as part of a dowry, and his son-in-law dies before receiving the money, the terms of the dowry do not transfer to the brother, who is now the *yavam* of the widow. The Sages said: The father-in-law can say to the *yavam*: To your brother, I wanted to give this money, but to you I do not want to give it.

The mishna addresses another matter. If the woman had pledged to bring in^H for him one thousand dinars in cash as a dowry, he then pledges, in the marriage contract, that he will give her fifteen hundred dinars against them. That is, he writes in the marriage document that in the event of divorce or his death, he will pay her that greater amount. And against the appraisal of goods such as utensils and other movable items that are included in the dowry, he pledges one-fifth less^N than the amount of the evaluation. This is because movable property is generally assessed at a value one-fifth higher than the actual value, and he cannot earn any money from these items.

If the appraisal is set at one hundred dinars and the property is actually worth one hundred dinars,^N then since the appraisal is conducted at market value he has a claim to property worth only one hundred dinars. Likewise, he may not record a decreased sum of property. His recorded appraisal of the movable property that she brings into the marriage is one hundred dinars only when she is giving thirty-one *sela* and one *dinar*, equal to 125 dinars. This is because the actual value is one-fifth less than the inflated evaluation, as explained. And similarly, he pledges four hundred dinars against her assets only when she is giving five hundred, based on the inflated assessment of their worth, such that the real value is four hundred dinars. In contrast, what

מתני' הפוסק מעות לכתנו ומת נתנו. אמרו חכמים: יכול הוא שיאמר: לאחיך – הייתי רוצה ליתן, ולך – אי אפשי ליתן.

פסקה להכניס לו אלף דינר – הוא פוסק כנגדן חמש עשרה מנה, וכנגד השום – הוא פוסק פחות חומש.

שום במנה ושוה מנה – אין לו אלא מנה, שום במנה – היא נותנת שלשים ואחד סלע ודינר, ובארבע מאות – היא נותנת חמש מאות. מה

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שחתן פוסק – הוא פוסק פחות חומש.

the son-in-law pledges according to the amount of the dowry that the bride brings, he pledges one-fifth less in the marriage contract, which is the actual value of the property.

GEMARA The Gemara cites a *baraita* to expand upon the mishna's statement that the father is not required to give the second son-in-law the gift that he promised the first son-in-law, as follows. The Sages taught: Needless to say, this ruling applies when the first is a Torah scholar and the second is an ignoramus, since the father-in-law has a reason to refuse to give the second a dowry like the first. But even if the first is an ignoramus^H and the second is a Torah scholar, the father-in-law may say: To your brother, I wanted to give this dowry, but to you I do not want to give it, since the obligation incurred was to a specific individual.

גמ' תנו רבנן: אין צריך לומר ראשון תלמיד חכם ושני עם הארץ. אלא, אפילו ראשון עם הארץ ושני תלמיד חכם – יכול לומר: לאחיך הייתי רוצה ליתן, לך אי אפשי ליתן.

Everything is in accordance with the regional custom – הכל כמנהג המדינה – According to some commentaries, Rabban Shimon ben Gamliel's deference to regional custom applies only to the amount that must be given to the woman's account (*Talmidei Rabbeinu Yona*). However, most commentaries understand that the statement of Rabban Shimon ben Gamliel is referring to all the *halakhot* in the mishna. Therefore, wherever the custom is to not increase or reduce the sum, or to write exact sums, one follows the regional custom (Ramban, citing *Tosafot*; Rashba). By contrast, some *ge'onim* hold that Rabban Shimon ben Gamliel does not even disagree with the first *tanna*; he merely explains that the first *tanna's* directive applies only in a place with no established practice. According to this approach, each *tanna* agrees that wherever there is a regional custom, that custom prevails.

Little expense [*ziyyuna*] – וזוטא וזינא: Some understand that the term *ziyyuna* refers to effort and expense, more of which are demanded to maintain property of greater value (see Rashi and *Shita Mekubbetzet*). Conversely, others explain that the word refers to loss. When there is more capital, there is greater concern for loss, and it is necessary to teach explicitly that an extra 50 percent is nevertheless added (Ri Migash).

פסקה להכניס לו אלה דנר"ב. היינו רישא! תנא שומא רבה, וקתני שומא וזוטא. תנא שומא דידיה, וקתני שומא דידיה.

The mishna discusses the relationship between the value of the dowry the bride brings in and the amount of money the groom records in the marriage contract, and various examples are illustrated, e.g., if the woman pledged to bring him one thousand dinars. The Gemara asks: **These latter examples in the mishna are the same as the first clause of the mishna**, and they all illustrate the same financial conditions. Why was it not sufficient to mention only the case of the thousand dinars? The Gemara explains: The *tanna* teaches about a large appraisal of her substantial property, and he also teaches about a small appraisal in a case where she has minimal property, to illustrate that there is no halakhic difference between them. Similarly, the *tanna* teaches about the husband's own appraisal of how to assess how much she must provide, and he also teaches about the wife's own initial appraisal that she did and the corresponding amount that he must write.

מתני' פסקה להכניס לו בספס – סלעה נעשה ששה דינרין. החתן מקבל עליו עשרה דינרים לקופה לכל מנה ומנה. רבן שמעון בן גמליאל אומר: הכל כמנהג המדינה.

MISHNA If she pledged to bring him money and not articles to serve as a dowry, her *sela*, i.e., four dinars, becomes six dinars with respect to the husband's obligation in the marriage contract. This follows the standard outlined in the previous mishna: The groom increases his obligation by one half since he will profit from this money. Additionally, the groom accepts upon himself to give ten dinars to the account for her needs, for each and every hundred dinars that she brings. Rabban Shimon ben Gamliel says: Everything is in accordance with the regional custom.^{NH}

גמ' היינו פוסק כנגדם חמשה עשר מנה!

GEMARA Concerning the first clause, that her *sela* becomes six dinars, the Gemara asks: This is identical to that which was taught in the previous mishna, that if she brings one thousand dinars in her dowry, he pledges against them fifteen hundred dinars. Why does the mishna cite another example to demonstrate the same principle?

תנא עסקא רבה, ותנא עסקא זוטא, וצריכא, דאי תנא עסקא רבה, דנפיש רווחא, אבל עסקא זוטא, דזוטר רווחא, אימא לא, צריכא. ואי אשמעינן עסקא זוטא, דזוטר זינא, אבל עסקא רבה, דנפיש זינא, אימא לא – צריכא.

The Gemara responds: The *tanna* taught about large investment capital and taught about small investment capital. And it is necessary to relate to both situations, because if he taught only the case of large capital, which has abundant profit, you might think that only then does the husband add one-half. However, for small capital, which has small profit, you could say that this is not the case. Therefore, it is necessary to also state the principle in this mishna. And conversely, if the *tanna* had taught us only about small capital, then you might think that because it has little expense,^N one must add a half. However, with regard to large capital, for which there is abundant expense, you could say that the husband need not add as much. Therefore, it is necessary to state both cases to teach that the husband adds one-half to the sum in any case.

החתן מקבל עליו עשרה דינר לקופה. מאי קופה? אמר רב אשי: קופה של בשמים. ואמר רב אשי: לא נאמרו דברים הללו אלא בירושלים.

The mishna states that the son-in-law accepts upon himself to give ten dinars to the account. The Gemara asks: What is this account? Rav Ashi said: It is an account for expenses of perfumes and cosmetics. And Rav Ashi said: This statement was said only for women in Jerusalem, where the women are accustomed to using an abundance of perfume.

בעי רב אשי: במנה הנישום או במנה המתקבל?

According to the mishna, the husband must give ten dinars for each and every hundred dinars that she brings. Rav Ashi raises a dilemma: Does this speak of each hundred dinars that are appraised in her dowry, or of each hundred dinars that are accepted by the husband in the marriage contract, which is the appraisal reduced by one-fifth?

HALAKHA

Everything is in accordance with the regional custom – הכל כמנהג המדינה: Unless otherwise stipulated, a husband designates the sum of the marriage contract in accordance with the regional custom, both for the assessment of the dowry and for the additions corresponding to the dowry. This ruling follows Rabban Shimon ben Gamliel, because his opinion does not necessarily

conflict with that of the first *tanna*. Moreover, even if one understands that Rabban Shimon ben Gamliel and the first *tanna* are in disagreement, the *halakha* is determined in accordance with the opinion of Rabban Shimon ben Gamliel (*Maggid Mishne*; Rambam *Sefer Nashim*, *Hilkhot Ishut* 23:11–12; *Shulhan Arukh*, *Even HaEzer* 66:11).

Nakdimon ben Guryon – נַקְדִּימוֹן בֶּן גּוּרְיוֹן: Nakdimon ben Guryon, whose Hebrew name was Boni, was one of the wealthiest residents of Jerusalem in the generation of the destruction of the Second Temple. The Gemara recounts that he gave large sums for communal causes, and a great miracle befell him in the merit of his efforts (*Taanit* 19b–20a). In this light, the Gemara’s incredulity concerning the deficiencies of his philanthropic record is well understood.

Elsewhere, the Gemara relates that Nakdimon ben Guryon and two other exceptionally wealthy individuals undertook to provide all the needs of Jerusalem for twenty years, when the city was under Roman siege. However, all his stores were destroyed by the infighting of Jewish groups inside the city. The loss of his property was so complete that his daughter was reduced to utter destitution and hunger.

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NOTES

Gold, the court appraises it and it is according to its value – **הָהָב, שְׁמִין אוֹתוֹ וְהָרִי הוּא כְּשֹׁוֹיו**: Commentaries debate what is indicated by the generic term gold. Rashi claims that it refers to pieces of gold metal that are not used for jewelry, money, or any other purpose. Consequently, the gold is appraised based on its actual market value. By contrast, others, based on Rabbeinu Hananel, interpret gold as gold jewelry, which does not generally depreciate from usage (*Tosafot*). Consequently, it is treated like other gold utensils that are appraised based on their actual market value.

Like silver vessels, which diminish – **כְּכֵלִים שֶׁל כֶּסֶף, דִּפְחָתִי**: The Rashba and others understood Rashi as saying the diminishment of which the Gemara speaks is the reduction calculated at the time of the appraisal, in the manner of all utensils. Others explain that the Gemara speaks of physical deterioration of the silver utensils, which occurs over the course of use (Rabbeinu Hananel).

וְנַקְדִּימוֹן בֶּן גּוּרְיוֹן לֹא עָבַד צְדָקָה?
וְהַתְּנָא: אָמְרוּ עָלָיו עַל נַקְדִּימוֹן בֶּן
גּוּרְיוֹן, כִּשְׁהִיא יוֹצֵא מִבֵּיתוֹ לְבֵית
הַמְּדֻרָשׁ, כְּלֵי מִילָתָהּ הִיוּ

The recorded incident implies that Nakdimon lost all of his wealth after having failed to use it for acts of kindness. The Gemara asks: **And did not Nakdimon ben Guryon⁶ perform charity? Isn’t it taught in a baraita: They said about Nakdimon ben Guryon that when he would leave his home to go to the study hall, there were fine woolen garments his attendants would**

מִצִּיעִין תַּחְתָּיו, וּבְאִין עֲנִיִּים וּמִקְפְּלִין
אוֹתָן מֵאַחֲרָיו! אִיבְעִית אִימָא: לְכַבְדּוּ
הוּא דְעֵבֵד, וְאִיבְעִית אִימָא: כְּדָבְעִי
לִיה לְמִיעֵבַד לֹא עָבַד. כְּדָאֲמְרֵי אִינְשֵׁי:
לְפִים גְּמֻלָּא שִׁיחְנָא.

spread underneath him to walk on, and with his blessing, the poor would come and fold them up from behind him for themselves? Clearly he gave abundant charity. The Gemara offers two possible explanations: **If you wish, say that he acted that way for his own honor, to demonstrate that he considered the exorbitant expense trivial. And if you wish, say that as he should have done, he did not do. As people say, according to the camel is the burden.** The stronger the camel, the heavier the load it must bear. Even if he gave altruistically, Nakdimon ben Guryon did not give as much as he was expected to give.

תְּנָא, אָמַר רַבִּי אֶלְעָזָר בְּרַבִּי צְדוֹק:
אֲרָאֵה בְּנַחְמָה אִם לֹא רְאִיתִי
שְׁהִיתָה מְלַקְטֵת שְׁעוּרִים מִבֵּין טַלְפֵּי
סוּסִים בְּעֵבוֹ, קָרָאתִי עָלֶיהָ מִקְרָא זֶה
”אִם לֹא תִדְעִי לֶךְ הִיפָּה בְּנָשִׁים צְאִי
לֶךְ בְּעַקְבֵי הַצֹּאן וְרַעִי אֶת גְּדֵי־וַיִּתֶּן,
אֶל תִּקְרִי ”גְּדֵי־וַיִּתֶּן” אֶלֶּא ”גְּוִי־וַיִּתֶּן.”

It is taught in a *baraita* (*Tosefta* 5:8) with regard to the daughter of Nakdimon ben Guryon: **Rabbi Elazar, son of Rabbi Tzadok, said in the form of an oath: I pray that I will not see the consolation of the Jewish people if I did not see her gathering barley kernels from between the hooves of horses in Akko. I recited this verse about her: “If you know not, O you fairest among women, go your way forth by the footsteps of the flock and feed your kids, beside the shepherds’ tents” (Song of Songs 1:8). Do not read it as “your kids [gediyotayikh]” but rather read it as your bodies [geviyotayikh].** This woman is compelled to follow the sheep to the pastures in order to sustain her own body from the leftovers of their food.

אָמַר רַב שְׁמֵן בַּר אַבָּא אָמַר רַבִּי יוֹחָנָן:
הֲכִנְסָה לוֹ זָהָב – שְׁמִין אוֹתוֹ, וְהָרִי
הוּא כְּשֹׁוֹיו. מִיִּתְבִּי: זָהָב הָרִי הוּא
כְּכֵלִים. מֵאִי לָאוּ – כְּכֵלִים שֶׁל כֶּסֶף,
דִּפְחָתִי! לֹא, כְּכֵלִים שֶׁל זָהָב, דְּלֹא
דִּפְחָתִי. אִם בֶּן כְּכֵלֵי מִיבְעִי לִיה!

S The Gemara returns to the topic of how the groom records the bride’s dowry in the marriage contract: **Rav Shemen bar Abba said that Rabbi Yoḥanan said: If she brings him gold in her dowry, the court appraises it, and it is recorded in the marriage contract according to its value,⁶ without additions or subtractions. The Gemara raises an objection from that which was taught in a baraita: The halakha is that the gold is like utensils and not like cash for purposes of the dowry. The Gemara qualifies its objection: What, is it not that gold is like silver vessels, which diminish,^{6b} so that they resemble all other goods in the dowry whose values are reduced in the marriage contract? The Gemara responds: No, the intent is that gold is like utensils of gold, which do not diminish. The Gemara asks: If so, the baraita should have stated that gold is like its own utensils, which would demonstrate that gold is appraised according to its true value. Evidently, then, this is not true of gold.**

BACKGROUND

Like silver vessels, which diminish – **כְּכֵלִים שֶׁל כֶּסֶף, דִּפְחָתִי**: (Ag2S). When the silver is cleaned, this layer is scratched and removed altogether. Therefore, in contrast to the case of a utensil made of gold, which is resistant to this form of chemical reaction, the weight of a silver utensil itself is gradually reduced over time.