

## OVERVIEW of the Daf

### 1) Clarifying the Mishnah (cont.)

The omission of wine from the wife's stipend is consistent with a related statement of R' Elazar.

Another exposition indicating that a woman does not receive a stipend for wine is cited.

R' Elazar's ruling is unsuccessfully challenged.

A second resolution to the challenge against R' Elazar is presented.

A related Baraisa is cited and clarified.

Three related incidents are recorded.

### 2) Beds

R' Pappa explains the need for a soft and hard mat.

A Baraisa presents a dispute between Tanna Kamma and R' Nosson whether a wife is given a pillow and mattress.

The Gemara clarifies the point of dispute.

### 3) Clarifying the Mishnah (cont.)

Abaye explains why the Mishnah provides for more shoes than garments.

Abaye explains exactly how much the husband must spend annually on clothing for his wife.

A Baraisa rules about who takes leftover food and clothing.

Rechava explains the Baraisa and Abaye further expands on Rechava's explanation.

R' Nachman and R' Ashi offer different explanations for the Mishnah's term אוכלת.

Two unsuccessful challenges are presented against R' Ashi's explanation that the term אוכלת refers to relations.

### 4) Supporting small children

R' Ulla the great taught that although one is not obligated to support children there is an obligation to support children that are very small, i.e. until the age of six.

A proof to this ruling is suggested.

The proof is rejected.

R' Yehoshua ben Levi teaches that a nursing woman is given extra wine because it is good for her milk.

### הדרן עלך אף על פי

5) **MISHNAH:** The Mishnah presents issues related to the financial benefits a man receives because of his wife.

### 6) Clarifying the Mishnah

The Gemara wonders what novelty the Mishnah is teaching concerning a husband's right to collect his wife's finds and wages.

The novel ruling of the Mishnah is identified.

### 7) A woman's finds

A Baraisa is cited that presents a dispute between Tanna Kamma and R' Akiva concerning who has the rights to a woman's finds. ■

## Distinctive INSIGHT

### *Buying shoes at the proper time*

אמר ליה רב פפא לאביי האי תנא שלח ערטילאי ורמי מסאני

The Mishnah (64b) taught that a husband must furnish his wife with "shoes from festival to festival, and clothes worth fifty zuz from year to year." Rav Pappa asks Abaye how it could be that the halacha requires that the woman be provided with new shoes each festival (three times a year) while she can purchase new clothes only once a year. As Rashi explains, it would seem more important for her to have new clothes more often than to have new shoes.

Abaye answers that, in fact, we furnish her with shoes once a year—only as often as we do clothing, which is once a year. However, the Mishnah was written referring to a couple living in a mountainous area, where people's shoes wear out more often. And, incidentally, Abaye notes that the Tanna is also teaching us an additional lesson, and that is that it is advisable for a man to buy new shoes for his wife every festival in order for her to be happy.

The Gemara seems to suggest that Abaye notes this additional lesson of the Mishnah is only understood once we establish that the Mishnah is speaking about a case where a woman lives in the mountains. In other words, originally, we would have understood that the only reason a man must buy shoes for his wife at the time of the festival is in order to help her rejoice during the holiday. This is why we asked that it would be reasonable to buy her clothes as well. If shoes are not bought due to their being worn out, but only due to the happiness factor, then clothes certainly would have the effect of making the wife happy. Abaye therefore explains that shoes are bought in order to serve a need, as the shoes get worn out about three times a year in a rugged terrain. If they already have to be bought regularly, then the Mishnah teaches that a husband might as well buy them at intervals to coincide with the festivals, and in this way he will also accomplish the virtuous goal of causing his wife to be happy at the time of the festivals.

Therefore, according to the conclusion of the Gemara, purchases of shoes and clothing are done primarily in order to replace items that are getting worn out. In a mountainous area, shoes are bought three times a year, and clothes must be bought once a year. These purchases should be made in a timely manner, whereby the husband can maximize joy for his wife at the festivals while doing so. ■

# HALACHAH Highlight

## Is one required to have Shabbos shoes?

תנא במקום הרים קאי דלא סגיא בלא תלתא זוגי מסאני

The Tanna refers to a mountainous place where it is not sufficient to have less than three pairs of shoes

Rav Yosef Chaim of Baghdad<sup>1</sup>, the Ben Ish Chai, was asked whether a person should have shoes specifically for Shabbos the same way one is required to have special Shabbos clothing<sup>2</sup>. He responded that it seems logical that shoes are not categorized as clothing that would necessitate having special Shabbos shoes. One proof to this assertion is that in Birchos Hashachar there is one beracha that is recited for clothing—מלביש ערומים and another beracha that is recited for shoes—שעשה לי כל צרכי. The necessity for separate berachos indicates that shoes are not part of one's clothing. An additional proof can be found in the Yerushalmi<sup>3</sup>. The Gemara is discussing why it is prohibited to wear spiked sandals on Shabbos, and after presenting three reasons for the restriction the Gemara asks why the restriction does not include wearing spiked sandals during the week. The Gemara answers that it is uncommon for a person to have separate shoes for the weekday and for Shabbos and consequently, the spiked sandals that are prohibited on Shabbos are prohibited during the week as well.

The second proof is consistent with the Korban Edah's<sup>4</sup> commentary to the Yerushalmi but Pnei Moshe<sup>4</sup> understands the Gemara differently which leads to a different outcome. According to Pnei Moshe the Gemara's response to the question of why the restriction applies only to Shabbos is that people wear different shoes on Shabbos than they do during the week. Therefore, since the incident that triggered the decree occurred on Shabbos the restriction is limited to Shabbos. This seemingly indicates that the ques-

# REVIEW and Remember

1. Is a woman given a weekly stipend of wine?

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2. Why did the daughter of R' Chisda run Abaye's widow out of town?

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3. When is an appropriate time for a husband to give shoes to his wife?

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4. Who collects the humiliation payment of a married woman?

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tion of whether a person needs special Shabbos shoes is a dispute that revolves around the correct understanding of the Yerushalmi.

Rav Betzalel Ze'ev Shafran<sup>5</sup> cites our Gemara as proof that one is not obligated to wear Shabbos shoes. The Gemara explains that the necessity for a husband to provide three pairs of shoes applies in mountainous areas where shoes wear out quickly. The Mishnah is thus teaching that in order to add simchah to Yom Tov a husband should give his wife the shoes before Yom Tov. By omitting any mention of a necessity to provide one's wife with Shabbos shoes it is evident that a husband is not obligated to provide a different pair of shoes for Shabbos. ■

1. שו"ת רב פעלים או"ח ח"ד סי' י"ג.

2. ע"י גמ' שבת ק"י"ג.

3. ירושלמי שבת פ"ו ה"ב.

4. ע"י בפירושים לירושלמי הנ"ל.

5. שו"ת רבי בצלאל זאב שפראן ח"א סי' י"ב ומובא דבריו במתיבתא למס'

כתובות ח"ד פניני הלכה סה: ד"ה אם צריך. ■

# STORIES Off the Daf

## The Insurance Policy

"...שבסתר לה שני חלקים ולא אחד..."

A certain man once rented an apartment for a reasonable price. He had a somewhat nervous temperament and wished to take out a policy for fire damage. In the event of fire, at least his damaged property would be repaired.

Although the owner of the apartment agreed to pay the price of the policy, he somehow never gave a cent. Every time the tenant requested reimbursement, the landlord would claim that he couldn't pay at that moment. When the tenant suggested that the expense should be deducted from the rent, the owner objected once again

and promised to pay "in the near future."

After many months passed without the owner paying, there was a fire. The owner was delighted that the tenant had paid the cost of the policy the entire period. He thanked him from the bottom of his heart and guaranteed to pay the money owed for the policy to the tenant as soon as the money from the insurance company came through.

"I have been meaning to discuss this issue with you. There is no need for you to pay for the policy. However, since I paid it and had it not been for my initiative and payment, you would be getting no insurance disbursement payment, I believe that your halachic obligation is to give whatever you get out of the insurance company to me!"

Not surprisingly, the owner argued, "You paid for me! I agreed to pay and would have paid you!"

They went to Rav Yosef Shaul Natanson, zt"l, for a psak. "Each of you has a strong claim...so the two of you need to come to an understanding since the halachah here is not clear. I think that the building owner should receive two thirds and the tenant one third. In Kesuvos 65b we find that when someone's wife is embarrassed and receives בושת for an embarrassment perpetrated in private, two thirds of it goes to the wife and only one third to the husband. I think that is a fair arrangement in your case as well."

For putting off paying for the insurance, the owner had to pay a third of the damage from his own pocket. ■