

מסכת גיטין • דף כ"ז ע"א

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THE SUGYA

In this daf, we begin a very practical and yeshivishe sugya regarding a shliach who loses a get before he can deliver it to the woman. The Mishna teaches us that if he finds it right away, it remains kosher, but if there was a delay, we are choshesh that maybe this is a different get belonging to another couple with the exact same names. However, if he finds it in a recognizable vessel like a hafisa or a deluskema, or if he has clear tavi'us ayin (recognition) of the get itself, he can still deliver it.

The Gemara immediately brings a kashya from a Mishna in Bava Metzia regarding returning lost documents, leading to a deep discussion by Rabba about the difference between places where caravans are frequently found (shayros) and places where they are not. We also delve into whether we only worry about identical names when we actually know of two people with the same name in town, bringing in a famous ma'aseh involving Rav Huna, Rav Chisda, and Rabba regarding a get found from the city of Sheviri.

All introductions, summaries, and contextual notes are the editor's commentary and are not part of the original text.

MISHNAH מִשְׁנָה

MISHNAH

מתני' המביא גט ואבד הימנו;

MISHNAH: One who brings a bill of divorce as an agent, and it was lost from him before he could deliver it to the wife;

MISHNAH

מצאו לא לתר – כשר,

if he found it immediately, then the get is **valid** to be delivered, as we do not worry that it might be a different get that was dropped by someone else;

MISHNAH

ואם לאו – פסול.

but if not found immediately, then it is **invalid**, because we suspect that perhaps the original get is gone and this is a different get belonging to another husband with the exact same name.

MISHNAH

מצאו בחפיסה או בדלוסקמא, אם מכירו – כשר.

If he found it in a leather pouch or in a travel-case which he recognizes as his own, or if he recognizes the get itself by a distinct physical mark, then even after a long time it is **valid**.

QUESTION

גמ' ורמינהו:

GEMARA: And the Gemara raises a contradiction from a Mishnah in Bava Metzia:

QUESTION

מָצָא גִיטֵי נָשִׁים וְשְׁחָרֻרֵי עֲבָדִים, דִּיתִיקִי, מִתְּנֹת וְשׁוֹבְרִין, הָרִי זֶה לֹא יִחְזֹר – שְׂאֲנִי אוֹמֵר כְּתוּבִין הָיוּ, וְנִמְלָךְ עָלֵיהֶן שְׁלֹא לִיתְנוּ.

If one found bills of divorce of women, or deeds of emancipation of slaves, wills, deeds of gift, or receipts, behold this finder shall not return them to the person who lost them, because I say that they were written by the scribe, but the husband or owner reconsidered about them not to give them after all, and they were never actually delivered.

QUESTION

הָא אָמַר "תְּנוּ" – נוֹתְנִין; וְאִפִּילוּ לְזֶמֶן מְרוּבָה!

We infer from this: But if the husband or owner said, "Give them to the recipient," then we give them; and this is so even after a long time has passed! Why do we not worry here that it might be a different document belonging to someone else with the same name?

ANSWER

אָמַר רַבָּה, לֹא קָשִׁיָּא:

Rabba said: This is not difficult.

ANSWER

כָּאן בְּמָקוֹם שֶׁהַשְּׂרִירוֹת מְצוּיֹת, כָּאן בְּמָקוֹם שֶׁאֵין הַשְּׂרִירוֹת מְצוּיֹת.

Here, in our Mishnah where we are strict, it is in a place where caravans are frequently found, so we must worry about another traveler with the same name losing a get; whereas there, in Bava Metzia where we are lenient, it is in a place where caravans are not frequently found, so we do not worry about identical names.

STATEMENT

וְאִפִּילוּ בְּמָקוֹם שֶׁהַשְּׂרִירוֹת מְצוּיֹת – וְהוּא שֶׁהוֹחֵזֵקוּ שְׁנֵי יוֹסֵף בֶּן שִׁמּוֹן בְּעִיר אַחַת.

The Gemara adds: And even in a place where caravans are frequently found, we only worry provided that it was established that there are two people named Yosef ben Shimon in one city. If no such duplicate names are known, we do not worry.

INFERENCE

דְּאִי לֹא תִימָא הָכִי, קָשִׁיָּא דְּרַבָּה אֲדָרְבָּה:

For if you do not say so, there is a contradiction of Rabba against Rabba, as his rulings would conflict:

INFERENCE

דְּהוּא גִּיטָא דְּאִישְׁתַּכַּח בִּי דִּינָא דְּרַב הוּנָא, וְהוּהוּ כְּתִיב בֵּיה "בְּשִׁוִּירִי מְתָא דְּעַל רְכִיס נְהָרָא",

For there was a certain get that was found in the courthouse of Rav Huna, and it was written in it: "In Sheviri, the city that is situated on the Rakhis River."

INFERENCE

וְאָמַר רַב הוּנָא: חוֹשְׁשִׁין לְשָׁנֵי שְׁוִירִי;

And Rav Huna said: We must be concerned for the existence of two cities named Sheviri, and perhaps this get belongs to someone from the other city.

INFERENCE

וְאָמַר לִיה רַב חֲסִידָא לְרַבָּה: פּוֹק וְעֵיין בָּהּ, דְּלְאוֹרְתָא בְּעֵי לָהּ מִינָּהּ רַב הוּנָא.

And Rav Chisda said to Rabba, who was then a young student: "Go out and examine this halacha, for tonight Rav Huna will ask you about it."

INFERENCE

נִפְקֵי, דִּק וְאִשְׁכַּח – דִּתְנִן: כָּל מַעֲשֵׂה בֵּית דִּין – הָרִי זֶה יַחֲזִיר.

Rabba went out, analyzed, and found a proof, as we learned in a Mishnah: All court enactments that are found, behold, one must return them to their owner, and we do not worry about duplicate city names.

INFERENCE

וְהָא בִּי דִּינָא דְּרַב הוּנָא, דְּכַמְקוּם שְׁהִשְׁיִירוֹת מְצוּיוֹת דְּמִי, וְקָא פְּשִׁיט יַחֲזִיר;

And yet, the courthouse of Rav Huna is considered like a place where caravans are frequently found, and Rabba resolved that one must return it!

INFERENCE

אֵלְמָא, אִי הוּחֲזָקוּ שְׁנֵי יוֹסֵף בֶּן שִׁמּוֹן בְּעִיר אַחַת – אִין, וְאִי לֹא – לֹא.

Consequently, we must conclude that if it was established that there are two people named Yosef ben Shimon in one city, yes, we are concerned; but if not, we are not concerned.

STATEMENT

עֲבַד רַבָּה עוֹבְדָא בְּהוּא גִּיטָא, דְּאִישְׁתַּכַּח בִּי כִּיתְנָא בְּפומֵבְדִּיתָא, כְּשִׁמְעִתִּיהּ.

The Gemara relates: Rabba acted in a practical case with a certain get that was found in the flax house in Pumbedita, in accordance with his halachic ruling.

STATEMENT

אִיכָא דְּאָמְרֵי בְּדוּכְתָא הֵיכָא דִּתְרוּ כִּיתְנָא, וְאִף עַל גַּב דְּהוּחֲזָקוּ – דְּלֹא שְׂכִיחַן שְׁיִירְתָּא;

There are those who say that the case occurred in a place where they soak flax, and even though it was established that there were two people with the same name, Rabba permitted returning it because caravans are not frequently found there.

STATEMENT

וְאִיכָא דְּאָמְרֵי בְּדוּכְתָא דְּמִזְבְּנֵי כִּיתְנָא, וְהוּא שְׁלֹא הוּחֲזָקוּ, וּשְׂכִיחַן שְׁיִירוֹת.

And there are those who say that the case occurred in a place where they sell flax, which is busy, and he permitted it provided that it was not established that there were two people with the same name, even though caravans are frequently found there.

STATEMENT

רַבִּי זֵירָא רָמִי מִתְנִיתִין אֶבְרֵיתָא, וּמְשַׁנִּי.

Rabbi Zeira raised a contradiction from our Mishnah against a Baraita, and resolved it.

QUESTION

תָּנִן: הַמְבִּיא גֵט וְאָבֵד הֵימֶנּוּ, אִם מָצָאוּ לֹא לְתַר – כָּשֶׁר, וְאִם לֹא – פָּסוּל.

We learned in our Mishnah: One who brings a bill of divorce and it was lost from him, if he found it immediately, it is valid, but if not, it is invalid.

QUESTION

וּרְמִינָהּ: מָצָא גֵט אִשָּׁה בְּשׁוּק, בְּזֶמַן שֶׁהַפֶּעַל מוֹדָה – יַחְזִיר לְאִשָּׁה, אֵין הַפֶּעַל מוֹדָה – לֹא יַחְזִיר לֹא לָזָה וְלֹא לָזָה.

And he raised a contradiction from a Baraita: If one found a woman's bill of divorce in the marketplace, at a time when the husband admits that he wrote and sent it, he should return it to the woman; but if the husband does not admit to this, he should not return it, neither to this husband nor to this wife.

QUESTION

הָא

We infer from **this** Baraita that if the husband admits, we return it even after a long time, which contradicts our Mishnah!

SUMMARY

To resolve the apparent contradictions between our Mishna and the Mishna in Bava Metzia, the Gemara establishes that we only worry about another person having the same name in a place where caravans are frequent, or where it is actively established that two people share the same name (Yosef ben Shimon) in that town. We see this put into practice through Rabba's ruling on a get found in a flax house in Pumbedita, with the Gemara analyzing the exact conditions of the location and the local names. Finally, Rabbi Zeira introduces a new discussion, challenging our Mishna from a baraita regarding a get found in the marketplace where the husband admits to having written and delivered it.

Our Gemara deals with the deep concern of losing a precious document, like a get, and the fear that what we find might actually belong to someone else entirely. We worry about a place where caravans are frequently found, or where two people share the exact same name, Yosef ben Shimon. The Chachamim teach us that we cannot simply assume a found object is ours just because it looks familiar; we must look for clear, identifying signs, like a specific container, a hafisa or a deluskema, to be absolutely sure of its identity.

In our own avodah, we often find ourselves in a spiritual rush, surrounded by the constant "caravans" of daily distractions, worries, and noise. In the middle of this clutter, it is so easy to lose our focus, our inner peace, or our connection to a mitzvah. When we try to pick ourselves back up, the yetzer hara tries to convince us that our inspiration is gone, or that the Torah we are learning doesn't really belong to us anymore.

This sugya teaches us that to reclaim what we have lost, we need to look for our own personal "simanim", those unique, personal connection points we have with the Aibershter. You cannot rely on a generic, superficial connection when the world is rushing by. You need to find your own specific "vessel", that one perek of Tehillim that speaks directly to your neshama, that specific chesed that warms your heart, or that set time for learning that belongs uniquely to you.

Today, when you feel distracted or disconnected by the rush of life, do not try to find inspiration in a generic way. Reclaim your connection by doing one small, specific action that you know connects you personally to Hashem, whether it is saying a single brachah with deep kavannah or learning one halacha with your own special focus.