

## כגון דקאמר נקב יש בצד אות פלוני –

**For instance that he said, there is a hole on the side of that letter**

### OVERVIEW

לזמן even גט established the משנה and ברייתא, which state that we return a תוספות Our. נקב בצד אות פלוני a סימן was given that there is a מרובה, in a case where a סימן and under what circumstances. discusses who gave the

פירש בקונטרס<sup>1</sup> דקאמר השליח אית ספרים דגרסי דקאמרי עדים -

עדים explained that the שליח said this סימן. In some texts it reads that the עדים - סימן the gave

ויש לומר דעדים מהימני אפילו כשראוהו כבר ושליח לא מהימן אלא כשאומר כן קודם שראהו: And one can say that עדים are believed even if they already saw the סימן (after the גט was found) and they are merely testifying that the גט they signed had this סימן;<sup>2</sup> however a שליח is not believed unless he gives the סימן before he saw it.<sup>3</sup>

### SUMMARY

עדים may verify the סימן even after they saw it, but the שליח must give the סימן before he sees it.

### THINKING IT OVER

Why does no one say<sup>4</sup> that the husband offered the סימן (after all the ברייתא states שליח בעל testifying; is he like the שליח)?<sup>5</sup> What would be the status of the (who has to state it before he sees it) or is he like the עדים (since לקלקלה) אינו חשוד (במזיד) and he can state it even after he sees it?<sup>6</sup>

<sup>1</sup> בד"ה כגון. See 'Thinking it over'.

<sup>2</sup> Two עדים are always believed, so when they say that the גט we signed had this hole we believe them.

<sup>3</sup> If he saw it first how can we be sure that he is telling the truth?

<sup>4</sup> See footnote # 1.

<sup>5</sup> See רש"ש.

<sup>6</sup> See תפארת יעקב and שו"ת ר' עקיבא איגר סי' קז.