



Niddah 44b

The William Davidson Talmud (Koren - Steinsaltz)



- מתני' בת שלש שנים ויום אחד מתקדשת בביאה ואם בא עליה⁹
יבם קנאה וחייבין עליה משום אשת איש

MISHNA: A girl who is three years and one day old, whose father arranged her betrothal, is betrothed through intercourse, as the halakhic status of intercourse with her is that of intercourse in all halakhic senses. **And** in a case where the childless husband of a girl three years and one day old dies, if his brother the *yavam* engages in intercourse with her, he acquires her as his wife; **and** if she is married, a man other than her husband is liable for engaging in intercourse with her due to violation of the prohibition against intercourse with a married woman.



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- ומטמאה את בועלה לטמא משכב תחתון כעליון ¹⁰

And if she is impure due to menstruation, **she imparts impurity to one who engages in intercourse with her** who then renders impure all the layers of **bedding beneath** him, rendering them impure **like the upper** bedding covering a *zav*, in the sense that it assumes first-degree ritual impurity and does not become a primary source of ritual impurity, and it renders impure food and drink, but it does not render impure people and vessels.

- נשאת לכהן תאכל בתרומה בא עליה אחד מן הפסולין פסלה מן הכהונה בא עליה אחד מכל העריות האמורות בתורה מומתין עליה והיא פטורה ¹¹

If **she marries a priest**, she may partake of *teruma*, like any other wife of a priest; if she is unmarried and one of the men who are unfit for



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- נשאת לכהן תאכל בתרומה בא עליה אחד מן הפסולין פסלה מן
הכהונה בא עליה אחד מכל העריות האמורות בתורה מומתין עליה
והיא פטורה

If **she marries a priest, she may partake of *teruma***, like any other wife of a priest; if she is unmarried and **one** of the men **who are unfit** for the priesthood, e.g., a *mamzer* or *ḥalal*, **engaged in intercourse with her, he disqualifies her from marrying into the priesthood**, and if she is the daughter of a priest, she is disqualified from partaking of *teruma*. Finally, if **one of all those with whom relations are forbidden**, as **stated in the Torah**, e.g., her father or her husband's father, **engaged in intercourse with her, they are executed** by the court for engaging in intercourse with her, **and she is exempt**, because she is a minor.

- תחת מרנו רוחנו אצטנו רטנו 12



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intercourse with **her, and she is exempt**, because she is a minor.



פחות מכן כנותן אצבע בעין ¹²

If the girl is **less than that** age, younger than three years and one day, the status of intercourse with her is not that of intercourse in all halakhic senses; rather, it is **like placing a finger into the eye**. Just as in that case, the eye constricts, sheds tears, and then returns to its original state, so too, in a girl younger than three years and one day old, the hymen returns to its original state.



גמ' ת"ר בת ג' שנים מתקדשת בביאה דברי רבי מאיר וחכ"א בת ¹³
ג' שנים ויום אחד מאי בינייהו אמרי דבי רבי ינאי ערב ראש השנה
איכא בינייהו



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אא

- **גמ' ת"ר** בת ג' שנים מתקדשת בביאה דברי רבי מאיר וחכ"א בת ג' שנים ויום אחד מאי בינייהו אמרי דבי רבי ינאי ערב ראש השנה איכא בינייהו ¹³

GEMARA: The Sages taught in a *baraita*: **A girl who is three years old is betrothed through intercourse; this is the statement of Rabbi Meir. And the Rabbis say:** She must be **three years and one day old.** The Gemara asks: **What** is the difference **between** their opinions, as both agree that she cannot be betrothed before the age of three? The **Sages of the school of Rabbi Yannai said:** There is a difference **between** their opinions in the case of a girl on **the eve of the first day of the fourth year** of her life. According to Rabbi Meir, she can be betrothed through intercourse, as on this day three years are complete, whereas the Rabbis maintain that she cannot be betrothed in this manner, as she has not yet entered the first day of her fourth year.



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whereas the Rabbis maintain that she cannot be betrothed in this manner, as she has not yet entered the first day of her fourth year.

- 14 ור' יוחנן אמר ל' יום בשנה חשובין שנה איכא בנייהו

And Rabbi Yoḥanan said: There is a difference between their opinions with regard to the issue of whether **thirty days in a year are considered equivalent to a year**. Rabbi Meir maintains that thirty days in a year are considered equivalent to a year, and therefore a girl aged two years and thirty days is already considered like a three-year-old and may be betrothed through intercourse. By contrast, the Rabbis contend that thirty days in a year are not considered equivalent to a year, and she may be betrothed through intercourse only upon reaching the age of three years and one day.

- 15 מיתבי בת ג' שנים ואפי' בת שתי שנים ויום אחד מתקדשת בביאה

דברו רבו מאור וחרמות אורחות רח יולידו ימות ונת אחד



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three years and one day.

- מיתיבי בת ג' שנים ואפי' בת שתי שנים ויום אחד מתקדשת בביאה 15
דברי רבי מאיר וחכמים אומרים בת שלשה שנים ויום אחד

The Gemara raises an objection against the explanation of Rabbi Yannai from a *baraita*: A girl who is **three years old, and even** one who is **two years and one day old, is betrothed through intercourse**; this is **the statement of Rabbi Meir. And the Rabbis say**: She must be **three years and one day old.**

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- בשלמא לר' יוחנן כי היכי דאיכא תנא דקאמר יום אחד בשנה 1
חשוב שנה הכי נמי איכא תנא דאמר ל' יום בשנה חשובין שנה

The Gemara raises an objection against the explanation of Rabbi Yannai from a baraita: A girl who is three years old, and even one who is two years and one day old, is betrothed through intercourse; this is the statement of Rabbi Meir. And the Rabbis say: She must be three years and one day old.