



1:4 In the case of a pregnant woman who is taken by the court to be executed, the court does not wait to execute her until she gives birth. Rather, she is killed immediately. But with regard to a woman taken to be executed who sat on the travailing chair [hamashber] in the throes of labor, the court waits to execute her until she gives birth. In the case of a woman who was killed through court-imposed capital punishment, one may derive benefit from her hair. But in the case of an animal that was killed through court-imposed execution, e.g., for goring a person, deriving benefit from the animal is prohibited.

2:1 One cannot be charged for a valuation less than a sela, nor can one be charged more than fifty sela. How so? If one gave one sela and became wealthy, he is not required to give anything more, as he has fulfilled his obligation. If he gave less than a sela and became wealthy, he is required to give fifty sela, as he has not fulfilled his obligation. If there were five sela in the possession of the destitute person, and the valuation he undertook is more than five sela, how much should he pay? Rabbi Meir says: He gives only one sela and thereby fulfills his obligation. And the Rabbis say: He gives all five. One cannot be charged for a valuation less than a sela; nor can one be charged more than fifty sela. If a woman experienced a discharge of blood and is unsure whether it was during her days of menstruation or during the eleven days that would render her a zava, the alleviation of her state of uncertainty does not occur in fewer than seven clean days, nor in more than seventeen clean days, depending on the number of days that she experiences the discharge. There are symptoms of leprosy that a priest will immediately confirm to be ritually pure or ritually impure, and there are others for which the priest quarantines the leper in order to determine his status. With regard to leprous marks, there is no quarantine that is less than one week and none greater than three weeks.

2:2 No fewer than four full thirty-day months may be established during the course of a year, and it did not seem appropriate to establish more than eight. The two loaves that are brought to the Temple on Shavuot are eaten by the priests not before the second and not after the third day from when they were baked. The shewbread is eaten not before the ninth day from when it was baked, which is the situation in a regular week when the bread is baked on Friday and eaten on the following Shabbat; and not after the eleventh day, when the two Festival days of Rosh HaShana occur on Thursday and Friday, as the shewbread is baked on Wednesday and not eaten until the following Shabbat. A minor boy is not circumcised before the eighth day after his birth and not after the twelfth day. Normally a newborn is circumcised on his eighth day. If he was born during twilight, which an uncertain period of day or night, he is circumcised on what would be the eighth day of his birth if he is was born at night, which is the ninth day if he was born during the day. If he was born during twilight on Shabbat eve, the circumcision cannot be performed on Friday, as he might have been born on Shabbat and therefore Friday is only the seventh day. And the circumcision cannot be on Shabbat, as perhaps he was born on Friday and only circumcision performed on the eighth day overrides Shabbat. Therefore, it is postponed until after Shabbat. If two days of Rosh HaShana occur on Sunday and Monday, the circumcision is postponed until Tuesday, the twelfth day after birth.

2:3 No fewer than twenty-one trumpet blasts are sounded daily in the Temple, as each day three blasts were sounded for the opening of the gates in the morning, nine for the daily morning offering, and nine for the daily afternoon offering, totaling twenty-one. And no more than forty-eight are ever sounded on a single day. This would occur on the Friday of Sukkot, when they would sound an additional twelve blasts during the ritual of drawing the water for the water libation; nine for the additional offerings; three to signal the population to cease their work before Shabbat; and three more to mark the beginning of Shabbat. When accompanying their song with instruments, the Levites do not use fewer than two lyres and do not use more than six. When flutes are played, they do not use fewer than two flutes and do not use more than twelve. And there are twelve days during the year when the flute plays before the altar: At the time of the slaughter of the first Paschal offering, on the fourteenth of Nisan; and at the time of the slaughter of the second Paschal offering, on the fourteenth of Iyyar; and on the first festival day of Passover; and on the festival of Shavuot; and on all eight days of the festival of Sukkot. And one would not play with a copper flute; rather, one would play with a flute of reed, because its sound is more pleasant. And one would conclude the music only with a single flute, because it concludes the music nicely.

2:4 The Temple musicians were slaves of priests; this is the statement of Rabbi Meir. Rabbi Yosei says: The musicians were not slaves, but Israelites from the family of the house of Pagarim and the family of the house of Tzippara from the city of Emaum, and their lineage was sufficiently pure that they would marry their daughters to members of the priesthood. Rabbi Hanina ben Antigonus says: They were Levites.

2:5 One maintains no fewer than six lambs that have been inspected for blemishes in the Chamber of the Lambs, which are sufficient for the offerings of Shabbat and for the two Festival days of Rosh HaShana that may occur adjacent to it. And one may add inspected lambs up to an infinite number. One plays no fewer than two trumpets and no fewer than nine harps in the Temple, and one may add up to an infinite number. And the cymbal was played alone, and none may be added to it.

2:6 In the Temple, there are no fewer than twelve Levites standing on the platform adjacent to the altar and singing, and one may add Levites on the platform up to an infinite number. A minor Levite may enter the Temple courtyard for service only at a time when the Levites are engaging in song, so that he may accompany them. And minors would not engage in playing a lyre and in playing a harp; rather, they would engage in singing with the mouth, in order to provide flavor to the music with their pure, high voices. Rabbi Eliezer ben Ya'akov says: Minors are not tallied in the minimum total of twelve Levites, and they do not ascend to the platform; rather, they would stand on the ground and their heads would reach to between the legs of the Levites, and they were called cadets [tzoarei] of the Levites.

3:1 There are halakhot with regard to valuations that are lenient and others that are stringent; and there are halakhot with regard to an ancestral field that are lenient and others that are stringent; and there are halakhot with regard to a forewarned ox that killed a Canaanite slave that are lenient and

others that are stringent; and there are halakhot with regard to a rapist, and a seducer, and a defamer that are lenient and others that are stringent. There are halakhot with regard to valuations that are lenient and others that are stringent; how so? Both in the case of one who took a vow of valuation to donate the fixed value of the most attractive among the Jewish people and in the case of one who took a vow of valuation to donate the fixed value of the most unsightly among the Jewish people, he gives the fixed payment of fifty sela, shekels, to the Temple treasury (see Leviticus 27:3). And if one said: It is incumbent upon me to donate the assessment of another to the Temple treasury, he gives the price for that person if sold as a slave, a sum that can be more or less than fifty shekels.

3:2 There are halakhot with regard to an ancestral field that are lenient and others that are stringent. How so? Both one who consecrates an ancestral field in the low-quality sands of the areas surrounding the city and one who consecrates the high-quality orchards of Sebastia gives a redemption payment of fifty silver shekels for every area that he consecrated that is fit for sowing a kor of barley (Leviticus 27:16). And with regard to a purchased field that one consecrates, he gives its value as redemption, a sum that can be more or less than fifty shekels for every area required for sowing one kor of barley. Rabbi Eliezer says: With regard to both a purchased field and an ancestral field, one gives a redemption payment of fifty silver shekels for every area required for sowing a kor of barley that he consecrated. What, then, is the difference between an ancestral field and a purchased field? The difference is that in the case of an ancestral field one gives an additional payment of one-fifth, but in the case of a purchased field one does not give an additional payment of one-fifth.

3:3 There are halakhot with regard to a forewarned ox that killed a Canaanite slave that are lenient and others that are stringent; how so? Both in the case of an ox that killed the most attractive among the slaves, whose value is great, and likewise in the case of one that killed the most unsightly among the slaves, whose value is minimal, its owner gives payment of thirty sela, the fine stated in the Torah (Exodus 21:32), to the owner of the slave. If the ox killed a freeman, its owner gives his price as payment to his heirs. This sum can be more or less than thirty shekels. If the ox injured this slave or that freeman, he gives payment of the full cost of the damage as compensation.

3:4 There are halakhot with regard to a rapist and with regard to a seducer that are lenient and others that are stringent; how so? Both one who raped or seduced a young woman who is the most prominent in the priesthood and one who raped or seduced a young woman who is the lowliest among the Israelites gives the payment of fifty sela, the fine stated in the Torah (see Deuteronomy 22:29). And the payments for humiliation and for degradation resulting from being raped or seduced are assessed differentially; it is all based on the one who humiliates and the one who is humiliated.

3:5 There are halakhot with regard to a defamer, who falsely claims that his bride was not a virgin, that are lenient and others that are stringent. How so? Both one who defamed a young woman who is the most prominent in the priesthood and one who defamed a young woman who is the lowliest among the Israelites

gives payment of one hundred sela, the fine stated in the Torah (Deuteronomy 22:19). Based on the relative scope of the fines, with the defamer paying twice the sum of the rapist and the seducer, it is apparent that one who utters malicious speech with his mouth is a more severe transgressor than one who performs an action. And this is corroborated, as we found that the sentence imposed on our ancestors in the wilderness was sealed only due to the malicious speech disseminated by the spies, as it is stated at that time: “All those men that have seen My glory, and My signs, which I wrought in Egypt and in the wilderness, yet they have tried Me these ten times and have not listened to My voice” (Numbers 14:22).

4:1 Affordability, which is written in the Torah: “According to the means of him who vowed shall the priest value him” (Leviticus 27:8), is determined in accordance with the means of the one taking the vow, and the sum fixed by the Torah based on the years of age is in accordance with the age of the subject of the vow. And the distinction based on sex that is written in the halakhot of valuations is stated with regard to the one valued, and the different valuation based on the age of the one valued is determined at the time one takes the vow of valuation. The mishna elaborates: Affordability is in accordance with the means of the one taking the vow; how so? A destitute person who valued a wealthy person gives the valuation in accordance with the means of a destitute person, as determined by the priest. And a wealthy person who valued a destitute person gives the valuation in accordance with the means of a wealthy person, the sum of which is fixed in the Torah.

4:2 But with regard to offerings that is not so, as one who took a vow and said: It is incumbent upon me to provide the offering of this leper, to a leper who requires it for his purification; if the one undergoing purification was a destitute leper, the one who took the vow brings the offering of a destitute leper, which is one male sheep, a tenth of an ephah of fine flour, and two doves or two pigeons (see Leviticus 14:21–22). If the one undergoing purification was a wealthy leper, the one who took the vow brings the offering of a wealthy leper, which is two male sheep, a ewe, and three-tenths of an ephah of fine flour (see Leviticus 14:10). Rabbi Yehuda HaNasi says: I say: Even with regard to valuations it is so. He explains: For what reason does a destitute person who valued a wealthy person give the valuation in accordance with the means of a destitute person? It is due to the fact that the wealthy person is not obligated to pay anything, as the debt was generated by the destitute person who vowed to donate the valuation of a wealthy individual. But in a case similar to that of the offerings of a leper, in the case of a wealthy person who said: It is incumbent upon me to donate my valuation, and a destitute person heard him and said: It is incumbent upon me to donate that which he said, the destitute person gives the valuation of a wealthy person. If when one took a vow of valuation he was destitute and he became wealthy, or if he was wealthy and became destitute, he gives the valuation in accordance with the means of a wealthy person. Rabbi Yehuda says: This is the halakha not only in a case where one was wealthy either at the time he took the vow or at the time of payment; even if when one took a vow of valuation he was destitute and he became wealthy and again became destitute, he gives the valuation in accordance

with the means of a wealthy person.

4:3 But with regard to the offerings of a leper that is not so, as the offerings that one brings are determined by his status at the time he brings them. Even if it is common knowledge that his father died and left him an inheritance of ten thousand dinars, or that his ship is at sea and merchandise valued at ten thousand dinars is coming into his possession, the Temple treasury has no share in it. His payment is determined solely by his present situation.

4:4 The sum fixed by the Torah based on the years of age is in accordance with the age of the subject of the vow; how so? A youth who valued an elder gives the valuation of an elder, and an elder who valued a youth gives the valuation of a youth. And the distinction based on sex that is written in the halakhot of valuations is stated with regard to the one valued; how so? A man who valued a woman gives the valuation of a woman, and a woman who valued a man gives the valuation of a man. And the different valuation based on the age of the one valued is determined at the time one takes the vow of valuation; how so? If one valued another when he was less than five years old, when his valuation is five shekels, and before payment to the Temple treasury the subject of the vow became more than five years old, when his valuation is ten shekels; or if one valued another when he was less than twenty years old, when his valuation is ten shekels, and before payment to the Temple treasury the subject of the vow became more than twenty years old, when his valuation is fifty shekels, in all these cases he gives payment according to the age of the subject of the valuation at the time of the valuation. The Torah provides three age categories that determine the amount of the valuation: From the age of one month until age five, from age five until age twenty, and from age twenty until age sixty. For anyone less than one month old there is no valuation. The halakhic status of the thirtieth day is like that of the period preceding thirty days, and therefore the one who took the vow is exempt. Likewise, the halakhic status of the fifth year and the twentieth year is like that of the period preceding them. As it is stated: “And if it is from sixty years old and upward” (Leviticus 27:7), and we derive all the other age categories from the sixtieth year: Just as the halakhic status of the sixtieth year, where upward is written, is like that of the period preceding it, so too, the halakhic status of the fifth year and the twentieth year is like that of the period preceding them. The mishna asks: Is that so? Can one derive a halakha in this manner? If the Torah rendered the halakhic status of the sixtieth year like that of the period preceding it in order to be stringent and require one who valued a sixty-year-old person to pay his valuation to the Temple treasury, shall we render the halakhic status of the fifth year and the twentieth year like that of the period preceding them in order to be lenient and pay a lower sum? Therefore, the verse states “year” with regard to the fifth and twentieth years (see Leviticus 27:3–6), and “year” with regard to the sixtieth year (Leviticus 27:7), for a verbal analogy. Just as the halakhic status of the year stated with regard to the sixtieth year is like that of the period preceding it, so too, the halakhic status of the year stated with regard to the fifth year and the twentieth year is like that of the period

preceding them, both in order to be lenient and in order to be stringent. Rabbi Eliezer says: Their halakhic status remains like that of the period preceding it, until they will be aged one month and one day beyond the fifth, twentieth, and sixtieth years.

5:1 One who says: It is incumbent upon me to donate my weight, gives his weight to the Temple treasury; if he specified silver he donates silver, and if he specified gold he donates gold. There was an incident involving the mother of Yirmatya, who said: It is incumbent upon me to donate the weight of my daughter, and she ascended to Jerusalem and paid her daughter's weight in gold to the Temple treasury. In the case of one who says: It is incumbent upon me to donate the weight of my forearm, how does he ascertain the weight of his forearm? Rabbi Yehuda says: He fills a barrel with water and inserts his arm up to his elbow into the water. And in order to measure the displacement, he weighs donkey flesh, and bones, and sinews and places it into the barrel until it fills, and the water level reaches the top of the barrel. He then donates the weight of the meat and the bones to the Temple treasury. Rabbi Yosei said: Displacement is according to volume not according to weight, and how then is it possible to match the amount of the donkey flesh with the flesh of a person and the volume of the donkey's bones with his bones? Rather, the court appraises how much the forearm is likely to weigh.

5:2 If one vows: It is incumbent upon me to donate the assessment of my forearm, the court appraises him to determine how much he is worth with a forearm and how much he is worth without a forearm, and he pays the difference. This is a halakha that is more stringent with regard to vows of assessment than with regard to valuations, as one who says: It is incumbent upon me to donate the valuation of my forearm, is exempt from paying. There are halakhot that are more stringent with regard to valuations than with regard to vows of assessment. How so? In the case of one who says: It is incumbent upon me to donate my valuation, and then dies, his heirs must give his valuation to the Temple treasury. But one who says: It is incumbent upon me to donate my assessment, and then dies, his heirs need not give his assessment to the Temple treasury, as there is no monetary value for the dead. One who says: It is incumbent upon me to donate the valuation of my forearm, or: The valuation of my leg, has not said anything, as there are valuations in the Torah only for a complete person. But if one says: It is incumbent upon me to donate the valuation of my head, or: The valuation of my liver, he gives the valuation of his entire self. This is the principle: One who values an item upon which the soul is dependent, i.e., without which one will die, gives the valuation of his entire self.

5:3 One who says: It is incumbent upon me to donate half of my valuation, gives half of his valuation. But one who says: It is incumbent upon me to donate the valuation of half of me, gives the valuation of his entire self. Likewise, one who says: It is incumbent upon me to donate half of my assessment, gives half of his assessment; one who says: It is incumbent upon me to donate the assessment of half of me, gives the assessment of his entire self. This is the principle: One who takes a vow with regard to an item upon which the soul is dependent gives the assessment of his entire self.

5:4 With regard to one who says: It is incumbent upon me to donate the valuation of so-and-so, and both the one who vowed and the object of the vow die, the heirs of the one who vowed must give the valuation of the object of the vow to the Temple treasury. With regard to one who says: It is incumbent upon me to donate the assessment of so-and-so, and the one who vowed dies, his heirs must give his assessment to the Temple treasury. If the object of the vow dies, the heirs of the one who vowed need not give his assessment to the Temple treasury, as there is no monetary value for the dead.

5:5 In the case of one who says: This bull is consecrated as a burnt offering, or: This house is consecrated as an offering, and the bull died or the house collapsed, he is exempt from paying his commitment. But in the case of one who says: It is incumbent upon me to give this bull as a burnt offering, or: It is incumbent upon me to give this house as an offering, if the bull died or the house collapsed, he is obligated to pay its value.

5:6 With regard to those obligated to pay valuations, the court repossesses their property to pay their debt to the Temple treasury. With regard to those obligated to bring sin offerings and guilt offerings, the court does not repossess their property; since one is obligated to bring them for atonement he would not delay bringing them. But with regard to those obligated to bring burnt offerings and peace offerings, the court repossesses their property; since these offerings are not obligatory for atonement, one might delay bringing them. Although one obligated to bring burnt offerings and peace offerings does not achieve atonement until he brings the offering of his own volition, as it is stated: "He shall bring it to the entrance of the Tent of Meeting of his volition" (Leviticus 1:3), nevertheless the court coerces him until he says: I want to do so. And likewise, you say the same with regard to women's bills of divorce. Although one divorces his wife only of his own volition, in any case where the Sages obligated a husband to divorce his wife the court coerces him until he says: I want to do so.

6:1 One proclaims, i.e., publicly announces, the appraisal of the property inherited by minor orphans, which is being sold to repay their father's debt, for thirty days, in order to receive the maximal price. And one proclaims the appraisal of consecrated property that is being sold by the Temple treasury for sixty days, and one proclaims it in the morning and in the evening. In the case of one who consecrates his property and there was the outstanding debt of the marriage contract of his wife, for whose repayment one's property is liened, Rabbi Eliezer says: When he divorces her, he shall vow that benefit from her is forbidden to him. This is to prevent collusion, by which he divorces her, she collects payment from the consecrated property, and he then remarries her. Rabbi Yehoshua says: He need not do so. On a similar note, Rabban Shimon ben Gamliel said: Even in the case of the guarantor of a woman for her marriage contract, and her husband was divorcing her and could not pay the debt, the husband shall vow that benefit from her is forbidden to him, lest he and his wife engage in collusion [kinunya] and collect payment from the property of that guarantor, and then the husband will remarry his wife.

6:2 In the case of one who consecrates his property and there was an outstanding debt of the marriage contract of his wife and of a creditor, the

woman may not collect the payment of her marriage contract from the Temple treasury, nor may the creditor collect his debt. Rather, the one who redeems the property redeems it for a cheap price in order to give the woman her marriage contract payment and the creditor his debt. For example, if one consecrated property worth nine thousand dinars and his debt was ten thousand dinars, leaving no property for redemption, the creditor lends an additional dinar to the debtor and the debtor redeems the property with that dinar, in order to give the woman her marriage contract payment and the creditor his debt.

6:3 Although the Sages said (21a): With regard to those obligated to pay valuations, the court repossesses their property to pay their debt to the Temple treasury; nevertheless, the treasurer gives him permission to keep food sufficient for thirty days, and garments sufficient for twelve months, and a bed made with linens, and his sandals, and his phylacteries. The treasurer leaves these items for him, but he does not leave items for his wife or for his children. If the one obligated to pay was a craftsman, the treasurer gives him permission to keep two tools of his craft of each and every type, e.g., for a carpenter, the treasurer gives him permission to keep two adzes [matzadin] and two saws. Rabbi Eliezer says: If he was a farmer, the treasurer gives him permission to keep his pair of oxen with which he plows the field. If he was a donkey driver, the treasurer gives him permission to keep his donkey.

6:4 If one had many tools of one type and few tools of one other type, e.g., three adzes and one saw, he may not say to the treasurer to sell one tool of the type of which he has many and to purchase for him one tool of the type of which he has few. Rather, the treasurer gives him two tools of the type of which he has many and he retains whatever he has of the type of which he has few. In contrast to one whose property is repossessed to pay valuations, from one who consecrates all his property, the treasurer takes his phylacteries, as they are included in the category of all his property.

6:5 Both in the case of one who consecrates his property and the case of one who values himself, when the Temple treasurer repossesses his property he has the right to repossess neither the garment of his wife nor the garment of his children, nor the dyed garments that he dyed for their sake, even if they have yet to wear them, nor the new sandals that he purchased for their sake.

Although the merchants said: Slaves are sold in their garments for profit, as if a fine garment worth thirty dinars would be purchased for him, his sale price appreciates by one hundred dinars; and likewise with regard to a cow, if one waits to sell it until the market [la'itlis] day, when demand is high, its sale price appreciates; and likewise with regard to a pearl, if one brings it to sell it in the city, where demand is high, its sale price appreciates; nevertheless, one does not make such a calculation in this case. Rather, the Temple treasury has the right to collect the item based only on its current location and its price at the present time.

7:1 One may neither consecrate an ancestral field, i.e., a field that he inherited, less than two years before the Jubilee Year, nor may one redeem such a field less than one year after the Jubilee Year. When redeeming an ancestral field that has been consecrated, the sum paid to redeem the field is calculated

based on the number of years remaining until the Jubilee Year. When performing this calculation, one does not count months of a partial year in order to lower the price to be paid to the Temple treasury; rather, he pays for the entire year. But the Temple treasury may count months in order to raise the price of redemption, as will be explained. In the case of one who consecrates his ancestral field during a period when the Jubilee Year is observed and wishes to redeem it, he gives the Temple treasury fifty sela, a talmudic measure referred to in the Bible as silver shekels, for an area required for sowing a homer, a measure known in talmudic terminology as one kor, of barley seed (see Leviticus 27:16). If there were crevices [neka'im] ten handbreadths deep in the field, or if there were boulders ten handbreadths high, then when calculating the redemption price those areas are not measured with the rest of the field. But if the depth of the crevices, or the height of the boulders, was less than that amount, they are measured with the rest of the field. If he consecrated the field two or three years before the Jubilee Year and wishes to redeem it, he gives the Temple treasury a sela and a pundeyon, a pundeyon being one forty-eighth of a sela, per year remaining until the Jubilee Year. And if he said: I will give the payment for each year during that year, one does not listen to him; rather, he must give the entire sum in one payment.

7:2 This is the halakha both with regard to a case where the owner redeems the field and a case where any other person redeems the field. What then is the difference between redemption by the owner and redemption by any other person? It is only that the owner gives an extra one-fifth in addition to the payment, and any other person who redeems the field does not give the additional one-fifth.

7:3 If one consecrated his ancestral field and then redeemed it himself, it is not removed from his possession to be divided among the priests during the Jubilee Year. If his son redeemed it, the field is removed from the son's possession and returns to his father during the Jubilee Year. But if another person or one of his other relatives redeemed the field and the owner subsequently redeemed it from his possession, the field is removed from the owner's possession and given to the priests during the Jubilee Year. If one of the priests redeemed the field and when the Jubilee arrived it was in his possession, he may not say: Since it is removed from the possession of the one who redeemed it and given to the priests during the Jubilee Year, and since it is already in my possession, it is mine. Rather, the field is removed from his possession and is divided among all his brethren, the priests.

7:4 If one consecrated his ancestral field and the Jubilee Year arrived and it was not redeemed by the owner or anyone else, the priests enter into the field and give its redemption payment to the Temple treasury; this is the statement of Rabbi Yehuda. Rabbi Shimon says: They enter into the field, but they do not give its redemption payment to the Temple treasury. Rabbi Eliezer says: The priests do not enter into the field, and they also do not give its redemption payment to the Temple treasury. Rather, the field remains in the possession of the Temple treasury, and it is called: An abandoned field, until the second Jubilee Year. If the second Jubilee arrived and it was still not redeemed, it is called: An abandoned field from among the abandoned fields, meaning one that

was abandoned twice, until the third Jubilee. In any case, the priests never enter into a consecrated field during the Jubilee Year until another person redeems it first.

7:5 One who purchases an ancestral field from his father, and his father subsequently died and afterward the son consecrated it, its halakhic status is like that of an ancestral field, as he inherited his father's ancestral rights prior to the consecration. Consequently, the field's redemption price is calculated on the basis of fifty sela per beit kor, and if another redeems it instead of the son, it is given to the priests during the Jubilee Year. But if the son consecrated the field and afterward his father died, its halakhic status is like that of a purchased field, whose redemption price is based on its monetary value, and which will return to the ancestral owner, i.e., the son, at the Jubilee; this is the statement of Rabbi Meir. Rabbi Yehuda and Rabbi Shimon say: Even in a case where the son consecrated the field before his father died, its halakhic status is like that of an ancestral field, as it is stated with regard to a purchased field: "And if he will consecrate unto the Lord a field that he has bought, which is not of his ancestral field" (Leviticus 27:22), indicating that this halakha applies only to a field that is not due to become his ancestral field, thereby excluding this field, which at the time of consecration is due to become his ancestral field in the future, when his father dies. The mishna continues: A purchased field that was consecrated is not removed from the possession of the Temple treasury and given to the priests during the Jubilee Year, as the purchase of the land was valid only until the Jubilee, at which point fields return to their ancestral owners, and a person cannot consecrate an item that is not his. The priests and the Levites may always consecrate their ancestral fields and may always redeem their ancestral fields, both before the Jubilee Year and after the Jubilee Year.

8:1 In the case of one who consecrates his ancestral field during a period when the Jubilee Year is not observed, and therefore the field is not redeemed according to a fixed rate of fifty shekels per beit kor but according to its value, when the treasurer announces the sale of the field he says to the owner: You open the bidding first; how much do you offer for its redemption? This method is advantageous for the Temple treasury, as the owner gives an additional payment of one-fifth of the value of the field, and every other person does not give an additional one-fifth payment. There was an incident involving one who consecrated his field due to its inferior quality. The treasurers said to him: You open the bidding first. He said: It is hereby mine for an issar, a small sum. Rabbi Yosei says: That person did not say he would purchase it for an issar; rather, he said he would purchase it for an egg, as consecrated items may be redeemed with money or with the equivalent value of money. The treasurer said to him: The field has come into your possession based on your bid. As a result, he loses an issar and his field remains before him in his possession.

8:2 If one said: The field is hereby mine for ten sela, and one other person said: It is mine for twenty, and one said for thirty, and one said for forty, and one said for fifty; and then the one who bid fifty reneged on his offer,

the treasurer repossesses from his property up to ten sela and the field is redeemed by the one who bid forty. This ensures that the Temple treasury does not lose. If the one who bid forty sela subsequently reneged on his offer, the treasurer repossesses from his property up to ten sela and the field is redeemed by the one who bid thirty. If the one who bid thirty subsequently reneged on his offer, the treasurer repossesses from his property up to ten sela and the field is redeemed by the one who bid twenty. If the one who bid twenty reneged on his offer, the treasurer repossesses from his property up to ten sela and it is redeemed by the one who bid ten. If the one who bid ten reneged on his offer, the treasurer sells the field at its value and collects the remainder from the property of the one who bid ten, to complete the sum of ten sela. If the owner says he will pay twenty sela and any other person says he will pay twenty sela, the offer of the owner takes precedence, due to the fact that he adds one-fifth.

8:3 If the owner says he will pay twenty sela and one other person said: The field is hereby mine for a payment of twenty-one sela, the owner gives twenty-six sela and takes the field. He pays the twenty that he initially offered; plus five sela, which is one-fifth of the total future sum, i.e., one-quarter of his initial offer. In addition, he adds one sela, the difference between his initial offer and that of the other person, so that the Temple treasury will not receive less than the twenty-one sela offer proposed by the other person. If the owner says he will pay twenty sela and another person said: The field is hereby mine for a payment of twenty-two sela, the owner gives twenty-seven sela and takes the field. If the owner says he will pay twenty sela and another said: The field is hereby mine for a payment of twenty-three sela, the owner gives twenty-eight sela and takes the field. If the owner says he will pay twenty sela and another said: The field is hereby mine for a payment of twenty-four sela, the owner gives twenty-nine sela and takes the field. If the owner says he will pay twenty sela and another said: The field is hereby mine for a payment of twenty-five sela, the owner gives thirty sela, as the owner adds one-fifth only to the amount that he bid, and does not add one-fifth to the addition of that other person. If the owner said he will pay twenty sela and one other person said: The field is hereby mine for a payment of twenty-six sela, if the owner wished to pay thirty-one sela and a dinar the owner takes precedence; and if not, the treasurer says to the other person: The field has come into your possession based on your bid, as it is more than the Temple treasury can compel the owner to pay.

8:4 A person may dedicate, for sacred or priestly use, some of his flock and some of his cattle, and some of his Canaanite slaves and maidservants, and some of his ancestral field. But if he dedicated all that he has of any type of property, they are not dedicated, i.e., the dedication does not take effect; this is the statement of Rabbi Eliezer. Rabbi Elazar ben Azarya said: If for the Most High a person may not dedicate all his property, it is all the more so the case that a person should spare his property and not give all of it to others.

8:5 In the case of one who dedicates his son or his daughter, or his Hebrew slave or maidservant, or his purchased field, those items are not considered

dedicated, as a person may not dedicate an item that is not his. Priests and Levites may not dedicate their property; this is the statement of Rabbi Yehuda. Rabbi Shimon says: Priests may not dedicate their property, as all dedicated property is theirs; it is one of the priestly gifts, as the verse states: “Everything dedicated in Israel shall be yours” (Numbers 18:14). But Levites may dedicate their property, as dedicated property is not theirs. Rabbi Yehuda HaNasi said: The statement of Rabbi Yehuda appears to be correct with regard to land, as it is stated about the land of the Levites: “But the fields of the open land surrounding their cities may not be sold, as that is their perpetual possession” (Leviticus 25:34), and they cannot renounce that land. And the statement of Rabbi Shimon appears to be correct with regard to movable property, which the Levites may dedicate, as dedicated property is not theirs. It is a gift for the priests, not the Levites.

8:6 Dedications of property for priests, unlike consecrations of property for Temple maintenance, have no redemption; rather, one gives it to the priests, and it is their property in every sense, like teruma. Rabbi Yehuda ben Beteira says: Dedications dedicated without specification of their purpose are designated for Temple maintenance, as it is stated: “Every dedicated item is most sacred to the Lord” (Leviticus 27:28). And the Rabbis say: Dedications dedicated without specification of their purpose are designated for priests, as it is stated with regard to one who consecrated a field and did not redeem it: “As a field dedicated; its possession shall be to the priest” (Leviticus 27:21), indicating that a non-specific dedication belongs to the priest. If so, why is it stated: “Every dedicated item is most sacred to the Lord”? This comes to teach that dedication takes effect on offerings of the most sacred order and offerings of lesser sanctity. If one consecrated an animal for sacrifice and then dedicated it, the dedication takes effect. Nevertheless, it does not take effect on the body of the animal; rather, it applies to the owner’s financial stake in the offering.

8:7 As the Sages delineated: A person may dedicate his sacrificial animals, both offerings of the most sacred order and offerings of lesser sanctity. If the offering he dedicated was the object of a vow, e.g., if he said: It is incumbent upon me to sacrifice a burnt offering, since he is obligated to replace such offerings they are considered his property, and therefore he gives their value to the priests. And if the offering he dedicated was a gift offering, e.g., if he said: This animal is a burnt offering, in which case he is not obligated to replace the animal, he gives the monetary benefit that he has in them. For example, if he said: This bull is a burnt offering, one estimates how much money a person would be willing to give in order to sacrifice the animal as a voluntary burnt offering, even though he is not permitted to do so. With regard to a firstborn animal, whether it is unblemished or whether it is blemished, its owner may dedicate it. And how does one assess the payment required to redeem it? One estimates how much an Israelite person would be willing to give in exchange for that firstborn in order to give it to a priest who is his daughter’s son or to a priest who is his sister’s son. Rabbi Yishmael says: One verse states: “All the firstborn males that are born of your herd and of your flock you shall consecrate to the

Lord your God” (Deuteronomy 15:19), and one verse states: “However, the firstborn among animals that is born first to the Lord, a man shall not consecrate it” (Leviticus 27:26). It is impossible to say: “You shall consecrate,” as it is already stated: “A man shall not consecrate.” It is likewise impossible to say: “A man shall not consecrate,” as it is already stated: “You shall consecrate.” How, then, can these verses be reconciled? You can consecrate the firstborn animal by a consecration of value, i.e., an individual can donate to the Temple treasury the amount he would be willing to pay for the right to give the firstborn to a specific priest; and you cannot consecrate it by a consecration for the altar, as a firstborn may not be sacrificed for the sake of any other offering.

9:1 One who sells his field during a period when the Jubilee Year is in effect is not permitted to redeem it less than two years after the sale, as it is stated: “According to the number of years of the crops he shall sell to you” (Leviticus 25:15). The plural form “years” indicates a minimum of two years. If one of those years was a year of blight or mildew, or if it was the Sabbatical Year, when the buyer is unable to derive benefit from the field, that year does not count as part of the tally, and the owner must wait an additional year before redeeming the field. If the buyer plowed the field but did not sow it, or if he left it fallow, that year counts as part of his tally, as it was fit to produce a crop. Rabbi Eliezer says: If the owner of the field sold it to the buyer before Rosh HaShana and the field was full of produce, and the owner redeems the field after two years, that buyer consumes from the field’s produce three crops in two years. Although he received the field with its crop, he is not required to return it in the same state.

9:2 When the Jubilee Year is in effect, one may sell a field only until the Jubilee Year, at which point the field returns to its original owner. If the owner redeems the field before the Jubilee Year, the payment per annum is calculated by dividing the sale price by the number of years from the sale until the Jubilee Year. The owner returns the per annum payment multiplied by the number of years remaining until the Jubilee Year. If the owner of a field sold it to the first buyer for one hundred dinars and the first buyer then sold it to the second buyer for two hundred dinars, when the original owner redeems the field he calculates the payment only according to the price that he set with the first buyer, as it is stated: “And he calculates the years of its sale, and he returns the remainder to the man to whom he sold it” (Leviticus 25:27). If the owner of a field sold it to the first buyer for two hundred dinars and the first buyer then sold it to the second buyer for one hundred dinars, when the original owner redeems the field, he calculates the payment only according to the price that was paid by the last buyer, as it is stated: “And he calculates the years of its sale, and he returns the remainder to the man to whom he sold it.” The superfluous term “to the man” indicates that the verse is referring to the man who is currently in possession of the field. One may not sell his ancestral field that is located in a distant area and redeem with the proceeds a field that he sold in a nearby area. Likewise, he may not sell a low-quality field and redeem with the proceeds a high-quality field. And he may not borrow money and redeem the field, nor may he redeem the

field incrementally, half now and half at a later date. But with regard to redeeming a field from the Temple treasury, it is permitted to redeem the field in any of these ways. This is a halakha where greater stringency applies with regard to redeeming a field from an ordinary individual than with regard to redeeming it from the Temple treasury.

9:3 One who sells a house from among the houses of walled cities may redeem the house immediately, even without the consent of the buyer, and he may redeem the house during the entire twelve months following the sale, but not after that. When he redeems the house within the twelve-month period, he returns the sale price to the buyer, and this is ostensibly like a form of interest, as the buyer has effectively resided in the house for free in exchange for the fact that the buyer's money was in the possession of the seller. It is not considered interest, because the buyer owned the house during the period in which he resided in it. If the seller died, his son may redeem the house from the buyer. If the buyer died, the seller may redeem it from the possession of the buyer's son. If the buyer sold the house to another, one calculates the year only from the time that the owner sold the house to the first buyer, as it is stated: "And if it is not redeemed until the passage of a full year for him, then the house that is in the walled city shall stand in possession of the one who bought it in perpetuity" (Leviticus 25:30). The term "for him" indicates that the year is calculated from when the initial owner sold the house. When it says: "A full year," this serves to include the intercalated month in the year calculated from the sale, if it was a leap year. Rabbi Yehuda HaNasi says: The word "full" serves to give the seller a year and its addition, i.e., the year during which the house may be redeemed is not the 354-day lunar year, but the 365-day solar year.

9:4 If the final day of the twelve-month period arrived and the house was not redeemed, the house has become the property of the buyer in perpetuity. This is the halakha with regard to both one who buys a house in a walled city and one to whom it is given as a gift, as it is stated: "Then the house that is in the walled city shall stand in possession of the one who bought it in perpetuity" (Leviticus 25:30). At first, the buyer would conceal himself on the final day of the twelve-month period, in order to ensure that it would become his in perpetuity. Hillel instituted that the seller would place [holesh] his money in the chamber of the court and that he will break the door and enter the house, and when the other individual, i.e., the buyer, will wish to do so, he may come to the chamber and take his money.

9:5 The halakhic status of any area that is located within the city wall is like that of the houses of walled cities in terms of its redemption, except for the fields located therein. Rabbi Meir says: Even the fields are included in this category. With regard to a house that is built in the wall itself, Rabbi Yehuda says: Its halakhic status is not like that of the houses of walled cities. Rabbi Shimon says: The outer wall of the house is considered the city wall, and therefore it has the status of a house in a walled city.

9:6 The halakhic status of a house in a city whose houses are attached and their rooftops constitute the top of its wall, and likewise, the status of a house in a city that is not surrounded by a wall from the era of Joshua, son of

Nun, even if a surrounding wall was constructed during a later period, is not like that of the houses of walled cities. And these are the houses of walled cities: Any city in which there are at least three courtyards, each containing two houses, and which is surrounded by a wall from the era of Joshua, son of Nun, e.g., the ancient fort [katzra] of Tzipori, and the fortress [hakra] of Gush Halav, and ancient Yodfat, and Gamla, and Gedod, and Hadid, and Ono, and Jerusalem, and likewise other similar cities.

9:7 With regard to the houses of the unwalled courtyards mentioned in the Torah (see Leviticus 25:31), i.e., houses in villages that are not surrounded by walls, one accords them the exceptional provisions that apply to houses of walled cities and the exceptional provisions that apply to fields. Therefore, they are redeemed immediately and for the entire twelve months following the sale, like in the sale of houses of walled cities, and not like fields, which may be redeemed only after two years. And they leave the possession of the buyer during the Jubilee Year or with a per annum deduction from the money of the sale price, like the sale of fields. By contrast, houses of walled cities become the possession of the buyer in perpetuity after one year, and if they are redeemed within the year, one pays the full sale price. And these are the houses of the unwalled courtyards whose halakha was taught in the previous mishna: Any city in which there are two courtyards each containing two houses, although it is surrounded by a wall from the era of Joshua, son of Nun, their halakhic status is like that of the houses of the unwalled courtyards.

9:8 An Israelite who inherited a house in a walled city from his mother's father who was a Levite does not redeem the house in accordance with this procedure delineated in the previous mishnayot; rather, if he sold the inherited house, he may redeem it always, like a Levite. And likewise, a Levite who inherited a house in a walled city from his mother's father who was an Israelite does not redeem the house in accordance with this procedure delineated in the previous mishnayot. The mishna provides the source for these halakhot: As it is stated: "And if a man purchases from the Levites, the house that was sold in the city of his possession shall go out during the Jubilee Year; as the houses of the cities of the Levites are their possession among the children of Israel" (Leviticus 25:33). The verse indicates that the ability to always redeem the house of a Levite does not apply unless the one selling the house will be a Levite and the house is located in the cities of the Levites. This is the statement of Rabbi Yehuda HaNasi. And the Rabbis say: These matters are stated only with regard to a house in the cities of the Levites, even if the owner was not a Levite. The Levites received two thousand cubits surrounding their cities, one thousand cubits of empty lots and one thousand cubits for fields and vineyards. One may neither render a field an empty lot nor an empty lot a field. Similarly, one may neither incorporate an empty lot into a city nor render part of a city an empty lot. Rabbi Elazar said: In what case is this statement said? It applies in the cities of the Levites. But in the cities of the Israelites one may render a field an empty lot but not an empty lot a field, and one may incorporate an empty lot into a city but not render part of a city an empty lot, in order to ensure that they will not thereby destroy the cities of Israel. The priests and the Levites may

sell their fields and houses always and may redeem them always, as it is stated: “The Levites shall have a perpetual right of redemption” (Leviticus 25:32). Priests are also members of the tribe of Levi.

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