



transfers it to a buyer by giving him the reins or the bit. And a small domesticated animal is acquired by lifting. This is the statement of Rabbi Meir and Rabbi Eliezer. And the Rabbis say: A small domesticated animal can be acquired by pulling also, and there is no need to lift it.

1:5 Property that serves as a guarantee, i.e., land or other items that are fixed in the earth, can be acquired by means of giving money, by means of giving a document, or by means of taking possession of it. Property that does not serve as a guarantee, i.e., movable property, can be acquired only by pulling. Property that does not serve as a guarantee can be acquired along with property that serves as a guarantee by means of giving money, by means of giving a document, or by means of taking possession of them. The movable property is transferred to the buyer's possession when it is purchased together with the land, by means of an act of acquisition performed on the land. Generally, one is not obligated to take an oath concerning the denial of a claim with regard to land. The mishna continues: And in a legal dispute involving both land and movable property, if the defendant makes a partial admission of the claim with regard to the movable property, thereby rendering himself obligated to take an oath denying any responsibility for the remaining property, the movable property binds the property that serves as a guarantee, i.e., the land, so that he is forced to take an oath concerning the land as well, despite the fact that one is generally not obligated to take an oath for a claim involving land.

1:6 The mishna discusses a transaction involving the barter of two items. With regard to all items used as monetary value for another item, i.e., instead of a buyer paying money to the seller, they exchange items of value with each other, once one party in the transaction acquires the item he is receiving, this party is obligated with regard to the item being exchanged for it. Therefore, if it is destroyed or lost, he incurs the loss. How so? If one exchanges an ox for a cow, or a donkey for an ox, once this party acquires the animal that he is receiving, this party is obligated with regard to the item being exchanged for it. The authority of the Temple treasury effects acquisition by means of money to the seller. And the authority, i.e., the mode of acquisition, of a commoner [hediyot] is by possession. Furthermore, one's declaration to the Most High, i.e., when one consecrates an item through speech, is equivalent to transferring an item to a common person, and the item is acquired by the Temple treasury through his mere speech.

1:7 With regard to all mitzvot of a son with regard to his father, men are obligated to perform them and women are exempt. And with regard to all mitzvot of a father with regard to his son, both men and women are obligated to perform them. The mishna notes an additional difference between the obligations of men and women in the performance of mitzvot: With regard to all positive, time-bound mitzvot, i.e., those which must be performed at specific times, men are obligated to perform them and women are exempt. And with regard to all positive mitzvot that are not time bound, both men and women are obligated to perform them. And with regard to all prohibitions, whether they are time-bound or whether they are not time-bound, both men and women are obligated to observe them, except for the prohibitions of: Do not round the corners of your head,

and: Do not destroy the corners of your beard, which are derived from the verse: “You shall not round the corners of your head and you shall not destroy the corners of your beard” (Leviticus 19:27), and a prohibition that concerns only priests: Do not contract ritual impurity from a corpse (see Leviticus 21:1). These mitzvot apply only to men, not women, despite the fact that they are prohibitions.

1:8 With regard to the placing of hands on the head of an offering, and the waving of certain offerings, and the bringing near of meal-offerings to the corner of the altar, and the removal of a handful from meal-offerings, and the burning of sacrificial parts on the altar, and the pinching of bird-offerings, and the collecting of blood of offerings in a vessel, and the sprinkling of blood, these apply to men and not to women. All these mitzvot apply specifically to men and not to women, except for the meal-offering of a sota, and the meal-offering of a nazirite woman, which these women wave.

1:9 Any mitzva that is dependent on the land [aretz] applies only in Eretz Yisrael, and any mitzva that is not dependent on the land applies both in Eretz Yisrael and outside of Eretz Yisrael. This is apart from the mitzvot of orla and diverse kinds, which apply even outside of Eretz Yisrael. Rabbi Eliezer says: This is the halakha even with regard to the prohibition to eat from the new crop before the omer offering has been brought on the sixteenth of Nisan.

1:10 Anyone who performs one mitzva has goodness bestowed upon him, his life is lengthened, and he inherits the land, i.e., life in the World-to-Come. And anyone who does not perform one mitzva does not have goodness bestowed upon him, his life is not lengthened, and he does not inherit the land of the World-to-Come. Anyone who is engaged in the study of Bible, and in the study of Mishna, and in the desired mode of behavior, i.e., he performs labor and generally acts in an appropriate manner, will not be quick to sin, as it is stated: “And a threefold cord is not quickly broken” (Ecclesiastes 4:12).

One who is involved in all three of these activities will not sin easily. And anyone who does not engage in the study of Bible, nor the study of Mishna, nor the desired mode of behavior, is not part of society, i.e., he is not considered a civilized person at all.

2:1 A man can betroth a woman by himself or by means of his agent. Similarly, a woman can become betrothed by herself or by means of her agent. A man can betroth his daughter to a man when she is a young woman, either by himself or by means of his agent. In the case of one who says to a woman: Be betrothed to me with this date, and adds: Be betrothed to me with that one, then if one of the dates is worth one peruta she is betrothed, but if not, she is not betrothed, since he mentioned betrothal in connection with each date. But if he said: Be betrothed to me with this one, and with this one, and with this one, then even if all of them together are worth one peruta she is betrothed, but if not, she is not betrothed. If he gave her dates with the intention of betrothing her with them, and she was eating them one by one as she received them, she is not betrothed unless one of them is worth one peruta.

2:2 If a man said to a woman: Be betrothed to me with this cup of wine, and it was found to be a cup of honey; or if he said: With this cup of honey, and it was found to be a cup of wine; or if he said: With this dinar made of silver,

and it was found to be made of gold; or if he said: With this dinar made of gold, and it was found to be made of silver; or if he said: On the condition that I am wealthy, and he was found to be poor; or if he said: On the condition that I am poor, and he was found to be wealthy, she is not betrothed in any of these cases. Rabbi Shimon says: If he misled her to her advantage by giving her something better than what he stated, or if his status was greater than he claimed, she is betrothed.

2:3 If one said to a woman: Be betrothed to me on the condition that I am a priest, and he was found to be a Levite; or if he said: A Levite, and he was found to be a priest; or if he said: Be betrothed to me on the condition that I am a Gibeonite, a people prohibited by rabbinic law from marrying into the congregation, i.e., from marrying a Jew of fit lineage, and he was found to be a mamzer, who is prohibited by Torah law to marry into the congregation; or he said: A mamzer, and he was found to be a Gibeonite; or if he said: Be betrothed to me on the condition that I am a resident of a small town, and he was found to be a resident of a large city; or he said: A resident of a city, and he was found to be a resident of a town; or if he said: Be betrothed to me on the condition that my house is close to the bathhouse, and it was found to be far; or he said: Far from the bathhouse, and it was found to be close, she is not betrothed. Or if he said that she is betrothed to him on the condition that he has a grown daughter or a maidservant, and he does not have one, or on the condition that he does not have one and he has one; or on the condition that he has no sons, and he has sons, or on the condition that he has sons and he does not have sons, then she is not betrothed. And in all these cases, despite the fact that she later stated: I intended to become betrothed to him nevertheless, whether or not he fulfilled the condition, she is not betrothed. And similarly, if it was she who misled him by making the betrothal conditional upon a statement of hers that turned out to be incorrect, the betrothal will not take effect.

2:4 In the case of one who says to his agent: Go and betroth for me so-and-so in such and such a place, and the agent went and betrothed her in a different place, she is not betrothed, since he instructed that the betrothal take place in a particular location. But if he said: Go and betroth the woman for me, she is in such and such a place; and the agent betrothed her in a different place, she is betrothed, since he did not mean that the agent should betroth her specifically there, but was merely telling him where to find her.

2:5 In the case of one who betroths a woman on the condition that there are no vows incumbent upon her to fulfill, and it was found that there were vows incumbent upon her to fulfill, she is not betrothed, since his condition was not fulfilled. If he married her without specification, and it was found that there were vows incumbent upon her to fulfill, the marriage takes effect. Nevertheless, he has the right to divorce her, and she is divorced without receiving payment of her marriage contract, as it is assumed that he would not have married her had he known that she was limited by her vows. Similarly, if he betrothed her on the condition that there are no blemishes upon her, and she was discovered to have blemishes, she is not betrothed. In a case where he married her without specification and she was discovered to have blemishes, he

has the right to divorce her, and she is divorced without receiving payment of her marriage contract. As to what is defined as a blemish, the rule is that all the blemishes that disqualify priests from performing the Temple service, as detailed in tractate Bekhorot, also disqualify women from receiving their marriage contract in case of divorce.

2:6 In the case of one who betroths two women together with an item worth one peruta, so that the value of each woman's share was not worth one peruta, or who betroths one woman with an item worth less than one peruta, despite the fact that he later sent the traditional gifts [shivlonot] of a groom to the bride, she is not betrothed, because he sent the gifts on account of the first betrothal, i.e., the item whose value to the woman was less than one peruta, and not to effect betrothal. And similarly, if there was a minor who betrothed a woman, and he sent her gifts after he became an adult, the assumption is that he sent them on account of his betrothal when he was still a minor, and since betrothal performed by a minor is of no account, she is not betrothed.

2:7 In the case of one who betroths a woman and her daughter or a woman and her sister in one act of betrothal, by saying: You are both betrothed to me, neither of them is betrothed. And an incident occurred involving five women, and among them were two sisters, and one person gathered a basket of figs that were from their field, and the fruit was of the Sabbatical Year, and he said: You are hereby all betrothed to me with this basket, and one of them accepted it on behalf of all of them. And the Sages said: The sisters are not betrothed.

2:8 With regard to a priest who betroths a woman with his portion of offerings, whether he did so with offerings of the most sacred order or whether he did so with offerings of lesser sanctity, she is not betrothed. One who betroths a woman with second tithe, whether unwittingly or intentionally, has not betrothed her; this is the statement of Rabbi Meir. Rabbi Yehuda says: If he did so unwittingly he has not betrothed her, but if he did so intentionally he has betrothed her. And with regard to one who betroths a woman with consecrated property belonging to the Temple treasury, if he does so intentionally he has betrothed her, and if he does so unwittingly he has not betrothed her; this is the statement of Rabbi Meir. Rabbi Yehuda says the opposite: If he does so unwittingly he has betrothed her, but if he does so intentionally he has not betrothed her.

2:9 With regard to one who betroths a woman with orla, i.e., fruit grown during a tree's first three years, or with diverse kinds in a vineyard, i.e., grain and grapes planted together, or with an ox that is sentenced to be stoned, or with a heifer whose neck is broken, or with the leper's birds which are designated for his offering, or with a nazirite's hair, or with a firstborn donkey, or with meat cooked in milk, or with non-sacred animals that were slaughtered in the Temple courtyard, if he betroths her with any of these items, the woman is not betrothed, since it is prohibited to derive benefit from any of these items. By contrast, if one sold them and betrothed a woman with the money received from their sale, she is betrothed, as in these cases one may derive benefit from the money he receives in exchange for the forbidden item.

2:10 With regard to one who betroths a woman with terumot, or with tithes, or

with the foreleg, cheeks, and stomach of an animal, which are given as gifts to priests, or with the water of purification, which is sprinkled on an impure person during the purification rite for impurity imparted by a corpse, or with the ashes of purification, which were mixed with the water sprinkled on an impure person during the purification rite for impurity imparted by a corpse, in all of these cases she is betrothed, and this is so even if the man betrothing her is an Israelite, not a priest or a Levite.

3:1 With regard to one man who says to another: Go and betroth so-and-so to me, and the latter went and betrothed her to himself, she is betrothed to the second man. And similarly, with regard to one who says to a woman: You are hereby betrothed to me after thirty days, and another man came and betrothed her within those thirty days, she is betrothed to the second man. This is a full-fledged betrothal, so that if she is an Israelite woman betrothed to a priest, she may partake of teruma. If the first man said to the woman: You are hereby betrothed to me from now, and only after thirty days shall the betrothal take effect, and another man came and betrothed her within those thirty days, there is uncertainty whether she is betrothed or whether she is not betrothed to each of them. Consequently, if she was the daughter of a non-priest betrothed to a priest, or the daughter of a priest betrothed to an Israelite, she may not partake of teruma. Since her betrothal is uncertain, the daughter of a non-priest cannot be considered the wife of a priest, and similarly a priest's daughter who is doubtfully married to an Israelite loses her right to partake of teruma as the daughter of a priest.

3:2 With regard to one who says to a woman: You are hereby betrothed to me with this peruta on the condition that I will give you two hundred dinars, she is betrothed immediately and he shall give her the money. If he said to her that the betrothal is: On the condition that I will give you a particular sum of money from now and until thirty days, if he gave the money to her within thirty days she is betrothed, but if not, she is not betrothed. If he said to her that the betrothal is: On the condition that I have two hundred dinars, she is betrothed if he has this sum. If he said to her that the betrothal is: On the condition that I will show you two hundred dinars, she is betrothed, and he shall show the money to her. And if he is a moneychanger and shows her money belonging to others on the moneychangers' table, she is not betrothed, as his statement means that he will show her money of his own.

3:3 With regard to one who says to a woman: You are hereby betrothed to me on the condition that I possess tillable land of a beit kor of earth, she is betrothed, provided that he possesses such land. If he said to her that the betrothal is: On the condition that I possess land in such and such a place, if he possesses land in that place she is betrothed, but if not she is not betrothed. If he said to her: You are hereby betrothed to me on the condition that I will show you a beit kor of earth, she is betrothed, and he shall show her. And if he showed her land in a valley, i.e., a field that does not belong to him among other fields, she is not betrothed.

3:4 Rabbi Meir says: Any condition that is not doubled, i.e., which does not specify both the result of fulfilling the condition and the result of the condition remaining unfulfilled, like the condition Moses stipulated with the

children of Gad and the children of Reuben who sought to settle on the eastern side of the Jordan, is not a valid condition and is not taken into account at all. As it is stated: “And Moses said to them, if the children of Gad and the children of Reuben pass over the Jordan with you, every man armed for battle before the Lord, and the land shall be subdued before you, then you shall give them the land of Gilead for a possession” (Numbers 32:29). And it is written afterward: “But if they will not pass over armed with you, they shall receive a possession among you in the land of Canaan” (Numbers 32:30). Rabbi Hanina ben Gamliel says: One cannot derive the requirements of conditions in general from that particular case, as with regard to the nullification of the condition of the children of Gad and Reuben it was necessary to state the matter, as otherwise, if the verse had not specified both sides of the condition, it might have been thought it meant that they will not inherit even in the land of Canaan. One might have thought that if the tribes of Gad and Reuben would not fulfill the condition, they would forfeit their right to inherit anywhere. It was therefore necessary to specify that they would not lose their portion in Eretz Yisrael. Consequently, it is possible that with regard to a standard condition, where no such misunderstanding is likely to take place, it is not necessary to mention both sides.

3:5 With regard to one who betroths a woman and later says: When I betrothed her I thought that she was the daughter of a priest, and it turned out that she is the daughter of a Levite, or if he claims that he thought she was the daughter of a Levite and she is actually the daughter of a priest, or if he claims that he thought she was poor and she is wealthy; or wealthy and she is poor, in all of these cases she is betrothed, because she did not mislead him, and no explicit condition was stated with regard to these matters. With regard to one who says to a woman: You are hereby betrothed to me after I convert, or: After you convert, or if he was a Canaanite slave and says: After I am emancipated, or if she was a Canaanite maidservant and he says: After you are emancipated, or if he says to a married woman: After your husband dies, or to his wife’s sister: After your sister dies, or if he says to a woman awaiting levirate marriage or halitza from a brother-in-law [yavam], who in the opinion of this tanna cannot be betrothed by another man: After your yavam performs halitza for you, in all these cases she is not betrothed. Since he cannot betroth her at the present time, his attempt at betrothal is ineffective. And similarly, with regard to one who says to another: If your wife gives birth to a female the child is hereby betrothed to me, even if she becomes pregnant, or is pregnant but her pregnancy is not known, if she gives birth to a girl, that child is not betrothed to him. But if he said this when the wife of the other man was pregnant and her fetus was discernible at the time, i.e., her pregnancy was known, his statement is upheld, and therefore if she gives birth to a girl, the child is betrothed to him.

3:6 With regard to one who says to a woman: You are hereby betrothed to me on the condition that I will speak in your favor to the authorities, e.g., to help her address some legal matter, or: On the condition that I will act for you as a laborer, if he spoke in her favor to the authorities or acted for her as a laborer, she is betrothed. But if not, she is not betrothed. With regard to one

who betroths a woman and says to her that the betrothal is: On the condition that my father will want this betrothal, if his father wants it, she is betrothed; but if not, she is not betrothed. If the father dies, she is betrothed, despite the fact that he did not reveal his wishes. If the son dies, one instructs the father to say that he does not want the betrothal, so that the betrothal will never have taken effect, thereby enabling her to avoid the requirement of levirate marriage.

3:7 With regard to a man who said: I betrothed my minor daughter to someone but I do not know to whom I betrothed her, and one man came forward and said: I betrothed her, his claim is deemed credible. If two men stepped forward and this one said: I betrothed her, and that one said: I betrothed her, they must both give her a bill of divorce to render it permitted for her to marry anyone else. And if they so desire, one of them gives her a bill of divorce and the other one may marry her.

3:8 If a father says: I betrothed my minor daughter to someone, or: I betrothed her to someone and accepted her divorce when she was a minor girl, and she is still a minor girl at the time of this statement, he is deemed credible to render her forbidden to all other men as a married woman, or to a priest as a divorced woman. But if he says: I betrothed her to someone and accepted her divorce when she was a minor, and she is an adult woman at the time of his declaration, his statement is not deemed credible. Likewise, if he says: She was taken captive and I redeemed her, he is not deemed credible to disqualify her from marrying a priest whether she was a minor girl or an adult woman. With regard to one who said at the time of his death: I have children, in which case his wife does not require levirate marriage after his death, he is deemed credible. But if he said on his deathbed: I have brothers, indicating that it is prohibited for her to marry anyone else until one of his brothers performs halitza with her after his death, he is not deemed credible. In the case of one who betroths his daughter to a man without specification, i.e., without specifying which daughter he meant, the grown women are not included among those who might be betrothed, since he does not have the right to betroth them.

3:9 With regard to one who has two groups of daughters from two women, i.e., one group of daughters from each wife, and he said: I betrothed my elder daughter to someone but I do not know if I meant the eldest of the older group of daughters, or the eldest of the younger group of daughters, or the youngest of the older group, who is nevertheless older than the eldest of the younger group, all the daughters are forbidden, except for the youngest of the younger group. This is the statement of Rabbi Meir. Rabbi Yosei says: Despite the uncertainty, they are all permitted except for the eldest of the older group, as one who says elder without further specification means the oldest of them all. Similarly, if one said: I betrothed my younger daughter, but I do not know if I meant the youngest of the younger group, or the youngest of the older group, or the eldest of the younger group who is younger than the youngest of the older group, they are all forbidden, except for the eldest of the older group. This is the statement of Rabbi Meir. Rabbi Yosei says: They are all permitted except for the youngest of the younger group.

3:10 With regard to one who says to a woman: I betrothed you, and she says: You

did not betroth me, he is forbidden to her relatives, as his claim that he has betrothed her renders himself forbidden to her relatives. And she is permitted to his relatives, in accordance with her stance that she is not betrothed to him. If she says: You betrothed me, and he says: I did not betroth you, he is permitted to her relatives and she is forbidden to his relatives by the same reasoning. If a man says to a woman: I betrothed you, and she says: You betrothed only my daughter, he is forbidden to the relatives of the older woman, the mother, whom he claims to have betrothed, and the older woman is permitted to his relatives. He is permitted to the relatives of the younger woman, the daughter, as he maintains that he did not betroth her, and the younger woman is permitted to his relatives, since her mother's statement is insufficient to render her forbidden.

3:11 Similarly, if he says: I betrothed your daughter, and she, the mother, says: You betrothed only me, he is forbidden to the relatives of the younger woman, and the younger woman is permitted to his relatives; he is permitted to the relatives of the older woman, and the older woman is forbidden to his relatives.

3:12 There is a principle with regard to the hala-khot of lineage: Any case where there is betrothal, i.e., where the betrothal takes effect, and the marriage involves no transgression by Torah law, the lineage of the offspring follows the male, his father. And in which case is this applicable? For example, this is the case with regard to the daughter of a priest; or the daughter of a Levite; or the daughter of an Israelite, who married a priest, a Levite, or an Israelite. In all these cases the child's lineage is established by his father's family. And any case where there is a valid betrothal and yet there is a transgression, the offspring follows the flawed parent. And in which case is this applicable? For example, this is the case of a widow who is married to a High Priest, or a divorced woman or a halutza who is married to a common priest, or a mamzeret or a Gibeonite woman who is married to an Israelite, or an Israelite woman who is married to a mamzer or to a Gibeonite. In these situations the child inherits the status of the blemished parent. And in any case where a woman cannot join in betrothal with a particular man, as the betrothal does not take effect, but she can join in betrothal with others, i.e., the woman is considered a member of the Jewish people and can marry other Jews, in these cases the offspring is a mamzer. And in which case is this applicable? This is one who engages in intercourse with any one of those with whom relations are forbidden that are written in the Torah. And in any case where a woman cannot join in betrothal with him or with others, the offspring is like her. He is not considered his father's son at all, but has the same status as his mother. And in which case is this applicable? This is the offspring of a Canaanite maidservant or a gentile woman, as her child is a slave or a gentile like her. If he converts, he is not a mamzer.

3:13 Rabbi Tarfon says: Mamzerim can be purified, so that their offspring will not be mamzerim. How so? With regard to a mamzer who married a Canaanite maidservant, their offspring is a slave. If his master subsequently emancipates him, that son is found to be a freeman, rather than a mamzer. Rabbi Eliezer

says: This method is not effective, as this son is a mamzer slave.

4:1 There were ten categories of lineage, with varying restrictions on marriage, among the Jews who ascended from Babylonia to Eretz Yisrael with Ezra before the building of the Second Temple. They are as follows: Priests; Levites; Israelites; priests disqualified due to flawed lineage [halalim]; converts, and emancipated slaves; mamzerim; Gibeonites, i.e., the descendants of the Gibeonites who converted in the time of Joshua; children of unknown paternity [shetuki]; and foundlings. The mishna proceeds to detail their halakhot: With regard to priests, Levites, and Israelites, it is permitted for men and women in these categories to marry one another. With regard to Levites who are not priests, Israelites, halalim, converts, and emancipated slaves, it is permitted for men and women in these categories to marry one another. With regard to converts, and emancipated slaves, mamzerim, and Gibeonites, children of unknown paternity [shetuki], and foundlings, it is permitted for all of the men and women in these categories to marry one another.

4:2 And these are the last two categories: A shetuki is any person who knows the identity of his mother but does not know the identity of his father. A foundling is anyone who was collected from the marketplace and doesn't know the identity of his parents, neither that of his father nor that of his mother. These two categories are people whose status is uncertain; they may be mamzerim. Abba Shaul would call a shetuki by the label of beduki.

4:3 All those for whom it is prohibited to enter into the congregation, i.e., to marry a Jew of unflawed lineage, are permitted to marry into each other's families. Rabbi Yehuda prohibits them from marrying anyone other than those who share their specific flaw. Rabbi Eliezer says: It is permitted for those with definite flaws to marry with those with definite flaws. For example, it is permitted for mamzerim and Gibeonites to marry each other. By contrast, it is prohibited for those with definite flaws, such as mamzerim, to marry with those whose flaws result from an uncertainty, such as a child of unknown paternity [shetuki] and a foundling; and it is prohibited for those whose flaws result from an uncertainty to marry with those with definite flaws; and it is prohibited for those whose flaws result from an uncertainty to marry with those whose flaws result from an uncertainty, such as a shetuki and a female shetuki. And these are the ones whose flaws result from an uncertainty: A shetuki, a foundling, and a Samaritan.

4:4 A priest who marries a woman who is the daughter of a priest must investigate with regard to her background, i.e., he must check previous generations of her family tree from both the maternal and paternal sides, for four mothers, which are eight. How so? He investigates the lineage of her mother, and the mother of her mother, and the mother of her mother's father, and her mother, i.e., the mother of her mother's father's mother. And he also investigates the lineage of the mother of her father, and her mother, i.e., the mother of her father's mother, and the mother of her father's father, and her mother i.e., the mother of her father's father's mother. If he seeks to marry a Levite woman or an Israelite woman, he adds to these an investigation of mothers of one additional generation.

4:5 With regard to these investigations, one need not investigate from the

altar and above. If his ancestors included a priest who served at the altar, one checks no further, as the court would have investigated his lineage before allowing him to participate in the Temple service. Nor do they check from the platform, used by Levites for singing in the Temple, and above, nor from the Sanhedrin and above, since only one whose lineage has been examined and who was found to be fit can be appointed to the Sanhedrin. And similarly, anyone whose ancestors held public posts, and anyone whose ancestors were charity collectors, may marry into the priesthood, and there is no need to investigate their lineage, since no one of flawed lineage would be appointed to those positions. Rabbi Yosei says: Even the descendants of one who had signed as a witness in the old court [ba'arki] of Tzipori do not need to have their lineage investigated. Rabbi Hanina ben Antigonus says: Even the descendants of one who was written in the army list [be'isteratya] of the Jewish king do not need to have their lineage investigated.

4:6 The daughter of a male halal is unfit to marry into the priesthood forever. In other words, all daughters of male descendants of a halal are prohibited from marrying priests, as they have the status of halalot. If there was an Israelite who married a halala, his daughter is fit to marry into the priesthood, whereas if there was a halal who married a Jewish woman, his daughter is unfit to marry into the priesthood. Rabbi Yehuda says: The daughter of a male convert is like the daughter of a male halal, and she is also prohibited from marrying into the priesthood.

4:7 Rabbi Eliezer ben Ya'akov disagrees and says: If there was an Israelite who married a female convert, his daughter is fit to marry into the priesthood, and similarly if there was a convert who married a Jewish woman, his daughter is fit to marry into the priesthood. But if there was a male convert who married a female convert, his daughter is unfit to marry into the priesthood. With regard to both converts and emancipated Canaanite slaves, their daughters are unfit to marry into the priesthood even up to ten generations. This halakha applies to the offspring until his mother is born Jewish. Rabbi Yosei says: Even if there was a male convert who married a female convert, his daughter is fit to marry into the priesthood.

4:8 One who says: This son of mine is a mamzer, e.g., if he claims that the son was born to one forbidden to him by a prohibition that carries the punishment of karet, he is not deemed credible to render him a mamzer. And even if both of them, the father and the mother, admit that a fetus in her womb is a mamzer, they are not deemed credible. Rabbi Yehuda says: They are deemed credible.

4:9 In a case of one who authorized his agent to betroth his daughter to a man that the agent would deem fit, and the father went and betrothed her to someone else, if his betrothal preceded that of the agent, his betrothal is a valid betrothal; and if the betrothal of his agent preceded his own, the betrothal of the agent is a valid betrothal. And if it is not known whose betrothal came first, both men who might have betrothed her give her a bill of divorce in order to render her permitted to marry someone else. And if they wish and agree between them, one gives a bill of divorce and the other marries her. And similarly, with regard to a woman who authorized her agent to betroth her and she then went and betrothed herself to someone else, if her own betrothal

preceded that of the agent, her betrothal is a valid betrothal, and if that of her agent preceded hers, the agent's betrothal is a valid betrothal. And if they do not know whose betrothal came first, both men who may have betrothed her give her a bill of divorce. And if they wish, one may give a bill of divorce and the other marries her.

4:10 With regard to one who went overseas with his wife, and returned with his wife and children, and said: This is the woman who went overseas with me and these are her children, he is not required to bring proof with regard to the lineage of the woman, since her lineage was already investigated at the time of their marriage, nor with regard to the lineage of the children. If he returned without the woman and said: My wife died and these are her children, he must bring proof that the children were born to his wife, but he does not need to bring proof with regard to the lineage of the woman.

4:11 If he left when he was unmarried and said upon his return: I married a woman overseas, and this is she, and these are her children, he must bring proof with regard to the lineage of the woman, but he is not required to bring proof with regard to the lineage of the children. If he said: I married a woman overseas and she died, and these are her children, he is required to bring proof with regard to both the lineage of the woman and the children.

4:12 A man may not be secluded with two women lest he sin with them, but one woman may be secluded with two men. Rabbi Shimon says: Even one man may be secluded with two women when his wife is with him, and in that situation he may even sleep in the same inn with two women, because his wife guards him from sinning with them. They further said that a man may be secluded with his mother, and with his daughter, and sleep alongside them with bodily contact without clothes, since there is no concern that they will engage in sexual intercourse. And when they, the son or daughter, have grown up, this one sleeps in her garment and that one sleeps in his garment, but they may share a bed.

4:13 A bachelor may not act as a teacher of children, nor may a woman act as a teacher of children. Rabbi Elazar says: Even one who does not have a wife may not act as a teacher of children.

4:14 Rabbi Yehuda says: A bachelor may not herd cattle, nor may two bachelors sleep with one covering, lest they transgress the prohibition against homosexual intercourse, but the Rabbis permit it. Anyone who has professional dealings primarily with women may not be secluded with women. There is more of a concern that such a man might sin due to his familiarity with the women. And a person may not teach his son a trade that necessitates frequent interaction with women, for the same reason. With regard to teaching one's son a trade, Rabbi Meir says: A person should always teach his son a clean and easy trade and pray for success to the One to Whom wealth and property belong, as ultimately there is no trade that does not include both poverty and wealth, since a person can become rich from any profession. Poverty does not come from a particular trade, nor does wealth come from a particular trade, but rather, all is in accordance with a person's merit. Therefore, one should choose a clean and easy trade, and pray to God for success. Rabbi Shimon ben Elazar says: Have you ever seen a beast or a bird that has a trade? And yet they earn their livelihood without anguish. But all these were created only to serve me,

and I, a human being, was created to serve the One Who formed me. Is it not right that I should earn my livelihood without anguish? But I, i.e., humanity, have committed evil actions and have lost my livelihood. This is why people must work to earn a living. Abba Guryan of Tzadyan says in the name of Abba Gurya: A person may not teach his son the trades of a donkey driver, a camel driver, a pot maker, a sailor, a shepherd, or a storekeeper. The reason for all these is the same, as their trades are the trades of robbers; all of these professions involve a measure of dishonesty and are likely to lead to robbery. Rabbi Yehuda says in Abba Gurya's name: Most donkey drivers are wicked, since they engage in deceit, and most camel drivers, who traverse dangerous places such as deserts, are of fit character, as they pray to God to protect them on their journeys. Most sailors are pious, since the great danger of the seas instills in them the fear of Heaven. The best of doctors is to Gehenna, and even the fittest of butchers is a partner of Amalek. Rabbi Nehorai says: I set aside all the trades in the world, and I teach my son only Torah, as a person partakes of its reward in this world and the principal reward remains for him in the World-to-Come, which is not true of other professions, whose rewards are only in this world. Furthermore, if a person comes to be ill, or old, or undergoes suffering, and is unable to be involved in his trade, behold, he dies in hunger. But with regard to the Torah it is not so, since one can study it under all circumstances. Rather, it preserves him from all evil and sin in his youth, and provides him with a future and hope in his old age. The mishna explains: With regard to his youth, what does it say about a Torah scholar? "But they that wait for the Lord shall renew their strength" (Isaiah 40:31). With regard to his old age, what does it say? "They shall still bring forth fruit in old age" (Psalms 92:15), and it likewise states with regard to Abraham our forefather: "And Abraham was old, well stricken in age; and the Lord had blessed Abraham in all things" (Genesis 24:1). We found that Abraham our forefather fulfilled the entire Torah before it was given, as it is stated: "Because that Abraham listened to My voice, and kept My charge, My commandments, My statutes, and My laws" (Genesis 26:5), which indicates that Abraham observed all the mitzvot of his own accord and was rewarded in his old age as a result.