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**Mishna**

If someone said, “I accept upon myself to give the worth of my arm,” they evaluate his worth with his arm and what he would be worth without his arm (*and he gives the difference*). In this respect, vows of worth are more stringent than *arachin* (*for if one declares to give the erech of his arm, he gives nothing, for erech wasn’t said on limbs*). (19b)

**Evaluating One with a Missing Limb**

The *Gemora* asks: How do we evaluate him?

Rava said: We evaluate him as one evaluates in the case of injury. [*He is looked upon as if he were a slave to be sold in the market, and they assess how much he was worth (before the injury – when his arm was cut off) and how much he is worth now.*]

Abaye asked: Are the two cases alike? There the man is reduced in value (*and when they evaluate him, although they attempt to envision him as one with two hands, his presence now diminishes that appearance, and they evaluate him less than his true value*) here he is an impressive person (*and therefore the difference between before and now would be greater than the case of injury*)!?

Rather, said Abaye: They evaluate how much a man would give for a slave who does his work with only one hand as opposed to what he would give for a slave who does his work with both hands (*and he pays the difference*).

The *Gemora* asks: With one hand? If the other is cut off, that is the very same case of injury just mentioned!?! Rather, he is referring to a case where one of his hands is assigned to his former master (*and he can only work with one hand for his current master; the difference between such a case and one where he can work with two hands is what he gives to hekdesh*).

Rava inquired: If they have evaluated him regarding a case of injury, and then he said, “I accept upon myself to give my worth,” what is the law? Do we say: ‘surely they have evaluated him once already’ (*and there is no need for a second evaluation*), or, is an evaluation by ten (*with regards to hekdesh*) different from an evaluation by three (*for a case of injury*)?

And if you would conclude that the evaluation by ten is different from one by three (*and therefore a new evaluation would be necessary*), what would be the law if he said, “I accept upon myself to give my worth,” and he was evaluated, and then he said again, “I accept upon myself to give my worth”? Since ten have already evaluated him there is no necessity for a second evaluation, or perhaps his value may have increased in the meantime!

And if you were to conclude that his value has increased in the meantime, what is the law if he said, “I accept upon myself to give my worth,” and they did not evaluate him, and then he again said, “I accept upon myself to give my worth”? Do we say that in this case he is surely to be evaluated once

for both vows, or perhaps, since he vowed one time after the other, he should be evaluated twice?

And if you were to conclude that because he vowed one time after the other, he is to be evaluated twice, what would be the law if he said twice, "I accept upon myself to give my worth"? Do we say he has definitely vowed at the same time and therefore he should be evaluated only once, or perhaps, since he vowed twice, it is to be as if he had vowed one time after the other?

And if you find reason to conclude that since he vowed twice, it is to be as if he had vowed one time after the other, what is the law if they had evaluated him incidentally (*without any specific reason in mind*)? Do we say that behold he has been evaluated, or do we require intent for an evaluation (*in order to be valid*)?

The *Gemora* notes that we can resolve at least one of these inquiries, for we learned in a *Mishna*: If one said, "I accept upon myself to give my worth" and died, the heirs are not required to give anything, because a dead man has no value. Now, if you were to say that if they had evaluated him incidentally, the evaluation would be considered valid, then he too, stands evaluated already, for is there a person who is not worth at least four *zuz* (*and that is what the heirs should be required to pay*)!?

The *Gemora* rejects the proof, for the one evaluated incidentally has been evaluated at any rate, (*even though there was no intent*), but the one who said, "I accept upon myself to give my worth" and then he died, he has never underwent an evaluation at all. (19b – 20a)

## Mishna

There is a stringency by *arachin* that does not apply by vows of worth. What is that? If one said, "I accept upon myself to give my *erech*," and then he dies, his heirs must pay it (*for his*

*erech is fixed from the Torah*), but if he said, "I accept upon myself to give my worth," and then he dies, his heirs do not need to pay anything, because dead people have no value (*and since he wasn't evaluated when he was alive, there is no obligation*).

If he said, "I accept upon myself to give the *erech* of my hand or foot, he has said nothing (*for the Torah does not fix the value of limbs by arachin*), but if he said, "I accept upon myself to give the *erech* of my head or of my liver," he must pay his entire *erech*. This is the general rule: Whenever he vowed to give the *erech* of something on which his life depends, he must pay his *erech* in full.

If he said, "I accept upon myself to give half of my *erech*," he must pay half his *erech*, but if he said, "I accept upon myself the *erech* of half of me," he must pay his entire *erech* (*for half of himself is no less than any vital organ*). If he said, "I accept upon myself to give half of my worth," he must pay half his worth. If he said, "I accept upon myself to give the worth of one half of me," he must pay his entire worth. This is the general rule: If he vowed the worth of anything on which his life depends, he must pay his entire worth.

If he said, "I accept upon myself to give the *erech* of So-and-so," and both the vower and the subject of the vow died, then the heirs must pay it. If he said, "I accept upon myself to give the worth of So-and-so," and the vower died, the heirs must pay for it. However, if the subject of the vow died, the heirs do not need to pay anything because dead people have no value. (20a)

## Evaluations by Arachin

The *Gemora* cites a *braisa*: There are stringencies by *arachin* that do not apply by vows of worth, for vows of worth apply to domestic and wild animals, and birds, and are not evaluated according to sufficiency of means, whereas, it is not so regarding *arachin*. There is a stringency by *arachin*

more than a vow of worth. What is that? If one said, "I accept upon myself to give my *erech*," and then he dies, his heirs must pay it (*for his erech is fixed from the Torah*), but if he said, "I accept upon myself to give my worth," and then he dies, his heirs do not need to pay anything, because dead people have no value (*and since he wasn't evaluated when he was alive, there is no obligation*).

The *braisa* had stated: If one said, "I accept upon myself to give my *erech*," and then he dies, his heirs must pay it. We may infer from here that an oral debt may be collected from the heirs.

The *Gemora* deflects the proof, for it is different here, because it is a debt arising from the law of the Torah.

The *Gemora* then suggests that we may infer from here that a debt arising from the law of the Torah is the same as one acknowledged in a document of indebtedness.

The *Gemora* deflects this proof, for here we are dealing with a case where he stood in judgment before the court.

The *Gemora* asks: Then, in the same situation, where he had said, "I accept upon myself to give my worth" (*and then he died*), if he stood in judgment before the court, why should the heirs not have to pay?

The *Gemora* answers: It is because of the following reason: in the case where he says, "I accept upon myself to give my worth" he still lacked appraisal, whereas in the case where he had said, "I accept upon myself to give my *erech*," he lacks nothing.

The *Mishna* had stated: If he said, "I accept upon myself to give the *erech* of my hand or foot, he has said nothing.

Rav Giddal said in the name of Rav: And he must pay its worth.

The *Gemora* asks: But the *Mishna* said that he has said nothing?

The *Gemora* answers: He has said nothing according to the Rabbis, but he must pay according to Rabbi Meir (*for R' Meir holds that no man utters his words in vain, and therefore he must have had in mind its value*).

The *Gemora* asks: But he has said that once already, for Rav Giddal said in the name of Rav: If someone said, "I accept upon myself to give the *erech* of this vessel," he must give its value?

The *Gemora* answers: You might have thought that there he must pay its value, because a man knows that a vessel is not subject to *arachin*, and therefore he had obviously resolved to give its amount, but here he was really mistaken, in that he believed that just as there is an *erech* to one's head or liver, there is one to one's foot or hand, but he never resolved to give its worth; therefore he informs us that he must give its worth (*even by "his hand or foot"*).

The *Mishna* had stated: This is the general rule: Whenever he vowed to give the *erech* of something on which his life depends, he must pay his *erech* in full.

The *Gemora* notes that this includes (*a vow where he said*) from the knee and up.

The *Gemora* cites a *braisa*: If a man said, "I accept upon myself to give half my *erech*," he must give half of his value. Rabbi Yosi the son of Rabbi Yehudah says: He receives lashes and must give his full value.

The *Gemora* asks: Why should he receive lashes?

Rav Pappa explains: [*He does not receive lashes.*] He suffers the fact that he needs to pay the full value. The reason for this is as follows: We decree regarding a vow of "half of my *erech*" because of its possible confusion with the vow of

“*erech* of my half,” and the vow of “*erech* of my half” is tantamount to the *erech* of something on which one’s life depends (*and therefore he must give his full erech*).

The *Mishna* had stated: This is the general rule: Whenever he vowed to give the worth of something on which his life depends, he must pay his *erech* in full.

The *Gemora* notes that this includes (*a vow where he said*) from the knee and up. (20a – 20b)

### Half an Erech

The *Gemora* cites a *braisa*: If one vows to give half the *erech* of a vessel, Rabbi Meir says that he must give its full value, whereas the Sages say he need not pay anything.

The *Gemora* relates: Rabbah was ill. Abaye and the Rabbis entered his home. They were sitting and saying: It is understandable according to Rabbi Meir, for he maintains that no man utters his words in vain (*for no purpose whatsoever*), and there is no difference whether he said ‘one half’ or the ‘entire vessel,’ But the difficulty is with the opinion of the Sages. What is their view? If they hold that a man does utter his words in vain, then he should be exempt from any obligation to pay even if he declared a vow regarding the *erech* of an entire vessel, and if they maintain that a man does not utter his words in vain, then he ought to pay even though he vowed to give half of its *erech*?

Rabbah answered them: The Sages here hold in accordance with Rabbi Meir and with Rabbi Shimon: They hold like Rabbi Meir that no man utters his words in vain, and they agree with Rabbi Shimon who holds that he (*a person who vowed to bring a minchah made out of barley*) is exempt because he did not make a pledge in the manner proper to those that make pledges. It is normal for one to pledge the value of an entire vessel, but it is not normal to pledge the value of only half a vessel. (20b)

### Died after the Erech

The *Mishna* had stated: If he said, “I accept upon myself to give the *erech* of So-and-so,” and both the vower and the subject of the vow died, then the heirs must pay it.

The *Gemora* asks that since the case is presumably explained by saying that he stood in judgment before the court (*and that is why his heirs are responsible*), how is this case different than what we have learned previously?

The *Gemora* answers that it is necessary because of the latter clause, which stated: If he said, “I accept upon myself to give the worth of So-and-so,” and the vower died, the heirs must pay for it. Now you might have thought that since there has been no evaluation, his possessions are not mortgaged, therefore we are informed that since he stood in judgment before the court, his possessions have automatically become mortgaged for the vow, and the evaluation (*which will take place*) serves merely to reveal the amount owed. (20b)

### Mishna

If one said, “This ox shall be an *olah* offering,” or, “This house shall be an offering” (*that its proceeds should be used for the upkeep of the Temple*), and the ox died or the house collapsed, he does not have to pay. If he said, “I accept upon myself that this ox shall be an *olah* offering,” or, “I accept upon myself that this house shall be an offering,” and the ox died or the house collapsed, he must pay. (20b)

### Ox for an Olah

Rabbi Chiya bar Rav said: This has been taught only for the case where he said, “I accept upon myself that the worth of this ox shall be an *olah* offering,” but if he said, “I accept upon myself that this ox shall be an *olah* offering,” since he had



said 'this,' and it died, he is not obligated to make restitution for it, for he merely obligated himself to bring this ox to the Temple.

The *Gemora* asks from a *braisa*: If he said, "This ox shall be an *olah* offering," then the ox is sacred property and the law of *me'ilah* (one who has unintentionally benefited from *hekdesh* or removed it from the ownership of the *Beis Hamikdash* has committed the transgression of *me'ilah*, and as a penalty, he would be required to pay the value of the object plus an additional fifth of the value; he also brings a *korban asham*) applies to it. If it dies or if it was stolen, he is not obligated to make restitution for it. But if he said, "I accept upon myself that this ox shall be an *olah* offering," the ox becomes sacred property and the law of *me'ilah* applies to it. If it died or if it was stolen, he is obligated to make restitution for it.?

The *Gemora* answers: Is this teaching any stronger than our *Mishna*? Just as there we understand it to be referring to the case where he said, "I accept upon myself that the worth of this ox shall be an *olah* offering," so too here as well, the reference is to the case where he said, "I accept upon myself that the worth of this ox shall be an *olah* offering."

The *Gemora* asks: But since the latter part of that *braisa* speaks of the case where he said 'its worth,' the first case must be referring to one where he did not say 'its worth'!? For the latter part reads as follows: If he said, "The worth of this ox shall be an *olah* offering," then the ox remains unconsecrated and the law of *me'ilah* does not apply to it. If it dies or was stolen, he is not obligated to make restitution for it. He is, however, obligated to make restitution for its worth (*where the ox was sold and the proceeds were lost*).

The *Gemora* answers: Both the first and the second part are dealing with a case where he said 'its worth,' but in the first case he said, "This ox should be sanctified (*immediately*) in respect of its value," and in the second he said, "The

proceeds of this ox should be sanctified when they are realized."

The *Gemora* asks: But how can a man sanctify a thing that is not presently in this world (*the money that the ox will eventually be sold for*)?

Rav Yehudah answered in the name of Rav" This is in accordance with Rabbi Meir who said that a man may sanctify a thing that is not in existence. (20b)

## DAILY MASHAL

### *Haman's Calculation*

It is conveyed in the name of Rabbi Avraham, the Vilna Gaon's brother: Why did Haman want to give Achashveirosh 10,000 *kikar* of silver? The calculation is thus: The greatest value in *'erchin* is 50 *shekel*, which is a hundred half-shekels. The silver collected from the 600,000 Jews who each gave a half-shekel amounted to a hundred *kikar* of silver, from which they made the sockets of the Sanctuary. It thus turns out that to give their value according to *'erchin*, one must pay 10,000 *kikar* in silver.