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May the studying of the Daf Notes be a zechus for their neshamot and may their souls find peace in Gan Eden and be bound up in the Bond of life

**Mishna**

The law of *arachin* is at times in the direction of leniency, at others in the direction of stringency. The law of the ancestral field is at times more lenient, at others more stringent. The law concerning a *mu’ad* ox that has killed a slave is at times more lenient, at others more stringent. The law of the violator and seducer and of a defamer is at times more lenient, at others more stringent.

The *Mishna* explains: The law of *arachin* is at times more lenient, at others more stringent. How is that? If one declared an *erech* vow regarding the handsomest man in Israel, or the ugliest in Israel, he must pay fifty *sela’im* (whether he is worth one hundred manehs or five *sela’im*), but if he said, “I vow to give his worth,” he gives his worth. (13b)

**Arachin – Stringent and Lenient**

The *Mishna* had stated: The law of *arachin* is at times more lenient, at others more stringent. How is that? If one declared an *erech* vow etc. [regarding the handsomest man in Israel, or the ugliest in Israel].

The *Gemora* infers from here that an *erech* vow would not take effect if the subject was an idolater.

This, the *Gemora* suggests will not be in accordance with Rabbi Meir, for it was taught in a *Mishna*: An idolater,

according to Rabbi Meir, can be made the subject of an *erech*, but cannot declare an *erech* vow.

The *Gemora* deflects this and says that the *Mishna* may be in accord with Rabbi Meir, and that the same law would apply to idolaters, but our *Mishna* is informing us incidentally of a teaching stated by Rav Yehudah, who said it in the name of Rav: One is forbidden to say: How beautiful is this Canaanite!

The *Gemora* asks: Then let the *Mishna* say: an *erech* vow regarding the handsomest man in Israel, or the ugliest among the Canaanites?

The *Gemora* answers: It deals with one nation, not with two nations. (13b – 14a)

**Mishna**

The previous *Mishna* had stated: The law of the ancestral field is at times more lenient, at others more stringent. How is that? Whether a man consecrates a field near the perimeter of a city (the ground of which is continually trodden on and therefore it is worth less), or whether one consecrates in the vineyards of Sebaste (which are of excellent quality), (if he would redeem it) he must pay fifty *shekalim* of silver for an area of the field sufficient for the sowing of a *chomer* of barley (approximately 75,000 square cubit); however, if it was a field which he has purchased, he must pay (when he redeems it) what it is worth. Rabbi Eliezer says: Whether it is a purchased field or of an ancestral field (he redeems it according to the fixed price of fifty *shekalim* of silver for an area of the field sufficient for the sowing of a



*chomer of barley*). The only difference between an ancestral field and that which he has purchased is as follows: For an ancestral field he (*the owner*) must pay an added-fifth (*when he redeems it*), whereas for a field that he purchased, he need not pay the added fifth. (14a)

## Redemption

Rav Huna said: If a man consecrated a field full of trees, he must, when he comes to redeem them, redeem the trees for what they are worth, and then redeem the ground at the rate of fifty *shekalim* of silver for an area of the field sufficient for the sowing of a *chomer* of barley.

The *Gemora* notes that it would seem that Rav Huna holds that one who consecrates, consecrates with a generous eye (*and he wishes to consecrate them separately, for if he consecrates them together, he would redeem the trees as part of the field*).

Rav Nachman asked to Rav Huna from our *Mishna*: Whether a man consecrates a field near the perimeter of a city (*the ground of which is continually trodden on and therefore it is worth less*), or whether one consecrates in the vineyards of Sebaste (*which are of excellent quality*), (*if he would redeem it*) he must pay fifty *shekalim* of silver for an area of the field sufficient for the sowing of a *chomer* of barley. [*Now, even though there are vines in the vineyards, he still redeems them together with the land!?*]

He answered: The *Tanna* is referring to fields that are fit to be vineyards (*but there are no vines there yet*).

He then asked him from the following *braisa*: *an area of a field sufficient for the sowing of a chomer of barley*. From this I know only (*the rule of redeeming with the fixed rate*) in the case of a field for sowing; from where do we know it concerning a field of vines, or a field of cane, or a field of

trees? Therefore it is written: *a field*, i.e., as long as it is a field!

Rav Huna replied: Here too, he redeems (*the trees according to their value*), and then redeems (*the field*) again (*according to the fixed rate*).

He asked further from the following *braisa*: If a man consecrates three trees in a field where ten trees are planted to a *beis se'ah* (*a tree sucks nutrients 16 amos on each side of it; this produces an area of 250 square amos*), he automatically consecrates the soil and the small trees between them. Therefore if he wants to redeem them, he must do so (*like the Torah prescribes for an ancestral field*) at the rate of fifty *shekalim* of silver for the planting ground of a *chomer* of barley. If they are planted closer together or farther apart than this, or if he consecrates them one after another, he has not consecrated the soil and the trees between them. Therefore if he wants to redeem them, he redeems the trees according to their market value (*and not in the manner described above for an ancestral field*). And furthermore, even if he first consecrates the trees (*one after another*) and then consecrates the soil, when he wants to redeem them, he must redeem the trees at their actual market value and then redeem the soil at the rate of fifty *shekalim* of silver for the planting ground of a *chomer* of barley. [*The first ruling of the braisa contradicts Rav Huna's teaching.*]

The *Gemora* suggests and immediately rejects a possible solution: And if you were to say that here too, he redeems and then must redeem again; but surely since the second clause explicitly states that he must redeem and redeem again, it follows that in the first clause this is not so!

Rav Huna answers: Rather, we must say that this *braisa* is in accordance with Rabbi Shimon, who holds that one who consecrates does so with a stingy eye, for it was taught in a *braisa*: If one consecrates a field, he consecrates all of it (*everything that is in it – even items that would not be*

included in a sale). Rabbi Shimon says that when one consecrates a field, only the grafted carob tree and cut sycamore tree are included (*for those are extremely large and draw their nourishment from the land (see Insights below), but everything else is not included, for one consecrates in a stingy manner; here as well – he is consecrating the trees and all of the land in between them in such a manner that when he redeems them, he redeems them all together as one*).

The Gemora asks: If this is in accordance with Rabbi Shimon, let us consider the second clause: Now if this *braisa* is following the opinion of Rabbi Shimon, it should go according to the time of the redemption, so that the trees should be redeemed as part of the land (*at the rate of fifty shekalim of silver for the planting ground of a chomer of barley*)! For we learned in the following *braisa* that Rabbi Shimon goes according to the time of redemption (*in determining how it should be redeemed*): How do we know that if a man buys a field from his father and then sanctifies it and his father subsequently dies, it is reckoned as “an ancestral field”? (A “*sedeh achuzah*,” an ancestral field is one that has been in his family since the original division of Eretz Yisroel in the times of Yehoshua. If he consecrates such a field, he has the right to redeem it before Yovel. If he chooses not to, it may be sold to anyone, and the field is returned to *hekdesh* by the next Yovel. They, in turn, give the field to the Kohanim, and it then becomes their “*sedeh achuzah*.”) It is because it is written: *And if he sanctifies to Hashem a field which he has acquired, which is not of the field of his ancestral heritage*. This is referring to a field which is not capable of becoming an ancestral field (*such a field has the laws of an acquired field*), and we therefore exclude a field such as this one, which is capable of becoming an ancestral field; these are the words of Rabbi Yehudah and Rabbi Shimon. Rabbi Meir says: How do we know that if a man buys a field from his father and his father dies, and then he sanctifies it, it is reckoned as “an ancestral field”? It is because it is written: *And if he sanctifies to Hashem a field which he has acquired, which is not of the field of his ancestral heritage*. This is referring to a field which is not his ancestral field at the time of

consecration, and we therefore exclude a field such as this one, which is his ancestral field at the time of consecration. (*However, a field which he sanctifies before his father dies is treated as an acquired field, not like Rabbi Yehudah and Rabbi Shimon.*) Now how do Rabbi Yehudah and Rabbi Shimon know that if he sanctifies a field and then his father dies that it is regarded as an ancestral field? It cannot be derived from the verse just quoted, for perhaps the verse justifies only Rabbi Meir’s ruling (*that it is like an ancestral field if he sanctifies it after his father dies*). We must therefore say that they rule in this manner because they go according to the time of redemption (*when it belongs to the son*)!?

Rav Nachman bar Yitzchak said: In general, Rabbi Yehudah and Rabbi Shimon do not go according to the time of redemption, but in this case they do for they found another text to expound from (*and therefore derived both cases from these verses*). If the Torah would have only wanted to exclude the case where the son sanctifies the field after the father died, it could have merely said: *And if he sanctifies to Hashem a field which he has acquired, which is not his ancestral heritage*. Why did the Torah have to write the seemingly superfluous words, “*of the field*” of his ancestral heritage? He therefore excludes from there even a field which is capable of becoming an ancestral field (*if he sanctifies the field and then his father dies*). (14a – 14b)

## INSIGHTS TO THE DAF

### ***The Grafted Carob and Cut Sycamore***

Rabbi Shimon says that only the grafted carob and cut sycamore are included in a consecrated field, since they take nourishment from the consecrated field.

The Rashbam (Bava Basra 71a) explains that since they take nourishment from a consecrated field, they themselves



become consecrated, similar to the rule that something that grows from consecrated seeds is itself consecrated.

The Rashba and Ran, however, explain that since these trees take nourishment from the consecrated land, we assume the owner included them in the consecration. The difference between these explanations would be a case where the owner chopped down these trees right after consecrating the field. According to the Rashbam, the trees would not be consecrated, since they did not take nourishment from the consecrated field. According to the Rashba and Ran, the trees would still be consecrated, since the estimation of the owner's intent is the same.

## HALACHOS OF THE DAF

### *An Ancestral Field*

*S'dei Achuzah* is a field in Israel that was inherited throughout the generations, from the time of Yehoshua. If it has the specific parameters, which will be elaborated below, then there are unique laws when someone consecrates this type of field. Usually, a field that is *hekdesh*, may be redeemed at full value (if redeemed by the owner, then he must pay an additional fifth of the value). However a *S'dei Achuzah*, has a specific price tag.

**Dimension:** 75,000 square *amos* of land, which can be planted upon. This size enables one to plant a *chomer* (30 *se'ah*) of barley.

**Price:** 50 *shekalim* for the entire 50 years of *Yovel*. This price is for each *chomer*. If the field is the size of ten *chomers*, then the price would be 500 *shekalim* for the entire 50 years. This is the amount one pays, regardless of the field's real value.

As mentioned, the price of 50 *shekalim* is for the entire 50 years. This means, in a case where person redeemed the

field, within the first year after *Yovel*, then he has to pay that amount. However, if for example there are only 8 years left to *Yovel*, then he has to pay 8 *shekalim* (plus 8 *pundyons*). If there are 4 years left, then he has to pay 4.

He cannot pay a *shekel* a year; rather, he must pay the entire amount when he redeems the field.

One may not redeem the field within the last year before *Yovel*, nor on *Yovel*. One may not consecrate the field on *Yovel*.

If there are trees on the field, although they are also *hekdesh*, they must be redeemed separately, at their own price. If there are 3 trees in a *beis se'ah*, and he did not specify that he is only consecrating the trees, then he consecrated the trees, the ground and the little trees in between, and they are part of the *S'dei Achuzah*. Meaning, they don't need to be redeemed separately; rather, they are included in the 50 *shekalim*. However, if the 3 trees were planted closer or further apart (i.e. each tree has either more or less space than 250 square *amos*), or he consecrated the 3 trees one after another, then the *halachah* is that the ground and the little trees in between are not *hekdesh*, and the trees are redeemed at their regular value.

## DAILY MASHAL

### *He Who Embarrasses Is a Naval*

The Yerushalmi says (Sukkah, Ch. 5) that a *nevel* is so called because with its beautiful sound it "fouls" (*naval*) the other musical instruments. The Chidushei HaRim zt"l wondered: If so, it should have been called a *menabel* ("that which fouls others")! He replied that he who fouls others is himself foul...