**Tevul Yom, Chapter Four, Mishnah Five**

**Mishnah Five**

Originally they said: one may redeem [second tithe] for the produce of an am ha-arez.

Later they reconsidered and said: also for money of his.

1. Originally they said that if a man was being led out to execution and said, “Write a get for my wife”, they may write a get and give [it to her].
   1. Later they reconsidered and said, even if he were leaving on a sea voyage or on a caravan journey.
   2. Rabbi Shimon Shezuri says: even if he were dangerously ill.

***Explanation***

**Section one**: Originally they said that a "haver" a person who observes the tithing and purity laws can take produce from an am haaretz and redeem the second tithe that is in it. Second tithe must be brought to Jerusalem and eaten there. To make this easier, one is allowed to redeem the second tithe for money and then use that money to buy food in Jerusalem. In this way the produce becomes desacralized. The mishnah describes an am haaretz, one who doesn't observe these laws, who then gives his produce to a haver so that the haver can redeem the second tithe. The haver can then take out the second tithe and redeem it for money. He need not be concerned that all of the produce that the am haaretz gave him was tithe from which second tithe cannot be redeemed.

**Section two**: They then were more lenient and said that even if the am haaretz gave him money to redeem, meaning instead of giving him the produce the am haaretz gave him the money so that the haver could turn it into maaser sheni (second tithe) the haver could still do this. We are not concerned that the money the am haaretz gave him was already second tithe money, which could not be used to redeem produce.

Besides the particulars of this mishnah, which are always interesting, I think it is interesting that the mishnah portrays an am haaretz coming to the haver to receive help in separating second tithe. While I can't promise that this is historically accurate, it at least shows that the rabbis imagined themselves as providing religious services for the general, uneducated populace.

**Section two**: This section is found word for word in Gittin 6:5. My commentary here is the same as there.

Usually a husband must state that he wishes the get (the divorce document) to be written and given to the woman. However, in extenuating circumstances where the husband seems to have been facing immanent death, it is highly unlikely that when he instructed someone to write a get, he wanted the get to be written but not given to his wife. After all, why else would he want to write a get at this point? Therefore, one who hears the husband says “Write a get for my wife” may write it and even give it to her. At first the category of people facing immanent death included only a person being led out to execution. Later, they expanded the category to include one leaving for a sea voyage or a caravan journey. These men would have wanted to write out a get that would go into effect should they not return, not an unlikely scenario. This would prevent their wives from being left as “agunot” a woman who doesn’t know if her husband is alive or dead and therefore cannot remarry.

Rabbi Shimon Shezuri added that an agent who hears such a statement from a dangerously ill person may also write and give the get. This man may want to divorce his wife in order to exempt her from levirate marriage (if he was to do childless and with a brother she would have to undergo yibbum or halitzah). Again, it is very unlikely that a dying man would want to write a get but not give it to his wife, and therefore we are not concerned with such a possibility.