



A Kehilas Prozdor Publication

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	Candles	Mincha	DafYomi	Shiur	Shacharis
Friday	4:36	4:48	7:45	8:15	
Shabbos		4:36	3:30	4:00	9:00
Sunday		4:52	5:25		7:30

פרשת: שמות

IMPORTANCE OF

The *Gemara* (*Bava Metzia* 24a) states that if one saves an object from the tides of the sea, he may keep it, because the owners have definitely given up hope of retrieval. The *Panim Yafos* explains that after Moshe Rabbeinu had grown, he was brought to live with פרעה בת, and the *Posuk* says: ויהי לה לבן – he became her son. How ? Since she had saved him מוטרטו של ים, she was permitted to “keep” him for herself. However, the *Torah* provides no facility for a man to sell his son as an עבד, the way he can sell his daughter. Nor can the master of a Jewish עבד sell him, as the *Mishna* (*Erachin* 28a) states that an עבד עברי is not the master’s property. If he can’t be sold by another, he can’t be made הפקר by another. How then could Amram have been מייאש from Moshe ? The *Rambam* (עבדים 9:2) rules that even if a Jewish father cannot sell his son as an עבד, a non-Jewish father can. With this degree of ownership over his son, it stands to reason that he can also be מייאש from him. The *Mishna L’Melech* (עבדים 8:13) quotes a *Yerushalmi* which says that if an עבד כנעני is condemned to die, and then the witnesses against him are found to be עדים זוממין, he “acquires himself” from הפקר, since his master undoubtedly was מייאש when his sentence was handed down. As such, viewing Moshe and Amram as בני נח, Amram was able to be מייאש from him, rendering him הפקר, and בת פרעה was then able to acquire him. פרשת דרכים asks how Avraham could have been מוסר נפש in Nimrod’s furnace if he was a בן נח, who is not obligated in *Kiddush Hashem*, concluding that Avraham was not a בן נח. If so, all the baby boys thrown into the סוף ים should have been מוסר נפש. As בת פרעה found that Moshe was not מוסר נפש, she assumed him to be a בן נח and acquireable.

QUESTION OF THE WEEK:

When would a victorious defendant be required to reimburse some court costs to the plaintiff in a *Din Torah* ?

ANSWER TO LAST WEEK:

(Which *brocho* rebuts the theory of evolution ?)

The *Gemara* (כלאים 8:6) asks why the *Gemara* uses an ape as an example for the *brocho*: משנה את הבריות, since all animals differ from each other (משנה) somehow. He answers that *Chazal* explain how *Hashem* turned the sinners of דור הפלגה into apes, which is why they “ape” men. As such, משנה הבריות means “changes” creatures, referring to apes that were originally men.

DIN'S CORNER:

If two people enter willingly into a fight (e.g. wrestling or boxing match) and one knocks the other down and injures him, there is no liability because each one’s goal was simply to knock the other down and both knew from the start that injury was probable. (*Shulchan Aruch* חר”מ 421:5 see *SMA*)

DID YOU KNOW THAT

The *Sefer HaBatim* on the *Rambam* (p. 46) states in the name of “יש מי שכתב” that if one cleaned out a latrine or bathhouse well, it may be converted into a *Shul*, provided of course, there is no residual smell, and a change is made to the room, sufficient to qualify as a פנים חדשות (a new face). The *Machzeh Avraham* (27) held that a plaster or paint job was enough to satisfy this condition. However, the *Yerushalmi* (*Sotah* 8:7) defines those who may return from war under the “בית חדש” exemption, and excludes those who plastered or added windows, because, as the *Korban Eidah* explains, no change was made to the basic building. Some *Poskim* distinguish between בית חדש – which may require an actual new house, versus שינוי מעשה – which is satisfied with a significant change. The *Gemara* (*Eruvin* 53a) quotes a *Machlokes* between Rav and Shmuel over whether the words ויקם מלך חדש mean that a new king arose, or merely that a new policy was instituted. The *Toras Chaim* notes that according to the latter explanation, if one contracted to sell a “new house” and then delivered a renovated house that looked like new, the sale would be valid. An אבל, several months into mourning for his deceased mother, gave a garment to the tailor and asked him what he could do about the קריעה (tear) area. The tailor said he would replace the entire section, and did so. The question was raised, since mending of this kind was permitted only after the 12 months of אבלות (according to the *TaZ*), must the אבל re-tear the garment ? The *MaHarsham* (3:356), citing the *Toras Chaim* on ויקם מלך חדש, recommended that to satisfy all opinions, the garment should be re-dyed, thereby giving it the appearance, and thus the status of another garment, precluding the need to re-tear.

A Lesson Can Be Learned From:

A *Meshulach* arrived in a city and got in touch with a knowledgeable “driver” who was familiar with all the Jewish neighborhoods and knew where his “clients” would do best. As they turned onto a street with palatial homes, the *Meshulach* wondered why the driver did not stop at one of the more stately houses, particularly as it was so obviously “heimish”-looking. When asked, the driver replied that a wealthy miser lived there, from whom no one received a penny, because he was always “not at home”. The *Meshulach* told the driver that he wanted to try. When he rang the bell, the *Meshulach* noticed some movement and a moment later, the door was opened a crack by a young boy. When the *Meshulach* asked to see his father, the boy mumbled that his father wasn’t home. The *Meshulach* walked away disappointed, mostly at the fact that young children were being taught to lie. Upon returning to the driver, the *Meshulach* remarked: “I now understand a different *Pshat* in the *Gemara* (*Shabbos* 127a): גדולה הכנסת אורחים מקבלת פני שכונה – hospitality is greater than greeting the Divine presence. We see that when Moshe perceived the שכונה in the burning bush, he only hid his face. This miser, when presented an opportunity to do חסד was not content to hide his face, but hid his entire body!”

P.S. Sholosh Seudos sponsored this week by the Schmerhold family.

This issue is dedicated by Hadassah Kohl:

לז"נ יחזקאל מרדכי בן יצחק צבי (Marvin Teicher)

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