



	Candles	Mincha	DafYomi	Shiur	פרשת: שמיני שזק"ש	Shachris
Friday	7:08	7:18				9:46
Shabbos		1:45/7:03	6:00	6:55	9:00	9:45
Sunday		7:18	7:40		8:00	9:44

IMPORTANCE OF

The *Gemara* (*Chulin* 85b) relates that R' Chiya's flax became infested with worms while soaking in water. He came to Rebbi for advice and was told to slaughter a bird over the water, to draw out the worms from the flax as they attempted to avert the smell of the blood. R' Chiya did so, but did not cover the blood, as he did not intend to eat the bird, reflecting the position that all things, even living ones, were created for man to derive benefit. Accordingly, the *Shulchan Aruch* (5:14 אה"ט) rules that any necessary purpose, whether medicinal or otherwise, is not subject to the laws prohibiting **צער בעלי חיים** (pain to animals) and, as an example, it would be permitted to pluck feathers from a live goose (for the down) without concern over the possible pain. The *Rema* adds that still, people should/do not do so because it is cruel. Based on this *S'bra*, *Igros Moshe* (2:47 ח"מ) discusses how one should rid oneself of pests (mice, flies, bugs etc.), concluding that outright killing should be avoided. Laying traps and the like, except where there is an immediate need to protect children is recommended. Since the *Torah* states: **ונתן לך רחמים** - that *Hashem* will instill within you mercy after you destroy an **עיר הנדחת** and execute its inhabitants, we see that outright killing, however justified, has a negative effect on the soul. This distinction is used by the *Shvus Yaakov* (3:71) who rules that scientists may experiment with medicines on animals, even if the results might cause pain or death to the animal. Since the pain or death is not immediate, it is not the same as plucking feathers, which the *Rema* disapproved. Furthermore, the *Magen Avraham* (167:18 אר"ח) states that one must feed food to an animal before eating oneself, but not drink. The *Torah Temimah* explains that people eat food even when not hungry, so feeding an animal first will not necessarily cause human **צער**. However, people drink only when thirsty, implying that avoiding human **צער** is paramount to avoiding animal **צער**.

QUESTION OF THE WEEK:

When would the *Halacha* be that one should **לכתחילה** *daven* a weekday *Shemona Esrei* on *Shabbos* ?

ANSWER TO LAST WEEK:

(Who should not be the *Shliach Tzibur* on *Erev Pesach* ?)

The *Mishna Berurah* (470:2) states that a *Bechor* who fasts on *Erev Pesach* should say **ענו** during *Mincha*, and if there are 10 who are fasting, the **ש"ץ** should say it in *Chazoras HaShatz*. However, since it is not appropriate to mention the fast in public during *Nisan*, it is preferable that a *Bechor* not be the **ש"ץ**.

DIN'S CORNER:

Sefiras HaOmer may be counted in any language, as long as one understands what is being said. Even if one counts in *Lashon HaKodesh*, one will not be **יוצא** if he/she does not understand the words. Although one can be **יוצא** by listening to someone else, it is preferable for each person to count themselves. Even if one missed and can no longer say the *brocho*, it is still a *mitzvah* to count each night. (MB 489:5,36)

DID YOU KNOW THAT

The *Gemara* (*Pesachim* 93b) discusses the length of the period between dawn (**עמוד השחר**) and sunrise (**ץ**), concluding that it is the time necessary to walk 4 *Mil* – approximately 72 minutes. The *Gemara* adds that this is also the time between **שקיעה** (sunset) and **צאת הכוכבים** (nightfall). Although there is a conflicting *Gemara* (*Shabbos* 35a), *Rabbeinu Tam* rules accordingly, and those who abide by his opinion, will keep *Shabbos* and refrain from doing work on **מוצאי שבת** until 72 minutes past the **שקיעה**. Other opinions (the *Gaonim*) consider *Shabbos* to be over after 50 or 60 minutes have elapsed since **שקיעה**. Therefore, if a Jew regains ownership over his *Chometz* before the 72 minute mark has passed on **מוצאי פסח**, that *Chometz* might theoretically be considered **חמץ שעבר עליו הפסח** according to those who generally hold like *Rabbeinu Tam*, since it was owned by a Jew for those few remaining minutes. As such, how could one who keeps the 72 minute **זמן** purchase *Chometz* after *Pesach* from a Jewish storekeeper who sold his *Chometz* through a *Rav* who "bought" it back for him before 72 minutes ? The *Minchas Yitzchok* (10:43) states that those who generally keep the 72 minute **זמן** do not necessarily agree with *Rabbeinu Tam* that **צאת הכוכבים** begins only after 72 minutes. They could easily side with the *Gaonim*. However, because of the *Chumra* (strictness) of *Shabbos*, they accept upon themselves the additional time. Therefore, the 72 minute **זמן** was never intended to apply to the veracity of the *Chometz* sale. The same would hold true for someone who regularly keeps the 72 minute **זמן** but wishes/needs to count *Sefirah* at an earlier time. The *Shulchan Aruch* (489:2 אר"ח) states that the **"מדקדקים"** - those who are extra careful, always count *Sefirah* after **צאת הכוכבים**, implying that waiting for **צאת** is desirable, but still, only a *Chumra*. Certainly, where the 72 minute **זמן** is only an additional *Chumra* associated with doing **מלאכה** on **יום טוב** or **מוצאי שבת**, it has no application to *Sefiras HaOmer*.

A Lesson Can Be Learned From:

The MaHaram Schick, one of the foremost Talmidim of the Chasam Sofer, was tragically beset by blindness in his old age. He accepted the *Nisayon* without complaint, and bravely continued his intense Torah study by memory. One day, his *Shamash* noticed that the MaHaram Schick appeared to be somewhat depressed. The *Shamash* gently probed to discover what might be the cause, and the MaHaram sadly replied that he was disappointed in himself for not having studied more when he still had his eyesight, to prepare for this misfortune. The *Shamash* pointed out that there were never more than 24 hours in a day, and that the MaHaram could not have studied 25 hours a day, even if he had known what the future would bring. Although the MaHaram seemed to be pleased with the *Shamash's* response, he added that had he known that this would happen to him, he would have spent much more time studying, reviewing and remembering as much material as possible, than on creating *Chidushim*, which many Talmidei Chachomim seem so intent to focus on.

P.S. Sholosh Seudos sponsored by the Sternberg family.

This issue is dedicated:

לז"נ פערל ב"ר יצחק הלוי ולז"נ אברהם ב"ר יעקב חיים

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