



| | Candles | Mincha | DafYomi | Shiur | Shachris | ש"ש |
|---------|---------|-----------|---------|-------|----------|------|
| Friday | 7:15 | 6:40/7:25 | | | | 9:39 |
| Shabbos | | 1:45/7:10 | 6:00 | 7:00 | 9:00 | 9:38 |
| Sunday | | 7:25 | 7:45 | | 8:00 | 9:38 |

IMPORTANCE OF

The *Yerushalmi* (*Pesachim* 6:1) relates that Hillel traveled from Bavel to *Eretz Yisroel* in order to confirm the Halachic legitimacy of three *Derashos* that he had derived. The first was from the *Posuk*: *נרפא הנתק טהור הוא וטהרו הכהן*, where Hillel wished to explain why it was necessary for the *Posuk* to state that a *Nega* that had healed is *Tahor* and also that the *Kohen* must declare it *Tahor*. Hillel said that it was to teach us that a *Kohen's* declaration is always required, but that his declaration is only effective if correct. Thus, if a *Kohen* declares it *טהור* when it really isn't, his declaration is null. The *Yerushalmi* concludes this *Drasha* with the words: *על זה עלה הלל מבבל*, implying that for this *Drasha* alone Hillel left Bavel for *Eretz Yisroel*. What was there about this *Drasha* that motivated Hillel to do so ? The *Gemara* (*Berachos* 5b) quotes R' Yochanan as saying that afflictions of *Negaim* or childlessness are not *יסורין של אהבה*. This means that such afflictions are always punishments for misdeeds, rather than afflictions meted out by Hashem to increase one's Heavenly reward. The *Gemara* presents a *Posuk* which implies that *Negaim* are to be deemed *יסורין של אהבה*, and answers: *הא לן והא להו* – it may be *יסורין של אהבה* in Bavel, but not in *Eretz Yisroel*. *Rashi* explains that in *Eretz Yisroel*, someone afflicted with *Tzaraas* must be expelled from a (walled) city. Such embarrassment is too severe to be *יסורין של אהבה*. However, outside *Eretz Yisroel*, such as in Bavel, where there is no such requirement, they may very well be *יסורין של אהבה*. The *MaHarsham* suggests that the *Drasha* of *וטהרו הכהן* is to establish the power of speech, both to purify (*Kohen*) as well as to pollute (*Lashon HoRa*). However, this lesson would only be effective where the *Negaim* are meted out as punishment for *Lashon HoRa*, which will occur in *Eretz Yisroel*. In Bavel, the *Negaim* may simply be *יסורין של אהבה*. It was therefore necessary for Hillel to make the trip, to teach the lesson.

QUESTION OF THE WEEK:

Which gentile adult male do we accept for *Geirus*, knowing full well that he will not observe all the *mitzvos* ?

ANSWER TO LAST WEEK:

(When should one *daven* a weekday *Shemona Esrei* on *Shabbos* ?)

1) The *Shulchan Aruch* (א"ח 293:3) says that when necessary, one may *daven Maariv* for *Motzai Shabbos* after *Plag HaMincha*, but see *Mishna Berurah* who says one should not. 2) The *Shulchan Aruch* (א"ח 344:1) describes how one who is lost in the wilderness and doesn't know which day is *Shabbos*, should treat the 7th day as *Shabbos*. Every other day he treats as a weekday.

DIN'S CORNER:

One who rises from bed before dawn, should say *Birchos HaTorah*. Even if he goes back to sleep, he need not repeat the *Birchos HaTorah* later, because it is assumed that he had in mind for those *berachos* to be effective until he goes to sleep the following night. Some opinions hold that if one does repeat the *berachos*, he does not lose thereby. (MB 47:29)

DID YOU KNOW THAT

The *Mishna* (*Bava Metzia* 2a) states that when two people walk into *Beis Din* holding a *Talis*, each claiming it for their own, if they are holding it by its *Tzitzis*, *Beis Din* will rule that they split the *Talis*; if they are each holding part of the *Talis*, they will each receive that portion that they are holding, and split the rest, because, as *Tosafos* states, possession establishes a presumption of ownership. The *Rambam* (מלוה ולוה 1:4) rules that if a debtor tries to avoid collection by arguing that his possessions aren't really his (*i.e.* they're borrowed or rented), he is not believed. The *Magid Mishna* cites the *Ramban* who says it is because there is a *חזקה* that what one possesses is his. The *Mishna LaMelech* argues that such a *חזקה* is not clearly stated in the *Gemara*. Is that not the premise stated above ? The *Gemara* (*Chulin* 9b) derives the rule of *חזקה* from the *Posuk*: *וראה את הנגע וטימא הכהן את הבית* – the *Kohen* will see the *Tzaraas* growth on the house .. and he will [walk out and] declare the house *Tomay*. Why don't we consider that the size of the growth may have decreased as he walked out ? This proves that we follow a *חזקה* that things remain as they were before. But perhaps this proof from *נגעים* will only apply to something very recent. How do we know to rely on a *חזקה* that things are the same as they were a year or more ago, such as where a married woman claims her husband divorced her. Without proof (a *Get*) we do not disturb her earlier known status (married) and instead, we rely on a *חזקה* that this has not changed. Can this too be derived from *נגעים* ? The *Terumas HaDeshen* concluded that since *חזקה* is derived from a *Posuk*, there is no reason to distinguish between short-term and long-term. Yet, *וראה את הנגע* – actual seeing, is required to establish a baseline for the *חזקה*, just as proof of the married woman's earlier marital status is necessary to maintain her *חזקה* of being married. Such a *חזקה* exists without dispute. The *Nitra Rav* (R' Shalom Moshe Unger *ZTL*) suggests that the *Mishna LaMelech's* argument related specifically to a situation where the beneficiary of the *חזקה* (the debtor) was disputing application of the *חזקה* to his possessions. Since no baseline had been established and he was arguing against it, no such *חזקה* would ever be supported anywhere in the *Gemara*.

A Lesson Can Be Learned From:

A wealthy secular Jew died, leaving behind two sons who were Talmidei Chachomim. These sons approached the widow of a certain *Tzadik* who had died recently, and offered to pay off her many bills and loans if she would agree to allow their father to be buried next to her husband, the *Tzadik*. From the weight of her *חובות*, the widow and her family agreed to the deal. However, the *Rav* of the city was adamantly against it, arguing that *Chazal* clearly forbid a *Rasha* to be buried next to a *Tzadik*. The sons brought the question before the [author of the] *Machaneh Chaim*, who ruled to permit their father to be buried next to the *Tzadik*. The *Machaneh Chaim* explained that the *Mishna* (*Avos* 2:9) calls one who does not pay back his loans a *Rasha* - *למה רשע ולא ישלם*. One's death does not relieve him of his obligations. A man would prefer to be buried next to a *Rasha* rather than to be called a *Rasha* himself.

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

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