

	Candles	Mincha	DafYomi	Shiur	Shachris	ש"ש
Friday	7:38	6:45/7:48				9:22
Shabbos		1:45/7:33	6:30	7:25	9:00	9:22
Sunday		7:48	8:10		8:00	9:21



**IMPORTANCE OF ...**

The *Yerushalmi* (הלכה 4:4) states that when someone donates something to *גבוה* (i.e. the *Beis HaMikdash*) with *Cherem* language, it belongs to the *Kohanim* who are currently serving in the *Beis HaMikdash* (אנשי משמר) unlike other מתנות כהונה that may be given to any *Kohen* of the donor's choosing. This is derived from a *Posuk*: 'כל חרם קדש קדשים הוא לד'. The *Gemara* in *Yoma* (26a) seeks to restrict what the *Kohanim* received, stating that no *Kohen* was ever allowed the honor of burning the קטורת more than once, since (as is derived from *Pesukim* in זאת הברכה) the act of smoking the *Ketores* is a guarantee of wealth. By the same token, the *MaHaril* states that a *Sandik* (who holds the baby during its *Bris*) should not be allowed to act as *Sandik* for more than one baby per family, since it is also a guarantee of wealth. Interestingly, there is no restriction on a respected person being honored as *Sandik* many times, even on the same day, as long as the honor is not bestowed by the same בעל ברית twice. The *GR"A* (ד"ר 265:11) however, notes this inconsistency and states that since he has never seen a *Sandik* become wealthy, the מנהג to disallow one *Sandik* for two brothers must come from a clause in the will of *Rabbeinu Yehuda HaChasid*. Still, based on the *MaHaril's* analogy between a *Bris* and the *Ketores*, the *Chasam Sofer* (או"ח 158) explains why the *Rema* allows the *Sandik* and the baby's father to shave and/or have their hair cut before the *Bris*, even during *Sefirah*. After all, there seems to be ample support for the need to have a סעודת מצוה honoring a *Siyum* or *Pidyon HaBen* as well as one for a *Bris*, yet none of the *Poskim* suggest that a haircut is permitted during *Sefirah* for anyone involved in a *Siyum* or *Pidyon HaBen*. Therefore, the *Chasam Sofer* concludes that it is only because of the *Sandik's* analogy to the *Kohen's* guarantee of wealth and the representation of a *Bris* as offering *Ketores* that place a *Bris* above a *Siyum* or *Pidyon HaBen*.

**QUESTION OF THE WEEK:**

If *Parshas* משפטים follows immediately after *Matan Torah* to emphasize the relative importance of דינים (see *Ramban*), why isn't חושן משפט the first section of the *Shulchan Aruch*?

**ANSWER TO LAST WEEK:**

(Is there a *mitzvah* of תקים etc.. to help relieve a person from a burden ?) The *Radvaz* (728) rules that there is definitely a *mitzvah* to relieve a person of a burden under לרעך כמוך, but there is no *mitzvah* of תקים or עזוב תעוּב since, as a rational person, he should not have loaded himself up to that extent in the first place.

**DIN'S CORNER:**

One must recite 100 *berachos* in every day-night cycle. They should be *berachos* established by *Chazal*, i.e. 23 morning *berachos*, 24 *Shacharis berachos*, 19 *Mincha berachos*, 23 *Maariv berachos* and 2 bread meals which require 6 *berachos* each. *HaMapil* and *Sefirah* are added insurance. On *Shabbos*, even with 3 bread meals, the regularly scheduled *berachos* only add up to 80, which require that one make up the deficit during the day with fruits etc.. (*Rambam* תפילה 7:14 et seq)

**DID YOU KNOW THAT ...**

The *Gemara* (*Makos* 16a) states that for every לאו in the Torah, if it is a לאו that is transgressed by physical deed (שיש בו מעשה) the transgressor receives *Malkus* (lashes); if not, then he does not receive *Malkus*. Three exceptions to this rule are: swearing falsely, substituting a *Korban* animal and cursing someone with Hashem's name. Accordingly, the *Rambam* (*Nedarim* 1:5) rules that if one vowed that figs are forbidden to him, if he eats a fig he has transgressed לא יחל דברו and he receives *Malkus*. The *Sefer HaChinuch* (407) argues that he does not receive *Malkus* for transgressing לא יחל דברו, as it does not involve a מעשה. Although the *Gemara* specifically excepted שבעות from this rule, the *Chinuch* maintained that for vows and other forms of voluntary *Issur*, there would be no *Malkus* from לא יחל דברו. The *Kuntres Ksav Yad* (74) explains that the *Chinuch* would excuse from *Malkus* any לאו that can be transgressed without a מעשה even if one happened to violate it with a מעשה. The *Meforshim* point out that many לאוין can be transgressed with or without a מעשה, and generally, the rule is that where a מעשה is done there is *Malkus*, and where there is not, there is no *Malkus*. Why is לא יחל any different? The *Shaar HaMelech* (חמץ ומצה 1:3) suggests that in order for a לאו to never instigate *Malkus* because it can be done without a מעשה, the לאו has to be transgress-able at all times without a מעשה, such as the לאו of לא ימכרו ממכרת עבד, which forbids one to lift up and place a Jewish servant onto the "selling rock" for sale purposes. Since it is possible for the servant to climb onto the rock himself, at any time, the Jew who performed a מעשה by placing him there will not incur *Malkus* because such a לאו is characterized as אין בו מעשה and does not fall within the group of *Malkus* לאוין. On the other hand, the לאו of בל יראה which can be transgressed without a מעשה by simply possessing *Chometz* as *Pesach* begins, but cannot be transgressed during *Pesach* without a מעשה (one must acquire *Chometz* to transgress), would remain a לאו שיש בו מעשה. As such, the לאו of לא יחל would also fall into the category of לאו שאין בו מעשה, even though one could transgress it by vowing not to eat figs and then eating one, because the transgression is not the eating of the fig but rather the breaking of one's word, possible at any time, without a מעשה.

**A Lesson Can Be Learned From:**

A man was stricken with a certain illness, and after being treated by the foremost doctors of the day unsuccessfully, he was left with little hope. A friend of his suggested that he visit a Rebbe for at least a brocho, and perhaps for some advice, but the man scoffed at the idea. Eventually, when he was left with no other avenue to pursue, he agreed to visit the *Chortkover Rebbe*, who advised him to be examined by a certain little-known doctor. Again, the man found the suggestion ridiculous, as he had already been seen by the most well-known expert doctors and could not imagine how some unknown mediocre doctor could help him. But, it also couldn't hurt, so he visited the doctor, who gave him some pills, and shortly thereafter, his illness was cured. The Rebbe explained that any doctor could have served, because ultimately, as the *Gemara* (*Berachos* 60a) says: מִכֵּאן שֶׁנִּתְּנָה רְשׁוּת לְרוֹפֵא לְרַפְאוֹת – permission for the doctor to heal comes מִכֵּאן – from here in the *Beis HaMidrash*.

**P.S.** Sholosh Seudos sponsored by the Fuerst family.

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