



	Candles	Mincha	DafYomi	Shiur	Shachris	זק"ש
Friday	5:41	5:51				10:00
Shabbos		5:41	4:45	5:25	9:00	10:01
Sunday		4:50	5:25		7:30	9:01

## IMPORTANCE OF ....

The *Gemara* (*Bava Kamma* 89b) states that although a slave normally goes free when his master causes him to lose a tooth or eye, if the slave is *Melog* property (owned by the wife but used by the husband), neither the wife nor the husband is sufficiently a master to free him with such an injury. The *Gemara* (*Gittin* 39b) states that according to R' Meir, if a man betroths his *Shifchah* (non-Jewish maid), the betrothal is valid, as we assume he had previously freed her. What would happen if the maid were *Melog* property? Does the husband's betrothal prove that she had been previously freed? Can a husband and wife combine to free a *Melog* slave? The (9 י"ד) *דרכי נועם* held that they could not. But if the husband relinquished his *קנין פירות* (right to the product) back to the wife, then she would be able to free the slave as the owner of its entirety. As such, since a betrothal is at best an indication of a prior emancipation, the most that could be proven from betrothal of a *Melog* maid might be that the husband gave back his *קנין פירות* to his wife. If the wife should then acquiesce to the betrothal, the maid's freedom should thus be established. The *אור החיים הקדוש* explains that Sarai complained to and blamed Avram over Hagar's attitude, suggesting that since Hagar was Sarai's *Melog* maid, Avram had given her a false impression that his taking her as a wife had freed her. Instead, Sarai maintained *נתתי שפחתי בחיקך* - I gave you my maid, i.e., intending that she remain a maid. Avram conceded, replying *הנה שפחתך בידך*, but Hagar resisted, eventually running away. When the *מלאך* also referred to her as *הגר שפחת שרי*, she understood that she was still a maid, and returned.

## QUESTION OF THE WEEK:

Where do we find 2 *mitzvos* (עשה) that if it is possible to do them both, we do *mitzvah* A first and then *mitzvah* B, but if we can physically only do one, then we do *mitzvah* B?

## ANSWER TO LAST WEEK:

(After swearing to get engaged to X, is an engagement to Y valid?)

The *Rema* (י"ד 230:1) rules that if one vows not to sell something, a transaction to subsequently sell it is void. However, in (ח"מ 208:1) the *Rema* rules that such a transaction is valid. The *חיי נפש* suggests that where the vow was not to sell, he cannot sell. However, where the vow was not to sell without fulfilling an additional condition, even if unfulfilled, the sale is valid. Therefore, if one vowed to get engaged to X, without additional conditions, an engagement to Y would be invalid.

## DIN'S CORNER:

If one, seeking a *כפרה* for his sins, accepts upon himself to fast, if he is physically weak, he is deemed a *חוטא*. What he should do is either "fast" from talking, rather than from eating, which is an effective demonstration of *Teshuvah*, or else, he may wait until he is very hungry, eat a little and immediately abstain, which is enough affliction to qualify for *כפרה*. (*Mishna Berurah* 571:2)

## DID YOU KNOW THAT ....

The *Mishna* (*Avos D'Rav Nasan* 6:3) describes how R' Eliezer b. Hyrcanus, until he reached his mid-twenties, never learned *Torah*. Although he wished to desperately, his father had prevented him until he "escaped" one day and went to study under R' Yochanan b. Zakai. Much later, when Hyrcanus came to R' Yochanan b. Zakai, looking to disown his son Eliezer who had run away, he found R' Eliezer saying a *Drasha* in front of some of the most distinguished people in the country, on the *Posuk*: *חרב פתחו רשעים* as referring to Amrafel who was the first to wage war with swords, *להפיל עני ואביון* as referring to Lot, from whom everything was taken, and *חרבם תבא בלבם* as referring to Avram's successful campaign against the four kings. Hyrcanus, upon discovering that the *Darshan* was his son, said that although he had really intended to disown him, in light of his scholarship etc., he wanted now to give him everything he owned. R' Eliezer declined, saying he wished to share evenly with all his brothers. The *RaDaL* explains that R' Eliezer wished to hint to his father how penniless and destitute he would have been (*להפיל עני ואביון*) if he were disowned; and how fortunate he was now that his father's heart had changed (*חרבם תבא בלבם*). However, does not the *Gemara* (*Bava Basra* 133b) state that one may not deprive a son of inheritance by transferring his portion to another son, even from a wicked son to a good son? If so, how could Hyrcanus have offered his entire estate to one son, Eliezer, excluding the other sons? The *MaHarash Yafeh* (לך לך) states that when one transfers assets to a son who is a *Talmid Chochom* there is no prohibition, since benefiting a *Talmid Chochom* from one's assets facilitates his study and is a great *mitzvah*. As we see in the *Gemara* (*Kesubos* 52b), in order to marry off one's daughter, which the *Gemara* also refers to as an important Scriptural *mitzvah*, it is permitted and even encouraged to transfer assets that would have gone to the sons, and provide them as her dowry.

## A Lesson Can Be Learned From:

The Tiferes Shlomo of Radomsk once spent Shabbos in the home of R' Yechezkel of Kozmir. R' Yechezkel had a custom to eat his Friday night meal alone. The Tiferes Shlomo wished to eat together with him at that meal so he sent his Shamash to formally make the request. R' Yechezkel thought for a moment and then said that it wasn't up to him - he would have to ask the Malachim who ate with him. When the Shamash returned with the answer, the Tiferes Shlomo said: "If that's the case, I'll ask them myself - they will be by me earlier". The Shamash asked: "If the Malachim visit you before R' Yechezkel, why do you need to come visit R' Yechezkel?" The Tiferes Shlomo answered: "It's not that I am greater than he is. I make Kiddush immediately after davening while R' Yechezkel waits for a while. The Malachim are also hungry so they make sure to come for my Kiddush".

**P.S.** Sholosh Seudos sponsored this week by the Weinstock family in memory of Breina bas Moshe Weinstock ז"ל.