



Friday	4:11	4:21	7:30			
Shabbos		4:11	3:40	4:00	9:00	9:34
Sunday		4:21	8:30		7:45	9:35

IMPORTANCE OF

The *Mishna* (*Nedarim* 20b) states that there are four types of vows which are automatically void when made: 1) a vow made while negotiating; 2) an exaggerated vow; 3) a vow based on a mistake; and 4) a vow effected unavoidably (**אונס**). The *Rema* (*ד"ר* 232:17) rules that where one makes a promise to someone who is sick or dying, if the promise was made so as not to upset the invalid, it is deemed **אונס** and need not be honored. However if made for another reason, it must be honored. The *Afarkasta D'Anyah* (*ד"ר* 3:172) was asked regarding a dying woman who solicited a promise from her husband not to marry a relative after her death. The man had a relative, a widow for 20 years, and after waiting a year, he could not find another woman more appropriate to marry. Had this vow been made under pressure, not to upset the invalid? It would seem so. However, when does a request evolve into a pressured demand? When the *Posuk* says: **ויפצר בו ויקח** (Yaakov pressured Eisav [until] he took the gifts), this took place after Eisav had initially declined to take them, which was after he had been asked once already. Perhaps pressure requires an earlier, unagreed-to request, in order for the subsequent request to qualify as pressure, and thus absolve one of a vow. However, if that were the case, why did the *Rema* rule that if one made the vow for reasons unrelated to the invalid's desire, it must be fulfilled? He could have simply distinguished between a pressured vow versus one without pressure, regardless of the reason behind it. ע"ש. Still, the fact that the dying woman would have no benefit (after her death) from the vow she requested, goes a long way towards permitting the man to get a *Heter* from *Beis Din* absolving him of the vow. It would also be worthwhile for him to visit his wife's grave (with two other people) to request her forgiveness before going forward with his plan.

QUESTION OF THE WEEK:

Why is Eliyahu HaNavi always referred to with the added title of **זכור לטוב**?

ANSWER TO LAST WEEK:

(When is one punished for an *Aveirah* only if he is still doing it?)

The *Or Sameach* (**גניבה** 9:3) states that a kidnapper will be sentenced to death for kidnapping only if **"ונמצא בידו"** – the victim is still in the kidnapper's *Reshus* when the witnesses testify against him.

DIN'S CORNER:

If one wishes to eat food that is customarily eaten after dipping it in a liquid, it is recommended by many *Acharonim* that one should wash one's hands without saying a *brocho* before doing so. It is not necessary when the food is held in a napkin or when one is wearing gloves. The same *Halacha* applies where one dips a fruit in water to clean it off. However, one need not wash before dipping one's finger in liquid and licking it off. (*MB* 158:4)

DID YOU KNOW THAT

The *Gemara* (*Nazir* 29b) discusses the status of a 12-year old boy's vows. Since he is presumed to know what he is doing, and he is on the verge of adulthood, his vows are binding. However, *Rebbi* holds that they are only binding Rabbinically, whereas *R' Yosi* holds they are valid *Min HaTorah*. *Rashi* explains that this assessment takes place for boys at age 12, which is within the 13th year, because one becomes an **איש** no earlier than at age 13. Nowhere in the *Torah* is someone referred to as **איש** under the age of 13 and we only know that one is called an **איש** at age 13 because *Shimon* and *Levi* were 13 when they attacked *Shechem*, and the *Posuk* refers to them as: **ויקחו ... איש חרבו**. *Rashi* further notes on the *Mishna* (*Avos* 4:21) which states **בן יג' למצות**, that it is a *Halacha L'Moshe MiSinai* that adulthood depends on physical maturity, whose arrival *Chazal* determined to be at age 13. At age 13 we assume that he is physically mature, unless we know that he isn't, in which case he remains obligated as a matter of *Chinuch*, like all minors. However, the *Gemara* (*Succah* 5b) states that: **שיעורים הלכה למשה מסיני** – all measures were given to *Moshe* at *Har Sinai*, and it appears from the *Rosh* (*Teshuvos* 16) that the *Halacha L'Moshe MiSinai* regarding age 13 was simply one of many designated measures that are included in that group, without necessarily being dependent upon physical change. As such, according to *Rashi*, we could establish adulthood for a non-Jew at age 13, since *Chazal* have determined physical maturity to arrive by that age. But according to the *Rosh*, age 13 is solely a matter of *Halacha L'Moshe MiSinai* and as such, would only apply to *Bnei Yisroel*. How then would adulthood be established for gentiles? The *Chasam Sofer* (*ד"ר* 317) was asked regarding someone who sold a pregnant cow to a gentile (to avoid the cow's firstborn being a *Bechor*) and it turned out later that the gentile was only 9 years old at the time of the sale. The *Chasam Sofer* validated the deal, stating that a gentile reaches adulthood based on intellectual maturity, regardless of age or physical condition, as long as he understands what he is doing.

A Lesson Can Be Learned From:

When *R' Mordechai Dov* of *Hornesteipel* visited a certain village, the home of the local wicked (but wealthy) Jew was pointed out to him. *R' Mordechai Dov* stared at the house until its occupant appeared on the balcony, and then the *Rebbe* went in and sat with him, in silence. The next day, the wicked Jew came to visit *R' Mordechai Dov*, sitting with him for a long time, and when he emerged he began to observe mitzvos and engage in *Chesed* activities. Several months later, the *Baal Teshuvah* died. When *R' Mordechai Dov* next visited the village, he asked each of the people who came to see him, what they thought of the recently departed *Baal Teshuvah*. Every person gave the *Rebbe* a glowing report of how much *Chesed* he had done in the final months of his life, and the people understood that the *Rebbe* was looking to benefit his *Neshamah* with these words. Until one person could not help but recount the bitterness he had suffered at the *Baal Teshuvah's* hands years before. The *Rebbe* smiled, saying that a unanimous verdict in *Beis Din* is deemed to be suspect. Now the *Neshamah* can finally be put to rest.

P.S. *HaMakom* *Yenachem* *Avi Schoenfeld* and family on the *Petirah* of his mother ע"ה. *Sholosh Seudos* is sponsored by the *Tyberg* family.

This issue is dedicated:

לז"נ פערל ב"ר יצחק הלוי