



	Candles	Mincha	DafYomi	Shiur	פרשת: וישב סזק"ש Shachris
Friday	4:11	4:21	7:30		9:23
Shabbos		4:11	3:40	4:05	9:00 9:23
Sunday		4:20	5:30		8:00 9:24

IMPORTANCE OF

The *Gemara* (*Avodah Zarah* 70a) states that a band of thieves entered Pumbedisa (a city in Bavel) and opened many barrels of wine. Rava ruled that the wine was permitted, because most of the thieves in Pumbedisa were Jews. The *Rashba* (*Toras HaBayis* 5:4) rules accordingly, that if unknown thieves opened wine barrels, we look to see whether the majority of thieves in the area (רוב) are gentile or Jew to determine permissibility of the wine. The *Rashba* continues, that if the identity of the thieves is unknown, and a majority of the thieves in the city is gentile, still, if the Jews live in a separate area through which the gentiles do not normally pass, that area takes on the legal character of a city itself, and as such, we follow the majority of the Jewish area, not that of the larger city around it. The *Bedek HaBayis* (a commentary on the *Toras HaBayis*) questions this, in light of the rule that when the two Halachic principles *Rov* (majority) and *Karov* (proximity) clash, we always side with *Rov*. This means that we should disregard the fact that the thieves closest (*Karov*) to the wine were Jewish ones, when a general majority clearly points to gentiles. The *Mishmeres HaBayis* (another commentary on the *Toras HaBayis* attributed to the *Rashba* himself) answers this question, limiting the rule which sides with *Rov* to situations where the *Karov* is not so distinctly separate and isolated. The *Shulchan Aruch* (י"ד 129:11) also rules as such, assuming the thieves to be Jews, where the Jews live separately in their own area. Thus, *Rov* yields to *Karov* where the *Karov* is distinct and united. *Rashi* notes that when Yaakov saw all the Edomite generals (at the end of *Parshas VaYishlach*) he wondered how he could conquer so many. The *Avnei Shoham* suggests that the many (*Rov*) will always succumb before the purity of *Torah*-based detachment (*Karov*) and allegiance to *Mesorah*.

QUESTION OF THE WEEK:

The *Rema* (671:4) rules that one may not combine two wicks and light them for Chanukah, as it appears like a bonfire. How then, can one light a single wick, since at the moment of lighting it, the wick combines with the *Shamash* ?

ANSWER TO LAST WEEK:

(What should one who is *Machmir* not to carry, do about an *Aveidah* ?)
The *Gemara* (*Bava Metzia* 30a) states that whatever one would retrieve of his own possessions, he must retrieve for others. As such, since he wouldn't pick up his own on *Shabbos*, even with an *Eiruv*, he need not pick up someone else's. See *Chasam Sofer* (אר"ח 82).

DIN'S CORNER:

One who forgot to add על הנסים in *Shemona Esrei* or in *Birchas HaMazon* must go back to it as long as he hasn't said "ד" in the *brocho* which follows it. If one finished that *brocho*, he may no longer say it. If one mistakenly thought that he must start over, and after starting over he realized that he wasn't supposed to, he stops, even in middle of a *brocho*. (*Shaarei Teshuvah* 682)

DID YOU KNOW THAT

The *Gemara* (*Bava Kamma* 23b) quotes a *Mishna* which states that one who incites a dog or a snake to attack someone is not liable for the damages, since he only **caused** the damage - referred to as *Gramah*, and did not actually inflict it. However, one who damages someone more directly, such as by destroying his IOU documents which will prevent collection of debts owed to him, is liable for such an act, which is called *Garmi*. *Tosafos* (*Bava Basra* 22b) distinguishes between the two, suggesting that the liability of a *Garmi* act is in essence a penalty, which only applies where damage is common and expected. The *Terumas HaDeshen* (307) was asked regarding a *Shliach Tzibur* who was removed from his post because of a lie someone said about him. Later, when the lie was exposed, the community had already hired someone else. The *Terumas HaDeshen* ruled that the evil liar needs a significant *Kaparah*, and he may be put into *Cherem* until he appeases his victim, who is under no obligation to forgive him. But he is not monetarily liable to his victim for the loss of livelihood, as this is a case of *Gramah*. The *Korban Nesanel* suggests that this is behind the *Midrash* (*Lekach Tov* – *Bereshis* 37) which explains the words: ויתנכלו אותו להמיתו, by saying that Yosef's brothers incited their dogs against Yosef. Since Yosef spoke badly of his brothers to Yaakov, and Yaakov so obviously favored Yosef, the brothers feared that Yaakov would disinherit them, and give Yosef all his possessions. Since, under the laws of *Gramah*, Yosef could not be held liable for this, the brothers decided to treat Yosef the same way, by inciting their dogs to kill him, for which they would not be liable. However, the *Gemara* (*ibid*) derives from the *Mishna* (*Sanhedrin* 76a) that even if an inciter of animals is *Potur*, the animal's owner is still liable for its behavior. As such, Reuven said: לא נכנו נפש pointing out to them that although they would not be liable as inciters, they would still be liable as owners, and it would be better to throw Yosef into a pit, where the snakes do not belong to them.

A Lesson Can Be Learned From:

A Rav once enacted certain *Takanos* regarding *Tznius* for the local Beis Yaakov school in his area. Although the *Takanos* were not viewed as onerous or a burden on the girls or their parents, one father objected "on principle" to some of the requirements, and even came to the Rav and argued with him. Many years later, this father came knocking at the Rav's door. It seemed that his daughter, who was blessed with many "Maalos", had been having a difficult time finding a *Shidduch*, despite all his efforts and offerings. Inexplicably, the young man she had met, even those whom she had rejected, all did not wish to continue. Understanding that there was more to this than "not the right one" or "not the right time", the father attributed the situation to his quarrel many years before, and he wished to ask the Rav for *Mechilah*. The Rav spoke to him to gauge his sincerity, determining that he had come to this conclusion himself. He then explained to him how it should be clear to him by now how every act, no matter how small or insignificant it seems at the time, can have an effect later at an inconvenient time. The man understood, and the Rav promised to daven for him.

P.S. Sholosh Seudos sponsored this week by the Feinseig family.

This issue is dedicated:

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

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