



	Candles	Mincha	DafYomi	Shiur	פרשת: וישב ש"ש Shachris
Friday	4:12	4:22	8:00		9:35
Shabbos		4:12	3:45		9:36
Sunday		4:25		9:00	9:37

## IMPORTANCE OF ....

The *Gemara* (Taanis 8b) states that a *brocho* will invariably be applied to that which is hidden from the eye. *Rashi* explains this to mean that where one does not know how much [e.g. produce] one possesses, or where it is stored away out of sight, it is possible for the *brocho* to increase it. Two partners purchased a large amount of oil, and stored it in the home of one partner. While there, it was blessed and increased. The question was raised: to whom does the extra oil belong? The *Admas Kodesh* (2:56) held that the partner in possession keeps the extra oil, since his property (חצר) automatically acquired it when *Shomayim* put it there. However, the *Machaneh Chaim* (ח"מ 2:19) disagrees, citing the *Taz* (א"ר"ח 670:1) who answers the famous question of the *Beis Yosef* – why do we celebrate the miracle of Chanukah for 8 days if there was enough oil to burn the first night? The miracle took place only on the latter 7 nights! The *Taz* cites the *Zohar* on the *Posuk*: מה יש ליכי בבית – Elisha's question to the poor woman who was about to experience the miracle of unlimited oil in her vessels. From here we see that something, albeit small, must exist in order for the *brocho* to expand it. On Chanukah as well, some minute amount of oil had to remain at the end of the first night, in order for the *brocho* to increase it on the following night. This leftover oil marked the miracle of the first night. Here too, writes the *Machaneh Chaim*, the *brocho* expanded the original stores of oil, which belonged to both partners. Therefore the additional oil should also belong to both. The *Gemara* (Taanis 25a) illustrates how benefiting from miracles will diminish one's *S'char* in *Olam Haba*. However, the *Gevuros Ari* notes that this would only apply to one's own miracles. There is no such problem if one benefits from miracles happening to another. If so, sharing the extra oil between them makes it permissible for both, since (if we hold אין בריקה), each partner views the extra as belonging to the other.

## QUESTION OF THE WEEK:

Why did Moshe say: ימלוך ד' לעולם, and Dovid said ימלוך ד' לעולם?

## ANSWER TO LAST WEEK:

(Why do we lain at *Shabbos Mincha* before *Shemona Esrei*?)

The *Emek Brocho* suggests that although *Shemona Esrei* is תדיר (more frequent), *Krias HaTorah* is מקודש (more holy), so neither demands precedence over the other. Yet the *Gemara* (*Berachos* 29b) states that one should recite *Shemona Esrei* חמה – just before sunset, so *Krias HaTorah* must come first.

## DIN'S CORNER:

The *Rema* (א"ר"ח 53:31) rules that a *Shliach Tzibur* should be removed for singing *Shirei Nachrim* (non-Jewish songs). The *Magen Avraham* says that these are songs that are sung for *Avodah Zarah*, citing *Sefer Chasidim* (238) which advises one not to sing songs in the presence of worshipers of *Avodah Zara*, who will "steal" the *Nigun*, and then we won't be able to use it.

## DID YOU KNOW THAT ....

The *Gemara* (*Kidushin* 63b) states that a father is believed to say that his son is thirteen years old and a day, or that his daughter is twelve years old and a day. The *Gemara* qualifies this testimony, accepting it only as it may bear on the child's obligation to fulfill vows and pledges, but not to subject the child to punishment as an adult. The *Rambam* (אישות 2:22) derives from here that we need 2 *bona fide* witnesses to establish someone's age for punishment purposes, which would exclude women, relatives and others ineligible for testimony. The *Noda BiYehuda* (אה"ע"ז 1:93) was asked if a father's testimony could establish that his young son was 13 to make him eligible to perform *Chalitzah*. He concludes that such testimony could be construed as simple information, without an agenda. By telling us that his son is 13, the father is not making him eligible for *Chalitzah*; he is making him eligible for adult activities, such as to be a *Shliach Tzibur*. If he can be a *Shliach Tzibur*, he can perform *Chalitzah* as well. The *Pischei Teshuvah* (אה"ע"ז 169:13) cites the *Shiltei Giborim* (near the end of *Kidushin*) quoting the *Sefer HaTerumah* who supports the position of the *Noda BiYehudah* with a *Beraisa* which says that a father is always believed to describe the circumstances of his son's birth, the time, the location, etc..., as long as it only pertains to the son's status. What proof does one have generally, to establish his age? A birth certificate or driver's license could hardly be deemed acceptable testimony, but in the absence of physical signs of maturity, what else is available to a 13-year-old boy or 12-year-old girl? The *Simchas Kohen* (אה"ע"ז 4) cites a *Beraisa* (*Kidushin* 73b) which states that a midwife is believed to say about the first of twins to be born: זה יצא ראשונה [this one emerged first]. The *Gemara* limits her credibility to those situations where the midwife did not leave the room after the birth, until the twins were each positively identified. If she left the birthing room for any reason, we can no longer be sure that she can distinguish between the two in order to name the first-born. Here too, since a midwife or attending nurse has a duty to record the date and time of birth immediately, the appearance of such information on the birth certificate may be used as proof of age.

## A Lesson Can Be Learned From:

A young man רח"ל was dying. He made his wife swear that when he was gone, she would remain devoted to their two small children, and not remarry until the children married and left the house. After several widowed years, as her situation, financial and emotional, worsened, she received a *Heter* from the *MaHarshal* to remarry, based on the *Rashba*, who held that the deceased husband wanted the best circumstances for his children, and to provide this, she had to remarry. As short time after her remarriage, the first husband came to her in a dream to complain. The *MaHarshal* told her to ignore it. It happened several times, until the woman's health began to deteriorate. When she was deathly ill, the *MaHarshal* was notified. He hurried to her room, where he exclaimed: "Ribono Shel Olam! I gave her a *Heter* to remarry. If she dies, no *Psak* will be respected!" A short while later, the woman began to recover.

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

This issue is dedicated:

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

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