



	Candles	Mincha	DafYomi	Shiur	Shachris	ש"ש
Friday	5:14	5:26	8:00			9:30
Shabbos		5:14	4:20	4:50	9:00	9:29
Sunday		5:25	6:00		7:30	9:29

### IMPORTANCE OF ....

The Gemara (Bava Metzia 5b) states that if a *Shomer Chinam* (unpaid custodian) claims the item in his care was stolen or lost, he is not liable, but must swear to his claim. He may, rather than swear, pay for the item voluntarily. Rav Huna says that even if he pays, he must still swear that the item is not in his possession. The Gemara asks: if we suspect him of hiding/stealing it, how could we let him swear, since he will most certainly lie? The Gemara answers that the *Shomer* believes he is doing nothing wrong, since he is paying for it. He also believes that he is not transgressing **לא תחמוד** because people think that **לא תחמוד** is only where one does not give money. *Tosafos* asks: if **לא תחמוד** is without paying, what is **לא תגזול**? *Tosafos* answers that people think the *Torah* wished to make one liable for 2 **לאוין** (sins) for a theft - **לא תחמוד** on top of **לא תגזול**. However, *Tosafos* (*ibid* 61a) notes that a second **לאו** is only added where the first one makes one liable for lashes. Since **לא תגזול** incurs no lashes, as it is a **לאו הניתק לעשה** (fixable - by fulfilling the *mitzvah* of returning the theft), how could **לא תחמוד** be added to it? R' Moshe Shapiro of Lublin cites the Gemara (*Temurah* 4b) which states that although one who divorces a wife where the *Torah* forbids it does not incur lashes because he can always remarry her, if he is a *Kohen* he does incur lashes because of a *Kohen's* extra sanctity. *Rashi* explains that a *Kohen's* extra sanctity burdens him with incurring lashes even on a **לאו הניתק לעשה**. As such, since before *Matan Torah* all of *Bnei Yisroel* were featured as **ממלכת כהנים**, they would incur lashes for **לא תגזול**, thus allowing **לא תחמוד** to be added to it as a 2nd **לאו**.

### QUESTION OF THE WEEK:

The *Mishna Berurah* (90:37) states that if there are 2 Shuls available, one should *daven* in the one further away, so as to earn **שכר פסיעות**. But do we not derive from **ושמרתם את המצות** that if a *mitzvah* opportunity presents itself, one may not pass it by?

### ANSWER TO LAST WEEK:

(Do we say **שהחיינו** for eating an Esrog after saying it Succos for lifting it?) The *Mishna Berurah* (9 **או"ח**) **ש"ת מהר"י אשכנזי** states that just as we utilize a new fruit (or garment) on the second night of *Rosh HaShanah* to "justify" the **שהחיינו** during *Kiddush*, and we don't repeat it when eating the fruit, so too, no **שהחיינו** is necessary to eat the Esrog.

### DIN'S CORNER:

It is **אסור** to do any kind of labor with 2 animals of different species, such as plowing or pulling a wagon. Even if one did not harness the 2 animals together, he may not sit in or lead a wagon that they are pulling. If a non-Jew is driving such a wagon, it is permitted for the Jew to give him merchandise to transport, but the Jew may not accompany the wagon, for fear he may encourage the animals to go faster. A Jew may however, speak with a non-Jew driving such a wagon, without fear that his voice may cause the animals to move. (*Chochmas Adam* 106:3-6)

### DID YOU KNOW THAT ....

The Gemara (*Avodah Zara* 26a) discusses the situation where an idolater is sick, on *Shabbos*, and begs a Jewish doctor to treat him. Abaye advises such a doctor to refuse and say: "I may only transgress the *Shabbos* for our people who observe the *Shabbos*; not for you who does not keep the *Shabbos*". Based on this, the *Mishna Berurah* (330:8) concludes that although on a weekday it is permitted to assist in a non-Jewish birth because to refuse, creates a potential for **איבה** (enmity), on *Shabbos* one must refuse using Abaye's excuse. The *Mishna Berurah* continues with a criticism for Jewish doctors, even **היותר כשרים** (the most observant) who think nothing of traveling or grinding and preparing medicine on *Shabbos* for the benefit of an idolater. Even those opinions who might permit the transgression of a Rabbinic **איסור** in such a case would certainly never permit a Scriptural **איסור**, labeling such doctors as clearly **מחללי שבת**. *Igros Moshe* (4:79 **או"ח**) wonders at this characterization, noting that as the *Chofetz Chaim* lived in Russia, he must have seen how a village might have one doctor, a Jew, whose refusal to treat any and all patients could cause a very serious pogrom. In addition, as the reach of media stretches to all corners of the Earth today, such a sensational refusal would spread quickly. The *Tzitz Eliezer* (8:15:6) notes that doctors have also sworn the Hippocratic Oath which would be violated by such a refusal. He cites the *Taharas HaMayim* (300:7) who was asked by a Jewish doctor if he could assist/cure a gentile doctor on *Shabbos*, who was very helpful to the Jewish people in that area. The *P'sak* was to allow it, as long as, while he was administering the treatment, he bore in mind that he was only doing this for the benefit of the *Tzibur*, not the individual. As such, it might be possible to permit even Scriptural prohibitions for the sake of the *Tzibur*, to prevent dangerous **איבה**.

### A Lesson Can Be Learned From:

The 'Yismach Moshe', R' Moshe Teitelbaum, lived in Shiniva before he became the Rov in Ihel. While there, he had a very good and bright friend with whom he learned. One day, as R' Moshe was returning home after davening, he noticed a crowd of people standing around a drunk who was lying in the street. R' Moshe was shocked to see that it was his good friend in that embarrassing situation and said to himself: If whiskey can bring down such a worthy person, I will never drink it. Not long afterwards, R' Moshe's attendant handed him a cup of wine. After saying *Boray Pri HaGafen*, R' Moshe tasted it and discovered that it was whiskey. At first he scolded the attendant for his mistake, but then realized that according to the *Yerushalmi* at the end of *Kidushin*, one must taste everything within his power and that comes his way, as R' Lazer did, who saved his pennies in order to taste a new fruit at least once a year. So too, he should not have denied himself whiskey.

**P.S.** Sholosh Seudos sponsored this week by the Zelcer family.