



IMPORTANCE OF

The Gemara (Bava Metzia 30b) relates that R' Yishmael met a man on the road who was resting, with a bundle of wood at his feet. When the man asked R' Yishmael to help him load the wood onto his back, R' Yishmael, rather than degrade himself, paid the man for the wood and then rendered it ownerless - *Hefker*. The man, seeing how it was now ownerless, seized the wood, took possession and repeated his request. After R' Yishmael paid him again and rendered it *Hefker*, the man attempted to seize it again so R' Yishmael told him: "I have made it *Hefker* for everyone, except for you". When the Gemara questions if such a declaration can work, the Gemara concludes that R' Yishmael did not hold back but rather made it *Hefker* to all. However, he said words to fool the man into stopping his seizure of the wood. But in so doing, didn't he lie? The *Sefer Chasidim* (126) states that if one is approached for a loan and does not trust the would-be borrower to repay it, he may not say "I have no money", because the only *Heter* to say a lie (to keep the peace) is if the lie is on something in the past. However, the Gemara (*Kesubos* 17a) records a *Machlokes* between Bais Shammai who insists that one must describe a bride as she really is to fulfill: מדבר שקר תרחק whereas Bais Hillel allows one to say: כלה נאה וחסודה - a pleasant bride, even if untrue. Does not this lie concern not the past, but the present? *Rav Pe'alim* (1 חור"מ) suggests that 1) the bride may have at least one pleasant attribute; or 2) as the Gemara does not say: כלה זה נאה, one may say כלה נאה וחסודה while thinking of another bride or of brides in general. So too with R' Yishmael, where: ולא אפקריהו could mean that he made it *Hefker* for everyone, not just for this man, regardless of his (mis)understanding

QUESTION OF THE WEEK:

May/must one fulfill the *mitzvah* of *Bikur Cholim* where the illness is a contagious one, putting the visitor at risk?

ANSWER TO LAST WEEK:

(May one pass by one Shul to earn שכר פסיעות from going to one further away?) The *Sdei Chemed* (א 103) brings the opinion of the *Zera Yaakov* that אין מעבירין על המצוות only applies where the *mitzvah* is immediately available without requiring any further preparation. The *Har Tzvi* (אור"ח 1:53) suggests that passing by a Shul does not present an immediate *mitzvah*, since one must still go into the Shul. As such, the earning of שכר פסיעות would prevail.

DIN'S CORNER:

When *Rosh Chodesh* Adar falls on *Shabbos*, three *Sifrei Torah* are removed from the *Aron HaKodesh* for *Krias HaTorah*. Six people are called for an *Aliyah* on the regular *Parsha* (plus any *Hosafah*); the *Rosh Chodesh* piece, beginning with *וביום השבת*, is read from the second; *Kaddish* is said on the 2nd and 3rd *Seforim* and then *Maftir-Parshas Shekalim* is read from the third. The *Haftorah* is *ויכרות יהודיע*, for *Shekalim*. (MB 685:3-5)

DID YOU KNOW THAT

The *Mishna* (*Shekalim* 1:3) discusses how generally, those who refused or neglected to bring their obligatory gift of מחצית השקל (1/2 of a *Shekel*) to the *Beis HaMikdash* would have to suffer having some item taken from them as collateral to guarantee payment. Exceptions to this included נשים וקטנים (women and children) who were not obligated to contribute. R' Ovadiah of Bartinura defines קטנים as even those who were over 13, mentally and physically, but were not yet at the age of 20, as the *Posuk* requires: מנן עשרים שנה ומעלה. The *Rambam* and *Ramban* disagree, defining קטנים as they are everywhere - under 13. R' Akiva Eiger (9 שו"ת) explains that as women were exempt from paying the מחצית השקל, they are also exempt from *davening Musaf*, as the מחצית השקל was used to fund *Korbanos*, which includes *Musaf*. Under ונשלמה פרים שפתינו only men, who contributed to the *Korban Musaf*, should have to *daven Musaf*. If so, perhaps those under 20 should also be exempt from *Musaf*, according to R' Ovadiah and as such, would not be permitted to act as *Shliach Tzibur*. The *Be'er Yitzchok* (אור"ח 20:3) disagrees with R' Akiva Eiger, arguing that based on such an exemption for women, *Kohanim*, *Leviim* and those under 20 should also be exempt from *davening Musaf*. As this has never been the case, there is clearly no connection between *Shekalim* and *Tefilas Musaf* - all are obligated to say it. The *Shoel Umaishiv* (2:2:55) deals with *Musaf* being a time-dependent *mitzvah*, but concludes that just as women are obligated in *Kiddush* because whoever is obligated in the *Issurim* of *Shabbos* is also obligated in its *mitzvos*, so too, *Musaf* is included in the *mitzvos* of *Shabbos*. As such, those under the age of 20 are also equally obligated in it and may therefore be מוציא others as *Shliach Tzibur* for *Musaf*.

A Lesson Can Be Learned From:

R' Chaim Volozhiner, while *Rosh Yeshiva* in *Volozhin*, was displeased with the conduct of many *bochurim* during *davening*. Instead of sitting and concentrating on the *Siddur*, they would walk to and fro, up and down the aisles, without stopping, all the while *davening*. During a *Shmooze*, R' Chaim quoted the *Mishna* in *Avos* (5:5) which described the miracles which took place in the *Beis HaMikdash*, among which was the miracle where everyone stood crowded together on *Yom Kippur*, but miraculously had much personalized room when bowing, without bumping into a neighbor. R' Chaim asked: If Hashem made such a miracle, why could He not have made it such that they were standing initially with more room around them? It must be that Hashem was concerned that with a lot of room for everyone while standing, many people would start walking around, as we see the custom has become today. However, such would not have been a *Kavod* for the *Beis HaMikdash* as it is also not a *Kavod* for a *Beis HaKnesses*.

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