



| | Candles | Mincha | DafYomi | Shiur | Shachris | פרשת: קדושים | סזק"ט |
|---------|---------|-----------|---------|-------|----------|--------------|-------|
| Friday | 7:40 | 6:50/7:50 | | | | | 9:21 |
| Shabbos | | 7:35 | 6:15 | 7:00 | 9:00 | | 9:20 |
| Sunday | | 7:50 | 7:20 | | 7:30 | | 9:20 |

IMPORTANCE OF

The *Gemara* (*Yevamos* 46b) derives from: **וכי יגור אתך גר** that if a man declares that he is a convert, we may not accept his claim and permit him to marry a Jewess unless we have other evidence to presume he is truthful. The *Shulchan Aruch* (ד"ד 268:10) rules accordingly, where the claimant was known previously to be a gentile, requiring witnesses to testify that he did in fact convert before a *Beis Din*. However, if a stranger claims that he was a gentile and that he converted before a *Beis Din*, he is to be believed under the rule of **הפה שאסר הוא הפה שהתיר** - since he could have simply claimed that he was a Jew, and have been believed. *Tosafos* says that this is apparent from the *Gemara* (*Pesachim* 3b) where the Aramean was tricked by R' Yehuda b. Besaira into asking for the *Korban Pesach's* tail, igniting the suspicion that ultimately led to his exposure as a non-Jew. The fact that no investigation was made of him previously indicates that if one simply claims to be a Jew, he is believed. However, when the *Gemara* (*Yevamos* 47a) stated that one claiming conversion must prove it, *Rashi* explained that it is because we suspect he may be a circumcised Gibeonite. If so, if we do not know anything about him, why is he not believed with a **מגו** that he could have said he was a Jew? The *Panim Yafos* explains that the **מגו** was active regarding the *Korban Pesach* but such a **מגו** only helps to remove an **איסור** - not to permit marriage. *Rashi* himself says (*Kesubos* 25b) that without verification, an unknown person is to be suspected of being a **ממזר** or a **נתין**. As such, he cannot marry a Jewess. He can also not marry a **ממזרת** or a **תניתה** since he claims to be a Jew. Therefore, in *Yevamos* there is no **מגו** since an unknown stranger's status would not improve as a Jew.

QUESTION OF THE WEEK:

Where would ten or more adult men eat bread together but in preparing to *bentsch* together, not be permitted to add **אלוקנו** in their **זימון**?

ANSWER TO LAST WEEK:

(Why is *Korban Pesach* not mentioned in the *Pesach Shemonah Esreis*?)

The *Binyan Shlomo* explains that mentioning a *Korban* in **תפילה** is a fulfillment of **ונשלמה פרים שפתינו**. This applies to *Korbanos* which serve to provide a **כפרה**. The purpose of the *Korban Pesach* was to be eaten.

DIN'S CORNER:

Although one who didn't sleep all night does not say the *berachos* of **אלוקי נשמה** and **המעביר שינה** (but should hear them from another) because they don't apply to him, he still says the other **ברכות השחר** even if he did not hear a rooster crow, or he did not put on shoes, or a belt, making certain of those *berachos* technically inapplicable to him as well. (*MB* 46:24)

DID YOU KNOW THAT

The *Gemara* (*Kesubos* 91b) describes a case where a man died, leaving a field worth 50 *zuz* to his heirs and owing a debt of 100 *zuz*. When the creditor seized the field, the heirs paid him 50 *zuz* to get it back. The creditor then seized it again for the other 50 *zuz*. *Abaye* ruled that although *Beis Din* cannot force the heirs to pay their father's debt, it would honor their father to do so. However, the *Gemara* (*Bava Kamma* 94b) states that if a thief dies, leaving behind a stolen cow, the heirs are **חייבין** (obligated) to return it as an act of respect to their father, which implies that *Beis Din* can force them. The *Gemara* (*Kesubos* 86a) states that since repaying a loan is deemed a *mitzvah*, if one says that he does not wish to perform this *mitzvah*, he is to be physically forced - **מכין אותו עד שתצא נפשו**. (This may only be done while the *mitzvah* is still available to him.) The *Ramban* explains that this rule is the basis for *Beis Din's* ability to seize property. Since the *Gemara* (*Kesubos* 37b) derives from: **ואהבת לרעך כמוך** that *Beis Din* must always select **מיתה יפה** - the most humane punishment, *Beis Din* need not use physical force to make the debtor pay if it can just as easily be **ירד לנכסיו** and seize the debt from him without inflicting pain. However, this only applies to the debtor himself. Once he dies, the *mitzvah* to repay is no longer available to him. As his heirs are not bound by the *mitzvah*, they can't be forced. However, regarding a stolen cow, the *mitzvah* of **והשיב את הגולה** is an obligation available whenever a stolen item is intact and returnable. Thus, the heirs are obligated and may be forced to return it. The *Gemara* asks, if the father would not have returned it, had he still been alive, is it respectful to him for the heirs to do so? The *Gemara* concludes that the father had done *Teshuvah* but had unfortunately died before being able to return it himself.

A Lesson Can Be Learned From:

When R' Sholom Schwadron ZT"L was a young man, he became a Magid Shiur in a Yeshiva. Partly by design and mostly due to his personality, his Shiurim were peppered with his unique sense of humor such that laughter could occasionally be heard from within the Shiur room. Some people believed that since Torah should be taught and learned **באימה וביראה**, it was improper for him to teach this way. And so, one day R' Sholom was summoned before the Chazon Ish and the Brisker Rav, who wished to hear how he taught and conducted himself during a Shiur. R' Sholom, not wishing to hide anything, began to say one of his Shiurim in his normal way. As he paused for a moment in the middle, R' Sholom noticed that both the Chazon Ish and the Brisker Rav had their hands over their mouths, trying in vain to suppress a smile. When R' Sholom finished saying the Shiur, the Chazon Ish assured him that there was nothing wrong with his method and that in fact, if this is a way to keep the attention of those listening, "Azoi Darf Min Zogin A Shiur!"

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

This issue is dedicated:
לז"נ פערל ב"ר יצחק הלוי

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