



	Candles	Mincha	DafYomi	Shiur	פרשת: פינחס זק"ש Shachris
Friday	8:04	6:50/8:00			9:23
Shabbos		8:00	7:00	7:50	9:00 9:23
Sunday		8:10	7:45		8:00 9:24

## IMPORTANCE OF ....

The *Gemara* (*Sanhedrin* 7b) states that *Beis Din* is warned not to hear the claims of one litigant before the other litigant has arrived in court. There is an equivalent warning to each litigant not to present his claims before his adversary is present. In the city of Odessa a *Din Torah* took place where the *Beis Din* ruled in favor of one litigant without even hearing the claims of his opponent. When the losing party ran to a different *Beis Din* to complain that he had not been heard, he was told that they were not prepared to reopen the case - that the *Psak* had been correct. Regarding his complaint that his opponent's claims were heard by *Beis Din* without his being present, the *Dayanim* pointed out that the daughters of Tzelafchad had made their claim for their father's portion of the land, in front of Moshe, Elazar, the *Nesiim* etc., but nowhere do we see that Tzelafchad's brothers came forward with an opposing claim. Yet, Moshe *et al* listened to the claims of Tzelafchad's daughters, alone, and rendered a *Psak*! It must therefore be acceptable to do so. The *Harei Besamim*, after castigating the first *Beis Din*, proceeded to rebut the proof offered by the second *Beis Din*, citing Tzelafchad's daughters. The *Posuk* lists who was present when Tzelafchad's daughters made their claim, which, in addition to Moshe, Elazar and the *Nesiim*, also included *וכל העדה* - the entire nation. Why does the *Posuk* make a point of saying this? Because Moshe looked around and saw that Tzelafchad's brothers were present, as required, and as they made no claim, their silence was deemed acquiescence. And yet, Moshe still submitted the *Din* before Hashem.

## QUESTION OF THE WEEK:

When would a *minyan* for *Maariv*, with all ten (or more) present, be required to omit the (*Chatzi*) *Kadish* before *Shemona Esrei*, but say the *Kadish* (*TisKabel*) after *Shemona Esrei*?

## ANSWER TO LAST WEEK:

(Should one say more words in *Leshon Nekiah*, even to a woman?)

The *Gemara* (*Pesachim* 3a) states: לעולם אל יוציא אדם דבר מגונה. The *Ben Yehoyada* derives from the "extra" word לעולם that the rule about speaking properly applies even if he must lengthen the words that he speaks to a woman.

## DIN'S CORNER:

Since the *Torah* states ואכלת ושבעת וברכת, the *Rema* cites an opinion which holds that ואכלת refers to eating, and ושבעת refers to drinking. In order to be obligated *Min HaTorah* to fulfill וברכת, one would have had to both eat and drink. Otherwise, the *Chiyuv* would only be *MiDeRabanan*. However, the *Mishna Berurah* notes that according to all, if one only ate because he was not thirsty, the *Torah* still obligates him in a *brocho* without drinking. (MB 197:26)

## DID YOU KNOW THAT ....

The *Mishna* (*Yevamos* 114b) states that if a woman returns from a trip abroad and reports that her husband died there, if it was during wartime, she is not believed. The *Gemara* explains that during war, it may seem to her that he was killed, as she might say "with so many people [in his situation] being killed, how could it be that he survived?" Even where she actually saw him struck down, we are still reluctant to accept her testimony, since it is possible that his wounds were treated and he survived. The *Mabit* (2:78) was presented with testimony regarding a ship that had been boarded by pirates, and the report stated that all aboard (including one Jewish merchant) had been killed by the pirates. The *Mabit* cites the *Gemara's* position but makes a significant distinction. In the *Gemara's* case, no one argues that **everyone** in the war-torn area was killed. As such, since there were some survivors, the husband could have been among them. In the merchant's case, the report says that everyone was killed. If the report states there were no survivors, why should we assume that he survived? A *Remez* to this is in the *Posuk*: ובאלה לא הי' איש (there were none in Moshe's count, 20 years and older, who survived the *Midbar*) להם מות ימתו כי אמר ה' (for Hashem said they would die) ויהושע ... ולא נותר מהם איש כי אם כלב (and no man was left of them except Calev and Yehoshua). Why was it necessary to say ולא נותר? Didn't the *Torah* already describe Hashem's decree of death upon the generation, listing Calev and Yehoshua as exceptions, in *Parshas Shelach*? It must be because the *Posuk* does not say מות ימתו כולם - they will all die. Had it said כולם, there would have been no need for ... ולא נותר because everyone (except Calev / Yehoshua) would have been included. Without כולם, we must assume the possibility of other exceptions to מות ימתו. Since the report of the boat stated that all were killed, we must accept that there were no survivors at all.

## A Lesson Can Be Learned From:

A non-wealthy bochur was standing in a Yerushalayim bus station when he noticed a black case sitting on a bench. His first suspicious reaction was to move away, but then he calculated that the case hadn't been there when he had arrived, and only Charedim had walked by. He carefully opened the case and discovered thousands of dollars. After waiting an hour in the bus station fruitlessly, he took the case home, and his father quickly made signs to hang in all the Shuls. A few hours later, the wealthy owner showed up, explaining that he had just arrived from Bnei Brak, intending to buy an apartment for his daughter, who was just entering *Shiduchim*. He thanked them and left. A week later, he showed up again, saying that when he had told his wife what had happened, she decided to look into this bochur and his family and she liked what she had heard. He therefore wished to serve as his own *Shadchan* and suggest a match between the bochur and his daughter, which a few days later was successfully arranged.

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

This issue is dedicated:

לד"ר פערל ב"ר יצחק הלוי

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