



	Candles	Mincha	DafYomi	Shiur	Shachris	ש"ס זק"ש
Friday	8:08	6:45/8:18				9:10
Shabbos		8:03	6:45	7:50	9:00	9:10
Sunday	8:09	8:19	11:45P	12:30A	8:00	9:10

ושמחת בחגיגך

## IMPORTANCE OF ....

The *Midrash (Bamidbar 2:7)* says that the formation of the *Degalim* had been established at the time of Yaakov's *Petirah*. Yaakov specifically requested that only his sons, not grandsons who had married Canaanite girls, nor Egyptians, carry his coffin. If they followed his instructions, three sons on each side (Ephraim & Menashe taking the place of Yosef & Levi), Yaakov assured them that Hashem would bless them with *Degalim* under the same arrangement. Another *Midrash* quotes Rebbi as leaving a similar *Tzava'ah*, asking that no gentile touch his coffin. Though a *Midrash* is not usually an authoritative Halachic source, there are those who say that if there is no contrary ruling from the *Gemara*, the *Midrash/Agadah* may be relied upon. However, the *Noda BiYehuda (ד"ר 2:161)* notes how everyone would agree that a *Midrash* is still a reliable source for Jewish *minhagim*, citing *Tosafos (Avodah Zara 33b)* who derives from a comment made by Haman to Achashveirosh that if Achashveirosh (*i.e.* a gentile) touched a Jew's earthenware cup, the Jews would rinse it out three times before using it, that such was their *minhag*. The *Beis Shearim (ד"ר י"א 427)* seeks to establish that gentiles not touching a Jewish coffin was also a *minhag*, derivable from Yaakov and Rebbi. As such, it should be equally prohibited, says the *Beis Shearim*, to allow a coffin to be carried on a wagon, pulled by horses. It should certainly not be accepted as common practice. Even if one argued that the *Mishkan* itself was carried on **עלות צב** (covered wagons) pulled by horses, the transport of coffins where the wagon and horses are draped in black would seem to fall into the category of *Chukas HaGoy*, since it serves no purpose, other than to emulate the gentiles. However, the *Yabia Omer (ד"ר י"א 3:24)* disagrees, accepting the premise that black is known to be a color associated with *Aveilus*, and is therefore not emulative of *Goyim*.

## QUESTION OF THE WEEK:

If a deaf-mute, who is considered Halachically not to be a **בר דעת**, learns to speak, does this change his status to **בר דעת** ?

## ANSWER TO LAST WEEK:

(Must women also add **קל מלך נאמן** to *Krias Shema* ?)

The *Minchas Elazar (2:28)* says yes, even though the completion of 248 is less than the total of her **אברים**, because there is a *Tikun* inherent in reaching 248. **ע"ש**

## DIN'S CORNER:

If three people are eating together, where two of them are eating meat and the third is eating dairy, when they reach *Birchas HaMazon*, the one eating dairy should say the *Zimun* because only he is Halachically capable of cleaning and rinsing his mouth in order to be able to join the other two in their meal. As such, he is the one who creates the *Zimun* and he should lead it. The same is true regarding three people, two of whom would not eat *Pas Akum* while the third one, who does, would lead. (*MB 196:9*)

## DID YOU KNOW THAT ....

The *Gemara (Bava Kamma 20b)* states that if one owns land on three sides of another person's property, and he puts up a fence on those three sides between them, he cannot expect the owner of the inner property to share in the cost of the fences. Since the inner landowner is still exposed on the fourth side, the three sides do nothing for him. However, if the outer landowner owns property on all four sides, and he decides to put up a fence on all four sides, the middle property owner must share in the expense of all four fences, since if it were not for his field in the middle, no fences would have been needed at all. Apparently, in such a case, the middle fellow's obligation to share in the expense is not a simple matter of compensation, but rather we view the fences as having been put up originally on behalf of both landowners, for which they both must pay. The *Noda BiYehuda (ח"מ 2:24)* ruled on a matter involving an author, who wished to publish a *Shas*, with his own commentary. To that end, he paid a typesetter to put together plates for each page, and to publish them. Later, the typesetter, who retained ownership of the plates, decided to use them, remove the author's commentary, and publish a second *Shas*, adding in *Rashi* and *Tosafos*. The original author demanded that the typesetter give him back the money he had been paid for the typesetting, since he was now using the fruits of the author's expense. The *Noda BiYehuda* agreed, ruling that he must return the money. Some *Meforshim* understand this ruling as obligating the return of only half the money, since the typesetter, by using the plates, indicated that his intention when producing them was that they belong to both the commissioning author and himself. As a partner, he need only pay half. The same rule might apply to a diskette or cassette, where one makes a copy of it to give to another. By doing so, in violation of the publisher's restrictions, he demonstrates a partnership-like relationship with the author, and may be deemed liable for a percentage of the initial expenses.

## A Lesson Can Be Learned From:

A wealthy man, a Chosid of the Rzhiner Rebbe, received news that one of his larger ships carrying very valuable merchandise had been lost at sea. The man was unable to tolerate such misfortune, and fainted. He was subsequently revived, and as soon as he realized again what had transpired, he fainted once more. The same thing continued to happen several times, which alarmed his family. When this was reported to the Rzhiner, the Rebbe advised those concerned to tell the unfortunate man that a mistake had been made, and that the sinking ship was not his. Upon receiving this report, the wealthy man recovered, and stopped fainting. The Chasidim thought that the Rebbe had permitted such "flexibility" with the truth for *Pikuach Nefesh* reasons, but to their surprise, the news was eventually confirmed, and it was indeed not the wealthy man's ship that had been lost. When the Chasidim asked the Rebbe if he had known this through *Ruach HaKodesh*, the Rebbe replied that he was not a *Navi*, but that when he had heard how the man could not tolerate such bad news, he knew that it could not be true. Hashem does not afflict a person with a *Nisayon* that he is unable to bear.

**P.S.** Mazel Tov to the Sheli family upon the engagement of their daughter Anna. Sholosh Seudos sponsored by the Fuerst family.

This issue is dedicated:

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

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