



	Candles	Mincha	DafYomi	Shiur	Shachris	ש"ס
Friday	7:40	6:50/7:45				9:32
Shabbos		7:35	6:30	7:10	9:00	9:32
Sunday		7:51	7:30		8:00	9:33

IMPORTANCE OF

The *Mishna* (*Sanhedrin* 89a) derives from the *Torah's* requirement of: **וְכָל הַעֵם יִשְׁמְעוּ וִירָאוּ** that one convicted of being a *Zaken Mamre* (a sage who refuses to abide by *Beis Din's* ruling) is to be held until the following *Chol HaMoed*, and then executed in Yerushalayim, where everyone will see it. Regarding a *Ben Sorer U'Moreh* (a rebellious son), the *Torah* states similarly: **וִירָאוּ וְיִשְׁמְעוּ** and the *Gemara* derives simply that execution of a *Ben Sorer U'Moreh* requires publication, so that all may know of it. Why isn't the *Ben Sorer U'Moreh* taken to Yerushalayim and executed on *Chol HaMoed*? The *Gemara* (*Moed Katan* 14b) asks, since after an execution, *Beis Din* may not eat the rest of the day, wouldn't doing so *Chol HaMoed* deprive them of **יָמֵי טוֹב** שמחת *Tosafos* wonders why the *Gemara* is not concerned with the *Melacha* of killing, and concludes that carrying out a judgement is a *mitzva*, overriding the prohibition against *Melacha* on *Chol HaMoed* under the rule of **עֲשֵׂה דוּחָה לֹא תַעֲשֶׂה**. The *Binyan Ariel* cites a *Gemara* (*Kesubos* 40a) which states that where the *Torah* obligates one to marry a woman he victimized (**וְלוֹ תֵּהֵאֵר לְאִשָּׁה**) the obligating *mitzvah* is weak because she can always refuse him. As such, it would not be **דוּחָה** if she were otherwise **אֲסוּר** to him. So too, the *Gemara* (*Sanhedrin* 88b) states that the parents of a *Ben Sorer U'Moreh* can be **מוֹחֵל** him, leaving the *mitzvah* weak, but *Beis Din* may not be **מוֹחֵל** a *Zaken Mamre*. As such, the stronger *mitzvah* of *Zaken Mamre* is capable of overriding the **לֹא** prohibiting *Melacha* on *Chol HaMoed*. However, the *mitzvah* of *Ben Sorer U'Moreh*, weak as it is, cannot be **דוּחָה** the **לֹא** of *Melacha* on *Chol HaMoed* and he is therefore not executed then.

QUESTION OF THE WEEK:

When would one not be permitted to walk into Shul, remove a Siddur from the shelf and wait patiently for the *Minyan* to begin *davening*, if there is no risk of missing a **זָמַן** or another *mitzvah*?

ANSWER TO LAST WEEK:

(Why isn't embarrassing someone included as a cardinal sin?)
Tosafos (*Sotah* 10b) explains that the three cardinal sins are only those stated clearly in the *Torah*. Embarrassment is derived from Tamar but isn't explicitly stated. The *Meiri* (*Berachos* 43b) says the derivation from Tamar is too "Agadaic" (allegorical).

DIN'S CORNER:

It is customary during the month of Elul to: add the *Mizmor* 27 of **אורי** after *Shacharis* and *Mincha*; blow 4 blasts on the Shofar each day after *Shacharis*; enclose a **כְּתִיבָה וְחִתִּימָה טוֹבָה** wish in all correspondence; be especially careful with fulfilling *mitzvos*; perform **קִידוּשׁ לְבָנָה**, if possible immediately after 7 days; check one's *Tefilin* and *Mezuzohs*; say 10 chapters from *Tehilim* each day and do *Tachanun* (*Mateh Ephraim* 581).

DID YOU KNOW THAT

The *Gemara* (*Sanhedrin* 45b) states that as a result of the *Posuk*: **יָד הַעֲדִים תֵּהִיָּה בּוֹ בְּרֵאשֹׁנָה** (the witnesses' hand must begin the accused's execution), if a witness lost his hand, the execution must be cancelled. The *Radvaz* (3:627) was asked if one is obligated to sacrifice a limb in order to save another's life. Although he concluded that one is not so obligated, the *Or Sameach* (*רוצח* 7:8) sought to prove that no such obligation could exist, from the following: The *Gemara* (*Sanhedrin* 44b) states that after Shimon b. Shetach captured and executed 80 witches who were practicing sorcery in Ashkelon, relatives of the witches, seeking to take revenge, hired two witnesses to falsely testify against his son, who was convicted and sentenced to death based on their testimony. When he passionately declared his innocence on the way to his execution and called down justice on the false witnesses, the two witnesses recanted and admitted their lie. However, since we do not accept anything but the original testimony of witnesses, *Beis Din* refused to listen and the execution was carried out. The *Or Sameach* notes that *Beis Din* might have ordered the witnesses to cut off their hands, thereby canceling the execution. Since they did not, clearly one is not obligated to sacrifice a limb, even to save a life. However, *Igros Moshe* (י"ד 2:174) maintains that *Beis Din* would never have ordered the witnesses to sever their hands, as *Beis Din* is bound to believe the original testimony no matter how much the witnesses deny it. Still, the witnesses themselves, who knew the truth, were surely obligated to voluntarily sever their hands to save him.

A Lesson Can Be Learned From:

Government regulations permitted the Volozhin Yeshiva to house only 200 students, which was less than half of the over 400 students that studied there. The inspectors were regularly given incentives to look the other way. When R' Chaim Brisker became the Rosh HaYeshiva, the Hanhala was notified that the Minister of Education himself, a man known never to accept a bribe, was coming to inspect. As the newly appointed Rosh HaYeshiva, R' Chaim requested an audience with the Minister. He arrived on a hot summer day wearing a heavy coat and boots. The Minister asked why he was dressed this way and R' Chaim explained that his grandmother told him it would rain that evening. The Minister laughed and said that was impossible. R' Chaim offered to wager 100 rubles that it would rain. The Minister jumped at the opportunity, and the next day (after no rain), R' Chaim sent over the 100 rubles. He then told the Netziv, "Now you can send someone with a bribe and the Minister will accept it." When R' Chaim was proven correct, he explained that the *Torah* states: **וַיִּסְלַף דְּבַרֵי צְדִיקִים** regarding a bribe. How can one remain a Tzadik after taking a bribe? It means that even if one received money legally, but connected to a judgement, it is deemed bribery and it will corrupt even Tzadikim.

P.S. Sholosh Seudos is sponsored this week by the Tyberg family.

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

Dedications (\$18) and appreciations may be sent to: Kehilas Prozdor, 8 GreenHill Lane, Spring Valley, N.Y. 10977 (914) 354-7240
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