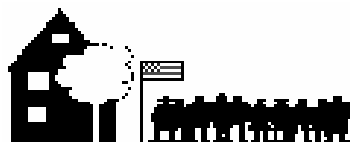


תשס"ה



A Kehilas Prozdor Publication

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(Monsey/Spring Valley Z'manim)

	Candles	Mincha	DafYomi	Shiur	פרשת: ראה	סזק"ש Shachris
Friday	7:09	7:19				9:40
Shabbos		7:05	6:15	6:55	9:00	9:40
Sunday		7:20	8:15		8:00	9:40

IMPORTANCE OF

The *Gemara* (*Kidushin* 15a) states that the severance gifts mandated by the *Torah* for an *Eved Ivri* who has completed his servitude must be given to **him**, and not used to directly pay one of his creditors. This is derived from: **הענק תעניק לו** (you should give him gifts) **לו ולא לבעל חובו** (to him and not to his creditor). The *Ateres Chachomim* points out that the *Gemara* ties the gifts of *Ha'anakah* to the words of the *Posuk*: **כי משנה שכר שכיר** – the "double" work which the *Eved Ivri* did for six years, implying that double is an upper limit - the *Ha'anakah* cannot be greater in value than the wages for which the *Eved* worked all those years. As such, why does the *Gemara* need the *Drasha* to exclude paying a creditor? After all, since the *Eved* was sold to pay back the money he stole (**ונמכר בנבנתו ולא בכפילו**), although his debt is now paid, he still owes the *Keifel* (double) that every thief must pay. If the *Ha'anakah* can't be more than the debt/wages, it would have to be fully used to pay the *Keifel*. This would force every *Eved Ivri* to be set free with no gifts at all, which would violate the *Posuk*: **ולא תשלחנו ריקם**. The *Tzitz Eliezer* (12:84) suggests that it would not be appropriate to derive an exclusion for all creditors from the restrictions that may exist on the man the *Eved* stole from. For is not *Keifel* a **קנס** (penalty)? Perhaps with regard to penalties the *Torah* used **ולא תשלחנו ריקם** to exclude a *Keifel* creditor. However this should not be used to control the laws of other creditors with bona fide debts due and owing. For such debts, perhaps *Ha'anakah* or some portion of the *Ha'anakah* can be used. Therefore the *Torah* found it necessary to *Darshan* **לו ולא לבעל חובו** to totally exclude all creditors.

QUESTION OF THE WEEK:

If a father is a guest in his son's home, who has precedence with regard to saying *Hamotzie*?

ANSWER TO LAST WEEK:

(Where is property taken from the public and given to an individual?)

The *Gemara* (*Bava Kamma* 29b) states (according to R' Elazar) that if one digs a pit in the *Reshus HaRabim* (public domain), although no one owns the public domain, the *Torah* views that pit as if it now belongs to the man who dug it.

DIN'S CORNER:

If two disputants are in the same city, and the creditor is afraid to litigate with the debtor (who is a "tough guy"), anyone who takes up the creditor's case using **הרשאה** (power of attorney) has mixed himself into someone else's quarrel, about which the *Posuk* says: **ואשר לא טוב עשה בתוך עמיו**. If however, the debtor is in another city and the creditor finds it difficult to travel there and prosecute his case, then if someone steps forward to assist him by going in his place, he has performed a *mitzvah* by rescuing a potential fraud victim from a loss. (*Kitzur Shulchan Aruch* 181:16)

DID YOU KNOW THAT

The *Mishna* (*Bava Basra* 7b) states that the populace of a city can be forced to contribute towards the upkeep of the city's walls, gates and lock. A person is included in the population after living there for 12 months. If one purchases a home in the city, he is included immediately. The *Gemara* asks: A *Beraisai* says that if a caravan driven by camels and donkeys passes through a city, during which time the city residents worship *avodah zarah* and turn the city into an **עיר הנדחת**, if the caravan people join them after remaining there only 30 days, they are punished together with the city. The *Gemara* answers, distinguishing between taxes, which obligate **אנשי העיר** (people of the city) versus those punished in an **עיר הנדחת** which applies to **יושבי העיר** (residents of the city), as the *Posuk* says: **הכה תכה את יושבי העיר ההיא**. Residency can be established in 30 days while joining the populace takes 12 months. The *Gemara* (*Megilah* 19a) states that if a citizen of a large or walled city is in a small city on the night of Purim, he should hear *Megilah* in the small city, unless he can make it home still that night. This is derived from the words: **היושבים בערי הפרוזות** where the *Gemara* states that one can be a resident of an unwalled city even for a day. The *Turei Even* asks how this can be, in light of the above *Gemara* which describes **יושבי העיר** with a minimum of 30 days residency. The *Yachel Yisrael* (44) notes that the *Drasha* in the *Sifri* which includes the people in the camel and donkey caravan comes from the word **יושב** (יושבי העיר). This is because generally, one is deemed a **יושב** even after one day. However, since with regard to **עיר הנדחת** the *Torah* stressed the word **ההיא** – to exclude residents of a different city, the implication is that the camel and donkey drivers would have to first shed their home residency before establishing an **עיר הנדחת** residency. This would take 30 days.

A Lesson Can Be Learned From:

A Meshulach had a well-established list of customers that he had been able to count on for many years. In one particular city in Europe, one of his best donors belonged to a certain Chasidische group, while another very generous patron belonged to a different group. One year, the two Chasidische groups had a falling out, and quarrels broke out among their relative Chasidim around the world. When the Meshulach next visited this city, each of the two best donors wanted to hear with whom he sided. Treading carefully, the Meshulach answered that he hadn't yet formed an opinion on the matter. He continued with a story about R' Hershele Ostropolyer who once visited a village and was given lodging by a couple. As weeks went by and he made no move to leave, the host plotted with his wife to make an over-peppered Kugel for Shabbos, and when he yelled at her over it, they would ask Hershel to decide if there was too much pepper. Whichever he chose, the other, aggrieved party would order him to leave the house. On Shabbos, as the drama unfolded and Hershel's opinion was sought, he said "I plan to be here a few more weeks – it's best if I don't mix into your affairs!"

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

This issue is dedicated anonymously :

לע"נ The Skulener Rebbe זצ"ל

Dedications (\$18) and appreciations may be sent to: Kehilas Prozdor, 8 GreenHill Lane, Spring Valley, N.Y. 10977 (845) 354-7240

As this contains *Divrei Torah* and partial *Pesukim*, it should be treated with proper respect, both during and after use

לז"נ פערל ב"ר יצחק הלוי