



IMPORTANCE OF

The *Mishna* (*Menachos* 81b) states that if one says he will bring a *Korban Todah* from his own money, and its accompanying 40 loaves of bread from *Maaser* money, he must bring both from his own money. *Tosafos* explains that once he obligated himself to bring the *Korban*, he automatically included all of its parts. When he then mentioned the loaves from *Maaser* money, that was an attempt to retract his earlier words. Since the rule regarding *Hekdesh* is "אמירתו לגבוה כמסירתו להדיוט" (a verbal obligation to *Hekdesh* is the equivalent of physically handing something to a person), he may no longer retract, even if he does so "*Toch K'dai Dibur*" (within a few seconds after transacting). The *Ketzos* (255:3:2) asks why this is so. After all, one may retract within *Toch K'dai Dibur* after handing something over to a person. If verbally committing to *Hekdesh* is the same as handing it over, why can't one retract there as well? The *Ketzos* answers that every transaction requires both a verbal consent as well as a physical act of *Kinyan* (acquisition). If one retracts his verbal consent after the physical *Kinyan*, a required element is missing. However, under the rule of אמירתו לגבוה, his verbal commitment is itself the *Kinyan*, and not merely an indication of consent. As such, words cannot nullify a finalized *Kinyan*. Does the rule of אמירתו לגבוה apply to *Tzedaka* as well? The *Ketzos* thinks not. One becomes obligated in pledges to *Tzedaka* only through the operation of *Neder* and as such, he may retract *Toch K'dai Dibur*. However, the *SMA* (ח"מ 125:25) disagrees, stating that *Tzedaka* is also subject to the rule of אמירתו לגבוה, deriving such from the *Posuk*: מוצא שפתיך תשמור ועשית כאשר נדרת לד' ... בפיק which obligates one to keep his word, as vowed to Hashem.. "with your mouth". The *Gemara* (*Rosh HaShanah* 6a) applies the word בפיק to *Tzedaka*, absorbing it into the group entitled "כאשר נדרת לד'", Thus a vow to *Tzedaka* is also characterized as a *Neder* to Hashem, making it a אמירתו לגבוה matter, where אמירתו לגבוה can apply.

QUESTION OF THE WEEK:

If a name is added to a married woman who is ל"ע sick, must her *Kesubah* be amended with the new name?

ANSWER TO LAST WEEK:

(How does *Kareis* apply to someone over 80?)

The *Sdei Chemed* (כ:148) cites the opinion of the *Chida*, that one who is over 80 can still be punished with כרת דיומי (shortened days) even if he can't suffer כרת דשני (shortened years), by dying after an extended illness.

DIN'S CORNER:

One should say upon acquiring things for *Shabbos*, that they are *LeKavod Shabbos*. On Friday, one should make *Shabbos* preparations both early in the morning, and again during *Bein HaShemashos*. It is a *mitzvah* on *Erev Shabbos* to taste all the foods prepared for *Shabbos* to ensure that they are prepared properly, and the *Remez* to this is: טועמה חיים זכו. (MB 250:2)

DID YOU KNOW THAT

The *Rambam* (ברכות 6:2) rules that no *brocho* is recited when washing [with] *Mayim Acharonim* (as is done when washing at the beginning of the meal) because *Mayim Acharonim* are intended only to avoid the danger of *Melach Sodomis*, and *berachos* are not said where avoiding danger is the purpose. For the same reason, one does not recite a *brocho* over *Krias Shema* that one says before going to sleep, as the *Krias Shema* is to ward off *Mazikin* (see *Rashbash* 174). (*HaMapil* is a *brocho* over the concept of sleep, not for the *mitzvah* of *Krias Shema*) Some say that no *brocho* is recited over *Parshas Zachor*, because the whole *mitzvah* of destroying *Amalek* is also to eliminate the danger that they represent (see *Mishna Halachos* 7:81). There is also an opinion that says we do not recite a *brocho* over the *mitzvah* of eating on *Erev Yom Kippur* because it too is to avoid the danger that might result on *Yom Kippur* if one did not eat beforehand. All of which raises the question of why the *Rambam* (ברכות 11:8) rules that a *brocho* is recited when building a *Maakeh* on one's roof, as the *mitzvah* of *Maakeh* is clearly described to avoid the danger of falling off the roof. The *Chasan Sofer* (אור"ח 14) maintains that all matters of *Sakanah* which people are obligated to avoid are really included in the *mitzvah* of ושמרתם את נפשותיכם (תמידית) applicable at all times, over which a *brocho* is traditionally not recited. The *mitzvah* of *Maakeh* on the other hand, is an obligation for the benefit of others, which the *Torah* has placed on a homeowner, and the *mitzvah* is specifically fulfilled at the time that the house, roof and *Maakeh* are built. R' Shlomo Kluger (קנאת סופרים 42) adds that by saving someone from danger, one fulfills the *mitzvah* of *Hashovas Aveidah*, which is initially applicable to one's possessions, and certainly applicable to one's physical self.

A Lesson Can Be Learned From:

A *Rav* was walking down the street when a man came over to ask a *Sheilah*. It seems that the man was wealthy and was blessed with many *berachos*. "I have everything that I could want. Yet, yesterday, when my neighbor across the street brought home a shiny new car, I felt jealous. How could the *Torah* expect me not to be jealous? How can I avoid the *Aveirah* of לא תחמוד when I see my neighbor's new car?" The *Rav*, after saying a small *Kepitel* of *Tehilim* while asking for *Siyata DiShmaya* on this question, turned to the man and said: "But not everything is in order with your neighbor, is that not so?" The man was shocked to hear the question, asking the *Rav* how he had known. The *Rav* ignored his question and proceeded to ask if he was jealous of and wished to have everything the neighbor had, including his "Pekel" (i.e. problems). The man, of course, said no. The *Rav* explained to him that when the *Torah* stated לא תחמוד, it gave a list of things that one might be jealous of (i.e. his house, field, wife). However the last item is וכל אשר לרעיק – everything he has. Why is this here? It is to teach us that when one feels jealous of someone's material possessions, he should remember everything else that his neighbor possesses as well.

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

This issue is dedicated:

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

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