



Friday	7:04	7:14				9:41
Shabbos		7:00	6:00	6:50	9:00	9:41
Sunday		7:10			8:00	9:41

IMPORTANCE OF

The Gemara (*Sanhedrin* 17a) states that if *Beis Din* unanimously finds someone guilty of murder, he is not to be executed, but rather set free, because under the doctrine of **הוצילו העדה**, every accused must always have someone looking for a **זכות** on his behalf. What if someone killed **בשוגג**? If the entire *Beis Din* found him guilty of murder **בשוגג** and wanted to send him to *Galus*, would **הוצילו העדה** require that he be set free? The *Torah* states that someone in *Galus* can only go free when the *Kohen Gadol* dies. As such, we may assume that all the murderers sitting in *Galus* will be praying for the *Kohen Gadol's* death. The *Gemara* (*Makos* 11b) says that the *Kohen Gadol* must accept this personal "responsibility", because he didn't *daven* (enough) to *Hashem* to prevent the murder(s), albeit unintentional, from occurring in the first place. If one was sentenced to *Galus* at a time when there was no *Kohen Gadol*, he could never go free. However, if the *Kohen Gadol* died before **גמר דין** (the verdict), but a new *Kohen Gadol* was appointed immediately and was in place when *Beis Din* stated their verdict, then the murderer would go free at the death of this new *Kohen Gadol*. The *Gemara* asks, how is this new *Kohen Gadol* in any way responsible for the murder, which occurred long before he took office?! The *Gemara* answers that he should have prayed that the verdict be for acquittal. The *Aruch LaNer* asks, if the murderer is guilty, how could the *Kohen Gadol* be expected to pray that the *Beis Din* violate **משפט לא תטה** by making a mistake? We must therefore conclude that the *Kohen Gadol* was expected to pray that the guilty decision of the *Beis Din* be **unanimous**, which, as suggested earlier, would provide the murderer with an acquittal, without requiring *Beis Din* to make a mistake.

QUESTION OF THE WEEK:

What *Chumra* would apply to the last *Daf* in a *Masechta*, that would not apply to another *Daf*?

ANSWER TO LAST WEEK:

(When could one put *Tzedakah* in a communal *Pushka* – not a private one?) Based on a *Yerushalmi* (*Shekalim* 5:15), many *Acharonim* hold that one should not give *Tzedakah* at night, unless the intent is to use darkness to avoid embarrassment to the **עני**. Since the origin of the coins in one's own *Pushka* is known, it carries a potential for embarrassment. That of a communal *Pushka* is not known.

DIN'S CORNER:

Under the *Issur* of **לא תחנם**, it is prohibited to gratuitously praise the appearance, talent or accomplishments of a member of the **שבעה עממין** – the seven nations that were conquered by Yehoshua upon the *Bnei Yisrael's* entry into *Eretz Yisrael*, unless the praise is directed towards *Hashem* for having created such a person. One may also not give such a person a gift unless he has received one or expects to receive one from him in return. (ד"י 151:14)

DID YOU KNOW THAT

The *Gemara* (*Gittin* 36a) states the opinion of Ameimar that those who allow a *Neder* (vow) made "**ברבים**" (publicly) to be revoked, would not allow one made "**על דעת רבים**" (on public consent) to be revoked. However, this distinction only applies to personal vows. A vow related to the performance of a *mitzvah* may be revoked, even if made **על דעת רבים**, as we find in the matter of Rav Acha, who caused a vow **על דעת רבים** to prevent a certain teacher who hit the children (too much) from teaching, but Ravina revoked the vow because there was no other who taught as well as he did. *Tosafos* (ר"ת) explains that such a *Neder* may be revoked because everyone is willing to forgo the vow where a *mitzvah* is at stake, but restricts this leniency to cases like the teacher, where the *Neder* was based on a mistake, *i.e.* the assumption that another comparable teacher would be found, and one may assume that all the parents wanted the teacher back. Where the *Neder* is not one where a *mitzvah* demands a total consensus of retraction, such as the oath sworn not to kill the *Givonim* (*ibid* 46a), the oath must be honored, despite the fact that sparing them violated: **לא תחי' כל נשמה**. Thus, according to *Tosafos*, not every *mitzvah* permits revocation of an *Neder*. However, the *Ra'N* points out that the *Givonim* were spared, not because the oath could not be revoked, but rather because they had done *Teshuvah*, and the *Gemara* (*Sotah* 35b) derives from: **למען אשר לא ילמדו אתכם לעשות** that if a nation from among the 7 nations was willing to commit to the 7 *mitzvos* [*Bnei Noach*], they could be spared and accepted into *Klal Yisroel*. The *Ramban* (*Makos* 16b) and many *Acharonim* also argues with *Tosafos'* restriction, stating that a *mitzvah* other than the one compelling Ravina to reinstate the teacher may also warrant or permit revocation of a **נדר על דעת רבים**. A *Machlokes* once broke out in a Shul of 220 families, causing a group of 50 to break away. They swore each other never to return without the consent of the strictest among a designated group of 12, but one of the 12 died and another moved away. The group wished to return. The *Divrei Rivos* (233) held that the *mitzvos* of **אחדות ושלוה**, and to prevent *Machlokes* were enough to allow revocation of the oath.

A Lesson Can Be Learned From:

A Jew came to R' Matisyahu Shtifinishter and asked for a brocho to save him from being drafted into the army. R' Matisyahu asked him which aspect of military life did he believe would be his biggest difficulty – keeping Shabbos, Kashrus or some other Torah challenge. The man replied that those were not his concerns because he didn't observe them anyway. His main concern was his elderly, frail mother, whom no one but he took care of. What would happen to her if he were drafted? R' Matisyahu looked at him for a moment and then said: "Your concern is also worthwhile. My advice to you is to register with the military draft, and I wish you that they should be as impressed with you as I am". Apparently, they were, and discharged him.

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

This issue is dedicated:

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

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