

## 8-Beitzah Intro

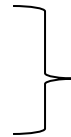
Beitzah discusses laws related to Yom Tov.

Those days in which work is forbidden, namely:

- Pesach- 1st and 7<sup>th</sup> day
- Shavuos-1st day
- Succos- 1st day
- Shimini Atzeres
- 2 days of Rosh HaShanah

Outside of Israel, add a day to each day listed here, i.e:

- Pesach- 2<sup>nd</sup> and 8<sup>th</sup> day
- Shavuos -2<sup>nd</sup> day
- Succos -2<sup>nd</sup> day
- Simchas Torah



Work: The 39 categories of labor on Shabbos are also prohibited on Yom Tov, but with one major exception, the preparation of food for human consumption.

( See Ex 12:16) “No labor can be performed, however that which is eaten by any person. That alone may be performed by you.”

## 8-Beitzah Intro

This dispensation allows us to cook, bake and even carry food from place to place.

Are there any limits on this dispensation? Are all activities that are related to food preparation permitted? We learn from Shemos 12:17, “You must guard the matzos”.

The Rabbi’s learn from the juxtaposition of these two sentences that for food preparation to be permitted, it must be far along in the process, i.e., from “kneading and onward” .

However, earlier activities, i.e., harvesting, threshing, winnowing, straining, reaping, or sifting, etc., are not permitted on Yom Tov. Cutting a fruit off of a tree is a violation.

Bais Hillel- Learns that since a Malachah was permitted for food preparation, it is also permitted even when there is no food related purpose.

## 2<sup>nd</sup> Concept - Muktzah

Muktzah - means set aside, so as not to be used.

Objects, that on Shabbos were not expected to be used, are not to be touched or moved.

Rambam (Hil Shabbos 24:12,13) gives us three reasons:

1. So Shabbos will be different than days of the week.
2. If they are normally used for work purposes, if we touched them, we might forget and use them for work.
3. For those people who have no trade or craft, Shabbos would not be different than any other day for them. They have no work to avoid. The Rabbis, therefore, made the category of muktzah, not to touch or move items, so the Sabbath would be special.

Muktzah is any item not “prepared” for use before Shabbos, i.e., anything which in the normal cause of events would not be expected to be used on the Sabbath.

# בִּיצָה שְׁנוּלָדָה בְּיוֹם טוֹב

An egg that was laid on Yom Tov.

Does the Mishnah refer to a hen as being designated

a. for eating?

or

b. to produce eggs?

We say that if the Mishnah is speaking about a hen that was designated for consumption, then eating it, is not muktzah and the egg is food that can be eaten.

If we say that a hen is designated to produce eggs, then the hen was not prepared for food and therefore, food that comes from it (egg) has changed its status. The hen is as though it was newly born, i.e., “a nolad” and is therefore, prohibited for eating or even touching.

It is muktzah.

# בִּיצָה שְׁנוּלָדָה בְּיוֹם טוֹב

An egg that was laid on Yom Tov.

An egg that was laid on Yom Tov may not be eaten on that day (Hillel).

What is the rule if the egg is laid on the next day, the second day of Yom Tov?

We should be able to eat the egg on that day. The second day of Yom Tov (except for Rosh Hashanah) is kept because of doubt as to which day is the actual Yom Tov. If the first day was not the actual Yom Tov, there is no restriction on eating the egg, since it was not laid on Yom Tov at all! However, the Rabbis tell us to honor the customs of our fathers, and to consider both days as Yom Tov. We are not permitted to eat an egg laid on the first day of Yom Tov or the second day either.

# אֵין מִבְּקָעִין עֵצִים מִן הַקּוֹרוֹת

We do not split wood from beams (on Yom Tov, for firewood).

How do we deal with an item that was muktzah before Shabbos, because it would not be used on Yom Tov, but during Yom Tov it changed, i.e., a valuable beam set aside for construction purposes. Construction would not be permissible on Yom Tov, so it is muktzah, we can't touch, move or use it. However, if during Yom Tov the beam breaks and is no longer appropriate for construction, does it lose its muktzah status?

R Yehudah says – Since it was set aside (muktzah) at the onset of the Sabbath, it remains muktzah for the entire Sabbath day.

R Shimon says – No, the muktzah status terminates. Halacha is according to R Yehudah.

# כַּחַד דְּהֵתִירָא עָדִיף

The power of the heter (lenient ruling) is superior.

Rashi - It is better to accept a lenient interpretation based on a tradition you have received, because anyone can assume a more stringent view.

R Isaiah Horowitz - If one adopts a stringent view for himself, where there is no basis for it, he is considered a 'chassid shoteh', a foolish pious person.

R Shabbasai HaCohen - It is wrong to permit that which is forbidden and it is equally wrong to forbid that which is permitted.

# זָרָה מְשוּם פִּירוֹת הַנוֹשְׂרִין

An egg laid on Yom Tov resembles fruit that falls.

An egg laid on Yom Tov can be eaten according to B Shammnai since we are speaking about an egg from a hen designated for eating. The egg is just an extension of the hen and may, therefore, be eaten.

Bais Hillel says, “No, it can’t be eaten.”

Why not?

Rav Yosef because an egg is similar to a fruit that falls from a tree on Yom Tov.

Abaye says, “Not so. Why is a fruit that falls from a tree prohibited?” Because we are afraid people will climb up on the tree and pick the fruit. Therefore, the Rabbis decreed it was prohibited. Now to prohibit an egg because it resembles a fruit, is to create a prohibition to safeguard a Rabbinic edict, which we never do.

(Lev 18:30) “You shall safeguard my instructions.” This is regarding Biblical decrees but not regarding Rabbinical decrees.



בִּיצָה אֹכֶלֶת וּפִירוֹת אֹכֶלֶת

An egg is a food and fruits are food.

Answer: Not so, it is all one decree. The case of egg is subsumed into the decree of the fallen fruit.

But is that so? Is an egg a food like a fruit? Or is an egg not a food, but a liquid?

It is not a liquid. Being a liquid would only be ascribed to an item where squeezing to get the juice is a distinct possibility. Squeezing to get the flowing contents of an egg is not a possibility. An egg is not a liquid, but a food, like a fruit.

בִּיצָה אֹכֶלָא וּפִירוֹת אֹכֶלָא

An egg is a food and fruits are foods.

Which came first the chicken or the egg? The account of creation teaches us that God created the animals, so the answer is clear.

Should the egg be considered a product of the chicken, similar to a fruit that comes from its source, a tree? If so, we can't use the egg that is laid on Shabbos or Yom Tov for fear we might 'pick the fruit from the tree'.

Or is the egg similar to juice, which flows from fruit. It also may not be consumed on Shabbos or Yom Tov, for fear we may squeeze the fruit to get the juice.

An egg is concealed much like juice in a fruit, whereas the fruit itself is always visible.

Therefore, the egg is more like juice, than it is like the fruit, itself.

In contrast to juice, which is not a food  
but a liquid.

לֵאפוּקֵי מִשְׁקִין דְּלֵאוּ אוֹכְלָא

Are eggs food or liquid?

Are yogurts, jellos, pudding, ice cream, and ices, food or liquid?

Why is this important?

1. Bracha Acharona-If an edible is a food, a B'A' is needed after consuming the volume of an olive; if it is a liquid, the volume needed to require a B'A', is a reviis.
2.
  - a. If you freeze a food, it started solid and ends solid.
  - b. If you freeze a liquid, it starts liquid and ends solid or vice versa.
  - c. If you have a change in its state, a new entity, a nolad, has been created and this cannot be done on Shabbos or Yom Tov.

Definition: A food that has dissolved to the point that one can drink it, is no longer a food but a liquid. A liquid that has congealed or is frozen to a point where one could eat it, is no longer considered a liquid. That which requires chewing or sucking, is a food. Raw eggs should be a liquid, yet it is considered a food.

אֵי הַכִּי אֵימָא סִיפָא

If so, explain the last case.

What is the rule regarding eating, i.e., an egg, about which there is a doubt?

1. If the doubt is related to a Biblical decree, we rule stringently. For example, in a case where it is in doubt whether the egg came from a ‘treifah’ hen.
2. If the doubt is related to a Rabbinical decree, we rule leniently, i.e., whether the egg was laid on a Shabbos or Yom Tov.

However, something that will not eventually become permitted, the doubt can be diluted and nullified, even if it is a Biblical prohibition and we would otherwise be strict.

An item that will eventually become permitted, we prohibit it until the time it becomes permitted. We do not allow it to become nullified by dilution, even if it is a Rabbinical prohibition about which we would otherwise be lenient.

וּזְקָא רַחֵי

The teaching was an exaggeration.

When Rav Eliezar said, “A hen is a chick and its shell may be eaten on Yom Tov,” it was an exaggeration. Are we allowed to exaggerate? Is this not an untruth? Is this “Kosher lying”?

Rashi says it is used occasionally by our sages to bolster their arguments, i.e., for teaching purposes.

A person who knows himself to have a tendency to lie, should not use the tool of exaggeration for any purpose. Others may use it, but must be careful.

הִזְהָרוּ בְּמִנְהַג אֲבוֹתֵיכֶם בְּיַדֵּיכֶם

Be careful with the customs of your ancestors.

Kiddush was enacted in shul Friday night for the benefit of those who would eat and sleep there. People no longer sleep in shul. Should we stop the recitation of Kiddush there?

Initial reason to keep two days Yom Tov in the diaspora no longer applies since we have a fixed calendar. Should we stop observing two days?

No, keep the tradition of our ancestors. (Mishnah Berura, Magen Avraham,

Abraham Avi Gombiner)

שׁוּבוּ לְכֶם לְאֹהֲלֵיכֶם׃

“Return to your tents”.

If a person dies and is then resuscitated, must they remarry their spouse?

BT Shabbos 85 tells us that after each of the 10 commandments was given the Jewish nation, people lost their souls and had to be revived. They were told to return to their tents which meant, according to our Gemara, that they should cohabit. A new marriage ceremony was not needed. Death did not sever the bonds of marriage and upon revival to life, the marriage was able to continue.

It also means that after the experience at Sinai, the people had to be ordered to return to the usual routine of their lives from their special spiritual state.

# מַת יְתַעֲסְקוּ בּוֹ עַמֻּמִּים

A body that awaits burial on the first day of Yom Tov.

A body that awaits burial on the first day of Yom Tov, should involve non-Jews.

Non-Jews are needed for those acts that would cause a violation of Biblical prohibitions, i.e., digging the grave and filling the grave after burial.

Jews could do those tasks prohibited by Rabbinical decree, such as:

- heat water to clean the body
  - carry the body to the cemetery
1. Rosh
  2. Shulchan Aruch
  3. Mishnah Berura all agree – the others disagree

Rav Moshe Feinstein- Nowadays, burial should not take place on the first day or even on the 2<sup>nd</sup> day of Yom Tov, because people will violate the Holiday, i.e., drive, or call on the phone.



מְנִיחַ אָדָם עֵירוּבֵי תְּבִשְׁלִין מִיּוֹם טוֹב לַחֲבִירוֹ וּמִתְנָה

A person may establish eruvei tavshillin from one day of Yom Tov to the next and  
stipulate.

He, who expends effort on Erev Shabbos, in the effort to prepare on Yom Tov for the next day, which is Shabbos, is likened to the person who prepares on this earth with Torah and mitzvahs so that he will have that which to enjoy in the world to come.

לְמַאי נִפְקָא מִיָּדָה

What difference does it make?

A person asked to purchase a certain type of egg and he later learned that he had been given a different type, is the sale invalid? Must the butcher refund the entire price or only the difference between the value of the two types of eggs?

Shitah Mekubetzes – It is a mistaken purchase and the butcher must return all the money.

הַתְּרֵנוּגוּלִית וּמֵצָא בָּהּ מוֹתְרוֹת לְאֵכָל בְּחֵלֶב

An egg found in a slaughtered hen, if complete, may be eaten with milk.

Is an egg milchig (dairy) or fleishig (meat)?

Can you eat an egg, found in a hen, with milk?

Complete means it has a:

1. Shell
2. Membrane
3. Yoke

‘Fully formed’ means, even if attached by connective tissue to the hen’s ovary, it is still considered fully formed.

Rashi- It needs a yolk to be considered complete.

Tanna Kamma and Shulchan Aruch - It needs a yolk, albumen and an outer membrane to be considered complete.

If great monetary loss will occur, we may rely on Rashi and eat the egg with milk, even if only the yolk is formed. There are those who will never eat eggs found in the hen, with milk, but this strict approach is not required.

# בֵּית שַׁמַּי אֹמְרִים שְׂאֹר בְּכֹזֵית

Bais Shammai says the quantity is the volume of an olive.

What is the quantity of leaven needed to violate Pesach restrictions?

Bais Shammai's prohibition against possessing leaven the size of an:

	<u>leaven</u>	<u>chometz</u>	
			- olive volume 1/3 or 1/2 egg
BS	olive	date	1 to 1.7 fl oz
BH	olive	olive	.67 to 1.2 fl oz [see 2a1 N7 & 9]
			- date volume approximately 1 egg
			2 to 3.5 fl oz

The minimum for leaven is smaller (i.e., more stringent) since it's chometz, leavening agent, is more concentrated.

כָּל מְקוֹם שֶׁאָסְרוּ חֲכָמִים מִפְּנֵי מַרְאִית הָעֵין  
אֶפִּילוּ בְּחֻדְרֵי חֻדְרִים אָסוּר

Whatever the sages forbade because of appearance sake is forbidden, even in one's private chambers.

How do we deal with an item that was muktzeh before Shabbos because it would not be used on Yom Tov, but during Yom Tov it changed? For example, a valuable beam set aside for construction purposes: Construction would not be permissible on Yom Tov, so it is muktzeh, and we can't touch, move or use it. However, if during Yom Tov, the beam breaks and is no longer appropriate for construction, does it lose its muktzeh status?

R Yehudah says – Since it was set aside at the onset of the Sabbath, it remains so for the entire Sabbath day.

R Shimon says – No, the muktzah status terminates. Halacha is according to R Yehudah.

כָּל מְקוֹם שֶׁאָסְרוּ חֲכָמִים מִפְּנֵי מַרְאִית הָעֵין  
אֶפִּילוּ בְּחֻדְרֵי חֻדְרִים אָסוּר

Whatever the sages forbade because of appearance sake is forbidden even in one's private chambers.

---

Rambam (Hil Shabbos 22:20 ) - Agrees.

Rabbeinu Nissam - If prohibited because of appearances, it was only forbidden in public.

Tosophos (Kesubos 60a) - This applies only to a Biblical prohibition, but not in a Rabbinical one.

# בְּסוּלָם שֶׁל שׁוֹבֵךְ אֶבֶל בְּסוּלָם שֶׁל עֲלִיָּה דְבָרֵי הַפֶּל אָסוּר

To reach your dovecote, you may carry a dovecote ladder, but not an attic ladder (in the public domain on Yom Tov).

Carrying a dovecote ladder suggests you are getting a dove to prepare for enjoyment of the Yom Tov, using an attic ladder might give the impression that you are going to fix your roof. The thoughts of others are important.

Fish blood is permitted to be eaten, but one should leave some fish scales in the blood.

Almond milk can be eaten with fowl, the prohibition of eating milk with fowl is only Rabbinic. Must we worry about ‘maris eyen’ in regards to Rabbinic prohibitions also?

Rama says-No, but if we eat meat with almond milk, we should have almonds near by.

The Shach (Rav Shabbas ben Meir Ha Cohen) says-In public we must be concerned about ‘maris eyen’ for Rabbinical decrees, but not in private.

סוּלָם בָּא לְיָדֵינוּ וְהִתְרַנּוּהוּ

We came upon a ladder and we permitted it.

When the Gemara says the sons of Rav Chiya went out to the town, it means, they went out into the world for parnasah, ‘material success’. This was accomplished at the expense of time normally reserved for study. The sons spoke about a ladder, the ladder of success, but they mistakenly used an attic ladder, a ladder for mundane tasks.

Their father had to correct them.

Chafetz Chaim says that people think that time is money, but really, money is time and time is life. To make money, you must use up your life’s allotment of time. When the Chafetz Chaim saw a beautiful carpet, he said, “I feel as though I am walking on pages of Gemara.”



## הַתִּירוּ סוּפֵן מִשּׁוּם תְּחִלָּתָן

We permit the end on account of its beginning.

The sages found it necessary to sanction certain activities that would otherwise be proscribed, in order to encourage other activities. They permitted the end, for the sake of the beginning (hittiku sofan mishum tehillatan). For example, the sages allowed those persons who are engaged in life saving activities to exceed the techum. They are also allowed to return home, so as to encourage people to participate in life saving activities. Here, we allow hides of animals to be softened by being trampled by passersby. We allow shutters to be replaced on portable market stalls. Priests are permitted to replace a bandage, removed prior to his performing a ritual sacrifice, to encourage the slaughter of fresh meat on Yom Tov to enhance the festivals.

In these cases, the ends justify the means.

בֵּית שַׁמַּי אוֹמְרִים אֵין מוֹצִי אֵין  
לֹא אֶת הַקָּטָן וְלֹא אֶת הַלוּלָב

Bais Shammai says we may not carry a child or a lulav, etc.

What is the rule regarding carrying keys on Yom Tov?

Rosh- No, they do not serve a Yom Tov need.

Yosef Karo – Yes, they do serve a Yom Tov need. An open house will cause worry and you can't enjoy Yom Tov .

Rav Moshe Isserles- Yes, if you fear your house will be robbed.

Rav Shlomo Luria, the Maharshal - No!

Rav Avraham Avi Gombiner – The Magen Avraham, does not permit, because it is not permitted to violate Yom Tov to prevent a loss.

Custom – To be lenient.

Rav Shneur Zalman of Liadi- It depends:

No - A key that locks away items not needed for Yom Tov is not permitted to carry.

No - If someone is left in the house to protect you from worry, keys are not needed.

Yes - If to protect items needed for the enjoyment of Yom Tov.

מִתּוֹךְ שֶׁהוֹתֵרָה הוּצָאָה לְצוּרְךָ הוֹתֵרָה נִמְי שְׁלֵא לְצוּרְךָ

Since it was permitted for required tasks, it is permitted also for non-essential tasks.

Since transferring was permitted for a food related purpose, you may transfer other items also.

The Torah allows necessary melachah, work, for food preparation for Yom Tov (Shemos 12:16). Bais Hillel extends this permission from food to all similar activities. Once a prescription is loosened in regards to food preparation, that activity that can be engaged in for any purpose, i.e., if you can carry food in the public domain on Yom Tov, you can carry anything on Yom Tov, etc.

Rambam (Hilchos Yom Tov 1:4)- limits this Bais Hillel extension of leniency, to only two activities, carrying and igniting.

Therefore, we have three categories:

- #1 Leniency for food activities
- #2 Strictness for all other activities
- #3 Activities which are permitted even when done for purposes other than for food carrying and igniting.

אַחַת תְּרוּמָה גְּדוֹלָה וְאַחַת תְּרוּמַת מַעֲשֵׂר

One is Terumah Gedolah and one is Terumas Maaser.

1. Terumah Gedolah goes to the Kohen  $1/40 - 1/60^{\text{th}}$  of the crop or 2%

Terumas Maaser – (2 types)-#1  $1/10$  to Levi – Maaser Rishon

-#2  $1/10$  to be eaten in Jerusalem - Maaser Sheni

Maaser Sheni on the 4<sup>rd</sup> and 6<sup>th</sup> year of the 7 year Shmittah cycle is given to the poor called Maaser Oni.

2. Terumas Maaser –  $1/10$  of that given to the Levi must be given by the Levi to the Kohen.

For example: You have 100 bushels,

a. Terumah Gedolah is average  $1/50^{\text{th}}$ , i.e., 2% = 2 bushels to Kohen

b. You remain with 98 bushels – 10% of which is 9.8 bushels

c. Levi gets 9.8 bushels – from this, he gives  $1/10$  to the Kohen, i.e., 0.98 of a bushel.

# רֵאשׁוֹן שֶׁהִקְדִּימוּ בְּשִׁבְלֵין פְּטוֹר מִתְרוּמָה גְדוּלָה

Maaser Rishon that was given before Terumah Gedolah was separated, is exempt.

Even if it was not given in the correct order, is it still permitted? For example, a person gave maaser first.

If one separated maaser rishon (to the Levi) before separating terumah gedolah (to the Kohen) the Levi is exempt from making up the payment of terumah gedolah that the Kohen missed out on, i.e., the transfer is valid and no penalty occurs.

How does the Kohen lose? If maaser rishon (1st 100 – 10%) is given to the Levi first. The Levi gets 10 bushels. This leaves 90, 2% of which goes to the Kohen.

This equals 1.8 bushels. He should have gotten 2.0, so he lost 0.2 bushels. However, there is no penalty even though the Levi received 0.2 bushels more than he should.

Question: What is the rule if a bris is performed prior to the 8<sup>th</sup> day? The timing was not in proper order. According to the above precedent, no penalty should be incurred. However, the answer is no, the mitzvah of bris was not fulfilled correctly.

Referring to our case in the Gemara, inversion is permitted, but only because we have a posuk that permits the inversion (Num 18:26). A tithe of a tithe: only the maaser can be separated from the terumahs maaser,. The terumah gedolah cannot be separated from the maaser rishon.

לֹא יֵעָלֶה עָלֶיךָ׃

It shall not come upon you.

Why is it prohibited to sit on a shaatnez cloth?

We are not allowed to cover ourselves with kilayim, i.e., mixtures such as a blend of wool and linen, sitting however, should be permitted. However, the Rabbis prohibited sitting on kilayim, in case a thick thread may wrap around your flesh.

## משום מעשה שהיה

Because of the incident that occurred.

---

What was the incident that led to the restriction against wearing spiked sandals on Shabbos and Yom Tov?

An incident (described in BT Shabbos 60a), where a groups of Jews were discovered by the Romans in a cave, where they hidden to avoid persecution, panicked and stepped on each other. Many were killed by the spiked shoes they wore.

## רוב לסטים ישראל גינהו ולא מזלזלי בהו

Most of the thieves in the area are Jews, who do not desecrate tefillin.

What type of thief will not desecrate Tefillin? A Jewish thief. However, that cannot be relied upon, says Abaye.

If one finds several pairs of tefillin on Shabbos in a field, he should put them on like a weekday. He should bring them to the city, one pair at a time (Rashi) and deposit them in a house closest to the city wall, that is protected from dogs and thieves.

The Gemara (in Eruvin 96a), states that tefillin are worn as a sign between the Jew and his God (Ex13:0). On Shabbos and Yom Tov, no external sign is needed.

Rashi presumes that it is permissible to wear tefillin on Yom Tov. However, many

Rishonim consider it prohibited (See Rambam commentary on the Mishnah (N14) 15a2).



מִנָּה הַיּוֹם מִיָּלִי

From where in the Torah do we learn.

Eruv Tavshillin- “Remember the Sabbath day” (Ex 20:8).

It intends to differentiate Shabbos from another day i.e., a Yom Tov that might threaten to make Shabbos forgotten.

If there is a Yom Tov before Shabbos, people may consume all their provisions during the festive holiday and not think of preparing for Shabbos until it is too late. By setting aside food for Shabbos before the Yom Tov begins, Shabbos will not be forgotten.

However, so as not to slight Yom Tov, if we wish to prepare on Yom Tov for Shabbos, we must begin those preparations before Yom Tov.

**וְהֶאֱמִינוּ בְּי וְאֲנִי פּוֹרֵעַ**

Believe in me and I will repay.

We are guaranteed, that belief, “bitachon,” will provide spiritual and financial security.

One’s income is set between Rosh Hashanah and Yom Kippur, but expenses for meals for Shabbos and Yom Tov and for Torah education for one’s children, are not included.

## נְשָׁמָה יְתִירָה

Shabbos and a soul (i.e., one additional soul).

The additional soul is lost at the end of Shabbos. For that reason we smell the spices during Havdalah to usher Shabbos out. There are some who have as their minhag, the smelling of besamim Friday night, so as to usher in the ‘neshamah yiseirah’, ‘the extra soul’, just as at Havdalah, they usher it out.

# נְשָׁמָה יְתִירָה

Neshama yeseireh (the extra soul that we get every Shabbos).

Neshama yeseireh, the extra soul that we get every Shabbos, is taken away when Shabbos ends. To commemorate that loss, we smell the spices (besamim) at Havdalah. This loss of the extra soul is hinted at in the word, ‘Vayinafash’ (Shemos 31:17), which could be read, ‘Vay-Nefesh’, ‘woe to the soul which has been lost’. Is there an extra soul on holidays, also?

Rashbam – (Pesachim 102b) Yes. Since we don’t use besamim when a Saturday night leads into a Yom Tov, it must mean that we don’t need to say goodbye, since the extra soul is still there during the holiday.

Tosophos says, “No! If the extra soul was present on the holiday, we would use also besamim at the end of the holiday to say goodbye.” Since we don’t, there must be no neshamah yeseirah on Yom Tov. However, Tosophos concludes that the luxurious eating and drinking on the holiday, give the soul the same spiritual effect as would occur by the use of besamim. Therefore, there is a neshama yeseireh on Yom Tov.

וּבְלִבָּד שְׁלֵא יַעֲרִים

Provided he does not resort to subterfuge.

If a person forgot to make an Eruv Tavshillin and did not transfer ownership of his food to someone who did prepare an Eruv Tavshillin, and then he ignored this restriction and intentionally cooked his food on Yom Tov for Shabbos; we allow him to eat this food on Shabbos. However, if he cooked his food in a deceptive fashion, such as cooking more on Yom Tov than he needs for the holiday, claiming he is expecting guests, when in reality his intention is to prepare food for Shabbos; he is forbidden to eat that food on Shabbos.

Why would he not be penalized more if he violated on purpose, than if he violated deceptively?

Rashi –A person who willfully violates halachah, knows he has sinned. Therefore, others will not follow his example and he will repent.

A person who is deceptive may fool himself and others may be misled by his behavior. This threatens the survival of the institution of Eruv Tavshillin. Therefore, he is penalized more.

נִימָא הוּאִיל וְקוּדָם טְבוּל שְׂרִי לְאַחַר טְבוּל נְמִי שְׂרִי

Let him say, “since”, ‘hoil’. Since it is permitted before, it is also permitted afterwards.

This principle is used to determine if an item, which was used during a permitted act on Shabbos or Yom Tov, is muktzah, after the act. For example, is the item (the milah knife), considered to be muktzah, after it is used for a bris on Shabbos or Yom Tov?

Rav Moshe Isserles – the Rama – Permitted the knife to be handled after the bris.

Rabbienu Yaakov Halevi- The Maharil – The knife must be dropped immediately.

Rav Avraham Avi Gombiner – the Magen Avraham – The knife may be moved as long as it is in the mohel’s hand. Once it is put down, it is muktzah.

Rav Dovid Halevi – the Taz – Only permitted to put the knife down in the same room.

Rav Akiva Eiger – May carry the milah knife, but only if it is on something that is a base for another permitted item.

Ben Ish Chai Yosef Chaim of Baghdad cites our Gemara and is lenient like the Rama.

דְּתַנִּינָא רַבִּי שְׁמַעוֹן אֹמֵר לֹא יֵאמַר חַג הַסּוּפוֹת  
שָׁבוּ הַפְּתוּב מְדַבֵּר

Rabbi Shimon says, “The verse need not mention the holiday of Succos, since the Torah is already talking about it.”

A person who makes a promise (a pledge) must fulfill it in a timely manner or be in violation.

This violation is called ‘lo tiacher’( Deut 23:22 N18 ), ‘do not be late’. How do we determine what is a timely manner? The promise must be fulfilled before the three festivals pass.

However, they must pass in a certain order (Deut 16:16 in N6 and N7). Pesach – Shavuot – Succos. If he made his promise before Succos then, to be in violation, he would have to pass four festivals.

If Pesach must be first and Succos last, why does the Torah even mention Shavuot? (N23)

To teach us that at each festival in the count, he must be obligated, not exempt, from the fulfillment of his pledge. Otherwise, his delay cannot be held against him.

דְּתַנִּינָא רַבִּי שְׁמַעוֹן אֹמֵר לֹא יֵאמַר חַג הַסּוּפוֹת  
שָׁבוּ הַפְּתוּב מְדַבֵּר

Rabbi Shimon says, “The verse need not mention the holiday of Succos since the Torah is already talking about it.”

A person who makes a promise (a pledge) he must fulfill it in a timely manner or be in violation. This violation is called ‘lo tiacher’ Deut 23:22 N18 – do not be late. How do we determine what is a timely manner? The promise must be fulfilled before the three festivals pass. However they must pass in a certain order Deut 16:16 in N6 and N7.

Pesach – Shavuos – Succos. If he made his promise before Succos then, to be in violation, he would have to pass four festivals.

If Pesach must be first and Succos last why does the Torah even mention Shavuos? (N23)

To teach us that at each festival in the count he must be obligated and not exempt from the fulfillment of his pledge – otherwise his delay cannot be held against him.



# מַעֲשֵׂר שְׁנִי

## Maaser Sheni.

Maaser Sheni can be used to pay for a mitzvah. However, the maaser sheni can only be used in the circumstance that when he committed to perform the mitzvah, he declared and stipulated that he would pay from maaser funds, since the money is going to a tzedakah purpose.

He must make the stipulation before he commits to purchase the mitzvah.

If he says: 1. “I will buy the aliyah on condition that” ... it is too late.

It is better if he says the following:

2. “On the condition that I may use maaser money, I commit to buy that aliyah.”

In the first approach, he is already obligated and the maaser money is paying his personal obligation.

אָמַר לָהֶם וּלְזִבְחֵי שְׁלָמִים הֵבֵאתִיהָ

He said to them it was a female and I brought it for a Shlomim offering.

-A person may tell an untruth for the sake of peace.

- One is allowed to lie about their Torah knowledge for the sake of humility.

Hillel was confronted by Shammai and his students when he brought an animal to the Temple to lean on it on Yom Tov. However, it is a point of disagreement whether it is necessary to lean on an animal brought as an olah and whether female animals can serve as an olah. So as not to argue, Hillel told Shammai and his students that the animal was a female and that it was for a shlomim offering. Hillel shook the animal's tail, so as to prepare to show them it was a female, but they believed him and they left. Hillel had told an untruth – but to avoid an argument!

**שׁוּב מֵעֵשָׂה**

There was another incident.

There was another incident where a student of Beis Hillel brought a sacrifice to the Temple to lean on it (an olah) and a student of Shammai, saw him doing so. The student of Shammai was not aware that the law had been decided in favor of Hillel and that it was indeed appropriate to lean on an olah offering on Yom Tov.

Shammai's student asked him, "What kind of leaning is this"?

Hillel's student answered, "What kind of silence is this?" He silenced him and with this rebuke, he left.

We learn from this that when a friend improperly criticizes, he should be responded to in no greater degree than his friend's criticism. A measured response is effective and prevents the dispute from escalating.

## Daf Digest

אָמַר לוֹ אָנִי אִם לֹא יֵצֵא שְׂכָרְכֶם בְּהִסָּדְכֶם

He said, “I wonder if you have lost more than you gained.”

Soldiers threatened the city and Shimon the Timmonite prepared a calf for them on Yom Tov. He told this to Reb Yehudah ben Bara who said “I wonder if you have lost more than you gained.”

- Spending money, to avoid violating a positive commandment, one has to spend no more than 1/5<sup>th</sup> of one’s assets.
- On the other hand, to avoid doing a negative commandment, one must spend all of his assets.

Rav Yehudah is saying, “Better the entire city be plundered, than that you violate a commandment, by cooking on Yom Tov.” You saved your property but you violated a Biblical law!!

Rashi: In this case there is no violation of Yom Tov. The soldiers would not object if the residents or their animals partook of the food also. From Rashi’s remark, we learn his agreement that the food prepared could be eaten by the inhabitants of the city and their animals, and so it was not a violation.

## Daf Digest

רַבִּי עֲקִיבָא אֹמֵר אֶפִּילוּ נֶפֶשׁ בְּהֵמָה

Rabbi Akiva said even for the soul of an animal.

Rabbi Akiva said even for the soul of an animal, the dispensation for food preparation on Yom Tov, is included.

- Rabbi Akiva allows work to be done on Yom Tov for the sake of animals, the same as for the sake of humans
- Rabbi Yosi Hagalili- Says no, performing any work, preparing food for animals or non-
- Jews, is prohibited, i.e., cooking or handling food.

Halachah Rema - Cooking for animals is not permitted.

Rav Moshe Isserles, the Rama- Says handling food for animals is permitted.

Rav Yose Haglili - The Torah says “for you”. This means only for you.

R Akiva - I assume it includes animals that are dependent on you for food.

R Yitag - You mean we can prepare food for animals, but not for non-Jews?

R Akiva – Yes, the animals have no other source of food. They are dependent on us. The non-Jews, have other sources. They are not dependent on us for sustenance.

דְּבַר שְׂאִיִן בּוֹ סִפְּנָה

For a condition that is not life endangering.

For a condition that is not life endangering and not life threatening, it is permitted to tell a non-Jew to treat it.

May a Jewish person assist?

Yes, but only minor assistance. For example, hold the eye open so that medication can be placed in. However, major assistance is not permitted.

וְשֵׁנֵי לֵיָּה מְסִייעַ אֵין בּוֹ מַמָּשׁ

Aiding has no significance.

If two people combine to perform a biblically prohibited act that one could do on his own, the aid of the second person is not considered significant and he carries no liability.

Taking a picture on Shabbos is biblically prohibited, but is there a transgression in allowing oneself to be photographed? Are you aiding the person and does that make you culpable?

Keren le David – No.

Rambam (Hil Kelei ha Mikdash 3:11)- A Levite who assists a priestly service, incurs death at the hands of Heaven.

R Chaim Lehrman – Assistance, if material and significant, is biblically forbidden.

R Isaac Lieber – There can be no assistance without tactile contact.

# מְכַבְּדִין בַּיִת הַמְּטוֹת

We may sweep the dining room on Shabbos.

We may sweep, even though we may inadvertently fill in depressions on the floor and violate the Biblical labor of building. This would be an unintended consequence of a Malachah and is permitted.

Therefore, it may be argued, that during WWII, in order to shorten the war, the nuclear bombing of Hiroshima and Nagasaki were justified.

However, is an unintended consequence that is known beforehand and is inevitable, truly justified?

If the result is inevitable, the unintended consequence cannot be considered unintended and justified on that basis.

If the result is only ‘a possibility’ and not ‘a certainty’, can it be used as a justification?



וּמִתּוֹךְ שְׁלֵא מִיָּחָה בָּהּ נִקְרְאָתָה עַל שְׁמוֹ

But because he did not protest, it is referred to as his.

Silence signals acquiescence.

Since he did not object, it is counted against his name.

Rabbi Elazar ben Azarya's silence in the face of his neighbor's failing, placed the misdeed against his own account. His failure to rebuke, permitted the neighbor to assume his activity was permitted.

One must not fear to rebuke, "Fear no man" (Devorim 1:17).

"A person of influence must make his opinions known," Chofetz Chaim said. When a congregant goes to Heaven, he will be asked, why did you do this or why did you not.

The person can answer that the Rav of his community never told him anything was wrong!

"Don't allow the sins of all those people to rest on your shoulders."

כָּל הַכֵּלִים אֵין נִגְרָרִין  
חוּץ מִן הָעֵגְלָה מִפְּנֵי שֶׁהִיא כּוֹבֶשֶׁת

Utensils may not be dragged on the ground, except for a wagon, because it only presses.

Why is a wagon different?

Because it presses the dirt down and does not “plow” it.

When a stroller is pushed over sand or soft earth, a groove is left. Is such an activity permitted since it is similar to plowing, even though it is an unintended outcome? Plowing is one of the 39 prohibited Malachahs.

R Shimon- Permits it.

R Yehudah – No, an activity is prohibited if it results in an unintended consequence.

But R Yehudah-Permits pushing a stroller, because the wheels don't actually plow, but push down the dirt. It does not loosen or remove the dirt and therefore, does not qualify as plowing.

What is the decision regarding turning a stroller, it may break the dirt?

This is deemed an unusual way of plowing and thus, would only be a Rabbinic prohibition.

Since it was not done for benefit, it is, therefore, permitted.

כָּל הַכֵּלִים אֵין נִגְרָרִין  
חוּץ מִן הָעֵגְלָה מִפְּנֵי שֶׁהִיא כּוּבֶשֶׁת

Utensils may not be dragged on the ground except for a wagon because it only presses.

A gentile married couple: One wishes to convert to Judaism and the other will remain a gentile. May a Rabbi officiate at the conversion, thereby creating a mixed marriage?

The biblical injunction, "Don't marry with them" ( Deut 7:3), requires a positive act of marriage with the intention to create a mixed marriage. Here, it is an inadvertent result.

Is a permitted act forbidden, if it will result in an undesired outcome? For example, to drag a chair and make a furrow in the ground? It is forbidden if the consequence is inevitable. However, being married to a non-Jewish partner through conversion after marriage, is not inevitable, since they may divorce, die, or the remaining person may convert.

לְעוֹלָם אֵל יִמְנַע אָדָם עֵצְמוֹ מִבֵּית הַמִּדְרָשׁ אֶפֶילוּ שָׁעָה אַחַת

One should never absent himself from the Beis Midrash even for 1 hour.

A story is told about Rav Elchonon Wasserman who traveled from the eastern Europe city of Baranovitch to Manchester, England to raise money for his Yeshiva. No sooner did he arrive, but he received a donation that covered all his expectations. Rather than continue to spend time to raise more money, he immediately returned home, so as not to absent himself from the Bais Midrash and his teaching responsibilities.

Learn from this:

1. Learning is the most important task.
2. Don't keep shifting your goals and raising your needs.
3. You can never leave the Bais Midrash if you take your learning, i.e., your books and thoughts with you. It can be as though you wear tefillin all day, if the marks of the straps are still on you.

וְלַעֲרַב נְמוֹי אֲסוּדִין בְּכִדִי שִׁיעָשׂוּ

And it is prohibited at night for the time it would take to do this act.

A prohibited malachah can be performed by a non-Jew. After Shabbos or Yom Tov, a Jew can derive benefit from the prohibited malachah, if he waits the same amount of time it would take for this malachah to be completed. Otherwise, if the Jew were permitted to benefit from the work activity immediately; a Jew might encourage a non-Jewish person to do things for him on Shabbos or Yom tov.

וְלֹא יֵעָרַב בְּנֵמִי אֲסוּדֵיִן בְּכֵי שִׁיעָשׂוּ

And it is prohibited at night for the time it would take to do this act.

There is a basic difference between malachah done for the benefit of a Jew, if done by a Jew, i.e., cooking food on Shabbos: the prohibition rests upon the food itself, forever. The Jew may never eat it.

If the malachah was done by a non-Jew, i.e., cooking food on Shabbos: The prohibition rests upon the Jew and restricts him from benefiting from the work that was done.

However, if he waits after Shabbos, the same amount of time that it took the non-Jew to perform that malachah, he may use it and eat it.

בְּהֵמָה מְסוּפָּנֶת לֹא יִשְׁחוּט אֶלָּא אִם בֵּין יֵשׁ שָׁהוּת בַּיּוֹם  
לֶאֱכוֹל מִמֶּנָּה כְּזֵית צְלִי

A dangerously ill animal should not be slaughtered on Yom Tov, unless there is time on that day, to roast it and eat an olive sized piece of its meat.

It is permitted to eat a dangerously ill animal that was properly slaughtered, if you adhere to the above. It is permitted to eat a food into which a prohibited substance fell, if the substance is nullified by a ratio of 60:1.

Yet there are those who say that people who are fastidious and are strict do not eat such items. Others say it is akin to heresy to adopt stringencies beyond what is found in the Gemara! If HaShem transformed something prohibited into something permitted, how can you adorn yourself with stringencies and supersede HaShem's decision?

Majority rules:

אָמַר רַמִּי בַּר אַבָּא הֶפְשֵׁט וְנִתּוּחַ בְּעוֹלָה

We are instructed to skin and dismember an olah offering before giving it, does the same rule apply before eating it?

May we eat the meat of an animal before it has been inspected?

Rami bar Abba – No, don't eat it. First we must inspect it to see if it is a Treifah. This is proper manners and the way of the land.

Rashi – Wait and inspect it. However, if you did not wait, you did not violate halachah.

Tosophos–You must wait and check it. However, if you did not wait to inspect it and it was later found to be a Treifah, the act of eating is the sin of 'shogeg', 'accidental', and not a purposeful violation.

Rosh – May eat it before the animal has been skinned and dismembered. Even if an organ, i.e., a lung, has been misplaced and can never be inspected, it is OK. We rely on the assumption that most animals are kosher and not a Treifah.

Tur and Rabbi Akiva agree with this Halachah. It has a presumption of permissibility.



# אם רבים צריכין לו מותר

If the public needs him, it is permitted.

To give a lecture, he may be carried in a sedan chair on Shabbos.

Does this apply to a wheelchair?

R Moshe Feinstein - A wheelchair is the shoe of a person who is unable to walk and he may propel himself in a wheelchair.

R Yitchak Yaakov Weisz - The wheelchair may be considered an appurtenance of the person, so he may “carry” the wheelchair, just as he may carry himself.

Minchat Yizhak - He may propel his wheelchair together with a non-Jew for purposes of a mitzvah.

What is the rule regarding a bicycle? It is a weekday and an excessively laborious activity, however, it may be permitted “for the benefit of the multitude” R Ezekiel Landau – (Teshuvot noda bi-Yehudah).

# בְּכוֹר שֶׁנֶּפֶל לְבוֹר

A first born that fell into a pit.

A bechor may not be slaughtered on Yom Tov. It cannot be eaten by its owner and is, therefore, muktzeh. A bechor with a permanent blemish however, cannot be used as an offering and is therefore, permitted to its owner.

Case: A bechor with a blemish, noted before Yom Tov, fell into a pit on Yom Tov.

If the blemish is temporary – it can be used as a sacrifice, cannot be eaten and is muktzeh.

If the blemish is permanent- the owner can haul it up and eat it.

An expert must go into the pit to make this determination; to declare if it is permitted to eat or is restricted even to touch.

However, if the expert declares the bechor permanently blemished, he is changing its status on Yom Tov, from prohibited for eating, to permitted.

Not so: All he is doing is saying the blemish present before Yom Tov, is permanent.

The change of status occurred before Yom Tov.

If the injury occurs on Yom Tov, even if permanent, it cannot be eaten until after Yom Tov.

It remains muktzah.

## הָוָה קָאִימָנָא קַמִּיה דְּמַר

I was standing before the master.

Rabbah was rubbing a knife on a millstone.

A knife must be examined before being used. If nicked, he cannot say the Bracha and if he later found it nicked, the ritual slaughter becomes invalid.

1. The Bracha is in vain.
2. The animal is a 'Nevelah'.
3. You have wasted, so 'bal taschish' is violated.
4. You caused unnecessary pain to the animal, 'tsar baalei chaim'.

The knife must be checked after the ritual slaughter. After checking the knife himself, he should show it to a 'Chacham', a professional designated for the task.

גִּזְלֵי וְאֵינוּ יוֹדְעִים לְמִי גִזְלֵי

If one stole and does not know from whom.

If one stole and does not know from whom, he should use the money for public needs.

In that way the victim will be able to benefit from the public project.

HaShem will create circumstances by which the victim benefits.

If the thief is now in a foreign land, far from his crime and public needs there will never benefit the victim, even this is okay.

Can he purchase consumables, or must it be a permanent benefit?

He should provide a public need that is lasting and have at least a reasonable possibility for the victim to benefit from it.

He must pay the value of the item back quietly into the public coffers, so that no one should think he is making a generous donation, for which he gets honor or appreciation.

תָּנַן אִין קוּטְסַחִין וְאִין מְסַפְקִין וְאִין מְרַקְדִין

We don't clap, slap one's thigh or dance.

We don't clap, slap one's thigh or dance on Shabbos or Yom Tov if we intend to make a melodious sound. This is for fear that we will fix a musical instrument on Shabbos or Yom Tov. Today when most people are unable to repair instruments and if we intend to only make a sound, it is permitted.

Sound from an item designed to make a sound, is not permitted, i.e., a door clapper.

What is the rule regarding bells on a Sefer Torah, to announce its coming?

Answer: The bells are so small that the sound they produce is very small. Therefore, they don't count and it is permitted.

אַל תִּנְחַח לָהֶם לְיִשְׂרָאֵל מוֹטָב שִׁיְהִיו שׁוֹגְגִין וְאֵל יִהְיוּ מְזִידִין

It is better for Israelites to remove those who err unintentionally, rather than those who defy and violate intentionally.

Customary teaching is that if you see a person doing a sin, don't inform him of it. This is in case he does not listen to you and does the sin anyway, your notification to him may change him from an accidental sinner, to one who does so knowingly.

Unless:

- 1 - You believe he will listen and change his ways.
- 2 - He clearly sins on purpose and you can't make it worse.
- 3 - He is violating an explicit Biblical injunction, not just Rabbinical.

However, don't tell him:

1. If he won't listen to the rebuke and a rebuke would cause confrontation and personal animosity.
2. More than once in public. However, you may continue to do so in private, as tactfully as possible, until you see that your words have no effect.

הַנִּי מֵעֵרֵב רַב קָא אֶתּוּ

These wealthy people must be descendents of the eirev rav.

These wealthy people must be descendants of the eirev rav because they denied Shabsai bar Marinus merchandise with which to earn a living and they also denied him food.

We are compassionate children of compassionate parents, for it is written (Deut 13:18), “I will bestow upon you the attribute of compassion.” Since they did not show Shabsai bar Marinus compassion, he could conclude they were not original descendants of Abraham.

כָּל הַמְצִיפָה עַל שְׁלַחַן אַחֲרֵים עוֹלָם חָשֶׁךְ בְּעֵדוֹ

Anyone who must look to another's table for sustenance, lives in a world that is dark and dismal.

---

His life is not worth living.

A person who looks to receive from other's, without providing service in return, will constantly be disappointed. His lack of productivity will result in dire consequences.

Tehillim: When you eat from the labors of your hands, you will be happy and it will be good for you.

BT Berachos 'Ashreichah'- You will be happy in this world and it will be good for you in the next world. Expectations lead to disappointments.



שָׂפָל מִמָּה שֶׁבְּחֵצֵר מוֹכֵן הוּא

Everything in your courtyard is considered prepared ahead of time.

It is not muktzah on Shabbos or Yom Tov.

Metaphorically, this means everything is prepared in a person. A person is capable, able to achieve and to succeed. One of the main innovations of the Mussar movements was this realization. You can do it. Your attention should be directed toward your own domain, yourself. Every element necessary for success is already within each and every one of us, we only need to seek them out.

## וְשִׁחְטָהּ בְּשִׂרָהּ

You can ‘slaughter’, ‘shecht’, a trampled chicken.

You can slaughter a trampled chicken, but it must live 24 hrs to be consumed, and you must inspect it.

1. A mohel who has never done a bris is not permitted to perform the bris on Shabbos. He may not do his first one on Shabbos? Can you think of a reason for this rule. If he errs and does not do it right, he has violated Shabbos, without the justification of doing a mitzvah. Instead, he would have caused an injury. There has to be a relatively certainty that the mitzvah will be fulfilled and that the milah will be kosher. This is not the case when the mohel is a first time mohel.

2. May you shecht that trampled chicken on Yom Tov knowing it may be found to have an internal injury and be a ‘treifah’, ‘unfit for consumption’ and you used the leniency of preparing food on Yom Tov as your permission to shecht it and it turns out to be inedible?

## תְּנִיָא וְאַחַד מֵבִיָא אֶת הָעֵצִים וְאַחַד

Partial cooking or taking a part in the cooking process, is prohibited.

One brings the fire, another brings the wood, another places the pot, another pours the water, another adds spices, another stirs; all are liable. Partial cooking or taking part in cooking partially, is prohibited.

One is prohibited from cooking on Shabbos.

However:

Rambam-Says it is permissible to cook previously, fully cooked food.

Radvaz, Rav David ben Zimmi – You may cook food that is edible now, i.e., raw food or partially cooked food that reached the minimal stage of edibility.

Our Mishnah prohibits cooking anything, even water, which certainly could be eaten “raw”, i.e., without cooking.

Shulchan Aruch-Rules against cooking. However, if you did cook partially, i.e., minimally edible food or food that is edible raw, you could eat it. However, this does not apply to water.

In reality, each contributor to the cooking process performed a prohibited malachah, himself.

## וְנוֹתְנִין כְּלֵי תַחַת הַדֶּלֶף בַּשַּׁבָּת

One can put a vessel beneath a leak, even on Shabbos, to avoid damage from dripping water.

---

Dripping water is considered Muktzeh, since it is not fit for use, however, here it is allowed. It is at least clean enough to be used for animals.

A person with money problems was asked, “How can you put up with such difficulties and yet remain with such a positive attitude.” The answer: “The problems that were, are gone.” The problems yet to come, are not yet here, so why should they get me down?”

“The only problem I have is the present one and that will be past in a moment. So why get upset about one moment of suffering.”

That’s how to live with pain or problems. Consider them small, one drop at a time and we can tolerate them.

We may not give Kiddushin, betrothal exchanges.

וְלֹא מִקְדָּשִׁין

We may not give 'Kiddushin', betrothal exchanges on Yom Tov.

What is the rule regarding:

- Business transactions ?– No
  - Selling property?- No
  - Offering marriage? - No, as this is very much like a business transaction.
  - Gift? - No, it is like business, even though nothing is given in return.
  - May you give a gift associated with a mitzvah on Shabbos?
  - Give a gift to a married couple? If it is to gladden their hearts, it is permitted.
  - Gift of an esrog and lulav? Yes, it is mitzvah related. Becoming engaged also fulfills a mitzvah; the mitzvah to beget children .However, this injunction against betrothal relates to a second marriage for a person who already has two children, i.e., 2 boys ( Bais Shammai). (Bais Hillel-A boy and a girl.)
- Both agree that more children are merely a quasi-mitzvah.

## גְּזֵרָה מְשֻׁם מְקַח וּמְמַכֵּר

May you have a pidyon haben on Shabbos or Yom Tov?

It is forbidden by decree, because it resembles business.

- Can't do business on Shabbos or Yom Tov.
- Can't exchange coins, they are muktzah
- Can't pay back a loan on Shabbos or Yom Tov.

May you have a pidyon haben on Chol HaMoed?

It would violate the prohibition against having two celebrations simultaneously.

However, this, many say, applies only to weddings and permit a pidyon haben on Chol HaMoed.

The custom is to permit it.

And he laughed at him.

אַחִיכּוּ עָלַיָּהּ

Is there any benefit in being embarrassed in public?

The mocking of Rav Abba:

Rav Abba prayed that his scholarship be accepted in Israel when he moved there from Babylon, but instead, he was laughed at for a foolish position.

Times when our sins are forgiven:

- Sincere repentance.
- Yom Kippur.
- Bride and bridegroom on their wedding day.
- Being healed from a sickness. Presumably one's sins have been forgiven.
- Chazal teaches that the sins of a person who has been publically embarrassed, are all forgiven.

וְשִׁלְהַבַּת פְּטוּר

If one carries out a flame, he is exempt.

A person carrying a burning coal from a private to a public domain on Shabbos, is liable for desecrating the Sabbath, but not if he carries out an unattached, ephemeral flame.

Har Zevi – Suggests that sound from a radio is similarly unattached and might be permitted.

Shulchan Aruch (Orah Hayyim 338:1)- Forbids playing a musical instrument, in case it will require repairs on the Sabbath. The same could be said for a radio.

Rema - Even forbids a door knocker that emits sounds.

Tziz Eliezer - This applies to instruments that play on Shabbos, as a result of a timer set before Shabbos or that is turned on and plays all Shabbos long.

In addition, it causes excessive in sound ‘avsha milta’ and is forbidden.



מִי שְׂזָמַן אֶצְלוֹ אוֹרְחִים לֹא יוֹלִיכּוּ בְּיָדָם מְנוֹת

(Honoring Guests)

The guests may not take the food home unless the host transferred ownership to them before

Yom Tov.

One can honor a guest with a meal at one's table or one can provide equal honor to a guest who is in a hurry, not by burdening his time with a festive meal, but by providing him with a meal for the road.

Each method provides the mitzvah of 'hachnosas orchim', the honoring of guests.