

## FEATURES

## Hadaf Hayomi

From the Ruben Shas Kollel of Chicago

### Shabbos 106

#### Free as a Bird

One who traps a bird into a tower. (106a)

Rashi explains that the reason a bird is not considered trapped in a house is that it can escape through the windows. Ran and Ritva also mention that a bird can escape a house through the openings in the walls or the roof. Rashash questions this approach, because the *Gemara* explains that we are talking about a type of bird which is accustomed to living in the wild and this bird has the knack of being able to evade capture once it has even a small amount of room in which to maneuver. This does not seem to be a function of the house having windows, but is rather due to the house being bigger than a tower.

*Sfas Emes* also points out that according to Rashi, a person would be liable for confining a bird inside a house if the windows were locked and secured. Yet the *Gemara* only makes a distinction between a house and a tower. This seems to suggest that a house is never a place where trapping would be successful. *Sfas Emes* answers that perhaps Rashi's comment can be understood within the words of the *Gemara*. While it is true that a bird can be confined within a house if the windows are locked, the person pursuing the bird would have to run around the house to make sure that none of the windows are opened. This is tedious, and difficult to maintain. Therefore, it becomes impractical for anyone to trap a bird inside a house. Even if someone would do so, and he would attempt to ensure that the windows were closed, this would be an unusual way of catching a bird, and he would be exempt.

Taz (316:1) writes that when Rashi says that the rule of trapping does not apply to a house due to its windows, this is true only according to Rabi Yehudah in the *Mishnah*. However, according to Rabban Shimon ben Gamliel, who evaluates trap-

ping as a function of how easy it is to snatch the animal, a bird can only be considered trapped in a tower. In a house it is never trapped, because it can always find room to evade capture, whether the windows are secured or not.

#### Understanding Trapping

One may not catch fish from an enclosure on Shabbos. (106b)

Normally, we are allowed to do *melachah* on Yom Tov for the purpose of preparing food. Yet here the *Mishnah* (from *Beitzah* 23b) rules that we may not catch fish from a small enclosure on Yom Tov. Rashi (ibid.) explains that the reason this general authorization to do *melachah* for food does not apply here is that this could be done just as easily on Erev Yom Tov. Therefore, the dispensation to perform the *melachah* of catching the fish on Yom Tov itself is unnecessary and disallowed.

*Tosafos* argues against Rashi, and he points out that the only time we find this difference and we prohibit an activity to be done on Yom Tov if it could have been done before Yom Tov, is regarding items and actions needed in the preparatory level of cooking food (i.e., sharpening a knife). However, the *melachos* themselves are either permitted for food purposes or they are prohibited.

Therefore, *Tosafos* explains that the prohibition of catching fish from this enclosure on Yom Tov may be only rabbinic. Or else, *Tosafos* suggests, it could be that it is not allowed on a Torah basis. Even in the preparation of food, the Torah only allows *melachos* in the sequence of baking beginning with kneading and further, including the baking. Trapping, however, was not included in the dispensation-for-food category.

מרכז תורה וחסידי דשיקאגו  
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#### שיעורי היום

סדר קריאת שמע:  
9:41 ג'א: 9:05 ג'א:  
סדר תפילה:  
10:29 ג'א: 10:05 ג'א:  
שקיעת החמה  
4:55  
זמנים למחר  
6:04 עלות השחר:  
7:16 הנץ החמה:

שבת קוד  
נדרים כד  
גיטין ת"י ג'  
א"ח קטת, ה"ז  
הלכה יומית:  
מ"ב ח"ב, ד"ד ב'  
עדות א  
רמב"ם יומי:  
הקדמות ואחלה...

תלמוד בבלי:  
תלמוד ירושלמי:  
משנה יומית:  
א"ח קטת, ה"ז  
הלכה יומית:  
מ"ב ח"ב, ד"ד ב'  
עדות א  
רמב"ם יומי:  
הקדמות ואחלה...

## This Day in History

### 6 Shevat

#### Yahrtzeiten

5512/1752, Harav Yosef of  
Breslau, ז"ל, mechaber of

#### Shoreshe Yosef

5639/1879, Harav Yom Tov  
Lipman, ז"ל, the Oneg Yom  
Tov  
5686/1926, Harav Chaim

### 5600/1840

Harav Yitzchak of Kalusch, ז"ל

Harav Yitzchak of Kalusch was a son of Harav Aharon of Premishlan who, in turn, was the son of Harav Meir Hagadol of Premishlan, who was one of the *talmidim* of the Baal Shem Tov. Reb Yitzchak married the daughter of Harav Isamar of Tchizkov, who was a close friend of Harav Levi Yitzchak of Berditchev, ז"ל.

Many *tzaddikim* attested to

the great *kedushah* and *taharah* of Reb Yitzchak Kaluscher. Reb Yitzchak would sit in the *beis medrash* all day, wrapped in his *tallis* and *tefillin*, learning and *davening* with great fervor. He was also known as a tremendous *baal chessed* and for his hospital-

ity. Reb Yitzchak was a devoted *talmid* and *chassid* of his father. He was also a *talmid* of Harav Moshe Leib of Sassov, who was very fond of this *talmid*, and shared with him great *sodos*

Tzvi Teitelbaum, the Atzei Chaim of Sighet, ז"ל

5691/1931, Harav Shalom Halberstam, ז"ל, of

Pikla-Sanz  
5739/1979, Harav Dovid Yitzchak Eizek Rabinowitz of Skolya, ז"ל

haTorah.

Reb Yitzchak became Rav in Kalusch after his uncle Harav David of Kalusch was *niftar*. He served there as a Rebbe for chassidim, as well.

In his later years he became gravely ill. While his household and chassidim were worried and pained, he remained extremely calm as he prepared himself for his journey to the *Olam Haemes*.

Reb Yitzchak was *niftar* on 6 Shevat 5600/1840.

*Zechuso Yagen Aleinu.*

### Jan. 17

In 1893, Hawaii's monarchy was overthrown as a group of businessmen and sugar planters forced Queen Lili'uokalani to abdicate.

In 1917, the United States paid Denmark \$25 million for the Virgin Islands.

In 1945, Soviet and Polish forces liberated Warsaw during World War II.

Swedish diplomat Raoul Wallenberg, credited with saving tens of thousands of Jews, disappeared in Hungary while in Soviet custody.

In 1946, the U.N. Security Council held its first session.

In 1950, the Great Brink's Robbery took place as seven masked men held up a Brink's garage in Boston, stealing \$1.2 million in cash and \$1.5 million in checks and money orders. Although the entire gang was caught, only part of the loot was recovered.

In 1961, President Dwight D. Eisenhower delivered his



The unveiling of the plaque honoring Swedish diplomat Raoul Wallenberg, who saved tens of thousands of Jews during World War II, on Boro Park's 13th Ave., last month. On Jan. 17, 1945, Raoul Wallenberg disappeared in Hungary while in Soviet custody.

farewell address, in which he warned against "the acquisition of unwarranted influence, whether sought or unsought, by the military-industrial complex."

In 1994, a 6.7-magnitude earthquake struck Southern California, killing at least 72 people.

In 1995, more than 6,000 people were killed when an earthquake with a magnitude of 7.2 devastated the city of Kobe, Japan.

In 2007, the Doomsday Clock was set to five minutes to midnight in response to North Korea's nuclear testing.





#### Today's learning is dedicated for a *refuah sheleimah* for:

Ariel ben Rochel, Boaz Dovid Chai ben Rochel, Binyomin Chaim ben Faigi Sara, Chizkiyahu Dov Ber Shraga Feivel ben Bracha, Meir Gedaliah ben Chava Miriam, Chaim Yosef ben Bunya, Yosef Yitzchok ben Sheindel Chasya, Yitzchok Dov ben Fradel, Yerachimel Shlomo ben Raizel, Moshe ben Rivka Raizel, Mattisyahu Raphael ben Rivka, Nosson ben Ella, Raphael ben Chana Miriam, Shlomo Eliezer ben Chaya Sara Elka, Shimon ben Yenta, Yisrael Meir Malka, Yitzchok Dov ben Fradel, Alicia bas Miriam, Devorah bas Miriam, Nechama bas Ruchama Rus, Alta Sara Frida bas Ruchama Aidel Roiza Shoshana, Esther bas Baila, Esther Rivka bas Rochel Leah, Efrat Michal bas Ayala, Ariella bas Ayala, Leah bas Rivka, Leah Bracha bas Nechama Aidel, Leeba Leah bas Rivka, Malaya bas Esther Gittel Chaya, Malka Breindel bas Shaina Shifra, Miriam bas Chaya Rivka, Chaya Gittel Hindel bas Zissel Maryam, Chaya Yocheved bas Sara Susha, Toba bas Leah, Sara Gittel bas Miriam Mira, Batsheva Rochel Leah bas Chaya Sara, Adina bas Chana, Alta Sara Frida bas Ruchama Aidel Roiza Shoshana.

To dedicate the day's learning, please call Hamodia at 718-853-9094, ext. 292.

Please daven for: Yehonasan ben Malka (Pollard), Sholom Mordechai ben Rivka (Rubashkin), Yaakov Yuda ben Sheindel (Ostreicher)

Since these pages contain *divrei Torah*, they must be treated *al pi halachah* and at the very least double-wrapped before discarding. Readers may wish to consult their Rav for specific guidance.

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