

The aim of our learning program is twofold: to enhance our Shabbat meals with divrei torah and to study together as a community. The weekly sheet contains a real-life practical question with a halachik response, as well as parsha questions on the reverse side for adults and children to review.

Scenario and Discussion

*(Courtesy of the Business Halacha Institute
www.businesshalacha.com)*

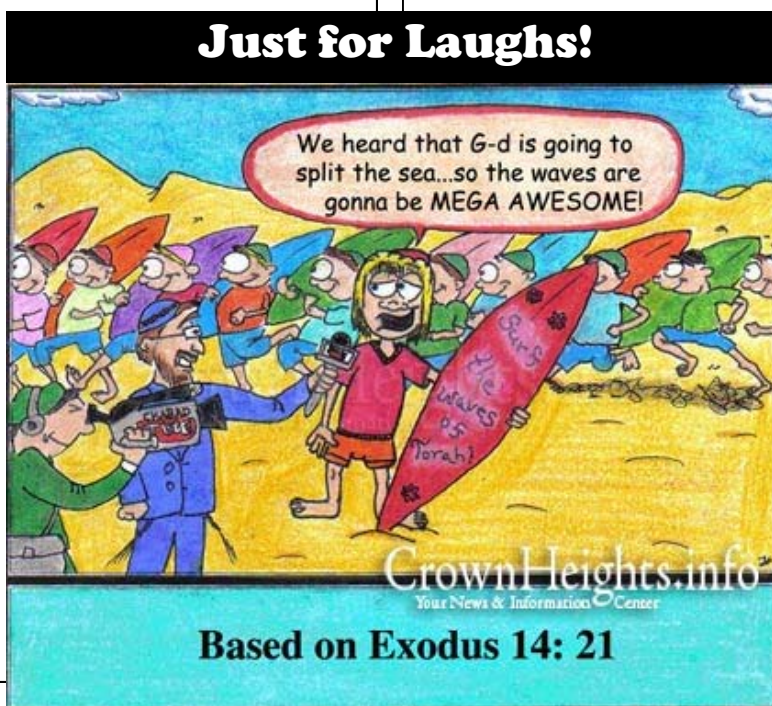
I needed a new sheitel for a long time but delayed getting one, since I couldn't justify the money it would cost to get a nice new sheitel. Last week, I saw an advertisement that one of the local sheitel machers was having a half-price sale on all the \$1,000 wigs. I went in to look at what was available and found a beautiful piece. I purchased the sheitel and my friend, who is also a sheitel macher, cut it for me. Yesterday, the seller called to tell me that the wig I bought was not one of the sheitels that was on sale. She doesn't know how it got placed with the sheitels that were on sale, but this particular piece was from the line that is normally sold for \$1,800 – and it was not part of the sale. The sheitel macher now wants me to pay her the remaining balance of the correct price of the sheitel.

Q: Am I obligated to pay her an additional \$1,300?

A: The first issue that must be clarified is the determination of what halacha applies in this circumstance. At first glance, it seems that this is a case of ona'ah. The prohibition of ona'ah is to exploit another person's ignorance in a business transaction. In the

event that a merchant charges one-sixth more than the market price, or if the customer pays less than one-sixth of the market price, the transaction can be cancelled. Applied to our case, it seems that you unknowingly exploited the sheitel macher when you purchased a wig worth \$1,800 for only \$500. The truth is, however, that this transaction is null and void for a more fundamental reason. Ona'ah is an issue that is relevant when the object that was to be sold was not properly priced. The issue in this case is that the seller did not intend to sell this particular sheitel. This is a form of mekach taus – mistaken transaction – and is not binding in halacha. Once it is determined that a transaction was a mekach taus, the buyer has the right to cancel the transaction. Furthermore, according to some opinions, even the seller may cancel the deal before the buyer accepted the deficiency (C.M. 232:4, S'ma 12). What this means for you is that the sheitel macher cannot

demand that you pay her the remaining balance on the sheitel; you can just return it to her and ask for a refund of the money you already paid. Furthermore, since you handled the sheitel in a normal manner before the mekach taus was discovered, you are not obligated to pay for the loss of value that resulted from having the sheitel cut (see Choshen Mishpat 232:13).



Parsha Questions

Courtesy of the Pardes Institute for Jewish Studies

All references are to the verses and Rashi's commentary, unless otherwise stated.

1. What do you see as the difference between Moshe taking Yosef's bones to Eretz Yisrael and Yosef taking Yaakov's?
2. How did B'nai Yisrael know the way to travel?
3. Through whose land did Hashem not lead B'nai Yisrael and why?
4. When the Egyptians began to catch up with B'nai Yisrael, the angel of G-d made sure that the Egyptians would not catch up. What did the angel do?
5. According to the parsha, what made the sea part so as to make a dry path?
6. After B'nai Yisrael left the sea and went into the wilderness, they quickly encountered a problem. What was it and how was it resolved?
7. On the 45th day after leaving Egypt, B'nai Yisrael were murmuring against Moshe and Aaron. What was their problem this time and how was it resolved?
8. Each day B'nai Yisrael were to gather how much manna, and eat it by when? What happened if they gathered too much or too little?
9. When B'nai Yisrael went into the wilderness of Sin, they once again ran short of water. What did Hashem tell Moshe to do to produce the water and what did Moshe do?

Parsha Answers

1. Yosef took Yaakov's after 30 days of mourning; Moshe took Yosef's after several hundred years.
2. Hashem provided a pillar of cloud by day and a pillar of fire by night for them to follow.
3. Philistines; if B'nai Yisrael would see war, they would be afraid, and since they would be so near Egypt and it would be easy to go back, that is what they would do.
4. He moved the pillar of cloud from before B'nai Yisrael to behind them so the Egyptians could not see them.
5. Moshe stretched his hand over the sea and Hashem caused the sea to go back by a strong east wind all the night.
6. After 3 days, they found no water to drink. Hashem showed Moshe a certain tree and he cast it into the bitter waters, and the waters were made sweet.
7. They ran out of the food they had brought with them out of Egypt; Hashem provided manna and quail for them to eat until they were full. Manna in the morning and quail in the evening.
8. They were to gather 1 omer per person per day except on Yom Shishi, when they were to gather two omers per person, one for Shabbat. If they gathered more than an omer, it was still the correct amount. If less, they still had enough. They could not allow any manna to be left over until the next day except on Yom Shishi.
9. He told Moshe to take his rod and smite a certain rock in Horeb. Moshe did as Hashem instructed and the water flowed.