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Digest
Mishna Berura
THE DAILY RESOURCE FOR MISHNA BERURA YOMI
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סימן שכ"ח סעיף י"ג-ט"ז

# Overview

Siman 328 Seif 13:

**Whoever is quick to respond when there is danger is praiseworthy, even if in the course of the act one performs another *melacha*. For example, if one spread a net to pull up a child who fell in the river and captured some fish with him or anything that is similar.**

- If a child becomes locked behind a door it is permitted to break the door so that the child should not become frightened and die and we do not require one to bring nuts to play with the child until a key could be obtained. (M.B. 38)

Siman 328 Seif 14:

**If a dangerously ill patient required meat, it is permitted to slaughter an animal for him and we do not feed him *neveilah* but if he needed to eat immediately, and the *neveilah* is ready for consumption and slaughtering would cause a delay, we feed him the *neveilah*.**

- Many reasons are given to explain why it is preferred to slaughter an animal than feed the patient *neveilah*. *Halachically*, it is preferred to feed the patient food that is Rabbincially prohibited rather than desecrate Shabbos. If the patient says that he is not repulsed by *neveilah* and *neveilah* is available, there is a debate whether it would be permitted to slaughter an animal for him. Regarding a child it is certainly better to feed him *neveilah* than to slaughter an animal. (M.B. 39)

Siman 328 Seif 15:

**If the doctors estimate that the patient requires a dry fig and ten people ran to bring him a fig, they are all exempt and they are rewarded generously from Hashem even if he was healed from the first fig.**

Siman 328 Seif 16:

**If it was estimated that he requires two figs and they found two figs on two stems or three figs on one stem, we sever the stem that contains three figs but if two were on a single stem and three were on another stem, they should sever the stem that contains only two figs.** If a person is overwhelmed we are not so exacting so that it should not lead to any sort of delay.

- This limits the extent of the desecration of Shabbos since he performs only a single act of harvesting. (M.B. 43)

# Halacha Highlight

## Plucking multiple fruits

Shulchan Aruch Siman 328 Seif 16

**אמדוהו לשתי גרוגרות**

**They estimated that he required two dried figs**

Shulchan Aruch (סעי' ט"ז) discusses a circumstance in which doctors determined that a patient required two dried figs. When the messenger went to the fig tree he realized that he had a choice. He could pluck two dried figs on two separate stems or he could pluck one stem that contained three dried figs. Shulchan Aruch rules that when given such a choice it is preferable to pluck the one stem that contains three dried figs. The rationale is that performing a single act of plucking fruit from a tree is preferred to two acts of plucking something from a tree (מ"ב ס"ק מ"ג). However, if the choice is between two figs on one stem or three figs on another stem he should pluck the stem that contains only two figs. The reasoning is that although either way he will perform a single act of plucking fruit from a tree, nevertheless, by plucking the stem that contains three figs he performs a *melacha* in a greater quantity than necessary and whenever one can minimize the quantity of the *melacha* that he must perform, he should make an effort to do so (מ"ב ס"ק מ"ד).

Rav Nissim Karelitz (חוט שני ח"א קונטרס מלאכת מחשבת סי' י"ב) explains that the issue is whether to perform the *melacha* in a larger quantity or a smaller quantity rather than seen as a choice between plucking two figs from the tree or three figs from the tree for the following reason. The *melacha* of plucking fruit from a tree or harvesting is transgressed when one severs the connection of something from the ground. Since in either case one is performing a single act of severing something from the ground the only difference is whether two or three figs will be severed from the ground and thus the issue is the quantity of the *melacha* that is performed rather than then number of times the *melacha* is performed.

- Performing a greater quantity of a melacha, even at once is prohibited. The same is true regarding other melachos that are permitted for a dangerously, ill patient, e.g., cooking more than necessary is prohibited. (M.B. 44)