

**RAMBAM – Sefer Nezikin – Hilchos Nizkei Mammon – Perek Aleph – Chapter 1:**

1. Is a person responsible to pay for the damage that is caused by his animal? Why? [Halacha 1]
2. From which verse in the Torah do we know this?
3. Why does the verse in the Torah only mention a “שׁוֹר” (*Shor* - an ox)?
4. What is the criterion for paying “נֶזֶק שְׁלֵם” (*Nezek Shalem* – the full amount of the damage)? [Halacha 2]
5. With what does the owner pay the full damages?
6. What kind of property must be given when paying with property?
7. From which verse in the Torah do we know this?
8. What is the criterion for paying “חֲצִי נֶזֶק” (*Chatzi Nezek* – half the damages caused)?
9. Give two examples of unpredictable non-normative behavior when damaging.
10. With what does the owner pay half the damages?
11. What is the upper ceiling of payment based on?
12. From which verse in the Torah do we know this?
13. What is a “מַזִּיק” (*Mazik*)?
14. What is a “נִזְק” (*Nizak*)?
15. An animal worth 100 זָז (*zuz*) gores and kills an animal worth 20 זָז (*zuz*). The corpse is worth 4 זָז (*zuz*). How much is the owner obligated to pay and why? [Halacha 3]
16. An animal worth 20 זָז (*zuz*) gores and kills an animal worth 200 זָז (*zuz*). The corpse is worth 100 זָז (*zuz*). How much is the owner obligated to pay and why?
17. How do we determine the extent of damage when one ox kills another?
18. How much of the damage [%] must the owner pay?
19. When is an animal called a “מוֹעֵד” (*Muad* – pre-determined)? [Halacha 4]
20. When is an animal called a “תָּם” (*Tam* – tame)?
21. How does a “תָּם” (*Tam*) animal become a “מוֹעֵד” (*Muad*)?
22. From which verse in the Torah do we know this?
23. What five types of activities are considered to be abnormal for an animal? [Halacha 5]
24. What happens to the status of the animal if it repeats a specific abnormal activity many times?
25. What three types of activities are considered normal for an animal?
26. When is the activity of eating foods not considered normal for an animal?
27. When is the activity of breaking utensils, when walking, not considered normal for an animal?
28. When is the activity of lying on utensils and crushing them not considered normal for an animal?
29. What five animals are considered “מוֹעֵדִים” (*Muadim*) from the beginning of their existence? [Halacha 6]
30. What if they are domesticated?
31. What must their owner pay when they cause damage?
32. What is the status of a snake that damages?
33. What are the two differences when paying for the damages of a “מוֹעֵד” (*Muad*) versus a “תָּם” (*Tam*)? [Halacha 7]
34. Where must an animal cause damage in order for the owner to be responsible? Why?
35. From which verse in the Torah do we know this?
36. What is the law if an animal causes damage to something while it is in the property of the owner of the damaging animal? Why?

37. What is a “רְשׁוּת הַמְזִיק” (*Reshus Hamazik*) ?
38. What is a “רְשׁוּת הַנִּזְק” (*Reshus Hanizak*)?
39. What is the law if an animal causes damage to something by eating or treading in its normal fashion while it is in the “רְשׁוּת הַרְבִּים” (*Reshus Harabim* - public domain)? Why? [Halacha 8]
40. What is the law if an animal causes damage to something by eating or treading in its normal fashion while it is in a courtyard that belongs to neither party involved and they did not have permission to be there? Why?
41. What is the law if an animal causes damage to something by eating or treading in its normal fashion while it is in a courtyard that belongs to both parties involved, that is set aside to leave produce there and/or to harbor an animal? Why?
42. What is the law in the above three cases if an animal causes damage by goring, butting, lying, kicking, or biting - for the first time? Why?
43. What is the law if an animal causes damage to something by eating or treading in its normal fashion while it is in a courtyard that belongs to both parties involved, that is set aside to leave produce there but not to harbor an animal? Why? [Halacha 9]
44. What is the law if an animal causes damage to something by eating or treading in its normal fashion while it is in a courtyard that belongs to both parties involved, that is set aside to leave produce there and/or to harbor an animal – but only the one who was damaged had the right to keep produce there? Why?
45. What are the three categories of damages caused by an ox – in Hebrew and English? [Halacha 10]
46. What are the four derivatives of “קֶרֶן” (*Keren* – goring)?
47. What is the common denominator of all “קֶרֶן” (*Keren*) activities?
48. What are the two derivatives of “שָׁן” – (*Shain* - eating)?
49. What is the common denominator of all “שָׁן” – (*Shain*) activities?
50. What are the eight derivatives of “רֶגֶל” (*Regel* – treading)?
51. What is the common denominator of all “רֶגֶל” (*Regel*) activities?
52. What is the law if an animal soils produce in a רְשׁוּת הַנִּזְק (*Reshus Hanizak*) by rolling upon it?
53. What is the law if an animal soils produce in a רְשׁוּת הַנִּזְק (*Reshus Hanizak*) by defecating on it?
54. What is the law if an animal causes damage via a derivative of שָׁן “*Shain*” or רֶגֶל “*Regel*” in a רְשׁוּת הַרְבִּים “*Reshus Harabim*”? Why?
55. What is the law if an animal causes damage via a derivative of שָׁן “*Shain*” or רֶגֶל “*Regel*” in a רְשׁוּת הַנִּזְק “*Reshus Hanizak*”? Why?
56. What is the law if an animal causes damage via a derivative of שָׁן “*Shain*” or רֶגֶל “*Regel*” in a רְשׁוּת הַמְזִיק “*Reshus Hamazik*”? Why?
57. What are the three essential differences [in consequences] between שָׁן / רֶגֶל “*Shain/Regel*” and קֶרֶן “*Keren*”?
58. What is the law if an animal causes damage in רְשׁוּת הַרְבִּים “*Reshus Harabim*” by wagging its tail in an abnormal manner or by wagging its sexual organ? Why? [Halacha 11]
59. What happens if the נִזְק “*Nizak*” seizes possession of property belonging to the owner? Why?
60. What is the law if an animal causes damage in a situation where the Halacha is unresolved in the Talmud? [2 part answer]

**Terms:**

1. בעל *Ba'al*
2. ממון *Mammon*
3. שור *Shor*
4. מזיק *Mazik*
5. ניזק *Nizak*
6. נזק שלם *Nezek Shalem*
7. חצי נזק *Chatzi Nezek*
8. מיטב *Maytav*
9. חצי נזק מגופו *Chatzi Nezek Migoofoe*
10. מועד *Muad*
11. תם *Tam*
12. קרן *Keren*
13. שן רגל *Shain Regel*
14. רשות הרבים *Reshus Harabim*
15. רשות המזיק *Reshus Hamazik*
16. רשות הניזק *Reshus Hanizak*
17. זוז *Zuz*
18. משלם *Meshalaim*
19. חייב *Chayav*
20. פטור *Patur*

**Overview of Perek Aleph – Chapter 1:****Basic Law:**

**Halacha 1:** A person is obligated to pay for the damages caused by his animal

**Payment:**

**Halacha 2:** How much must the owner pay? Depends on predictability of the type of damage

**Halacha 3:** An example of payment when the damage is not predictable

**מועד / תם Tam /Muad:**

**Halacha 4:** Definition of “מועד” (*Muad*) and “תם” (*Tam*).

**Halacha 5:** Description of “תם” (*Tam*) and “מועד” (*Muad*) activities

**Halacha 6:** Species of animals that are considered “מועד” (*Muad*) from the beginning

**Where the Damage is Done:**

**Halacha 7:** Damage done in the רשות הניזק (*Reshus Hanizak*) vs. רשות המזיק (*Reshus Hamazik*)

**Halacha 8:** Damage done in a רשות הרבים (*Reshus Harabim*), etc.

**Halacha 9:** Damage done where the ניזק (*Nizak*) has more property rights than the מזיק (*Mazik*)

**Expanding of Damaging Activities:**

**Halacha 10:** Categories of damages caused by an animal and their Derivatives

**Halacha 11:** A case of doubtful קֶרֶן (*Keren*) or רֵגֶל (*Regel*) when an animal wags its tail in an abnormal fashion or wags its sexual organ