

399. Give an example of what constitutes a שְׁמִירָה פְּחוּתָה (*Shmira Pechusa*) ? [הלכה א']
400. What degree of watching is required for a בְּהֵמָה תָּם in order to remove culpability from the owner when the ox gores?
401. What degree of watching is required for a בְּהֵמָה מוּעָד in order to remove culpability from the owner when the ox gores?
402. What is the law if an animal that was watched with a שְׁמִירָה פְּחוּתָה (*Shmira Pechusa*) damages with שֵׁן or רִגְלָא ? [הלכה א']
403. What is the law if a בְּהֵמָה תָּם that was watched with a שְׁמִירָה פְּחוּתָה (*Shmira Pechusa*) damages by קָרָן ?
404. What is the law if a בְּהֵמָה מוּעָד that was watched with a שְׁמִירָה פְּחוּתָה (*Shmira Pechusa*) damages by קָרָן ? Why?
405. What is the logic to have a בְּהֵמָה תָּם pay נֶזֶק נָזֵק, while a בְּהֵמָה מוּעָד is פְּטוּר ?
406. What does פְּטוּר mean in this Halacha? Give two possible answers.
407. What are the two ways of looking at the mechanics of the change of status of an animal from a תָּם to a מוּעָד ?
408. Explain the concept צַד תַּמוּת בְּמִקוּמוֹ עוֹמְדָת (*Tzad Tamus Bimkomo Omedes*).
409. What is the position of the רמב"ם regarding the concept צַד תַּמוּת בְּמִקוּמוֹ עוֹמְדָת (*Tzad Tamus Bimkomo Omedes*) ?
410. What does בית דִּין do to a שׂוֹר מוּעָד that keeps going after it is watched with a שְׁמִירָה פְּחוּתָה (*Shmira Pechusa*) ?
411. What is the law if a שׂוֹר תָּם only for קָרָן שְׂמֵאל goes with his קָרָן שְׂמֵאל ? [הלכה ב']
412. What is the law if a שׂוֹר מוּעָד only for קָרָן יָמִין (*Keren Yamin*) goes with his קָרָן יָמִין (*Keren Yamin*) ? Give two different reasons for this.
413. Why is the law in #412 not a contradiction to the law in line #404.
414. What is the law if a שׂוֹר מוּעָד for both קָרָן שְׂמֵאל and קָרָן יָמִין goes with either קָרָן ? Give two possible answers and explain why.
415. What is a person responsible to pay for when he injures another person? [הלכה ג']
416. What is a בְּהֵמָה responsible to pay for when he injures an אָדָם (*Adam*) ?
417. What is a בְּהֵמָה not responsible to pay for when he injures an אָדָם (*Adam*) ? Why?
418. What is the law if a person pulls down another person's pants in the middle of the street ?
419. What is the law if a בְּהֵמָה pulls down [with his horn] another person's pants in the middle of the street? Why?
420. What is the law if a person intentionally injures his father? Why?
421. What is the law if a בְּהֵמָה intentionally injures its owner's father? Why?
422. What is the law if a person intentionally burns down another person's גְּדִישׁ (*Gadish*) on Shabbos? Why?
423. What is the law if a בְּהֵמָה intentionally burns down a person's גְּדִישׁ (*Gadish*) on Shabbos? Why?
424. Explain the concept of קָם לִיהָ בְּדִרְבָּה מִנֵּיהָ (*Kom Lay Be'draba Minay*).
425. A person brings his שׂוֹר into a courtyard of a בַּעַל הַבַּיִת (*Ba'al Habayis*) שְׁלֵא בְּרִשּׁוֹת (*Shelo Birshus*). The שׂוֹר of the בַּעַל הַבַּיִת (*Ba'al Habayis*) gores the intruding שׂוֹר. What is the law? Why? [הלכה ד']
426. A person brings his שׂוֹר תָּם into a courtyard of a בַּעַל הַבַּיִת (*Ba'al Habayis*) שְׁלֵא בְּרִשּׁוֹת (*Shelo Birshus*). His שׂוֹר תָּם gores the שׂוֹר of the בַּעַל הַבַּיִת (*Ba'al Habayis*). What is the law? Why?
427. A person brings his שׂוֹר מוּעָד into a courtyard of a בַּעַל הַבַּיִת (*Ba'al Habayis*) שְׁלֵא בְּרִשּׁוֹת (*Shelo*

- Birshus*). His שׂוֹר מוֹעֵד goes the שׂוֹר of the בְּעַל הַבַּיִת (*Ba'al Habayis*). What is the law? Why?
428. A person brings his תָּם שׂוֹר into a רְשׁוּת הַרְבִּים and it gores another animal. What is the law?
429. A person brings his שׂוֹר מוֹעֵד into a רְשׁוּת הַרְבִּים and it gores another animal. What is the law?
430. What is the technical legal status of a not moving animal which damages? Why? [הלכה ה']
431. Is a person תַּיִב to pay for the damages resulting from the בּוֹר (*Bore*) that his animal digs? Why?
432. What damages is a person not תַּיִב to pay which results from a בּוֹר (*Bore*) which he digs himself? Why?
433. In relation to the damages that result from a בּוֹר (*Bore*), what is the status of מַיִם (*Mayim*)?
434. A person brings his שׂוֹר into a courtyard of a בְּעַל הַבַּיִת (*Ba'al Habayis*) שְׁלֵא בְרִשׁוּת (*Shelo Birshus*) and it falls in a בּוֹר (*Bore*) filled with water. The water spoils immediately because the animal was full of mud. What is the law? Why?
435. A person brings his שׂוֹר into a courtyard of a בְּעַל הַבַּיִת (*Ba'al Habayis*) שְׁלֵא בְרִשׁוּת (*Shelo Birshus*) and it falls in a בּוֹר (*Bore*). The water spoils after a few hours. What is the law? Why?
436. A person brings his שׂוֹר into a courtyard of a בְּעַל הַבַּיִת (*Ba'al Habayis*) בְּרִשׁוּת (*Birshus*) and it falls in a בּוֹר (*Bore*). The water spoils immediately because the animal was full of mud. What is the law? Why?
437. A person brings his שׂוֹר into a courtyard of a בְּעַל הַבַּיִת (*Ba'al Habayis*) בְּרִשׁוּת (*Birshus*) and it falls in a בּוֹר (*Bore*). The animal drowns in the water. What is the law? Why?
438. In the above case, when would the בְּעַל הַבַּיִת (*Ba'al Habayis*) be תַּיִב to pay?
439. A person brings his שׂוֹר into a courtyard of a בְּעַל הַבַּיִת (*Ba'al Habayis*) שְׁלֵא בְרִשׁוּת (*Shelo Birshus*) and it injures the בְּעַל הַבַּיִת (*Ba'al Habayis*). What is the law? Why? [הלכה ו']
440. A person brings his שׂוֹר into a courtyard of a בְּעַל הַבַּיִת (*Ba'al Habayis*) שְׁלֵא בְרִשׁוּת (*Shelo Birshus*) and it digs a בּוֹר (*Bore*) in the courtyard. What is the law? Why?
441. Why is the בְּעַל הַחֹצֵר (*Ba'al Hechotzair*) obligated to pay for the damages resulting from the בּוֹר (*Bore*) which the שׂוֹר dug? Why isn't the בְּעַל הַשּׁוֹר (*Ba'al Hashor*) obligated to pay as well?
442. A person brings his שׂוֹר into a courtyard of a בְּעַל הַבַּיִת (*Ba'al Habayis*) שְׁלֵא בְרִשׁוּת (*Shelo Birshus*) and it digs a בּוֹר (*Bore*) in the courtyard. Afterwards, the בְּעַל הַחֹצֵר (*Ba'al Hechotzair*) gives up ownership of the property. The next day, another person's animal falls into that בּוֹר (*Bore*) carrying a bag of pots and the animal and the pots get damaged. What is the law? Why?
443. A person brings his שׂוֹר into a courtyard of a בְּעַל הַבַּיִת (*Ba'al Habayis*) שְׁלֵא בְרִשׁוּת (*Shelo Birshus*), and the owner unknowingly damages it by shooting an arrow at it. What is the law? Why? [הלכה ז']
444. A person brings his שׂוֹר into a courtyard of a בְּעַל הַבַּיִת (*Ba'al Habayis*) שְׁלֵא בְרִשׁוּת (*Shelo Birshus*), and the owner intentionally damages it by shooting an arrow at it. What is the law? Why?
445. What should a בְּעַל הַבַּיִת (*Ba'al Habayis*) do if a person brings a שׂוֹר into his courtyard שְׁלֵא בְרִשׁוּת (*Shelo Birshus*), and he is afraid it will cause damages while on his property?
446. Reuven bought a brand new dish for \$10. After 2 years, its value has depreciated to \$8. Shimon broke the dish. The pieces are now worth \$2. What is the law? Why? [הלכה ח']
447. Reuven bought a brand new dish for \$10. After 2 years, its value has depreciated to \$8. Shimon's שׂוֹר תָּם kicked the dish and broke it. The pieces are now worth \$2. What is the law? Why?
448. In the above cases, may Reuven tell Shimon to keep the pieces and pay him \$8? Why?
449. Who suffers the loss by פְּחַת הַנְּבִלָה (*P'chas Haniveila*)? Why?
450. Who profits from the שְׂבַח הַנְּבִלָה (*Shevach Haniveila*)? Why?

451. Reuven owns a שׁוֹר that is שְׁוֵה (*Shawveh*) מְאֵתִים (*Mawsayim*) . Shimon's שׁוֹר מוֹעֵד goes and kills it. The נְבִלָה (*Neveila*) is worth מְאָה (*Maiyaw*) at the שְׁעַת מִיתָה (*She'as Misa*). At the שְׁעַת הַעֲמֻדָה (*She'as Ha'amodo*) it decreased in value to שְׁמוֹנִים (*Shmonim*). What is the law? Why? [הלכה ט']
452. Reuven owns a שׁוֹר that is שְׁוֵה (*Shawveh*) מְאֵתִים (*Mawsayim*) . Shimon's שׁוֹר תָּם goes and kills it. The נְבִלָה (*Neveila*) is worth מְאָה (*Maiyaw*) at the שְׁעַת מִיתָה (*She'as Misa*). At the שְׁעַת הַעֲמֻדָה (*She'as Ha'amodo*) it decreased in value to שְׁמוֹנִים (*Shmonim*). What is the law? Why?
453. Reuven owns a שׁוֹר that is שְׁוֵה (*Shawveh*) מְאֵתִים (*Mawsayim*) . Shimon's שׁוֹר מוֹעֵד goes and kills it. The נְבִלָה (*Neveila*) is worth מְאָה (*Maiyaw*) at the שְׁעַת מִיתָה (*She'as Misa*). At the שְׁעַת הַעֲמֻדָה (*She'as Ha'amodo*) it increased in value to מְאָה וְעֶשְׂרִים (*Maiyaw Ve Esrin*). What is the law? Why? [הלכה י']
454. Reuven owns a שׁוֹר that is שְׁוֵה (*Shawveh*) מְאֵתִים (*Mawsayim*) . Shimon's שׁוֹר תָּם goes and kills it. The נְבִלָה (*Neveila*) is worth מְאָה (*Maiyaw*) at the שְׁעַת מִיתָה (*She'as Misa*). At the שְׁעַת הַעֲמֻדָה (*She'as Ha'amodo*) it increased in value to מְאָה וְעֶשְׂרִים (*Maiyaw Ve Esrin*). What is the law? Why?
455. Reuven owns a שׁוֹר that is שְׁוֵה (*Shawveh*) מְאֵתִים (*Mawsayim*) . Shimon's שׁוֹר goes and kills it. The נְבִלָה (*Neveila*) is worth מְאָה (*Maiyaw*) at the שְׁעַת מִיתָה (*She'as Misa*). At the שְׁעַת הַעֲמֻדָה (*She'as Ha'amodo*) it increased in value to \$300. What is the law? Why?
456. Reuven owns a שׁוֹר מוֹעֵד that is שְׁוֵה (*Shawveh*) מְאֵתִים (*Mawsayim*) goes and damages Shimon's שׁוֹר that is שְׁוֵה (*Shawveh*) מְאֵתִים (*Mawsayim*). Shimon's שׁוֹר after the goading is worth only \$150. At the שְׁעַת הַעֲמֻדָה (*She'as Ha'amodo*) it increased in value to \$400, but had it not been wounded, it would now be worth \$800. What is the law? Why? [הלכה י"א]
457. Reuven owns a שׁוֹר מוֹעֵד that is שְׁוֵה (*Shawveh*) מְאֵתִים (*Mawsayim*) goes and damages Shimon's שׁוֹר that is שְׁוֵה (*Shawveh*) מְאֵתִים (*Mawsayim*). Shimon's שׁוֹר after the goading is worth only \$150. At the שְׁעַת הַעֲמֻדָה (*She'as Ha'amodo*) it weakened due to the wound and decreased in value to \$100. What is the law? Why?
458. Why do we say in case #457 that the פְּחַת (*P'chas*) is suffered by the מְזִיק, while in case #449 we say that the פְּחַת הַנְּבִלָה (*P'chas Haniveila*) is suffered by the מְזִיק?
459. Reuven owns a שׁוֹר תָּם that is שְׁוֵה (*Shawveh*) אַרְבָּעִים (*Arba'im*) which goes and kills Shimon's שׁוֹר that is שְׁוֵה (*Shawveh*) מְאֵתִים (*Mawsayim*). The נְבִלָה (*Neveila*) is worth מְאָה (*Maiyaw*) at the שְׁעַת מִיתָה (*She'as Misa*). Because Reuven fattened up his שׁוֹר תָּם, it is now שְׁוֵה (*Shawveh*) מְאֵתִים (*Mawsayim*) at the שְׁעַת הַעֲמֻדָה (*She'as Ha'amodo*). What is the law? Why? [הלכה י"ב]
460. Reuven owns a שׁוֹר תָּם that is שְׁוֵה (*Shawveh*) אַרְבָּעִים (*Arba'im*) which goes and kills Shimon's שׁוֹר that is שְׁוֵה (*Shawveh*) מְאֵתִים (*Mawsayim*). The נְבִלָה (*Neveila*) is worth מְאָה (*Maiyaw*) at the שְׁעַת מִיתָה (*She'as Misa*). Because of market fluctuations, his שׁוֹר תָּם is now שְׁוֵה (*Shawveh*) מְאֵתִים (*Mawsayim*) at the שְׁעַת הַעֲמֻדָה (*She'as Ha'amodo*). What is the law? Why?
461. At what time is the lien on the body of the Mazik's animal established?
462. Reuven owns a שׁוֹר תָּם that is שְׁוֵה (*Shawveh*) אַרְבָּעִים (*Arba'im*) which goes and kills Shimon's שׁוֹר that is שְׁוֵה (*Shawveh*) מְאֵתִים (*Mawsayim*). The נְבִלָה (*Neveila*) is worth מְאָה (*Maiyaw*) at the שְׁעַת מִיתָה (*She'as Misa*). Reuven gives his ox to the Temple as a gift before the שְׁעַת הַעֲמֻדָה (*She'as Ha'amodo*). What is the law? Why?
463. Who is responsible to make the effort to bring the carcass of the ox that was damaged to the person whose ox was damaged? [הלכה י"ג]
464. Reuven owns a שׁוֹר that is שְׁוֵה (*Shawveh*) מְאֵתִים (*Mawsayim*). It falls into a בּוֹר (*Bore*) that Shimon dug in public property. The נְבִלָה (*Neveila*) is worth מְאָה (*Maiyaw*) at the שְׁעַת מִיתָה (*She'as Misa*). However, it decreases in value to \$50 by the time that Shimon pulls it out of the

31 בור (*Bore*) and brings it to Reuven. What is the law? Why?

465. Reuven owns a שור that is שונה (*Shawveh*) מאתים (*Mawsayim*). Shimon's שור תם goes and kills it. The נבלה (*Neveila*) is worth מאה (*Maiyaw*) at the שעת מיתה (*She'as Misa*). However, it decreases in value to \$50 by the time that Shimon brings it back to Reuven. What is the law? Why?

Terms:

- | | |
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| 1. מוסרה (<i>Moseira</i>) | 26. בעל החצר (<i>Ba'al Hechotzair</i>) |
| 2. כראוי (<i>Kara'ooy</i>) | 27. שלא לדעת (<i>Shelo Leda'as</i>) |
| 3. קרן (<i>Keren</i>) | 28. שמיין (<i>Shawmin</i>) |
| 4. ימין (<i>Yamin</i>) | 29. דמי הפלי (<i>Demai Hakli</i>) |
| 5. שמאל (<i>Smole</i>) | 30. אומדין (<i>Omdin</i>) |
| 6. חבל (<i>Choval</i>) | 31. פחת (<i>P'chos</i>) |
| 7. כונה (<i>Kavana</i>) | 32. פחת הנבלה (<i>P'chas Haniveila</i>) |
| 8. נזק (<i>Nezek</i>) | 33. שבח הנבלה (<i>Shevach Haniveila</i>) |
| 9. שבת (<i>Sheves</i>) | 34. חולקין (<i>Cholkin</i>) |
| 10. בשות (<i>Boshes</i>) | 35. שונה (<i>Shawveh</i>) |
| 11. צער (<i>Tza'ar</i>) | 36. מאתים (<i>Mawsayim</i>) |
| 12. רפוי (<i>Reepooy</i>) | 37. מאה (<i>Maiyaw</i>) |
| 13. אדם (<i>Adam</i>) | 38. שעת מיתה (<i>She'as Misa</i>) |
| 14. לפיכך (<i>Lifichoch</i>) | 39. שעת העמדה (<i>She'as Ha'amodo</i>) |
| 15. בעל הבית (<i>Ba'al Habayis</i>) | 40. שמונים (<i>Shmonim</i>) |
| 16. שלא ברשות (<i>Shelo Birshus</i>) | 41. עשרים (<i>Esrin</i>) |
| 17. נגח (<i>Nogach</i>) | 42. תשעים (<i>Tishim</i>) |
| 18. נפל (<i>Nofal</i>) | 43. ארבעים (<i>Arba'im</i>) |
| 19. מים (<i>Mayim</i>) | 44. חמשה (<i>Chamisha</i>) |
| 20. בור (<i>Bore</i>) | 45. חמישים (<i>Chamishim</i>) |
| 21. בלים (<i>Keilim</i>) | 46. הישביח (<i>Hishbi'ach</i>) |
| 22. ברשות (<i>Birshus</i>) | 47. ארבע (<i>Arba</i>) |
| 23. קבל (<i>Keebale</i>) | 48. שמונה (<i>Shemoneh</i>) |
| 24. חפר (<i>Chofar</i>) | 49. שעת הנזק (<i>She'as Hanezek</i>) |
| 25. בעל השור (<i>Ba'al Hashor</i>) | 50. פטמו (<i>Pitmo</i>) |

Overview of Perek Zayin , Halacha 1-13:

More laws of קרן:

Halacha 1: שמירה פחותה (*Shmira Pechusa*) makes the owner פטור for damages of שן, רגל, and מועד of קרן תם. קרן תם pays נזק

Halacha 2: שמירה פחותה (*Shmira Pechusa*) for a קרן ימין and תם for קרן שמאל pays קרן תם when goring with either horn

Halacha 3: An animal that injures a person only pays for נזק (*Nezek*) - not the other 4 types of payments

Bringing a שור into a private רשות without permission:

Halacha 4: When the שור gores other animals or gets gored

Halacha 5: When the שור falls into a בור (*Bore*)

Halacha 6: When the שור damages people or makes a בור (*Bore*)

Halacha 7: When the owner damages the ox

Evaluating the amount of damage caused:

Halacha 8: We only evaluate the loss caused to the item that was damaged and pay the amount of the loss

Halacha 9: Devaluation of the value of the carcass is suffered by the owner of the carcass

Halacha 10: Appreciation of the value of the carcass is divided between the Nizak & Mazik

Halacha 11: Depreciation & Appreciation of a wounded animal

Halacha 12: Appreciation of the value of the animal that damages

Halacha 13: The Mazik is responsible to bring the carcass to the Nizak, and is responsible for depreciation