

רמב"ם ספר נזיקין הילכות נזיקי ממוזן - Overview Perakim 1-4

Perek Aleph – Chapter 1

Perek Bais – Chapter 2, 1-9:

Perek Gimmel– Ch.3, 1-15:

Perek Daled - Ch.4, 1-4:

<p>Basic Law: 1: A person is obligated to pay for the damages caused by his animal</p> <p>Payment: 2: How much must the owner pay? Depends on predictability of the type of damage 3: An example of payment when the damage is not predictable</p> <p>תם / מועד Tam / Muad: 4: Definition of "מועד" and "תם". 5: Description of "תם" and "מועד" activities 6: Species of animals that are considered "מועד" from the beginning</p> <p>Where the Damage is Done: 7: Damage done in the רשות הניזק vs. רשות המזיק 8: Damage done in a רשות הרבים etc. 9: Damage done where the ניזק has more property rights than the מזיק</p> <p>Expanding of Damaging Activities: 10: Categories of damages caused by an animal and their Derivatives 11: A case of doubtful קרן or רגל when an animal wags its tail in an abnormal fashion or wags its sexual organ</p>	<p>אבות ותולדות: 1: תם and תולדות have the same laws regarding ומועד</p> <p>צרות: 2: Exception to above rule is צרות – it is a תולדה of רגל in all ways except that it only pays נזק 3: An example of צרות 4: Additional examples of צרות (a) רשות הרבים from צרות (b) צרות from a broken utensil 5: Not normative case of צרות – with intentional kicking in רשות הרבים – doubtful רגל or קרן 6: Not normative case of צרות – with intentional kicking in רשות הניזק – doubtful רגל or קרן [even if the animal had no possibility of not damaging via צרות]</p> <p>Differences Between "Tashlumim" & "Knas": 7: תשלום is considered a monetary obligation, while תנאי is considered a קנס. [with the exception of צרות] 8: When paying the exact damage, it is considered a monetary obligation. When paying more or less than the damage, it is considered a fine. Fines only required through testimony. One can absolve fines through admission.</p> <p>Further Derivatives of צרות: 9: Rooster breaking a glass container by crowing while its head is inside it. Skip the rest of 10 & 11 for the time being.</p> <p>More cases involving chickens: 12: Rooster breaking utensils with its wings or generated air while in flight 13: Rooster soiling dough or produce by hopping/ digging/ pecking or by raising dust/stones with their feet/ wings 14: Rooster pecking at a rope with a bucket attached to it</p> <p>Dogs & Goats: 15: Jumping /falling off a roof and damaging 16: Jumping/climbing upwards and downwards [also a rooster]</p> <p>Dogs: 17: Dog takes a cookie with a coal and takes it to a pile of grain 18: Clarification of the above Halacha 19: Inciting a dog to damage</p> <p>Derivative of Keren of a Cow: 20: A walking cow kicks a lying down cow</p>	<p>Payments of תנאה by רגל: 1: Payment of תנאה for רגל in a רשות הרבים 2: An example of the rule in #1 3: Eating foods that are harmful / foods that it would not usually eat</p> <p>Taking and Eating in different places: 4: Taking from the רשות הרבים and eating in the רשות הניזק 5: Taking from the רשות הניזק and eating in the רשות הרבים or somewhere else</p> <p>What is considered as food for an animal? 6: Eating food that it would not normally eat, but would eat under constraint</p> <p>What is considered usual / unusual damages related to eating? 7: Animals eating animals 8: Animals breaking utensils while eating food</p> <p>Damages in different areas of the רשות הרבים: 9: Damaging in the marketplace, corner of marketplace, storefront, and store 10: An animal eating food from on top of another animal.</p> <p>Damages that result from אונס: 11: Animal slipping into a field; unusual damages after an animal walks into a field 12: An animal returning to a field that it previously slipped into</p> <p>Entering a private רשות with /without permission: 13: Leaving pots in a courtyard - pots/animals get damaged 14: Leaving fruits in a courtyard - food /animals get damaged 15: Leaning a grain heap in field -grain heap / animals get damaged</p>	<p>1: Protection necessary in order to be רגל from שן פטור</p> <p>Third party mischief: 2: Breaking down a fence in front of an animal 3: Causing someone's animal to damage someone else's crops</p> <p>Watchmen: 4: Responsibilities of a watchman viv-a-vis-damages of animals 5: Leaving an animal in the sun 6: Giving an animal over to a הורש, קטן, or שוטה 7: Giving an animal over to five watchmen 8: Borrowing a מועד under the assumption that the animal was a תם 9: Borrowing an animal as a תם and it becomes a מועד 10: A Watchman who stipulates partial responsibilities 11: A Watchman who entrusts an animal to another watchman 12: How a watchman pays 1/2 damages for a תם when he has no money</p> <p>Assessing the value of damaged fruits, which were connected to the ground: 13: How to assess the value of fruits, that are unripe and attached to the ground, that an animal damages 14: How to assess the value of fruits, that are ripe and no longer need to nurture from the ground, that an animal damages / Eating fruits from Roman/Persian palm tree</p>
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