

Test on Rambam Hilchos Nizkei Mammon Chapters 1-4:

1. Explain the difference between a תם, מועד, and נגחן (*Nagchan*) both in terms of what they are and what they are obliged to pay for when damaging.
2. When evaluating a case where an animal damages via שן or רגל, what is the **very first fact** that must be determined before we can judge on the case?
3. Generally speaking, what two responsibilities does a שומר (*Shomair*) accept upon himself when watching a בהמה ?
4. Mr. Behaima entrusts his בהמה to a שומר (*Shomair*), who in turn entrusts the animal to his son or a member of his household. The animal causes damage while being watched by the son or household member. What is the law? Why?
5. What is the law if the שומר (*Shomair*) of a תם that damages, and he has no money to pay? Why?
6. A person entrusts his בהמה to five watchmen - without giving each one a specific responsibility in the watching of the animal. One of the five watchman was overtly negligent, and the animal goes out and damages. What is the law? Why?
7. A person entrusts his בהמה, which was tied up very securely, to a חרש (*Chairaish*), שומט, or קטן to watch. The animal breaks loose and damages. What is the law? Why?
8. What level of שמירה (*Shmira*) is required to make a person פטור from paying for the damages of שן and רגל, if his animal damages in a רשות הנזק ? Why?
9. What is the law if a person puts his fruits into the property of a בעל הבית (*Ba'al Habayis*), **with** permission, and the animal of the בעל הבית (*Ba'al Habayis*) eats the fruits? Why?
10. What is the law if a person puts his fruits into the property of a בעל הבית (*Ba'al Habayis*), **without** permission, and the animal of the בעל הבית (*Ba'al Habayis*) eats the fruits and gets damaged by overeating the fruits? Why?
11. The owner has his צאן (*Tzon*) in a corral with a strong gate. לסטים (*Listim*) break down the gate and steal the צאן [and the owner does not know about this] and the צאן damage via שן or רגל. What is the law? Why?
12. What is the law when a שומר חנם (*Shomair Chinam*) provides שמירה פחותה (*Shmira Pechusa*) vis-a-vis damages of קרן? Why?
13. What is the law when all other guardians provide שמירה פחותה (*Shmira Pechusa*) vis-a-vis damages of שן or רגל? Why?
14. Mr. Mazik places poison in front of Mr. Shelomazel's בהמה. The animal eats it and dies. What is the law? Why?
15. What is the law if a בהמה (*Behaima*) which is walking in a רשות הרבים, jumps on top of another בהמה (*Behaima*), and eats food from on top of that בהמה (*Behaima*) ? Why?
16. What is the law if an animal slips on urine, falls into a רשות הנזק, and crushes the vegetables it fell onto? Why?
17. Mr. Grama excites Mr. Kelev's dog [while Mr. Kelev is quietly watching] and it damages Mr. Shelomazel. What is the law? Why?
18. What is the law if a dog or goat damages utensils on the ground by falling off the top of a roof? Why?

19. What is the law if a horse or donkey breaks utensils in a רשות הניזק (*Reshus Hanizak*) as a result of neighing or braying? Why?
20. What is the law if an animal is in a רשות הרבים (*Reshus Harabim*), and damages utensils, which are in the רשות הניזק (*Reshus Hanizak*), via "צָרוֹרוֹת" (*Tzroros*)? Why?
21. [Extra Credit] Mr. Mazik puts his בַּהֲמָה , which is worth 60 זוז, in a corral with a (*Shmira Pechusa*). The animal breaks out of the corral, enters the רשות הרבים (*Reshus Harabim*) and eats 100 זוז worth of food belonging to Mr. Peiros. It subsequently gores an animal worth 100 זוז. It subsequently gets run over by a train and its body is crushed into little pieces. What is the law? Why?