

## Damages of Animal Shor (Av Category of Treading)

Ref: *Sefer Nezikin, Hilchot Nezikey Mamon, Chapter 2*

### TREADING

In assessing penalties one has to see who has been negligent

- In whose property did the damage take place.
- What rights did the parties have in that property.
- Who should have taken precautions.
- What is status of damager, *muad* or *tam*.

	Penalty is full amount ( <i>mamon</i> – obligation) exacted from person	Penalty is ½ amount ( <i>knas</i> – fine) exacted from animal	No penalty	<i>Tam</i> penalty is ¼ damages
Treading in private domain	✓			
▲ Stones which eject and cause damage from treading in private domain		▲ ✓ From choice property. This is an exception		
Animal treads on utensil in public domain and breaks it			✓	
Pieces break off from this vessel which breaks a second vessel		▲ ✓		
Animal in public domain kicked a stone which breaks a vessel. (This is a doubt whether it falls into category of goring or treading)			✓	Doubt
Animal kicked a stone which caused damage in a private domain				✓ Doubt
Indirect (other) damages e.g. wind of wings of rooster damages vessels etc		▲ ✓		