

Penalties for Damages by Animal (*Muad* and *Tam* Animals)

Ref: *Sefer Nezikin, Hilchot Nezeikei Mamon, Chapters 7–9*

Penalty

<i>Muad</i> (performs act according to its nature)	Full amount of damages from best possession of owner
<i>Tam</i> (deviates from nature e.g. gores or bites)	$\frac{1}{2}$ amount of damage from body of animal
<i>Tam</i> after 3 warnings (now becomes <i>muad</i>)	Full damages
<i>Tam</i> which was well guarded by owner but broke loose	$\frac{1}{2}$ amount of damage (because it relates to animal misbehaviour)
<i>Muad</i> which was well guarded and broke loose	0 (because the Torah exempts the owner)
Animal is part <i>tam</i> and part <i>muad</i> (e.g. <i>muad</i> for right horn only) and was well guarded	$\frac{1}{2}$ damages
Animal injures human being and was <i>tam</i>	$\frac{1}{2}$ damages from body of animal
Injures human being and was a <i>muad</i>	Full amount of damages, but not liable for unemployment, embarrassment, pain and medical expenses (this only applies if one person injures a colleague)
Damages offending animal intentionally in his own courtyard	Full amount
Damages offending animal unintentionally in his own courtyard	0

	Liability
Consecrated animals (are not bound by laws of damages)	0
Consecrated animal where part of the animal belongs to owner e.g. <i>Shelamim</i> (Peace Offerings)	Damages may be collected from meat which could be eaten by owner
<i>Ownerless ox</i>	0
At time of damage ox had owner and then was made ownerless or consecrated before it was taken to court	0
Ox of a Jew damages ox of Gentile	0 This is according to Gentile law
Ox of Gentile gores ox of Jew <i>tam</i> or <i>muad</i>	Full damages

Owner sells or consecrated guilty animal after trial	Owner fully liable and sale and consecration invalid
Damage caused but there is no definite proof and no acceptable witnesses	o

 **Reminder**

Pack on Witnesses



	Liability
Damaging pregnant animal. Mother and offspring considered as one body	½ damage from either
Damaging chicken and eggs considered separate	½ damage from chicken only
Cases involving more than 2 oxen	Complex. Depends if there are witnesses. Oaths may need to be taken

 **Reminder**

Pack on Oaths

