

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

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

### Penalty

<i>Muad</i> (performs act according to its nature)	<b>Full amount</b> of damages from best possession of owner
<i>Tam</i> (deviates from nature e.g. gores or bites)	½ <b>amount</b> of damage from body of animal
<i>Tam</i> after 3 warnings (now becomes <i>muad</i> )	<b>Full damages</b>
<i>Tam</i> which was well guarded by owner but broke loose	½ <b>amount</b> of damage (because it relates to animal misbehaviour)
<i>Muad</i> which was well guarded and broke loose	<b>0</b> (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	½ <b>damages</b>
Animal injures human being and was <i>tam</i>	½ <b>damages</b> from body of animal
Injures human being and was a <i>muad</i>	<b>Full amount</b> 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	<b>Full amount</b>
Damages offending animal unintentionally in his own courtyard	<b>0</b>

	<b>Liability</b>
Consecrated animals (are not bound by laws of damages)	<b>0</b>
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>	<b>0</b>
At time of damage ox had owner and then was made ownerless or consecrated before it was taken to court	<b>0</b>
Ox of a Jew damages ox of Gentile	<b>0</b> This is according to Gentile law
Ox of Gentile gores ox of Jew <i>tam</i> or <i>muad</i>	<b>Full damages</b>

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 <b>damage</b> from either
Damaging chicken and eggs considered separate	½ <b>damage</b> 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

