



Today's Daf In Review is being sent l'zecher nishmas Habachur Yechezkel Shraga A"H ben R' Avrohom Yehuda

Bava Kamma Daf Yud Zayin

- A Braisa says, that they did honor for Chizkiyahu when he died. **R' Yehuda** says, this refers to the 36,000 people that ripped their clothing in mourning for him. **R' Nechemya** asked, this can't be what the pasuk means, because this was done for Achav as well. Rather, the pasuk means that they put a Sefer Torah on his coffin and said "this person has fulfilled everything that is written in this Torah".
 - **Q:** They do that for tzaddikim now as well, so why was that considered to be extra special? **A:** Today they take out the Torah, but they don't lay it on the aron. **A2:** Even today they put it on the aron, but they don't say "this person fulfilled..." **A3: Rabbah bar bar Chana** said that he heard from **R' Yochanan**, that today we even say "this person fulfilled..." However, by Chizkiya they said "he taught everything written in this Torah".
 - **Q:** We have learned that fulfilling is greater than learning!? **A:** Teaching to others is greater than fulfilling.
- **R' Yochanan in the name of R' Shimon ben Yochai** darshened a pasuk to teach, that one who is involved in Torah and chessed will merit to the inheritance of two Shevatim – Yosef and Yissachar – the glory of Yosef and the wealth of Yissachar. Others say this means the person's enemies will wall in front of him as they do for Yosef, and that the person will merit a high level of understanding, like Yissachar.

HADRAN ALACH PEREK ARBA'AH AVOS!!!

PEREK KEITZAD HAREGEL -- PEREK SHEINI

MISHNA

- In what way is regel a muad? It is a muad to break things as it walks in its normal way. An animal is a muad to walk normally and break things. If the animal was kicking, or pebbles shot up from under its feet as it walked, and broke keilim in that way, the owner would only pay half damages.
- If the animal stepped on a keili and broke it, and a piece of that keili flew and broke another keili, the owner would pay full damages for the first keili and only half damages for the second keili.
- Chickens are a muad to walk normally and break things as they do so. If there was something tied to the chicken's leg, or if it was hopping around, and it broke keilim, the owner would pay half damages.

GEMARA

- **Q: Ravina** asked **Rava**, regel and "animal" are the same thing, so why does the Mishna list them as two separate cases of muad? **A: Rava** said, regel refers to the avos, and "animal" refers to the toldos.
 - **Q: Ravina** asked, in the next Mishna which says "shein is a muad..., an animal is a muad...", what are the avos and toldos there (the Mishna is discussing the animal who eats, which is clearly the av as well)? **A: R' Ashi** explained, that Mishna first refers to the shein of a wild animal, and then to shein of a domesticated animal. We would think the pasuk only refers to domesticated animals, so the Mishna teaches that this is not the case.
 - **Q:** If so, why didn't the Mishna list the case of the domesticated animal first, since it is mentioned in the pasuk? **A:** The Tanna considers the one learned from a drasha to be more dear to him, and therefore mentions it first.

- **Q:** So, why in our Mishna is regel listed first, given that that is the one for which a drasha is not needed? **A:** Regarding shein they are both avos, so the Tanna chooses the drasha first. Here, one is an av and one is a toldah, so the Tanna chooses to list the av first. **A2:** The last Mishna ended with regel, so regel is the first one to be mentioned here.
- A Braisa says, an animal is a muad to walk as usual and break things. For example, an animal that goes into the property of the nizik and damages with its body as it is walking, or with its hair, or its saddle, or its bit, or its bell, all as it is walking, or a donkey that damages with its package as it is walking, the owner must pay full damages. **Sumchos** says, if the damage was done with tzroros (pebbles that shot out) or from a pig that was poking in the garbage, the owner must pay full damages.
 - **Q:** If the pig did damage, obviously the owner must pay!? **A:** The Braisa means that the pig made a pebble shoot out and do damage, and **Sumchos** teaches that he holds that the owner must pay for full damages.
 - **Q:** Where was tzroros mentioned that **Sumchos** discussed it? **A:** The Braisa is missing words, and should say that the **T"K** holds that for tzroros the owner only pays half damages, and if a pig pokes around and causes a pebble to shoot out and damage, the owner also pays half damage. **Sumchos** then argues and says that in these cases the owner pays full damages.
 - A Braisa says, if chickens were flying (flapping, since they don't truly fly) around and broke keilim with their wings, the owner pays for the full damage. If they damage with the wind from their wings, the owner pays half damages. **Sumchos** says he pays full damages.
 - A Braisa says, if chickens were jumping on a dough or on fruit and they made them dirty, or pecked at them with their beaks, the owner must pay full damages. If they caused dust or pebbles which then damaged the food, the owner pays half damages. **Sumchos** says he pays full damages.
 - A Braisa says, if a chicken was flapping around and the wind from under its wings broke kelim, the owner pays half damages.
 - This Braisa follows the **Rabanan** (who argue on **Sumchos**).
 - **Rava** said, the view of **Sumchos** is understandable, because he holds that one's force is like one's body itself. However, what is the view of the **Rabanan**? If they hold it is like the body itself, the owner should pay for full damages. If it is not like the body, they shouldn't even have to pay half damages!? **Rava** then said, the **Rabanan** hold that it is like the body itself, however, the halacha of tzroros is a Halacha L'Moshe MiSinai that the owner only pays half damages.
 - **Rava** said, any type of contact that if made by a zav would make the thing that was touched tamei, in a case of damages would obligate payment for full damages. Any type of contact that if made by a zav would leave thing that was touched tahor, in a case of damages would obligate payment for half damages.
 - **Q:** Is **Rava** coming to teach us the halacha of tzroros? **A:** **Rava** is teaching the halacha of an ox pulling a wagon where the wagon does damage, in which case the halacha is that the owner would be chayuv for full damage. A Braisa says this halacha specifically as well.
- A Braisa says, if chickens were pecking at the rope of a bucket, which caused the rope to sever and the bucket to break, the owner must pay for full damages.
 - **Q:** **Rava** asked, if an animal stepped on a keili, which caused it to roll away, and it broke in that other place, what is the halacha? Do we look at the beginning of the chain of events and consider the breaking to have been done by the animal's body, or do we look at the time of the breaking, in which case we would view this as a case of tzroros? **A:** We should be able to answer this from **Rabbah**, who says that if a person throws a keili off a roof, and another person breaks the keili as it is falling down, it is the person who threw it off the roof who is chayuv, because the second person is considered to have broken a keili that was "already broken". We see that we follow the beginning of the chain of events.
 - It may be that this was clear to **Rabbah**, but that **Rava** was not clear what the result would be.

- **Q:** Maybe we can bring a proof from a Braisa. The Braisa says, a jumping chicken is not considered to be a muad, but some say that it is a muad. Now, certainly all would consider a jumping chicken to be a muad!? Rather, it must be referring to where it jumped and caused a keili to shoot out and break elsewhere. Maybe that is the case and one view is that we follow the start of the chain of events and the other view is that we look to the actual breaking of the keili!? **A:** The case may be where the chicken shot out pebbles, making this a case of tzroros, and the machlokes is the machlokes between the **Rabanan** and **Sumchos**.
- **Q:** Maybe we can bring a proof from a Braisa. The Braisa says, if chickens were pecking at a string, causing the rope to sever and the bucket to break, the owner must pay full damages. We see that we follow the beginning of the chain of events!? **A:** The Braisa may mean that he is chayuv full damages only on the string. Although this would seem to be unusual (and therefore a toldah of keren), the case may be where there was dough on the string, which makes it normal for the chickens to peck at the string.

 - **Q:** The Braisa says “and the bucket broke”, which suggests that the payment obligation is referring to the bucket as well!? **A:** We can say that the Braisa follows **Sumchos**, who says that for tzroros one must pay full damages.
 - **Q:** The end of the Braisa says, if a piece of the broken keili then flew off and broke another keili, the owner must pay full damage for the first keili and half damage for the second keili. Now, according to **Sumchos** why would he pay half damage!? You can't say that since this second keili broke from a force (the first keili) that itself broke from a force (the string) and that is why it is different, because we find the **R' Ashi** did not know whether **Sumchos** held any different in this type of case, and if the Braisa is to be explained as such, he could have learned from here!? Rather, we must say that the Braisa follows the **Rabanan**, and we see that we follow the first event in a chain of events!? **A: R' Bibi bar Abaye** said, the case may be where the chicken was pushing the bucket the entire time, until the time of the breaking. So, it was actually the chicken itself that caused the breaking.