**מסכת בבא קמא-פרק א- מתיבתא דישיבת רבינו יצחק אלחנן- תשע"ח**

**דף ט: ('משנה') עד דף י. (הכשרתי במקצת נזקו וכו')**

**בהצלחה!**

**Sheet #1**

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| **Words & Background Concepts****Daf ט:**1. **נכסים**- property
2. **מעילה**- the misuse of property that belongs to the בית המקדש. The Torah says (Vayikra 5:15) that if a person accidentally uses property that belongs to the בית המקדש (called ממון גבוה- “property of the most high”) then they must pay the value of the object they used plus an additional 1/5 and bring a קרבן אשם to atone for his עבירה. The Mishna is teaching us that one is not obligated for damage their animal does to ממון גבוה.
3. **גחלת**- a coal. As a coal it will not erupt into a fire unless it is fanned by someone. Hence it is in a contained state just as a tied up ox & covered pit.
4. **מותר**- untied
5. **שלהבת**- flame
6. **ברי** **היזיקא**- its ability to damage is ready
7. **לנתוקי-** to loosen
8. **לנתורי-** to become dislodged
9. **כמה דשביק לה-** the more one leaves it alone
10. **מעמיא עמיא ואזלא-** it becomes dimmer
11. **צבתא**- control

**Questions to Think About on Daf ט:**

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| 1. What is the case of the Mishna according to ריש לקיש
2. What is the case of the Mishna according to ר' יוחנן?
3. What is מעילה? What are נכסים שאין בהן מעילה?
4. When is a person חייב כופר?
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**Daf י.**1. **שלשים** **של** **עבד**- The Torah (Shemos 31:22) placed a special penalty on a person whose ox killed a עבד כנעני in that they must pay a קנס of 30 שקלים to the owner of the slave.
2. **נגמר דינו**- verdict was finalized to the death penalty
3. **ותנא ושייר-** the Tana taught some of the חומרות and left out others
4. **טמון-** the Gemara (daf 60a) darshens from the Pasuk in Shemos 22:5 that a person is not חייב for damage their fire does to "טמון"- concealed items.
5. **ליחכה נירו-** licked another person’s plowed field. **See Tosafos d’h ליחכה** who explains that in general it is unlikely for land or stones to be damaged by a fire & nevertheless the Torah still says the owner of the fire is חייב unlike by a בור where the Torah does not obligate a person for damage that is unlikely such as a animal dying in a בור that is only 9 טפחים.
6. **סכסה אבניו-** scorched another person’s stones.
7. **שור פסולי מוקדשין-** an ox that is פסול to be brought as a קרבן. In general if an ox designated as a קרבן developed a blemish (a מום) that rendered it פסול to be a קרבן, the owner can redeem the ox & eat its meat but they may not feed its carcass to dogs if it dies since it must be buried. If this type of ox falls into a בור the owner of the בור is פטור since the Torah says regarding an animal that fell into a pit: "והמת יהיה לו" which teaches that one is only חייב for נזק the בור does if the owner of the animal can derive benefit from the carcass of the animal that fell in. Since the owner can not derive benefit from the carcass of the שור פסולי מוקדשין, as he must bury it right away, the בעל בור is פטור for paying for the נזק.
8. **דש בנירו-** an ox that trampled a field

**Questions to think About on Daf י.**

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| 1. What are the 4 חומרות that שור has over אש and 1 חומרא of אש over בור?
2. What are the 2 חומרות that אש has over בור and 2 חומרות that בור has over אש?
3. What are פסולי מוקדשין?
4. למסקנה can the ברייתא only be according to the רבנן and not ר' יהודה?
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