

## ורבי יוחנן בדאגתה אנוחי – And Rabi Yochanon; where he put it down

### OVERVIEW

The גמרא explains the משנה according to ר"י that the dog put down the גחלת on the גדיש, where the בעל הכלב is liable to pay a נ"ש for the damage to the<sup>1</sup> מקום הגחלת and a ח"נ for the rest of the גדיש.<sup>2</sup> Our תוספות explains why the גמרא did not offer an alternate explanation.

anticipates a difficulty: תוספות

לא מצי למימר באדייה אדויי ועל כל הגדיש<sup>3</sup> חצי נזק -

The גמרא **did not want to say that the dog threw the גחלת and therefore the בעל הכלב is liable to pay a ח"נ for the entire גדיש** (even the מקום הגחלת) –

responds: תוספות

דאי כח כחו<sup>4</sup> לאו ככחו דמי<sup>5</sup> הוי על כל שאר הגדיש<sup>6</sup> פטור:

**For if we maintain that כח כחו is not like כחו, the בעל הכלב would then be פטור for the rest of the גדיש** (outside the מקום הגחלת), for that would be considered כחו כחו.

### SUMMARY

If כח כחו is not like כחו and the dog threw the גחלת on the גדיש he would be פטור for the rest of the גדיש (besides the מקום הגחלת).

### THINKING IT OVER

The query of רב אשי was only according to סומכוס;<sup>7</sup> however according to the רבנן it seems that כח כחו is like כחו. How are we to understand our תוספות?<sup>8</sup>

<sup>1</sup> It would be considered ממונו שהזיק in a normal manner for which he liable to pay a נ"ש.

<sup>2</sup> Since אש משום חצי it would be considered צרורות of the dog for which one is liable to pay a ח"נ.

<sup>3</sup> The advantage of this interpretation is that we do not distinguish between the מקום הגחלת and the rest of the גדיש, which is not indicated in our משנה, but rather it states ועל הגדיש ח"נ (meaning for the entire גדיש).

<sup>4</sup> כח כחו means where the animal flung pebbles while walking and the pebbles broke a utensil. כחו כחו means where the initial צרורות caused secondary צרורות (the pebbles hit a rock and flung it) and the secondary צרורות did the damage. In the case of the גדיש, if it was אדייה אדויי then the place of where the גחלת landed and damaged is considered כחו כחו, the damage that was caused by the spreading of the fire from the מקום הגחלת outward is כחו כחו.

<sup>5</sup> On the יט, א there was a query posed by רב אשי whether (according to סומכוס, who maintains that כחו כחו pays a נ"ש) כחו כחו is like כחו (and pays a נ"ש) or not (and it pays a ח"נ). See 'Thinking it over'.

<sup>6</sup> It is easier to interpret the משנה that the ח"נ is (only) on the שאר הגדיש than to say that the ח"נ is only on the מקום הגחלת.

<sup>7</sup> See footnote # 5.

<sup>8</sup> See 80-87 # אוצר מפרשי התלמוד.