

When he guarded his coal

בששימר גחלתו –

OVERVIEW

The תוספות explains that the בעל הגחלת is not liable since he guarded his coal. תוספות discusses the effectiveness of this שמירה.

תוספות asks:

ואם תאמר ומה שמירה היא זו כיון שיכול הכלב ליכנס שם בחתירה -

And if you will say; and what kind of guarding is this, since the dog can enter there by burrowing underneath the door?!

דסתם דלתות חתורות הן אצל הכלב¹ -

For generally doors are considered susceptible to being burrowed under by a dog –

תוספות answers:

ויש לומר כיון דנטר כדנטרי אינשי לא אטרחוהו רבנן טפי:

And one can say; since he guarded it in the manner as people usually guard, the רבנן did not trouble him to guard it better than regular people. It is considered a proper שמירה.

SUMMARY

A שמירה that is common to all is considered a sufficient שמירה.

THINKING IT OVER

Why indeed did the רבנן not require him to guard it with a מעולה שמירה so that dogs cannot enter?²

¹ נ"ש a כלב pays a כהנא states shortly that the כלב is not liable since we see that the כלב pays a כהנא and we do not say that this burrowing is something unusual (see ד"ה דסתם), this proves that the doors are אצל כלב חתורות. Therefore it is not a sufficient שמירה, so why is the בעל הגחלת exempt from paying?!

² See אוצר מפרשי התלמוד # 65-67.