

**Does he exempt himself, etc.**

**מי פטר נפשיה כולי –**

### **Overview**

קרבן posed the following query; one who took upon himself a vow to bring a קרבן, עולה, and he set aside an ox for his קרבן. Can the thief, who stole this ox, acquit himself by paying the owner a sheep, which he can bring for an עולה, or must he pay for an ox.

אבל הנודר עצמו פשיטא דמצי פטר נפשיה<sup>1</sup> אי לא בעי למיעבד מצוה מן המובחר:

The query is only about the thief; **however, the owner who made the vow can certainly acquit himself** from this vow by offering a sheep, **if he does not want to perform the מצוה, admirably.**

### **Summary**

The נודר can certainly bring a sheep.

### **Thinking it over**

How are we to understand this; the גנב may be liable to return an ox (even though he was not מקדיש an ox);<sup>2</sup> however the נודר (who was מקדיש an ox), can acquit himself with a sheep?!

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<sup>1</sup> This is in a case where the thief did not make restitution (he was not apprehended). The ox which he designated is considered a נדבה, for which he is not held liable (if he would not have said previously עולה); he is only obligated to fulfill his original נדר of עולה. He can fulfill this נדר by offering a sheep.

<sup>2</sup> The fact that he stole an ox is seemingly irrelevant, since he is not liable for stealing a הקדש ox. He only has to pay (according to שמעון (ר') because he was לממון, so if the owner can bring a sheep why is there a סברא that the thief must pay for an ox?!