

Talmud Yerushalmi, which taught that a man is responsible for the damage he caused while sleeping in an instance in which he deliberately laid down to sleep next to his friend's objects. However, if when he went to sleep nothing was around him, and then someone came and put an object down next to him, if he caused the damage while he was asleep, he would not have to pay. The person who put the object next to the sleeping individual was the guilty party, since he placed the object in a spot where it would likely get damaged. The *Nesivos ha-Mishpat* (*Choshen Mishpat* 291:7:14) codified this principle and ruled that if someone takes an object from a safe spot and puts it in a place that is not safe from damage, that person is responsible for the damage caused to the object and has the status of an *adam ha-mazzik*.

*Mishpatei ha-Torah* ruled that the passenger who pushed the sunglasses onto the street performed the act of damage. He moved an object that had been safe to a place where damage was likely. A person who damages is even responsible for actions that were mistaken, based on the principle *adam mu'ad le-olam*, man is always fully responsible for the damage he performs. Since the passenger put the glasses in the unsafe spot, he was the damager, and the driver of the cab was like the sleeping man, who is not responsible when others put an object in his way. Rather it is those who placed the object in harm's way who bear full financial liability (*Mishpatei ha-Torah*).