



Today's Daf In Review is being sent l'zecher nishmas Habachur Yechezkel Shraga A"H ben R' Avrohom Yehuda

Chullin Daf Ayin Tes

- **R' Huna bar Chiya in the name of Shmuel** paskened like **Chananya**, who said that oso v'es beno applies to the female parent and the male parent.
 - **Shmuel** follows his reasoning from elsewhere. A Mishna says, **R' Yehuda** says, mules born to a female horse and a male donkey may plow together (and there is no kilayim problem), but may not plow together with mules that are born to a female donkey and a male horse. **R' Yehuda in the name of Shmuel** said that this is the opinion of **R' Yehuda** who says we do not consider the father's zerah to contribute to the offspring. However, the **Chachomim** say that all the types of mules may plow together (and there is no kilayim problem). Who is the view of the "**Chachomim**"? It is the view of **Chananya** who holds that we do give consideration to the father of the animal, and therefore both types of mules are considered to be of one parent that is a horse and the other that is a donkey, and they are all of the same species. From the fact that **Shmuel** refers to **Chananya** as the **Chachomim** we see that he must pasken like him.
 - **Q:** Is **R' Yehuda** certain that we don't concern ourselves with the father or is he unsure and therefore goes l'chumra? The difference would be whether we would allow the product of kilayim to breed with the species of its mother. If he is certain that we don't concern ourselves with the father, this would be mutar (because it would be considered to be totally of the mother's species). If he is unsure, it would be assur. What does **R' Yehuda** in fact hold? **A:** The Mishna quoted above said, **R' Yehuda** says, mules born to a female horse and a male donkey may plow together (and there is no kilayim problem). Now, this can't be referring to where the father of each of these was a donkey, because they are clearly of the same type and there would be no reason to say that. Rather, the case must be where the father of one is a horse and the father of the other is a donkey, and he says that they are mutar. This proves that **R' Yehuda** is certain that we don't concern ourselves with the father!
 - The Gemara says this is not a proof. He may be talking about where the father of each mule is a donkey. Still, we would think that we don't view them as being of one species, because the "horse" part of one mule should be viewed as mating with the "donkey" part of the other mule. He therefore teaches that they are of the same species.
 - **Q:** Maybe we can answer from a Braisa. The Braisa says, **R' Yehuda** says, if a female mule wants to mate, we may not pair her with a horse or a donkey, only with a male mule. Now, if **R' Yehuda** is certain that we don't concern ourselves with the father, we should allow this mule to mate with the species of its mother! **A:** It may be that the case is where we don't know what species the mother of this mule was.
 - **Q:** If we don't know the species of her mother, how does **R' Yehuda** say that we may pair her with a mule? The male mule may be of a different type than the female (one's mother may be a horse and the other's may be a donkey)!? **A:** **R' Yehuda** means that she may not be paired up at all unless we can determine her exact species.
 - **Q:** Why can't we examine for signs, as **Abaye** has said, if it has a deep voice it means that its mother is a donkey, and if it has a higher pitched voice it means that its mother is a horse. **Rava** said, if it has big ears and a short tail its mother is a donkey, and

if it has small ears and a long tail its mother is a horse! **A:** The case is that the mule had its ears and tail cut off and was mute.

- **Q:** How do we come out on this question? **A:** We find that **R' Huna the son of R' Yehoshua** said, all agree that it is assur to breed the product of kilayim with its mother's species. We clearly see from here that **R' Yehuda** was uncertain whether we concern ourselves with the father. **SHEMAH MINAH.**
- **R' Abba** told his attendant to look for the signs on the two mules that would be pulling his wagon to make sure that they are of the same species of mother. We see from here that he holds we are uncertain whether we concern ourselves with the father (and he therefore wanted to make sure they are of the same mother), and that he holds that relying on identifying signs may be done D'Oraisa (because he relied on this for a D'Oraisa issur of kilayim).
- A Braisa says, oso v'es beno applies to animals of kilayim and to a "kvi". **R' Eliezer** says, with regard to kilayim that is produced by a goat and a sheep, oso v'es beno applies, but it does not apply to a kvi.
 - **R' Chisda** said, this kvi that is the subject of machlokes in this Braisa is an animal that comes from the mating of a goat and a deer.
 - **Q:** What is the case? It can't be where a male goat mated with a female deer and one shechted the deer and the kvi, because **R' Chisda** has said that all agree that where the mother is a deer and the father is a goat, oso v'es beno would not apply. The reason is that the Torah says shechting a "seh" and its offspring is assur, not shechting a deer and its offspring!? Rather, you will say that the case is where a male deer mated with a female goat, and one shechted the goat and the offspring. However, **R' Chisda** has said that all agree that where the mother is a goat and the father is a deer that one would be chayuv for shechting the mother and the offspring because the Torah requires the mother to be a "seh" (which it is) and that it be its offspring (which it is)!? **A: R' Chisda** is referring to a male goat that mated with a female deer and produced a female kvi, and that kvi then gave birth to a male kvi and someone shechted the mother kvi and its offspring on the same day. The **Rabanan** say we are concerned for the father and the female kvi is therefore considered to be partly a "seh", and they also understand the pasuk of "seh" to mean even an animal that is only part seh. Therefore, the one who shechted these animals will be chayuv. **R' Eliezer** holds that we are not concerned for the father, and "seh" does not include even a part seh. Therefore, the one who shechted these animals is not chayuv.
 - **Q:** Instead of arguing regarding the case of a kvi, why don't they simply argue in whether we are concerned for the father, and whether oso v'es beno applies to a father and his offspring, like the machlokes between **Chananya and the Rabanan**? **A:** If they had argued only regarding that, we would think that the **Rabanan** agree regarding a female kvi and its offspring that it is not subject to oso v'es beno, because we would say that "seh" does not include an animal that is only part seh. That is why they argue in the case of a kvi to teach that oso v'es beno does apply to it.
 - **Q:** A Mishna says, we may not shecht a kvi on Yom Tov, and if one did shecht it, he may not cover its blood (to do the mitzvah of kisuy hadam). What type of kvi are we talking about? The Mishna can't be referring to where the father was a goat and the mother was a deer, because in that case the **Rabanan and R' Eliezer** would both agree that we may cover its blood on Yom Tov, since even a part deer is chayuv in kisuy hadam!? Rather, you will say that the case is where a male deer mated with a female goat. Now, in that case the **Rabanan** who hold that we are concerned for the father would say that this kvi is definitely considered to be part deer, and therefore the mitzvah of kisuy hadam should be done even on Yom Tov, and **R' Eliezer** would say that it is not even considered to be part deer (since we are not concerned for the father) and therefore it may

be shechted on Yom Tov, because it does not require kisuy hadam!? Why does the Mishna say that the kvi may not be shechted on Yom Tov!? **A:** The Mishna is discussing a kvi whose father is a deer and whose mother is a goat. The **Rabanan** are uncertain as to whether we are concerned for the father and are therefore uncertain whether this kvi is considered to even be part deer. That is why one should not shecht it on Yom Tov.

- **Q:** By saying that the **Rabanan** are uncertain, it must be that **R' Eliezer** is certain that we are not concerned for the father. A Braisa says, the laws of giving the zeroah, lichayayim, and keiva of a shechted animal to the Kohen applies to a kvi and to an animal of kilayim (the pasuk says it applies to "ihm shor ihm seh"). **R' Eliezer** says it applies to kilayim of a goat and sheep, but not to a kvi. Now, what type of kvi is the subject of this machlokes? It can't be where a male goat mated with a female deer, because although that would explain the view of **R' Eliezer**, because he would hold that a part seh is not sufficient to make the animal chayuv in these gifts to the Kohen, how would we explain the view of the **Rabanan**? Even if they hold that a part seh is chayuv, since they are uncertain as to whether we are concerned for the father, this animal may not be a goat at all, and if so, the owner should not have to give the portions to the Kohen!? The owner should tell the Kohen – bring proof that we are concerned for the father and I will then give you the portions!? Rather, you will say that the case is regarding a male deer that mated with a female goat. That makes sense according to the **Rabanan** who say that the portions must be given, and they mean that half the portions must be given (corresponding to half of the animal that is definitely a goat, based on its mother). However, according to **R' Eliezer** he should be chayuv to give the entire portions to the Kohen, because he holds that we are certain that we are not concerned for the father!? **A:** The case is regarding a male deer that mated with a female goat, and **R' Eliezer** is also uncertain as to whether we are concerned for the father.

- **Q:** If so, what is the machlokes between **R' Eliezer** and the **Rabanan**? **A:** They argue whether when the pasuk says "seh" it comes to include an animal that is only in part a seh. The **Rabanan** hold it comes to include such an animal and **R' Eliezer** says that it does not.
 - **R' Pappa** said, based on this, regarding kisuy hadam and the portions given to a Kohen of a shechted animal, the case must be where a male deer mated with a female goat. **R' Eliezer** and the **Rabanan** both hold that we are uncertain whether we are concerned for the father, and they argue whether the term "seh" includes an animal that is only part seh. With regard to oso v'es beno the machlokes can be regarding a male goat that mated with a female deer or where a male deer mated with a female goat. If the case is regarding a male goat that mated with a female deer, the machlokes is whether it is assur to shecht it and its offspring on the same day – the **Rabanan** hold that maybe we are concerned for the father, and they also say that "seh" includes an animal that is only part seh, and therefore it is assur. **R' Eliezer** holds that although we are maybe concerned for the father, we do not say that "seh" includes an animal that is only part seh, and therefore it is not included in the issur. If the machlokes is regarding a kvi produced by a male deer that mated with a female goat, the machlokes would be whether or not the person who shechted it and its offspring gets malkus. The **Rabanan** say, even if we are concerned for the father, we still say that "seh" includes an animal that is only part seh, and therefore the one who shechts is chayuv malkus. **R' Eliezer** says there is an issur, since we are possibly not concerned for the father and this kvi is therefore a full seh, but there is no malkus, because maybe we are

concerned for the father, and "seh" does not include an animal that is part seh.