



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

Chullin Daf Pey Beis

- **Q:** Is the shechita of an eglah arufah really considered a shechita that is not effective in making the meat mutar and therefore not a "shechita" at all? A Mishna says that if the murderer was found before the calf was decapitated the calf goes out and grazes with the herd, which means it is even mutar to be eaten!? **A: Reish Lakish in the name of R' Yanai** said, the inclusion of eglah arufah among this list in our Mishna is incorrect.
 - **Q:** We find that **R' Yanai** said regarding the eglah arufah becoming assur b'hana'ah, "I heard an answer regarding at what point it becomes assur b'hana'ah, but have forgotten it, but my colleagues have said that it becomes assur when it enters the rocky valley". If so, he should have answered that our Mishna is talking about after it entered the rocky valley and that is why it is assur!? **A: R' Pinchas the son of R' Ami** said, we learned that it was **Reish Lakish** who said that the inclusion of eglah arufah in our Mishna is a mistake. He did not say that in the name of **R' Yanai**.
 - **Q: R' Ashi** asked, when we were in the yeshiva of **R' Pappi** we asked that we have learned that **Reish Lakish** says that the birds of a metzora become assur b'hana'ah from the time that they are taken and designated. We explained that he learns this through a gezeira shava from eglah arufah, which also becomes assur b'hana'ah during its lifetime (when it enters the rocky valley). If so, he should have answered that our Mishna is talking about after it entered the rocky valley and that is why it is assur!? **A:** Rather, it was **R' Chiya bar Abba in the name of R' Yochanan** who said that the inclusion of eglah arufah in our Mishna is a mistake.

MISHNA

- If two people bought animals from a seller – one bought the mother and one bought its offspring – the one who made the purchase first may shecht his animal first. However, if the second buyer shechted before the first buyer, he has gained the right to eat the meat.

GEMARA

- **R' Yosef** said, our Mishna concerns monetary law, not halacha of issur.
- A Braisa says, if the second purchaser shechted before the first purchaser, he is considered to be a "zariz" and he gains.
 - He is a "zariz" in that he shechted without being oiver an issur. He has "gained" in that he may eat the meat.

MISHNA

- If someone shechted the mother animal and then shechted two of its offspring on that same day, he gets 80 malkus (2 sets). If he shechted two offspring and then shechted their mother, he gets 40 malkus (one set). If he shechted the mother, the daughter, and the daughter's daughter, he gets 80 malkus. If he shechted the mother, then the granddaughter, and then the daughter, he gets 40 malkus. **Sumchos in the name of R' Meir** says he gets 80 malkus.

GEMARA

- **Q:** Why would one get malkus for shechting an offspring and then its mother? The pasuk says "oso v'es beno", not "beno v'oso"! **A:** A Braisa says, we learn this from the words "v'lo sishchatu", written in the plural, referring to two shochtim. The case would be where one person shechts a cow, another shechts its mother, and a third shechts its offspring, in which

case the last two shochtim are chayuv. We see that one is chayuv even for shechting the mother after the offspring.

- **Q:** That pasuk is needed to teach the basic issur of oso v'es beno!? **A:** The pasuk could have said "lo sishchot", but instead says "lo sishchatu".
 - **Q:** That is needed to teach that even if it is not the same person who does both shechitas, the one who shechts the second animal is chayuv!? **A:** To teach this the pasuk could have said "lo yishacheitu" (the animals may not be shechted). Since the pasuk says "lo sishchatu", we can learn out both drashos.

SHACHTA V'ES BAS BITAH...

- **Q: Abaye** said to **R' Yosef**, what is the reasoning for the view of **Sumchos**? Is it because he holds that if someone eats two zeysim of cheilev in one period of unawareness he is chayuv two chataos (and shechting one animal that makes him oiver for oso v'es beno twice also makes him chayuv twice) – and in truth the Mishna should have stated his view regarding other issurim (not just oso v'es beno) but did so to teach the extent of the **Rabanan**, that even though the animals involved are two separate animals the shochet still only gets one set of malkus. Or maybe he holds that if someone eats two zeysim of cheilev in one period of unawareness he is chayuv only one chataos, and oso v'es beno is different because the two issurim come from two animals which are separate bodies? **A: R' Yosef** said, **Sumchos** holds that if someone eats two zeysim of cheilev in one period of unawareness he is chayuv two chataos. We can prove this from a Braisa. The Braisa says, if someone plants "kilayim, kilayim" he gets malkus. This can't mean that he gets one set of malkus, because that would be obvious, and also, what is meant by the double verbiage of "kilayim, kilayim"? Rather, it means that he gets two sets of malkus. Now, this can't refer to where he was warned and then planted kilayim, and was then warned a second time and planted kilayim again, because that is something that would be obvious based on a Mishna regarding a nazir who drinks wine twice, each time after a warning! Rather, it must be speaking of where he planted two plantings of kilayim simultaneously after one warning, and the Braisa teaches that he gets two sets of malkus. Who would this follow? It can't be the **Rabanan** who argue on **Sumchos**, because they say there is only one set of malkus even in our Mishna regarding the shochet who is oiver the double oso v'es beno, and even though the animals are two separate bodies, so certainly in this case of kilayim they would hold he is only chayuv to one set of malkus! Rather, it must be that the Braisa follows **Sumchos**, and we therefore can prove that he holds that if someone eats two zeysim of cheilev in one period of unawareness he is chayuv two chataos!
 - **Abaye** said this is not a valid proof. The Braisa may follow the **Rabanan**, and what the Braisa means to teach is that one is chayuv for two types of kilayim – planting wheat with grapes, and planting barley with grapes. This comes to exclude the view of **R' Yoshiya** who says that one is only chayuv for kilayim if he plants wheat, barley, and grapes all together as one.
 - **Q:** Maybe we can bring a proof from a Mishna. The Mishna says, if someone ate a kezayis of the gid hanasheh of the right side and a kezayis of the gid hanasheh of the left side, he gets 2 sets of malkus. **R' Yehuda** says he only gets one set. Now, what is the case of the Mishna? It can't be where he ate one after getting a warning and then got a second warning and ate the other kezayis, because since **R' Yehuda** is unsure which gid hanasheh is the one that is assur, each warning is a warning of safek, which **R' Yehuda** holds does not make one chayuv in malkus!? Rather, it must be where both kezaysim were eaten at once after a single warning. Who is the **T"K** that holds he is chayuv 2 sets of malkus? It can't be the **Rabanan** who argue on **Sumchos**, because they say there is only one set of malkus even in our Mishna regarding the shochet who is oiver the double oso v'es beno, even though the animals are two separate bodies, so certainly in this case they would hold he is only chayuv one set of malkus! Rather, it must be that the Braisa follows **Sumchos**, and we therefore can prove that he holds that if someone eats two zeysim of cheilev in one period of unawareness he is chayuv two chataos! **A:** This is not a valid proof. The case may actually be where he ate each kezayis after a separate warning, and the Tanna holds like the other version of **R' Yehuda** which says that a warning given in safek is a valid warning and can make one chayuv in malkus.
 - **Q:** Maybe we can bring a proof from a Braisa. The Braisa says, if someone ate two gid hanashehs, from the right thighs of two different animals, he gets 2 sets of malkus. **R'**

Yehuda says he only gets one set of malkus. Now, what is the case of the Braisa? If he ate them separately with a separate warning before each eating, why would **R' Yehuda** say he only gets one set of malkus? Rather, it must be that he ate them simultaneously with only one warning before he ate them. Who is the **T"K** that holds he is chayuv 2 sets of malkus? It can't be the **Rabanan** who argue on **Sumchos**, because they say there is only one set of malkus even in our Mishna regarding the shochet who is oiver the double oso v'es beno, and even though the animals are two separate bodies, so certainly in this case they would hold he is only chayuv to one set of malkus! Rather, it must be that the Braisa follows **Sumchos**, and we therefore can prove that he holds that if someone eats two zeysim of cheilev in one period of unawareness he is chayuv two chataos! **A:** This is not a valid proof. The case may actually be where he ate each gid hanasheh after a separate warning. The reason **R' Yehuda** holds that he is only chayuv one set of malkus is because the case is that one of the gid hanashehs was less than a kezayis, and **R' Yehuda** holds in a Braisa that there is no chiyuv malkus for eating even an entire gid hanasheh that is less than a kezayis.