

Chullin – Simanim

פרק ה – אותו ואת בנו

דף פ – 80 Daf

1. Four opinions about the identity of a כּוּי

In a Baraisa, various opinions are cited as to the identity of a כּוּי. The Tanna Kamma says it is איל הבר – the species known as *the wild ram*. Some say it is הַבּא מן הַתִּיּוּשׁ וּמִן הַצִּבְיָה – the offspring *which comes from a goat and a deer*. Rebbe Yose says: כּוּי בְרִיָּה בְּפִנֵּי עֲצֻמָּה הִיא – *a koy is an independent creature*, מִיֵּן חִיָּה אִם מִיֵּן חֲכָמִים אִם מִיֵּן חִיָּה – *and the Sages did not resolve whether it is a species of חִיָּה or a species of בְּהֵמָה*. Rabban Shimon ben Gamliel says it is a species of בְּהֵמָה, and the house of דּוּשָׁאִי used to raise עֲדָרִים עֲדָרִים – *many herds* of them.

2. Rebbe Oshaya: *shechitah* of *kodashim* is always considered שְׁחִיטָה שְׂאִינָה רְאוּיָה

The Mishnah presented numerous cases of animals and their offspring of קְדָשִׁים חֹלִין which were *shechted* inside or outside the Mikdash. Rebbe Oshaya says the Mishnah disagrees with Rebbe Shimon, who holds שְׁחִיטָה שְׂאִינָה *a shechitah which is not fit* (i.e., does not permit the animal for consumption) *is not legally called "shechitah."* As such, he would hold that wherever the first *shechitah* was invalid (e.g., *kodashim* outside the Mikdash), it would be permitted to *shecht* its offspring that day, since the parent was not considered "*shechted*." The Mishnah taught that if an animal and its offspring are both *kodashim*, and he *shechted* both inside the Mikdash, the first is valid, and the second incurs *malkus* (for אותו ואת בנו), and is invalid (since it could not yet be sacrificed). But according to Rebbe Shimon, *shechting kodashim* is always a "שְׁחִיטָה שְׂאִינָה רְאוּיָה הִיא", because דְּבָמָה דְּלֹא זָרִיק דָּם לֹא – *as long as they did not throw the blood, the meat is not permitted* in consumption. Thus, the second *shechitah* would not incur *malkus*, and would be valid. Although *kodashim* always requires *shechitah* (and if one tears open an animal and throws its blood on the מזבח, it is invalid), it is still considered שְׁחִיטָה שְׂאִינָה רְאוּיָה.

3. *Machlokes* if one gets *malkus* for *shechting* "מְחוּסֵר זֶמֶן" in a case of אותו ואת בנו

The Gemara asks why our Mishnah did not mention that one who *shechts* an animal and its offspring of *kodashim* in the Mikdash also should receive *malkus* for sacrificing מְחוּסֵר זֶמֶן – a *premature korban*, since the *korban* could not be offered until the next day!? This is based on a Baraisa, which *darshens* to include כל הפסולין שבשור ושבשה – *all disqualified [korbanos] among cattle, and among sheep or goats*, שהוא בלא ירצה – *that [one who offers them] is subject to the prohibition of "it shall not be acceptable" (as a korban)*. The Gemara first answers that although he actually does incur *malkus* for מְחוּסֵר זֶמֶן, our Mishnah is not listing לאוי נוכראי – *peripheral transgressions*. Alternatively, Rebbe Zeira answers that one does not receive *malkus* for *shechting* מְחוּסֵר זֶמֶן, because הכתוב נתקן – *the passuk remedied it with a positive commandment*: the *passuk* says מִיּוֹם הַשְּׁמִינִי וְהִלָּאָה יִרְצָה – *from the eighth day (after an animal's birth) it is acceptable (as a korban)*; this עֲשֵׂה to offer the *korban* in the proper time comes after the לאוי prohibiting offering it early.

Siman – Painter

The **painter** who was working on **different portraits of a כּוּי** told his assistant to paint a large sign that **שְׁחִיטָה שְׂאִינָה רְאוּיָה** **to be displayed by kodshim** after the order for the sign for מְחוּסֵר זֶמֶן that was intended **for animals whose mothers had been shechted that day got cancelled**.

DAF 80 | דף פ

Painter



The painter who was working on a different portraits of a כוי told his assistant to paint a large sign that says שחיטה שאינה ראויה to be displayed by kodshim after the order for the sign for מחוסר זמן that was intended for animals whose mothers had been shechted that day got cancelled.

3 things to remember

1. Four opinions about the identity of a כוי
2. Rebbe Oshaya: *shechitah* of kodashim is always considered שחיטה שאינה ראויה
3. *Machlokes* if one gets *malkus* for *shechting* "מחוסר זמן" in a case of אותו ואת בנו

