

מכלל דבכולה מתניתין מודה -

It can be inferred that he admits to the rest of the entire משנה

Overview

Our משנה (on עא,ב) stated that there is a חיוב ד' וה' for one who was גוזל וטובה ביום. The גמרא stated that this must follow the view of רבי מאיר that one is both הכפורים. The גמרא asked how can you say that the לוקה (for טביחה on יו"כ) and משלם (ד' וה'). The גמרא asked how can you say that the ר"ש follows ר"מ and not ר' שמעון; since at the end of that משנה, it states that ר"ש exempts him from ד' וה' in these last two cases (which are שוחט ונמצא טריפה, and שוחט (השוחט ביו"כ) (including משנה), indicating that in all the other cases of the משנה (including חולין בעזרה), even ר"מ agrees, so why are we saying that the משנה is only according to ר"ש.¹

תוספות asks:

קצת קשה דמה דיוקי הוא זה:

There is a slight difficulty, for what kind of inference is this.

Summary

תוספות is somehow dissatisfied with this inference.

Thinking it over

Why indeed is it not a good inference, and what is the גמרא's answer; it seems like a perfectly legitimate inference?³

¹ The גמרא here answers that he disagrees with these last two, but he agrees by טבח ומכר לרפואה ולכלבים (only), but not with all the previous cases (including שחט ביו"כ).

² The simple understanding of תוספות is, how can we infer that since ר"ש disagrees with the last two laws that it means that he agrees with all the other laws. Seemingly this is what the גמרא actually states; that he disagrees with the last two laws but agrees with the previous two laws (only), but not necessarily with all the other laws of the משנה. [Perhaps תוספות means that the answer is so obvious (!), that how could you ask such a question.]

³ See בארות המים and מהרש"א (הארוך).