TWO EARLY "UNKNOWN" EDITIONS OF THE MISHNA *

An unicum of an early Mishna print evokes a sense of awe, both in the bibliographer and in the student of Talmudic literature. The present "find" was first announced by Abraham Yaari in Kirjath Sepher, XXII (1946), pp. 223-234. There he described the volume's essential characteristics, and provided sample citations of the text.¹

The binding of the volume is Yemenite, and most of the missing

*Mishna, Sedarim Zeraim, Moed, Nashim, Unknown Edition, printed in Pisaro [sic] or Constantinopole [sic], a facsimile of the only extant copy at the National and Hebrew University Library, Makor Publishing Ltd., Jerusalem, 1970.

¹ Yaari’s list of the missing portions (p. 223) should be corrected to include the following: Demai iv, 5-vii, 1; Yom Tov iii-iv, 3. It would appear that originally, all six orders were printed, in two volumes. Yaari has found pages from the remaining three orders in the bindings of books from Yemen (Sinai, ILIV, 1959, p. 238, n. 5).

J. N. Epstein (Mavo L’Nusah Ha-Mishnah, 1948, p. 1279) indicates that two additional pages of this print are in the Library of the Jewish Theological Seminary of America. As far as I can determine, this is an error, and the Library was never in possession of pages from this print (see ibid., p. 1280). However, T-S Box 19/14 (reproduced by A. M. Habermann in his introduction to the Makor facsimile of the Naples Mishna, Jerusalem 1970) being the end of Horayot and the beginning of Avot, appears to be from this print, despite certain divergencies with the pages of the first three orders (in the T-S pages, there is no commentary at the end of each chapter, and catchwords are printed at bottom of pages).

Y. Shivtiel published two facsimiles from three pages recovered from Yemenite bindings that belong to an "old print" of the Mishna (in Y. L. Nahum’s Revelation of Ancient Yemenite Treasures, Hebrew, Holon, 1971, pp. 38-45). The nedarim page is of the same print discussed here, corresponding to p. 174 of the facsimile (Shivtiel makes no attempt to identify the print, and does not connect his pages with the Jerusalem copy, but see his note 4!). Concerning his bava kamma fragment, Shivtiel suggests that it is not of the same print of the nedarim page, due to the different sizes of the pages, and appearance of the paper. However, since the b.k. page, which is similar in typographical features, has the same measurements of the printed area, and the same number of lines (25, as does the above-mentioned horayot also), and contains the decisions at the end of paragraphs typical of this print (also in Horayot), there is no reason for postulating different prints here.
pages and parts of pages are supplied in Yemenite manuscript. Also, it should be noted, the margins of the printed pages (but not the MS pages) contain hand-penned notations collating the text of the Mishna with the weekly Tora-reading, including a breakdown by day of the week, as an aid to regular study of the Mishna (cf. p. 12 [of facsimile]: נון). These, however, appear only towards the beginning of the volume, indicating that the project had failed.

On page 135 there is an owner's note, not mentioned by Yaari (perhaps because of difficulties in deciphering). It reads: "The price of this codex is 1¼ Quruš of Hagar (?), Monday, Ḥiyyar 12, 2048 (S.E. = 1737 C.E.), the youth Joseph ben Saadia, may God guard him" (I was assisted in the translation of the Arabic words by Professors J. Faur and M. Friedman). It was the practice in Eastern countries for the bookowner to inscribe the price and the date upon a volume.

Some of the interesting features of this text include additions to many mishnas indicating the authoritative position on disputed laws; these are printed as if they were part of the Mishna text. At the end of many chapters, short explanations are provided (in "Rashi" characters), introduced by הב (= באור המלה). These include many Spanish words (Icazim).

Yaari notes several primitive typographical features.² On the basis of the design of the type and the watermarks, Yaari suggests that the book was printed in Italy, although he notes that books printed in Constantinople and Salonica share the features of this volume. He adds, "according to the type alone, it can be said with certainty that the book was not printed in Spain or Portugal" (p. 229).

Shortly after Yaari's article appeared, J. N. Epstein, writing in Tarbiz (XVII, 1946, pp. 65-67) indicated that a copy of this print had been owned by A. Merzbacher of Frankfort a. M. (the copy was subsequently lost.) It was described by R. Rabbinovicz in his Variæ Lectiones (Tract. Sukah, end) as "Mishna with short commentary, unknown to bibliographers, lacking at beginning, and according to my estimate was printed in Pesaro, or in Constantinople with type from Pesaro, and I have called it the Pesaro Mishna". Under this name, many variants were cited by Rabbinovicz.

Later, in 1888, Rabbinovicz published a catalogue of the Merzbacher collection (מברך רבין), where he lists as number 2144: "Mishna with short commentary, orders Zeraim, Moed, Nashim (Constantinople 5276

² See also the "closed" mem for ב, often indiscernible from the form of the final mem, e.g. p. 155 of the facsimile: ונמא, etc.
Epstein indicates that the reference is to the same text mentioned in *Variae*, and that Rabbinovicz had become convinced that he could now determine the date and place with greater certainty. Epstein himself accepted Rabbinovicz's appraisal, for three reasons: (1) the type is entirely similar to Constantinople prints of 1509-1540; (2) the letters, such as \( \text{ṣ} \), which are printed at chapter endings for ornamental purposes (cf. pp. 33, 98, 120, 123, 143, 144 of the facsimile) are regularly found in the same Constantinople prints; (3) the signatures of the quires, marked in the upper margin to the right, are "found in the same Constantinople prints ... though the method of quire-signatures was still not fixed during those years" (p. 67). Epstein concludes that the print is from Constantinople, approximately between the years 1515-1519.

In 1959 Yaari published the variants from this print for *Pesahim* in *Sinai*, ILIV, pp. 237 ff. Upon that occasion, he summarized Epstein's conclusions, and added, "I also now tend more to this opinion, even though there are still doubts". He suggests that it could have been printed between 1510-1540, assuming that Rabbinovicz's 1516/17 is an approximation. In his book *Hebrew Printing at Constantinople*, Yaari lists this print, without hesitancy, as belonging to that city (no. 77; here the date is assigned at approximately 1515-1520).

It is my desire here merely to express a note of caution regarding the certainty of these conclusions. It will be recalled that Epstein alone presented reasons for assigning the print to Constantinople, these being the type-face, ornamental letters, and quire-signatures.

Similarity in type-face is a risky method for determining place of printing, in light of the facts that detailed, objective comparisons are rarely made, and that it was the practice to transfer type from one country to another. It is true that this print has similarities with Constantinople prints, to which can be added the tendency of final nun to end with a turn to the right, also found in *Alfasi*, Constantinople 1509. However, one can also find typographical similarities with some Spanish prints, such as the *Mishna Tora* in the Freimann-Marx *Thesaurus*, B 36, 1. Certainly the page layout is in the Spanish style. Also, the use of dots and not short lines to mark abbreviations is common to Spanish prints, but rare in prints of Constantinople of that period (though Spanish exiles could certainly introduce these features).

Also the ornamental letters \( \text{ṣ} \), \( \text{ṭ} \) etc. are not unique to Constanti-

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3 It is strange that Rabbinovicz now indicates no hesitancy concerning place and date, as if he found these in a colophon!

4 Because of the Spanish words in the commentary, Yaari assumes that the work was executed by exiles from Spain, from a Spanish manuscript, and for use by other such exiles.
tinople. They are likewise found in the Pentateuch with Onkelos and Rashi, Lisbon, 1491 (Thesaurus B 20, 1-6).

Concerning the quire-signatures, it should be noted that Epstein greatly belabored the point that no fixed practice existed in Constantinople during the period under discussion. This emphasis was due to the fact that he was not able to find one Constantinople print containing signatures identical with those in this volume, i.e. in the upper right corner. [A. Rosenthal: “This location is typical of Salonica”].

These remarks are presented, not as an attempt to reach a new conclusion, but rather to underscore the tenuous nature of the accepted evaluation.

In his Mavo L’Nusah Ha-Mishna, Epstein describes the text of the Mishna in this print as being based essentially on the Naples edition of the Mishna, but corrected according to the Mishna texts in the manuscripts of Maimonides’ Commentary (p. 1279).

An example of the dependence upon the Naples edition, in addition to those cited by Epstein, is Ketubbot IV, 10: the same error being found in N (= Naples edition; also see below; all references are given according to the chapter and paragraph division of the Wilna editions).

However, readings differing from the Naples tradition abound (cf. Yaari in Sinai op. cit.). A comparison of this text with the variants listed by S. Krauss shows that when N differs from the tradition represented by the Yerushalmi, MS Kaufmann and the Lowe edition, our “unknown” edition agrees in about half of the cases with the Naples edition, and the other half with the other tradition.

Some of the orthographic divergencies in this edition may reflect authentic traditions. For example, the additional vav in Ketubbot iv, 12 may reflect a pronunciation of shwa following the labial mem. In Yevamot vi, 6 is simply a misprint for הב רכ הבכ.

Upon the occasion of the appearance of the “unknown” Mishna, I wish to provide a short description of another “unknown” Mishna. Yaari, in Hebrew Printing at Constantinople, lists, under number 33, Mishna with Maimonides’ Commentary, Constantinople, 1505-1514 (all of this supplied), 4, from the collection of Professor Saul Lieberman; Yaari further notes that he did not have the opportunity to provide a complete description.7

5 For Epstein’s evaluation of that edition, see Mavo, pp. 1275-1279.
7 See Habermann, op. cit., last page.
The volume is now in the Library of the Jewish Theological Seminary. It contains the order Nashim, and is complete. It has 68 leaves. The first six quires contain ten leaves each, and the seventh contains eight leaves. The first five leaves of each quire (four for last quire) have a signature to the lower left, under the last full line of print, made up of two letters: the first marking the quire and the second the folio (except the eleventh leaf, marked נ instead of ב). The pages measure c. 26 × 19 cm.; the printed section 20.5 × 16.5 cm., though often shorter. The name of each tractate appears at top center. Only rarely is a catchword added at bottom of pages. The ends of lines are filled out with a letter or letters from the following line, but sometimes by repeating the last letter of the line or another letter. But more usually spaces are left within the lines.

The text is printed in two columns, with a format similar to the Naples edition. Three sizes of square type are used: 7 mm. high (for the name of the order and the tractate); 5 mm. (for the verse introducing the commentary, and for the heading of each chapter indicating its number; and 3 mm. (for the text). The commentary is in Rashi characters: A column containing only commentary (on the 63rd leaf) has 48 lines.

Frequently the letters are not straightly set on the line. The inking is often imperfect and many letters are blurred. In this respect it appears primitive in comparison with N (or with the Constantinople Alfasi of 1509). The tetragram (e.g. Sota vii, 3) is two yods, with a third above them, followed by a large inverted yod, as in the Constantinople Alfasi (e.g. Rosh Ha-Shanah iii). An abbreviation of two words is often written e.g. י י with a space between the letters. By and large there is no punctuation (N usually has a dot at paragraph ends); the closing words of a paragraph in the commentary are spaced in the center of the line, unlike N.

The text corresponds to the Naples edition, usually word for word and letter for letter, including the divisions of the text, and the interspersion of Mishna and commentary. Thus there is little doubt of the direct relationship between these two texts.

The entire Mishna of Ketubbot v, 2, omitted completely in the Naples edition is also missing in the Seminary unicum here described (= S).

At the end of Kiddushin iii, 6, a passage from the commentary is printed as if it were part of the Mishna, in N and S (and also in the

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8 See Epstein, Mavo, p. 1276.
9 In the copy of the Library of the Jewish Theological Seminary with MS corrections (= N, see S. Lieberman, Hilkhote Ha-Yerushalmi of Rabbi Moses ben Maimon, New York, 1947, introduction, note 21): מון וימי הפרסונים.
Jerusalem “unknown”, see Epstein, Mavo, pp. 1275, 1279). In Ketubbot iv, 10, S has בֵּנִי דְּבָרִים דְּבָרִים, similar to N. In Kiddushin i, 4, R. Eliezer’s name is omitted in N and S.

At the end of Sota, in N, there is a note indicating that a variant for the end of Sota is to be found at the end of the order of Nashim (see Epstein, Mavo, p. 1276). The same note, with only a minute divergence in spelling, is found in S. However, the text in S at the end of Kiddushin ends with the summary of the tractates of the order, and does not include the passage for Sota, which is printed there in N.

Undoubtedly, there are many errors in S (as there are in N). Examples in S are הָמַת in Sota vii, 5, for הָמַת. At the beginning of the translator’s introduction, S has רַחַל for רַחַל, which is the reading in N. In the commentary to Ketubbot ii, 1, we find in S הָלֵיל כִּתְוָי הַרְּאֵשִׁים !

However, despite the errors of S, there are many errors of spelling, and misprints in N that are correct in S. In Kid. iii, 5, N has שַׁתְּתִיר, corrected by N m to שַׁתְּתִי, which is the reading of S. Ibid., N has נַאְמַר, S: נַאְמַר. At the end of Kid., we read in N: לֹא לִמְדוּ אדֶּמ, but S has שָׁאֲמַט אָדוֹן לְסֵתִים לִמְדוּ. N has שָׁאֲמַט אָדוֹן לְסֵתִים שָׁאֲמַט, a correction also made by N m.

Thus it would appear that S was printed from a corrected copy of N, and, in this regard, contains a more accurate text than N. The printer chose to omit the text on the last leaf of N Nashin (= the translator’s afterword, his correspondence with R. Solomon b. Adret, and the text belonging to the end of Sota). Perhaps he made this omission, in order not to require an additional folio, most of which would remain blank.

The watermarks in the paper upon which this book is printed portray variations of a hat design. These closely resemble no. 3389 in Briquet’s Les Filigranes, found in paper manufactured in Florence in 1480, and with variations during 1482-1485, and no. 3390, Florence 1487, and with variations in 1490. Thus the volume may be an incunabulum.

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10 In N m there is a correction: •לַיְרָה.
11 מֵעַיִם בָּטַחְוָה סֶדוּר נְשֵׁי הָמַתִים מַלְצָא אֶלֶּה מָצָאָה מַכְּלָא בּוּסַת אָדוֹן בּוּסַת כְּלִילָה.

In Nm א’ מָשָׁה is marked א’ ב for inversion.
12 א’ מָשָׁה. נְשֵׁי for א’ מָשָׁה was not corrected.