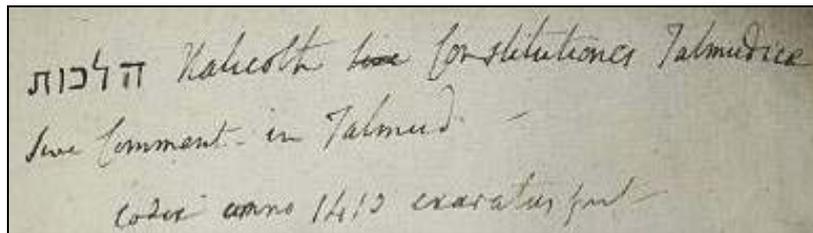


MS 196: *Mordekhai HaKatan* (*The Little Mordekhai*)

A short introductory note by Jeremy I. Pfeffer

Parchment (ff. 88), in quarto: Neubauer OX 2444; IMHM Film No. F 15588.

The inscription on the front endpaper reads: הלכות *Halacoth Constitutiones Talmudice; Sive Comment in Talmud; codex anno 1410 exaratus* [?] (Talmudic Regulations; or Comments on the Talmud – a codex written in the year 1410). The manuscript is wholly parchment and the script is Ashkenazi.



CXCVI.
Codex membranaceus, in quarto, ff. 88, A. D.
1410, bene exaratus.
Continet הלכות, Halacoth, sive Commentarium
in Tractatum Talmudis, cui nomen Baba Kama.

The entry in Kitchin's catalogue is a copy of this inscription with the addition of the words...*cui nomen Baba Kama* (named *Baba Kama*). His source for these extra words is an entry at the top of fol. 1r (Fig. 196.1), in the same hand-writing as the contents inscription, which reads *Ordo Nezikin Mesecheth Baba Kama* (The Order of Torts; Tractate *Baba Kama*).¹ The entry is, however, misleading: the manuscript's actual contents are given in the colophon on fol. 89r (Fig. 196.2) which reads (in translation):

Bravo to you, the reader! The *Mordekhai* which my teacher R. Samuel Schlettstadt² abridged is brought to an end here and also the *Halakhot* regarding the writing of Scrolls of the Law, Phylacteries and Mezuzot. And I, Yehuda ben Yitzhak, finished it on Friday of the Weekly Portion *Nitzavim* (נצבים) in the year (5)170 AM (1410CE)...³

The manuscript is in fact a copy of the *Mordekhai HaKatan* (*The Little Mordekhai*), the abridgement composed c.1376 by R. Samuel ben Aaron Schlettstadt (ר' שמואל שליציסט), of the monumental compendium of *Halakhah* entitled *Sefer HaMordekhai*, (always referred to as

¹ *Baba Kama* is the first tractate in the Order of Torts which is the fourth of the Talmud's six Orders.

² A town in Alsace from which he took the name.

³ Another manuscript signed by this copyist is [Biblioteca Palatina Parma Italy Cod. Parm. 2848: Catalogue De-Rossi Parma Italy 774](#) (IMHM F 12299). The similarities between their respective scripts are itemized in the entries for the two manuscripts in *SfarData*.

“*The Mordekhai*”) compiled c.1280 by R. Mordekhai ben Hillel (c1240-1298).⁴ Schlettstadt was one of the first to edit and condense parts of ben Hillel’s opus, at the same time adding some of his own opinions and glosses. In this version, the laws regarding the writing of Scrolls of the Law, Phylacteries and Mezuzot have been added at the end of the text.

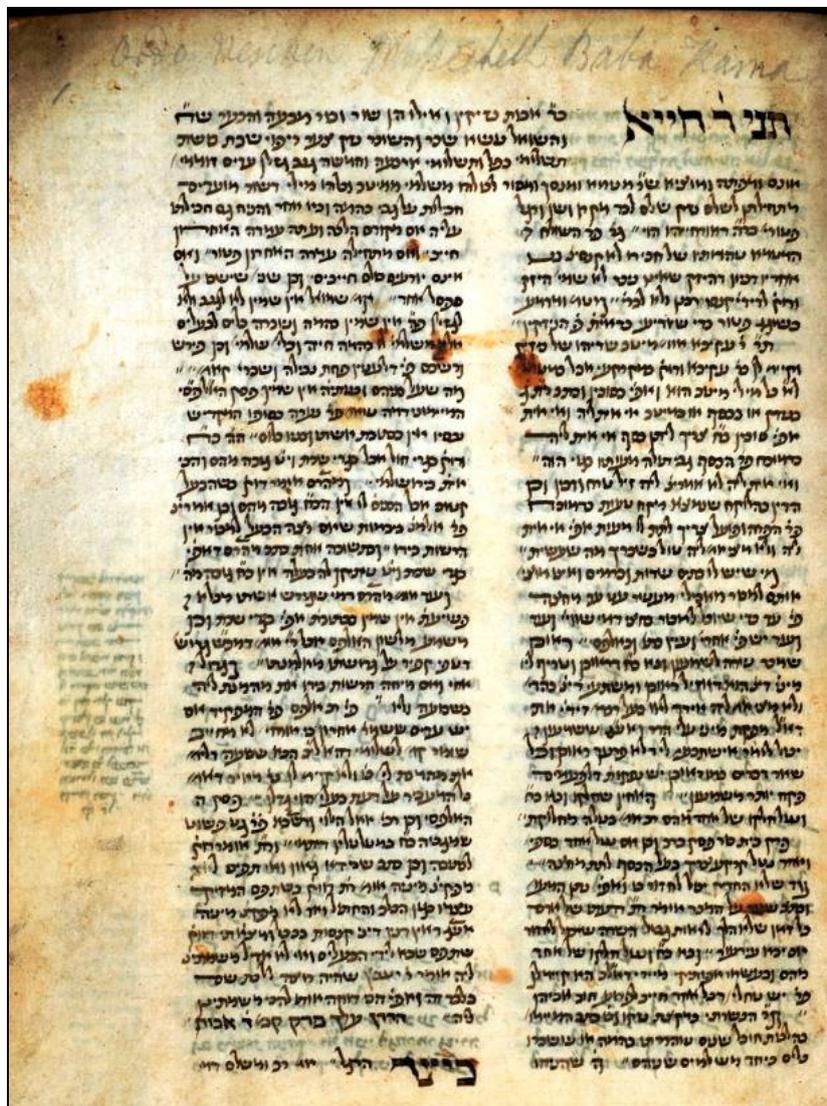


Fig. 196.1: Folio 1r with the handwritten entry *Ordo Nezikin Mesecheth Baba Kama* in the top margin.

The order and arrangement of *The Mordekhai* follows that of the *Sefer HaHalakhot* written by R. Isaac Alfasi,⁵ but its text has been corrupted by the many revisors and copyists through whose hands it has passed and no critical text has yet been published.⁶

⁴ Mordekhai and his family were killed in the general slaughter of the Jews of Nuremberg – the Rintfleisch massacres – in 1298.
⁵ Isaac ben Jacob Alfasi ha-Cohen (1013 - 1103): Moroccan talmudist from the city of Fez, hence the name Alfasi.
⁶ Many manuscripts are extant, but no two are identical. The history of the spread of *Sefer Ha Mordekhai* and of its many versions in manuscript and in print, is one of the most complicated in all of rabbinic literature.

Notwithstanding, it has become one of the most authoritative and influential sources of medieval Ashkenazi *Halakhah*.



Fig. 196.2: The colophon on fol. 89r of codex 196.

Schlettstadt was himself a controversial personality. Whilst serving as Rabbi of the Strasburg community, he secretly convened a court in 1370 which condemned to death two of its members who had been accused of involvement in a conspiracy with the knights of Andlau against members of the community. The sentence was carried out on one of them but the second escaped, and, having embraced Christianity, he returned to and came under the protection of the knights of Andlau. In the meantime, with the help of some friends, Schlettstadt had taken refuge in the castle of Hohelandsberg, near Colmar, from where he petitioned the leaders of the Strasburg community to intervene on his behalf but to no avail: he remained confined there for six years.

Tired of waiting, in 1376 Schlettstadt travelled East, where he brought a complaint against the heads of the Strasburg community before the *Nasi* (Head or Chief Justice) of the Jewish Babylonian community who, supported by the rabbinate of Jerusalem, issued a ban (*Herem*) against the Strasburg community, invoking curses on its members should they persist in their refusal to intervene on his behalf. Evidently they complied and permission was granted for his return to Strasburg. But he and his family might well have been better off had he not returned there, for just a few years later (c.1380) all the Jews of Strasburg were massacred.⁷

The same distinctive ornamental pot watermark appears in both the front and back endpapers (Fig. 196.3). Such elaborate pot watermarks are not found before the late 16th century but became very common in English papers of the 17th century. The Gravell

⁷ 1906 *Jewish Encyclopedia* (www.Jewishencyclopedia.com)

Watermark Archive⁸ and Heawood's *Watermarks mainly of the 17th and 18th centuries*⁹ each have over one hundred examples; the characteristic feature is the crescent at the top of the fruit or flowers. Unfortunately, despite the many examples, an identical match to the mark in codex 196 has not been found; exceptionally, it does not include any initials. Nevertheless, it may be surmised that the codex was bound into its present covers in England at some time during the 17th century.

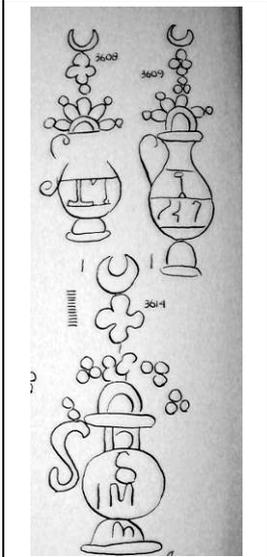
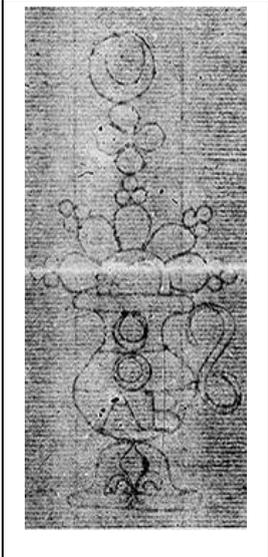
		
<p>The pot watermark with crescent atop in the endpapers of codex 196.</p>	<p>Heawood 3608, 3609 & 3614 (London, mid 17th Century)</p>	<p>Gravell Pot 225.1 (Cornwall 1652)</p>

Fig. 196.3: The ornate English pot watermarks in the front and back endpapers of codex 196 and examples from Heawood's *Watermarks mainly of the 17th and 18th centuries* and the on line Gravell archive. Exceptionally, there are no initials in the watermark in codex 196.

⁸ <http://www.gravell.org/>

⁹ E. Heawood, *Watermarks mainly of the 17th and 18th centuries*, Hilversum (The Paper Publications Society) 1950 (Monumenta Chartae Papyraceae, vol. I)