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REMAINS OF OLD LATIN

III

LUCILIUS

THE TWELVE TABLES

WETA

REMAINS OF OLD LATIN

NEWLY -EDITED AND TRANSLATED BY
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IN FOUR VOLUMES

III

LUCILIUS

THE TWELVE TABLES



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LONDON
WILLIAM HEINEMANN LTD
CAMBRIDGE, MASSACHUSETTS
HARVARD UNIVERSITY PRESS
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1750

PRINTED IN GREAT BRITAIN

CONTENTS

	PAGE
INTRODUCTION	vii
LUCILIUS	2
WORDS AND PHRASES OF LUCILIUS NOT INCLUDED IN THE TEXT OR NOTES OF THIS VOLUME	418
THE TWELVE TABLES OR THE LAW OF THE TWELVE TABLES	424
CONCORDANCES—	
I.—LUCILIUS (<i>for ref. from Marx's ed. to this</i>)	516
II.—LUCILIUS (<i>for ref. from this ed. to Marx's</i>)	528
INDEX	541

INTRODUCTION

Widened scope of this series of 'Remains.' Nonius

IN the introduction to the first volume of this series of *Remains of Old Latin* it was stated (pp. vii-viii) that there would be three volumes; that, of literary remains, fragments of poets only would be included; and that the third volume would contain Lucilius and old Latin inscriptions. But a change in plan has now been made, so as to include the *Twelve Tables* of Roman Law, without excluding inscriptions of a 'readable' length down to 80 B.C. The series therefore contains four volumes instead of three, Lucilius and the *Twelve Tables* being assigned to this volume—the third—the inscriptions to the fourth. Pages vii-viii of the introduction to volume I, and the title-pages of volumes I and II, no longer describe the scope of the series accurately. This is to be regretted, but the change is for the better.

Lucilius the first Roman satirist has received considerable attention lately. Since Marx's monumental edition there have been not only articles in periodicals, and other special studies, but also the new text and study by Terzaghi, and the translation, with text, of Bolisani. And now comes this text and translation for English-speaking readers. The mere scraps that remain of Lucilius' work seem to fascinate; at the same time also they offer the

INTRODUCTION

translator a difficult and some may think a thankless task. To a greater extent than with the other poets included in this series we are faced with the problems: What did the poet write here? What did he mean? Often in dealing with a fragment one or both of these questions are unanswerable, even though we suggest answers. But, in spite of this, a collection of fragments, with a translation, will help in producing a greater knowledge and better understanding of the poet. This I have tried to provide for English-speaking readers.

While the sources for Lucilius are of the same kind as provide the fragments of the poets given in volumes I and II of this series, Nonius is of particular importance, and especially with regard to books XXVI-XXX of Lucilius, both in point of quantity and in Nonius' method of quotation. It is clear (see p. xxi) that Nonius, or two slaves at his orders, used two large rolls of Lucilius' poems, one containing books XXVI-XXX, the other books I-XXI; and that he nearly always quotes from the roll XXVI-XXX with the books in inverted order XXX-XXVI, and sometimes uses the roll I-XXI in the same way. There are traces of the same method in the use of other authors also by Nonius. Marx explains this by suggesting that a slave of Nonius, finding the roll (after a previous perusal and annotation with a view to using it for his master's *Doctrina*) wound round the wrong way, did not trouble to rewind it before using it again, but used it as he re-wound. This is quite a reasonable explanation. It may be right; but in collocating any group of fragments in an order likely to be correct, it is not such a satisfactory theory as it looks, because, even if the roll was thus rewound

viii

INTRODUCTION

and perused from end to beginning, it is hardly likely that each column was perused from bottom to top, even for the purpose of merely collecting passages marked, on the roll used by Nonius (for quotation in his *Doctrina*) or of collecting annotations written against its text. I have preferred, without being able to explain Nonius' reversal of the order of books, to assume that, in dealing with each separate book of Lucilius, as distinct from two large rolls, Nonius or his slaves dealt with the books not from end to beginning, but in the ordinary way.^a The result is groups of fragments whose order of presentation in Nonius' final text is the order in which we presume they stood in Lucilius' text. Marx, following his own theory, gives the fragments of each sequence or group in an order usually reverse when it is compared with mine.

Life of Lucilius

Gaius Lucilius was a Latin born ^b at Suessa Aurunca, which, situated on the borders of Campania, was in olden times an Oscan city, but had become a part of *Latium novum* or *adiectum*. He appears to have belonged to a class corresponding to the equestrian order at Rome. The date of his birth is given by Jerome ^c as 148 B.C.; but this is with probability

^a Cf. Marx, *Lucil. Carm. Reliquiae*, I, Proleg., LXXVIII ff.; II, Praefatio, VI ff.; Lindsay, *Nonius Marcellus' Dictionary of Republican Latin* (not Lindsay's ed. of Nonius' text), Oxford, 1901. Nonius appears to have compiled his *Doctrina* from previously prepared word-lists drawn from various authors.

^b Juvenal, I, 20 and Schol., ad loc.; Auson., *Ep. ad Tetrad.*, XV, 9.

^c Chrox. ad ann. Abr. 1870 (1869 *ed. Amand.*).

INTRODUCTION

regarded as false. That date would imply that his service in the Numantine War (see below) took place when he was only fourteen years old; again, Horace ^a says that Lucilius' *Satires* reveal very fully the life 'of an old man'; and the probable chronology of the various books of *Satires*, and the death of Lucilius about 102 B.C., conflict with so late a date as 148 this is brought into relation with Horace's statement, freely though the word *senex* may be used. The right date of Lucilius, birth would appear to be 180 B.C., when there were consuls in Rome bearing names similar to the consuls of the year 148.^b So far as we can tell, Lucilius never became a Roman citizen and never married. But he was great-uncle to Pompey the Great, whose grandmother was sister of Lucilius,^c while Lucilius' brother was a wealthy Roman citizen and a senator, whose daughter married Gnaeus Pompeius Strabo. Gaius was well-educated, as is clear from the fragments of his work. These likewise show that he came to own, at least in Italy and probably also in Sicily and Sardinia,^d estates on which he was served by Aristocrates a bailiff, by Pacilius a treasurer, and possibly also by Symmachus a ploughman and by one Metrophanes.^e

^a *S.*, II, 1, 34.

^b Cf. Haupt, *Jahrb. f. Phil. u. Päd.*, CVII (1873), 72, 365. Munro, *A. J. Phil.*, VIII, 16 argues for the year 168 as the right date. Cf. Marx, *Prolegomena*, XXIII. Bolisani, *Lucilio*, 22 ff. accepts Jerome's.

^c Schol., ad Hor., *S.*, II, 1, 29, 75; Porphyrio and Acro, ad Hor., *S.*, II, 1, 75 (cf. Vellei. Patere., II, 29, 2, inaccurate). For Collyra, Cretaea, Hymnis (mistresses) see pp. 194, 287-9.

^d See pp. 30, 89, 203, 211; Cicero, *de Or.*, II, 284; Sicily: Marx, ad XXVI, 667.

^e See pp. 44-5, 164-5, 196-7.

INTRODUCTION

But the greater part of his manhood was spent in Rome. When he first came to the city and lived there we do not know. It is held by many, on the evidence of line 453, *inde venit Romam tener ipse etiam atque puellus*, that he first came when he was quite young; but this sentence appears in fact to refer to someone else.^a In 155 B.C. Clitomachus the Sceptic of Carthage, who became president of the New Academy and died in 110, was in Rome for a time; and here perhaps, but not necessarily,^b met Lucilius of whom he became a friend, sending him later on a book containing teachings of Carneades. This man likewise was in Rome in 155 with Critolaus and Diogenes.^c Thus Lucilius knew some of the best thinkers of his age. His chief political friends were likewise of this sort. The closest of these was the military general and statesman Scipio Aemilianus. In 134, probably as one of the horsemen which the town Suessa had to provide,^d or possibly because he was, as a friend, chosen to be one by Scipio, he went as gentleman-attendant^e of Scipio himself to the Numantine War in Spain,^f where he seems to have helped Scipio with money as well as soldiership.^g We may assume that he returned to Rome late in 133 and saw Scipio's triumph in 132. Rome was now disturbed by troubles surrounding the violent death of the reformer Tiberius Gracchus; Lucilius may have been adversely affected by re-distributions of land begun by Tiberius' land-commissioners, and must have followed with great interest the growing

^a See pp. 142-3.

^b Cf. Bolisani, p. 35.

^c Cicero, *Acad.*, II, 102, 137.

^d Livy, XXIX, 15.

^e *contubernalis* in a limited sense.

^f Velleius, II, 9, 3.

^g [Plutarch], *Apophth. Scip. Min.*, 15.

INTRODUCTION

demand of the Italians for Roman citizenship; indeed Lucilius may well have been one of those who led Scipio to support the cause of Rome's dissatisfied Italian allies.

Meanwhile he had begun his literary work, which from first to last took the form of 'Satura' or 'Medley.'^a He had not published any *Satires* before the Numantine War, but he did soon after it.^b From evidence provided largely by the surviving fragments, but too lengthy for full discussion here, a roughly truthful outline can be given of the gradual output of his work. In 131 B.C. Lucilius completed his first books, which are now numbered books XXVI, XXVII, and XXVIII,^c there being several satires in each book. In these books he tested his fitness for composition in three metres; thus books XXVI and XXVII were wholly in *septenarii*, while book XXVIII contained both *septenarii* and *senarii*, and lastly hexameters. A little later, probably before the death of Scipio in 129 B.C.,^d he finished book XXIX which was composed in *septenarii*, *senarii* (and other metres?), and hexameters. After book XXIX Lucilius forsook the metres of the stage, and chose, for all the rest of his satires except a small collection of occasional poems, the metre which remained the most acceptable metre for Roman satire—the hexameter. This

^a Marx, *Proleg.*, IX ff., CXX ff. ^b Vellei., II, 9, 4.

^c The numbering of the books is explained below. The statement made by Lucilius in book XXVI (see pp. 208–9) that he does not want to be a tax-farmer of Asia has been taken to show that this book was written after the enactment of C. Gracchus in 123 B.C. about the province of Asia. But the tax-farmers doubtless took an interest in the province as soon as it was created in 133 B.C.

^d cf. Marx, *Proleg.*, pp. XXX–XXXV.

INTRODUCTION

clearly was the metre in which Lucilius, after his earlier experiments, preferred to write.

Political disturbances in Rome, connected with the demands of the Italians for Roman citizenship and leading up to the tribunates of Gaius Gracchus in 123-2 B.C., seem to have prevented the publication of further satires for some years. In 126 M. Junius Pennus passed a law which expelled from Rome all who were not citizens. Further action against non-citizens was taken by Gaius Fannius in 122. Whether Lucilius was a victim or not of these acts is not known but probably he was.

Book XXX, which Marx dates shortly before the death of Scipio in 129, appears in fact to have been written after the revolt of Fregellae in 125 B.C. (see p. 331). It contained hexameters only. Lucilius was already something of a literary figure. Each of the books mentioned above (perhaps even single satires) may have been published separately. Thus book XXVI may be addressed to a young historian unknown, book XXVII to Scipio; while in book XXX Lucilius seems to allude to his poems as the only ones which were popular.^a But in later ages they were to be found, on the market and in libraries, united in one volume which, as we shall see, may be called, not *Volumen I*, but, as will be explained below, *Volumen II*.

After no traceable period of silence Lucilius wrote, perhaps in 123 B.C.,^b the first book of a new

^a See pp. 201, 220, 255, 353; but the evidence is quite inconclusive.

^b The book was written soon after the death of Lentulus Lupus, which Marx puts in 126, Cichorius in 123 B.C. Cf. Marx, *Proleg.*, XXXV-XL, XLV; Cichorius, *Untersuchungen zu Lucilius*, pp. 219-220; and pp. 2-3 of this book. Lupus may have died as early as 128—Bolisani, 42-3.

INTRODUCTION

series of satires in twenty-one books of which all were composed in hexameters, and appear now as books I–XXI for reasons which will be clear later on (see pp. xxi ff.–xxv. below). Taking no part in political affairs, yet being in close touch with them, he composed a second book of the new group or series about 119 B.C., after the accusation of Quintus Mucius Scaevola Augur by Albucius, which was reproduced in this book.^a About 118 B.C. (or perhaps earlier, when the anti-aliens law of Pennus was passed in 126), Lucilius went on a journey by land to Rhegium and then crossed apparently to Sicily and perhaps also to Sardinia. This particular journey through Italy is certain, while visits to Sicily and Sardinia can be deduced. If the poet had estates in Sicily, he may well have seen fit to visit them in view of long lasting troubles caused by the slave-rising 135–131 B.C. He gave an account of this journey in a third book.^b This book, and a fourth also, appeared probably in 118 B.C. A fifth was written late in 117 or early in 116, in which Lucilius attacked Gaius Metellus Caprarius, a *praetor designatus* in 117.^c

At this time, according to Lucilius himself, lines 186 ff., he suffered from some ill health, perhaps a severe illness. He was now quite a well-known man, and the city was enjoying comparative peace in affairs of politics. This therefore was probably the time when he first became possessed of the house which had been built in Rome at the public expense for Antiochus IV Epiphanes (son of Antiochus III

^a Marx, XLI ff.

^b See pp. 30 ff., 89, 203, 211; Marx, ad 96; Porphyrio, ad Hor., *S.*, I, 5, 1.

^c Marx, *Proleg.*, XLVII–XLVIII.

INTRODUCTION

the Great).^a At this period also Lucilius was insulted by an actor on the stage; Lucilius sued him for damages, but Gaius Caecilius the judge acquitted the defendant.^b

The subsequent fortunes of Lucilius are still vaguer. It appears that in his continued career as a satirist he had the natural experiences of such a man; he was held in honour by some, but attacked by others. On an occasion between 114 and 111, one Lucilius (almost certainly the satirist), at a meeting of the Senate, when the public lands and the Lex Thoria were being discussed, was jeered at by Appius Claudius Pulcher and by adversaries who said that the public lands were being pastured away by his flocks.^c Lucilius may have been present by permission at that meeting. Books of satires continued to be written and issued. Between 116 and 110 came book XI of the new series.^d There is something to be said for the belief that book XVII was written in 108 or thereabouts,^e but the matter is very doubtful. There is also evidence which leads us to suppose that book XX was written in 106. Lucilius was still writing after 107,^f but in 105 he had given up, and in order to live in retirement and possibly to improve his health, retired to Naples.

^a Asconius, ad Cic., *Pison.*, 12, 9 K-S. The attribution of this event of Lucilius' life to this period is a guess of mine, but it seems a likely one.

^b *Ad Herennium*, II, 13, 19.

^c Cicero, *de Or.*, II, 284; Marx, XXI.

^d Marx, XLVIII. It may have been published after 110, when Lucius Opimius (see lines 450-2) was condemned for accepting bribes from Jugurtha; see p. 143.

^e Marx, XLVIII-XLIX.

^f Cicero, *Brutus*, 160-1; Marx, XLIX-L.

INTRODUCTION

Here perhaps he wrote the little elegiac poems, about his own slaves and freedmen, which were later—probably after his death—published as one separate (and non-satiric?) work, and in course of time included in the satires, in the series of twenty-one books of hexameters, bringing that series up to twenty-five books. Here also at Naples he died in 103, 102 or 101, and was honoured by a public funeral.^a Thus the lifetime of Lucilius was the age which saw the spread of Rome's power over Greece, a steady increase of Greek influence in Italy, much inflow of wealth into Rome, the conquest of Spain, the destruction of Carthage, the stirring times of the Gracchi, the affair of Jugurtha, and the dangers of Cimbric and Teutonic invaders from the north.

As a poet Lucilius reflects many ideas of the Gracchan age at Rome, and amongst fellow-poets stands out as a one who owed little to Greek influence in the form which his poetry took. Although he took delight in the culture of the Greeks, and was familiar with Greek philosophers and philosophy, especially Epicurean, Cynic, and Stoic doctrines,^b he seems to have set himself against those writers who followed Greek models more than, as he thought, a Roman should; or it may be that he preferred the use of everyday speech, or something like it, even in poetry of a serious kind. At any rate he criticized in his satires great poets like Ennius, and, far more severely perhaps, certain

^a Jerome, *Chron.* ad ann. Abr. 1914 = 102 B.C. (1915 *cd.* *Amand.* = 101 B.C.). Jerome, who has the date of Lucilius' birth wrong (see above), thus wrongly says he was in his 46th year. The date 102-101 is fairly certain; Marx, XXII-XXIII.

^b See pp. 162, 207, 209, 213, 217, 221, 223, 226, 245, 264-5, 311, 359, 361, 389, 393.

INTRODUCTION

writers of his own age, especially Pacuvius and Accius, and in particular the heavy style of diction in their tragedies.^a We have seen too how once he was insultingly addressed by an actor speaking from the stage. His greatest friend, with whom he, as a *socius*, was probably connected as with a *patronus*, was Scipio Aemilianus.^b Another close friend was C. Laelius (not Decimus Laelius of line 635). We read how in Scipio's house Laelius once came upon Scipio while Lucilius was chasing Scipio round the couches of the dining-table, trying to hit him with a twisted napkin.^c Another friend was Junius Congus, probably he who died in 54 B.C.^d Others were Clitomachus (see above, p. xi); a certain Pacenius, to whom Lucilius addressed a satire;^e Quintus Laelius Archelaus and Vettius Philocomus, who were helpful to Lucilius by hearing recitations of his works and making commentaries on them soon after his death;^f and one or two unknown persons to whom satires are addressed.

Among adversaries are to be counted Q. Caecilius Metellus Macedonicus, censor in 131 B.C., whom Lucilius attacked to please Scipio; L. Cornelius

^a See pp. 73, 214-5, 233 ff., 282-4, 413 (Pacuv.); 48-9, 107, 114-5, 127-9, 236, 272-3, 344 (Accius); 126-7, 129-31, 275, 285, 332, 385, 414-5 (Ennius); Horace, *Sat.*, I, 10, 53 and Porphyrio's remark; Gellius, XVII, 21, 49; Vellei., II, 9, 3.

^b 185-129 B.C. Vellei., II, 9, 4; Schol., ad Hor., *Sat.*, II, 1, 71 ff.; index to this vol., s.v. Scipio Aemilianus.

^c Schol., *l.c.*

^d Line 634. He was probably the unknown historian to whom Lucilius wrote a satire in book XXVI; see pp. 220 ff.

^e p. 139.

^f Suet., *de Grammat.*, 2; cf. Charis., ap. *G.L.*, I, 141, 33 K; and cf. pp. 370-1.

INTRODUCTION

Lentulus Lupus, *princeps senatus* 131–125? ^a; (apparently) also C. Caecilius Metellus Caprarius, son of Macedonicus, and praetor in 116 ^b; Quintus Mucius Scaevola Augur, praetor in 121 or 120; L. Licinius Crassus, tribune in 107 ^c; Quintus Granius, a public crier, and tribune in 107 ^d; Lucius Opimius, consul in 121 and, as an ambassador, bribed by Jugurtha about 116 ^e; and perhaps ^f Aulus Postumius Albinus, who was disgraced by Jugurtha in 110. Other ^g enemies appear to have been C. Papirius Carbo, a supporter of Tiberius Gacchus and suspected of murdering Scipio; and Hostilius Tubulus a corrupt judge.

Lucilius went far ahead of his predecessors in the way in which he mingled himself, his readers, and Roman life. He was the first to give a really literary presentation to ‘satura,’ ^h in which he revealed much of his own life ⁱ besides dealing with other people. Anything whatever could become the subject of his satire—politics, letters to friends, a journey, social life and its problems, literary and dramatic criticism, even rules of spelling. Though

^a Hor., *Sat.*, II, 1, 62 ff.; Schol., ad Hor., *Sat.*, II, 1, 67, 72, Persius, I, 114; cf. pp. 202–5, 260–1, and 2 ff.

^b pp. 72–3.

^c Cicero, *de Or.*, I, 72; *Brut.*, 160, Juv., I, 151. As Cicero indicates, Crassus may have been more or less friendly to Lucilius.

^d Cicero, *Brutus*, 160–1; see pp. 140–1, 186–7, 190–1.

^e Line 450.

^f Or Sp. Postumius Albinus; lines 1196–1208. But these lines may be addressed to a friend.

^g For these, see pp. 370–1.

^h Pliny, *N.H.*, *praef.*, 7; Quintil., X, 1, 93; Horace, *Sat.*, II, 1, 62 ff.

ⁱ cf. Horace, *Sat.*, II, 1, 30 ff.

INTRODUCTION

his own style received praise for various reasons^a there is no doubt that he wrote careless and off-hand poetry, as he seems to have confessed himself,^b and that his reputation rested chiefly on his satiric power. In this he was likened to the Greek poets of the Old Comedy; by means of this—once again must be adduced the oft-quoted remark of Persius—he “lashed the city, and broke his jaw” on the objects of his attack; through this he tore from them the decorous mask and uncovered the ugliness which lay underneath.^c Whatever his fiery temper demands, says Juvenal, he utters with direct simplicity, so that “whenever Lucilius in a blaze of passion roars upon a man with drawn sword, the hearer, whose mind is chilled with crimes, blushes while his heartstrings sweat with unspoken guilt.”^d He was variously referred to by posterity as learned, full of fun, witty, polished, agreeable, graceful, acute, free-minded, bitter, harsh.^e He showed doubtless one or more of these qualities according to his feeling of the moment. At any rate it would be wrong to emphasise unduly his power of showing

^a Pliny, *N.H.*, XXXVI, 185; Cicero, *de Or.*, III, 171; Horace, *Sat.*, II, 1, 28-9; Quintil., I, 18, 11; Fronto, Vol. I, p. 4, and II, p. 48 Haines (*L.C.L.*).

^b See pp. 366-7; Petron., 4; Apul., *de deo Socr.*, 1; Horace, *Sat.*, I, 4, 9 ff.; I, 10, 64 ff.; I, 10, 20 ff.

^c Persius, I, 114-5; Horace, *Sat.*, II, 1, 62 ff.

^d Juvenal, I, 151 ff. (165-7 quoted); cf. Horace, *Sat.*, I, 4, 1 ff.; I, 10, 46; II, 1, 28; 68; 74; 211; Tacitus, *Dialog.*, 23; Persius, I, 23-5; Mart., XII, 94, 7).

^e Cicero, *de Or.*, II, 25; I, 72; *ad Fam.*, IX, 15, 2; Trebonius, to Cicero, in *ad Fam.*, XII, 16, 3; Hor., *Sat.*, I, 10, 64; I, 4, 6; Porphyrio, *ad Hor.*, *Sat.*, I, 3, 40; *ad Ep.*, I, 19, 34; Acro, *ad Sat.*, I, 1; Fronto, Vol. II., p. 48 Haines (Loeb). Quintil., X, 1, 94; Varro, *ap. Gell.*, VI, 14, 6.

INTRODUCTION

indignation. Though he may be said with truth to have been the first to make satire satiric, and seems to have foreshadowed the lofty and feverish indignation of Juvenal, he was far more like Horace on that later poet's satiric side, who was therein inspired by Lucilius and imitated him. As often as not Lucilius was free-and-easy: some of his satires, like Horace's, were *sermones*, 'talks' or 'chats.' Lucilius himself looked on them as such. We see a man well acquainted with country-life, very fond of animals, particularly of horses and riding, who lived also in a big city and watched its society and politics. He seems to have been independent all his life, fond perhaps of leisure, at any rate disliking any kind of official position. Not perhaps enjoying the best of health, he was a happy and perhaps a generous man. As he said, he would not take the whole world and for it barter away his own self Gaius Lucilius.^a

Early literary history of the text of Lucilius' 'Satires'

The surviving fragments of Lucilius, which amount to less than thirteen hundred lines or parts of lines, are relics of work which, at the time of its loss as a whole, consisted of thirty books; this means here not thirty separate small rolls (*volumina*), but thirty convenient subdivisions of Lucilius' whole output. But, though grouping into books is apparently Lucilius' own throughout, the order in which these books were later arranged and now appear is not the order in which the poet wrote them. There are two groups, books XXVI-XXX, which were written first, and books I-XXI together with XXII-XXV,

^a pp. 208-9.

INTRODUCTION

which were written afterwards. Within the first group, and in books I–XXI within the second, the books are relatively in the right chronological order. About chronological order in books XXII–XXV we know nothing. The history of this arrangement appears to be as follows.

We have seen that Lucilius perhaps issued his satires in separate small books or rolls. In the course of time his whole output took the form of two large and one small rolls. In his own lifetime his earliest books, now XXVI–XXX, were probably republished in one roll, perhaps in the year 124 B.C. It is fairly certain at any rate that at least the second series of books, consisting of books now numbered I–XXI, was published or re-published in one roll by Lucilius during his own lifetime (about 106 B.C.?), if we accept the usual interpretation of Varro's words in his *De Lingua Latina*, V, 17 *Lucilius suorum unius et viginti librorum initium fecit hoc* (Varro then quotes line 1 of Book I); and this procedure is probably true of the first series also. It is clear that in the time of Varro, who lived from 116 to 27 B.C., the series which now appears as books I–XXI formed a separate roll; and when Nonius much later (about the beginning of the 4th century A.D.) compiled his [*De*] *Compendiosa Doctrina*, he used, in quoting Lucilius, two separate rolls, one, containing books XXVI–XXX, to which he or a slave refers as 'Lucilius . . .'; and another, containing books I–XXI, to which he always refers as 'Lucilius Satyrarum . . .'^a Gellius again

^a It might be suggested that Lucilius did not give the title *Saturae* to his earlier series. But the varying method of Nonius' slaves and of quotation by other sources makes it impossible to use the evidences of Nonius alone to support this.

INTRODUCTION

(c. A.D. 130–180) quotes from books I–XX only. Gellius therefore seems to reproduce knowledge, or rather use, of one roll only of Lucilius. Books XXII–XXV, containing small poems, were doubtless first published after Lucilius' death (by his friend Vettius Philocomus?), all in one small roll. Its separate character is indicated partly by the establishment of the two large series, shown above, which did not include books XXII–XXV, and partly by the surviving fragments of these books, which, scanty though they are, reveal, besides their special tone and elegiac metre, a common tendency for quoters to be satisfied with the earlier part of a roll—nearly all our fragments of books XXII–XXV come from book XXII. Nonius' quotations—three only—from this group all belong to book XXII, and were got by him from a glossary.

All that I have said in the preceding paragraph refers only to the issue of all the satires of Lucilius by the author, or soon after his death, in three rolls. It does not, as any one can see, represent the numeration of the books, within these rolls, by Lucilius. It is natural to suppose that he numbered his books. That being accepted, he must have given the numbers I–V to the books which we know as XXVI–XXX; the books which we know as I–XXI he numbered either VI–XXVI, or (as may possibly be deduced from the passage of Varro quoted above) I–XXI of a *Volumen Secundum*. In *De Lingua Latina*, VII, 47 Varro quotes three fragments of Lucilius from a grammarian who appears (though the evidence is slender) to have used a complete edition of Lucilius giving the books in the right chronological order. From this we may conclude that a complete

INTRODUCTION

edition (by Vettius ?) of this kind was current between Lucilius' death and Varro's age. But there is no sign that this edition contained Lucilius' own numbering of his books, though it is natural to suppose that it did so.

How then does it come about that the fragments of Lucilius, as they have ultimately come down to us, are arranged in an order of books which is chronological not throughout, but only in two fused groups of which the second group (books XXVI-XXX) was composed by the author before the first group (books I-XXI together with XXII-XXV)? Nonius (early 4th century A.D.) and other late authorities, beginning with Flavius Caper (2nd century A.D.)^a—Nonius at least using two rolls and implying the existence of a third roll, as we have seen—quoted Lucilius from thirty books of which the books of the second group appear as books I-XXI together with XXII-XXV, and the books of the first as books XXVI-XXX. Varro's mention of Lucilius' 'twenty-one books' indicates that this arrangement dated before even his time, though the words 'twenty-one' *may* mean not books already numbered, in editions of Lucilius' works, as I-XXI, but a series which happened to contain twenty-one books, yet may have been actually numbered in Varro's time VI-XXVI, according to Lucilius' own numbering as suggested above. Be that as it may, we can state that apparently before the Empire began, certainly

^a Marx, LII-LIII. Flavius Caper's use of the whole of Lucilius, with the books in the non-chronological order of groups, is known from later grammarians, especially Priscianus; but the groups or separate *volumina* are not distinguishable in these grammarians.

INTRODUCTION

during the imperial period, there was in circulation a complete collection of all Lucilius' satires, in three rolls, forming a standard edition which displaced all others. This edition, possibly by Publius Valerius Cato (born c. 100 B.C.), used an arrangement^a according to metres, the first roll containing hexameters only, books I–XXI, another, a small roll, containing books XXII–XXV (elegiac poems), the last books, XXVI–XXX, containing all such satires as had been written in *septenariï* and *senariï*, chronological principle being still strong enough to include in this roll, and probably in their proper place, such hexameters also as Lucilius himself included in his earliest satires. Within the first roll also chronological order is preserved. It may be further that the copies in use in the imperial period all descended from a republican 'archetype' or model copy of Valerius' (?) edition, and that this original had been damaged (after Varro wrote?) at one end of the first *volumen* or roll, so that no writer (not even Nonius) quotes anything from book XXI, however frequently he may quote from books I–XX; the theory that we have the title of book XXI, as indicated on pp. 194–5, being a guess. Of course this may be through chance, not damage: even of book XVIII we have only two fragments, of XXIII one fragment, of XXIV none, of XXV one. But the books of elegiacs (XXII–XXV) were probably short, and lacked the typical interest of Lucilius' other work. Often the rolls were bought separately, especially the maturer work of books I–XXI (cf. Gellius' knowledge or use of this series only, and Varro's mention of it), though in

^a Marx, LIV. It was the custom of critics to deal with hexameters before elegiacs, and both before other metres.

INTRODUCTION

imperial times the earlier work of books XXVI–XXX seems to have been valued equally with the later series books I–XXI. We may say then that, however much the order of the fragments in modern editions varies, these editions are a kind of skeleton of the ‘*editio vulgaris*’ which we have indicated above.

Modern Editions and Translations of Lucilius

- F. Dousa. *C. Lucilii . . . Satyrarum . . . reliquiae*.
F. Dousa collegit disposuit et notas addidit. Leyden. 1597. 2nd ed. Amsterdam. 1661.
- E. F. Corpet. *Satires de C. Lucilius. Fragments revus, augmentés, traduits, et annotés*. Paris. 1845.
- F. D. Gerlach. *C. Lucili Saturarum Reliquiae*.
Edidit, auxit, emendavit. Turin. 1846.
- L. Mueller. *C. Lucili Saturarum Reliquiae. Accedunt Acci (praeter Scenica) et Sueti carminum Reliquiae*.
Leipzig. Teubner. 1872.
- C. Lachmann. *C. Lucili Saturarum [Reliquiae]. Carolus Lachmannus emendavit*. After Lachmann’s death supplemented by M. Haupt and edited by J. Vahlen. Berlin. Reimer. 1876. To this was added, by F. Harder, *Index Lucilianus*. Berlin. 1878.
- F. Marx. *C. Lucili Carminum Reliquiae. Recensuit enarravit F. Marx*. Leipzig. Teubner. Vol. I, Prolegomena and Text. 1904. Vol. II, Commentary 1905. This is by far the best edition of Lucilius. In the apparatus criticus of this book Marx is referred to as M.
- E. Bolisani. *Lucilio e i suoi Frammenti*. Padua. Messaggero. 1932. Text. Italian translation. With introduction and short notes.

INTRODUCTION

N. Terzaghi. *C. Lucilii Saturarum Reliquiae. In usum maxime Academicum digessit brevissimaque adnotatione critica instruxit N.T.* Florence. F. Le Monnier. 1934. A handy plain text.

N. Terzaghi. *Lucilio.* Turin. L'Erma. 1934. This is, in fact, Terzaghi's commentary on his text.

Fragments of Lucilius will be found in other books—*e.g.* R. Estienne, *Fragm. Poet. Vet. Lat.*, 1564; *Corpus Omn. Vet. Poet. Lat.* Geneva. 1611 and 1627; M. Maittaire, *Opera et Fragn. Vet. Poet. Lat.*, London. 1713 and 1721; P. Amati, *Collectio Pisarenensis.* Pesaro. 1766; E. Diehl, *Poet. Rom. Vet. Rel.* Bonn. 1911. *Kleine Texte*, 69, pp. 102 ff.; J. Wordsworth, *Fragments and Specimens of Early Latin.* Oxford. 1874; W. Merry, *Selected Fragn. of Rom. Poetry.* Oxford. 1898. See *Remains of Old Latin*, Vol. II, pp. xxix ff. There is also one old translation into English by L. Evans, Bohn's Classical Library.

Among the abbreviations used in this Volume are: C. (Cichorius, *Untersuchungen zu Lucilius*); C.Q. (*Classical Quarterly*); H. (*Hermes*); G.G.A. (*Göttingische Gelehrte Anzeigen*); Rh. Mus. (*Rheinisches Museum*); W. St. (*Wiener Studien*); A.J.P., or the like (*American Journal of Philology*); T.A.P. (*Transactions and Proceedings of the American Philological Association*). The copies of *Cod. Farn.* IV. A. 3 (Festus) are indicated by *apog.* See also *Remains*, I, p. xxxiii.

The Twelve Tables

During the first part of the struggle between the patricians and the plebeians of the early Roman

INTRODUCTION

Republic—a struggle lasting from 509 to 287 B.C.—the plebeians were in ignorance of the Roman laws, which were a secret of the *pontifices* and other patricians and were administered with unfair severity against plebeians. According to tradition, in 462 a plebeian Terentilius proposed that there be published a legal code which should bind the magistrates and judges (who were at that time all patricians) in pronouncing their judicial decisions. For some years the patricians opposed this demand with success, but, after an alleged embassy to Athens to inspect the famous laws of Solon, in 451 a Board of Ten, to which plebeians were eligible but in fact were not elected, took the place of the consuls, and, with some help given by Hermodorus of Ephesus,^a prepared a number of laws. These, when passed as an act of parliament^b by the Assembly of the people, were engraved on ten bronze^c tablets and placed on view in the Forum. To complete the work, a second Board of Ten, in which plebeians seem to have shared, was appointed for the year 450. These drew up further laws which were inscribed on two more tablets. From the mass of myth which follows we can conclude that one of the Board, a far-sighted and democratic patrician Appius Claudius, tried to keep the Board in

^a Embassy:—Livy, III, 31–2; Dionys. Hal., *Ant. Rom.*, X, 51, 54, 57 (embassy also to Greek cities in Italy, which may be the truth); Cic., *de Leg.*, II, 25, 64; Euseb., *Sync.*, 484, 6; Jerome, ann. Abr. 1565. Hermodorus:—Pompon., *Dig.*, I, 2, 2, 4; Pliny, *N.H.*, XXXIV, 21; Strabo, XIV, 642; cf. also Diog. Laert., IX, 1, 2; Cic., *Tusc. Disp.*, V, 36, 105.

^b as a *lex* in a special political sense—see below.

^c So say the sources, except Pomponius, *Dig.*, I, 2, 2, 4 who says *eboreas* (made of ivory), for which should perhaps be read *roboreas* (wooden).

INTRODUCTION

office, probably with the idea of effecting further reforms, but failed. In 449 the ordinary constitution (that is, with two consuls, not a Board of Ten), was restored and the two additional tablets were approved by the Assembly. The whole twelve tablets or tables were then approved as one *Law* or act of parliament, namely *Lex Duodecim Tabularum*.^a The plebeians now knew what the laws were. This code was not the fountain of all public and private law claimed for it by Livy, but largely an exposition of private law, drawn from already existing customary law, and including some public and sacred law. It was a body of statutes drawn up for a community which consisted mostly of small landholders and possessed little commerce and little culture; and from it development took place by interpretation^b (begun by *pontifices*, and continued by jurists) and, after 367 B.C., by the accumulation of praetor's edicts.

We can safely say that the code was thoroughly Roman in origin and was based largely on custom. But it took for granted, as known already, the institutions of the family, formal transactions like mancipations, wills, and so on, so that much of the law still remained customary and unwritten. Moreover, even if we reject the alleged embassy to Athens, the alleged borrowing from Solon's laws, and the alleged assistance from Hermodorus, still Greek influence was very probably present, as the

^a cf. Livy, III, 9-57; Dionys. Hal., X, 1-60; Pomponius, *Dig.*, I, 2, 2, 3, 4, 24; Cic., *Republ.*, II, 36 ff.; Diodor., XII, 23-6; Tac., *Ann.*, III, 27.

^b *interpretatio* included expansion and limitation of the laws' wording, the formation of new doctrines, and so on, besides explanation.

INTRODUCTION

later Romans believed, if only through the Greek colonies in south Italy and in Sicily.^a

Doubts have been thrown not only on the genuineness of the fragments, but even on the occurrence of any codification in 451–450 B.C. E. Pais^b believes that there was no decemvirate in those years; that the collection known as the Twelve Tables, after gradual compilation probably by means of legislation and publication, reached its final form at the end of the fourth century B.C. E. Lambert,^c holds that the Twelve Tables were a collection made privately, probably by Sextus Aelius Paetus, in the early part of the second century B.C. But these theories produce more and greater difficulties than they claim to solve.^d

^a For the embassy and Hermodorus, see above. Cf. also Gaius, *Dig.*, XLVII, 22, 4; X, 1, 13; Cic. *de Leg.*, II, 23, 59; 25, 64. Dion. Hal., X, 57; E. Pais, *Ricerche sulla storia e sul diritto pubblico di Roma*, I, 1915, 147 ff.; L. Mitteis, *Römisches Privatrecht bis auf die Zeit Diokletians*, I, 14 ff.

^b *Storia di Roma*, I, 1, 550 ff.; I, 2, 546 ff.; 631 ff.; II (2nd ed. 1915), 217 ff.; *Ricerche*, I, n. i–vii.

^c *Nouv. Rev. Hist. de droit français et étranger*, XXVI, 1902, 147 ff.; *Rev. gén. de droit*, XXVI, 1902, n. 5 and 6, 381 ff.; 480 ff.; XXVII, 1903, 15 ff.; *L'histoire traditionnelle des XII Tables in Mélanges Ch. Appleton*, I, 1903, 126 ff.; 501 ff.; *La fonction du droit civil comparé*, I, 1903, 398 ff. Cf. Baviera, *St. Perozzi*, I ff.; P. Francisci, *Storia del diritto Romano*, I, 1926, 193 ff.

^d P. Girard, *Nouv. Rev.*, XXVI, 381 ff. = *Mélanges*, I, 1–64; *Textes de droit Romain*, 6th ed. 1937, 3–4; O. Lenel, *Zeitschrift der Savigny-Stiftung f. Rechtsgeschichte, Rom. Abt.*, XXVI, 498 ff. Erman, *op. cit.*, XXIII, 450–457; A. H. J. Greenidge, *English Hist. Rev.*, XX, 1905, 1 ff. Appleton, *Atti d. Congresso intern. di Scienze stor.*, IX, 23 ff.; Kalb, *Jahresber. f. Altert.*, CIX, 21 ff.; CXXXIV, 17 ff.; Korneemann, *Histor. Vierteljahresschrift*, IX, 370 ff.; Collard, *De*

INTRODUCTION

The original tablets and copies of them were probably destroyed, as tradition says, when the Gauls burnt Rome in 390, though Livy, VI. 1 (see p. 506) implies that such destruction was not complete; and even if copies or other substitutes were published afterwards, there was at the end of the Republic no standard edition of the code, but a number of unofficial texts in which, as the remains show, the language (while still retaining archaic forms, and a simple, curt, and almost childish kind of phrases which are mostly terse commands or prohibitions in prose, though some seek metric rhythms in them) was assimilated more and more to classical Latin, and was otherwise marred by interpolations and alterations. An edition of the Tables, with interpretation and commentary, was included by Sextus Aelius Paetus (consul in 198) in his *Tripertita*; and it may be that from this ('modernised'?) recension most later writers drew their quotations.

Such fragments as survive to-day are found in writers of the last century of the Republic and in writers of the imperial period, and appear in four kinds: (i) Fragments which have the appearance of containing the original words, or nearly so, of a law, 'modernised,' however, in spelling, and to some extent in word-forms. Such fragments are in this book given in separately indented groups of large type. (ii) Fragments which are fused with the sentences of the quoter, but otherwise show little distortion. (iii) Fragments which are not only fused

l'authenticité de la loi des XII Tables. For the whole problem, cf. also P. Bonfante, *Hist. du droit Romain (Storia del diritto romano)*, traduite sur la 3e. ed., J. Carrère, F. Fournier, 1928, II, 77 ff. C. L. Kooiman, *Fragm. Juris. Quir.*, I ff.

INTRODUCTION

with the context of the quoter, but are also much distorted, though they certainly give, in the form of a paraphrase, the purport of a law. These kinds (ii, iii) I have given in large type, but not otherwise separated from the context of the quoter. Such large type does not claim to give actual words of laws, though in fact to some extent it does so. (iv) Passages which give only an interpretation (or an opinion based on an interpretation) or the title or convenient designation of a law. Such passages I have, according to the practice of editors of the Tables, for the most part merely cited among the supplementary sources for any enactment when the enactment is better revealed by another source. But one or two such passages have been given in full, but in small type if they are merely of interpretative character.

The sources for the fragments show that the code was known under two titles—*Duodecim Tabulae* and *Lex Duodecim Tabularum*. Here the word *Lex* means 'act of Parliament'—in this case the act of the Roman Assembly when it passed the Tables as a whole code of 'leges' or laws. In this book, when the word *Lex* (the *Law*) appears in the sense of comitial ratification, I give it a capital letter as here. But when the source of any fragment refers to a particular enactment or law of the Tables, I call it simply *lex* (a law).

Only in a very few cases do we know or can we surmise the number of the tablet on which any law appeared; this allows us to deduce the relevant tablet of a few other laws—but of very few. With these exceptions the arrangement of the fragments so as to produce remnants of all the twelve tables is used among scholars only for convenience. This

INTRODUCTION

method goes back to H. Dirksen, and I have not altered it except in a few unimportant places, the text in Bruns' *Fontes*, 7th edition, being taken as the standard. In this edition and translation the number of each enactment in each Table usually appears not only above each item but also on the left of the first word of each enactment as quoted or otherwise reproduced by the source.

Modern Editions of the Twelve Tables

- H. E. Dirksen. *Uebersicht der bisherigen Versuche zur Kritik u. Herstellung d. Textes d. Zwölf-Tafel-Fragmente*. Leipzig. 1824. In this will be found recorded all previous work on the *Twelve Tables*.^a
- R. Schoell. *Legis Duodecim Tabularum Reliquiae*. Leipzig. Teubner. 1866.
- J. Wordsworth. *Fragments and Specimens of Early Latin*. Oxford. 1874. pp. 254 ff., 502 ff.
- M. Voigt. *Die XII Tafeln. Geschichte u. System des Civil-u. Criminal-Rechtes, wie-Prozesses, der XII Tafeln nebst deren Fragmenten*. Leipzig. 1883. Two volumes. Text in vol. I, pp. 693-737. This work is not accepted as sound.
- F. Goodwin. *The Twelve Tables*. London. Stevens. 1886.
- F. D. Allen. *Remnants of Early Latin*. Boston. Ginn. 1884. pp. 84 ff.
- S. Riccobono, J. Baviera, and C. Ferrini. *Fontes Juris Romani Antejustiniani*. Florence. Barbèra. 1909. pp. 21-63.

^a Reconstruction of the Twelve Tables goes back to the work of A. du Rivail, early in the sixteenth century.

INTRODUCTION

- C. G. Bruns. *Fontes Juris Romani Antiqui*. 7th ed. O. Gradenwitz. Tübingen. 1909.
- J. Muirhead. *Historical Introduction to the Private Law of Rome*. rev. Goudy. 3rd ed. Grant. 1916. Appendix, pp. 420 ff.
- S. P. Scott. *The Civil Law, including the Twelve Tables, etc. Translated. Edited.* Cincinnati. Central Trust Company. Vol. I, pp. 57-77.
- P. F. Girard. *Textes de droit Romain*. 5th ed. 1923. 6th ed. by F. Senn. Paris. 1937.

There are other texts, commentaries and translations, but they are mostly not important. Nikolsky's *System and Text of the Law of the Twelve Tables*, 1897, is in Russian. Cf. *Zeitschrift. d. Sav.-Stift. f. Rechtsgesch.*, XIX, 374 ff.

For commentaries on the *Twelve Tables*, see especially Wordsworth *op. cit.*, pp. 502 ff.; H. F. Jolowicz, *Historical Introduction to the Study of Roman Law*, pp. 106-191. There is a useful article *Tabulae Duodecim* by Berger in Pauly-Wissowa, *Realencyclopädie*.

For abbreviations, see above, p. xxvi, and *Remains of Old Latin*, Vol. I, p. xxxiii.

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21st October, 1938.

LUCILIUS

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LIBER I

Sat. I.

1

Varro, *L.L.*, V, 17: Lucilius suorum unius et viginti librorum initium fecit hoc—

Aetheris et terrae genitabile quaerere tempus.

2

Persius, *Sat.*, I, 1:—

O curas hominum! O quantum est in rebus inane!

Schol., *ad loc.* . . . Hunc versum de Lucili primo transtulit.

3-4

Charisius, ap. *G.L.*, I, 125, 19 K: 'Canes.' Lucilius I—

<r littera . . .>

inritata canes quam homo quam planius dicit.

Cp. Nonius, 31, 25; Donatus ad Ter., *Adelph.*, II, 4, 18 (. . . Lucilius de littera r).

Varro: Lucilius S Lucretius *edd.*

¹ quaerere, tempus M

Schol.: principio Reitzenstein *qui lib. X trib.*

³ r littera *addidi coll. Donat., l.c.*

^a Cichorius, *Untersuchungen zu Lucilius*, 219-220. W. Baehrens, *H.*, LIV, 81 ff., is not convincing. Marx, proleg., XXXV ff. argues for 126 B.C.

LUCILIUS

BOOK I

Composed (probably after the death of L. Cornelius Lentulus Lupus) in 123 ^a B.C., and after Books XXVI-XXX. I distinguish three satires.

Sat. I. Introduction. Lucilius disclaims physical philosophy.

1

Varro: Lucilius composed the following as the beginning of his twenty-one books—^b

To seek the time which generated sky and earth.

2

He approaches satire:

Persius:—

Oh, the cares of mankind! Oh, how much emptiness there is in the world! ^c

Schol. on this passage: . . . This line Persius transferred from the first book of Lucilius.

3-4

The snarl of satire:

Charisius: 'Canes.' Lucilius in (book) I—

the letter r, which a dog, when it is teased, utters more plainly than a man.

^b That is, of the separate set of twenty-one books; on this, see *Introduction*, pp. 21 ff.

^c Marx attributes this to a god's speech in the trial of Lupus, for which see below. Mueller and Lachmann give the wrong line of Persius here. Cf. Marx, *ad* 9.

LUCILIUS

Sat. II. Concilium Deorum (Lactantius, *Div. Inst.*, IV, 3, 12 L. in deorum concilio).

Servius ad *Aen.*, X, 104: . . . Totus hic locus de primo Lucilii translatus est, ubi introducuntur dii habere concilium, et agere primo de interitu Lupi cuiusdam ducis (*vel* 'iudicis') in re publica, postea sententias dicere.

5

Servius, ad *Aen.*, IX, 227: . . . Est Lucilii versus uno tantum sermone mutato; nam ille ait—

Consilium summis hominum de rebus habebant.

6-7

Schol. Veron., ad *Aen.*, XII, 680: 'Amplius,' id est diutius, ulterius. Lucil.—

quo populum atque urbem pacto servare potisset amplius Romanam.

Cp. Iul. Rom., ap. Charis., *G.L.*, I, 195, 6 K.

8

Nonius, 159, 27: 'Protollere' est differre. Lucilius Satyrarum lib. I—

si non amplius, at lustrum hoc protolleret unum.

9

Nonius, 497, 4: Accusativus positus pro ablativo . . . —
munus tamen fungi et muros servare potissint.

⁶ pactos *Schol.* pactum p.a.u. potissit *Charis.*

⁹ potissint Mr. potissent Mercier possint *cdd.*

^a Title of a satire, or even of the whole book; it may be the title given by Lucilius himself.

^b On Lupus see Marx, proleg. XXXV ff.; Cichor., 77 ff. 219 ff.; Bachrens, *H.*, LIV, 81 ff.

BOOK I

Sat. II. A Council or Parliament of the Gods.^a A meeting of deities who discuss the luxury of Rome and try the chief sinner—Lucius Cornelius Lentulus Lupus,^b princeps senatus in 131 B.C.

Servius on Virgil, *Aen. X*, 104 ff. : The whole of this passage is transferred from the first book of Lucilius, where gods are brought in as holding a council, and dealing first with the death of one Lupus, a leading man (*or judge*) in the state, and afterwards giving their decisions.

5

Servius, on a line of Virgil: It is a line of Lucilius with only one word changed; for he says—

They were holding parliament on the highest affairs of men.

6-7

Lucilius gives the reason for the assembly :

A scholiast on Virgil: 'Amplius,' that is longer, further. Lucilius—

by what means ^c he could further save the Roman city and people.

8

A way to put off the ruin of Rome :

Nonius: 'Protollere' means to put off. Lucilius in the first book of the *Satires*—

if not longer, yet at least to see if he might put this off for one period.^d

9

Rome need not be punished :

Nonius: The accusative put instead of the ablative . . . — still they could perform their duty and keep safe the walls.

^c Or retaining *pactos*—'how he could . . . who had made a pledge.'

^d *i.e.* five years.

LUCILIUS

10

Nonius, 345, 1: 'Meret,' humillimum et sordidissimum quaestum capit. . . . Lucilius lib. I—

“ et mercedimerae legiones.”

cp. Porphy., ad Hor., *Epist.*, I, 3, 6.

11

Nonius, 161, 11: 'Popinones' vel hi quos nos dicimus tabernarios, a popinis, vel luxuriosi qui se popinis dunt. . . .—

“ infamem . . . turpemque odisse popinam.”

12

Nonius, 536, 15: 'Tunica' est vestimentum sine manicis . . . —

“ Praetextae ae tunicae Lydorum opus sordidulum omne,”

13

Nonius, 540, 26: 'Amphitapoe' vestes dicuntur utrimque habentes villos. Lucilius Satyrarum lib. I—

“ psilae atque amphitapi villis ingentibus molles.

cp. Isid., *Orig.*, XIX, 26, 5.

¹⁰ mercedimerae Nettleship mercede meras *cdd.* Porphyr. mercede meret religiones *cdd.* Nou. (relegiones Lu. 1)

¹¹ infamem I *cd.* 1476 famam inhonestam autem M infumam egestatem L *alii alia* infamam honestam *cdd.* fortasse *explanatio* 'inhonestam,' postea ipsa corrupta, secundum *versus vocabulum* (quaestum B vestem *coni.* Linds.) *detrusit*; fortasse scripsit *postea* famam inhonestatam; cp. Ov., *Trist.*, IV, 8, 19.

BOOK I

10

The evil ways of Rome of Lupus' time :

Nonius : 'Meret,' gets a very lowly and sordid profit . . .
Lucilius in bk. I has 'mercedimerac'—

“ and wage-earning brigades.”^a

11

The good old times :

Nonius : 'Popinones' are those whom we now call bar-loungers, from 'popinae,' or they are extravagant people who devote themselves to vitting-houses . . .—

“ and to hate the infamous and shameful vitting-house.

12

But now costly foreign wares bring luxury :

Nonius : 'Tunica' is a garment without sleeves . . .—

“ Bordered cloaks and underdress, all dirty mean workmanship of Lydians,”^b

13

Nonius : 'Amphitapoe' is the name given to coverings having nap-tufts on both sides . . .—

“ single-napped and soft double-napped coverlets with huge tufts.”

^a Porphyrio interprets the words of the fragment as applying, without contempt, to the army. I believe they are scornful words. Might they apply to clients?

^b Result of the bequeathing by Attalus III of his kingdom to Rome, 133 B.C.—cf. Cichor., 228-9.

¹² sordidulum Dousa (I.) Sardibus Bergk sordidum
cdd. (sordidam Lu. 1)

LUCILIUS

14

Charisius, ap. *G.L.*, I, 118, 25 K: Nomina quaedam sunt, quae Plinius . . . patiendi vocat, ut aquale; nam Lucilius libro I saturarum—

“ ‘ arutaenae’que ” inquit “ aquales.”

15-6

Macrobius, *Sat.*, VI, 4, 18: Inseruit (Vergilius) operi suo et Graeca verba, sed non primus hoc ausus. . . . Lucilius in primo—

“ Porro ‘ clinopodas ’ ‘ lychnos’que ut diximus
semnos
anti ‘ pedes lecti ’ atque ‘ lucernas.’ ”

17

Nonius, 521, 27: ‘ Mira ’ et ‘ miracula ’ veteres pro mon-
stris vel horrendis ponebant . . . —

“ miracula † ciet † elephantas.

18

Nonius, 158, 6: ‘ Pausa ’ est quies alicuius rei . . . —

Haec ubi dicta dedit, pausam <dedit>ore loquendi.

cp. Verg., *Aen.*, I, 81; VI, 76.

19

Pseudo-Asconius, ad Cic., *de Div.*, 43: Incipiebant veteres,
ut Vergilius ostendit, aut ab invocatione deorum, . . . aut
reprehensione superioris temporis, ut ait Lucilius—

“ Vellem cumprimis, fieri si forte potisset, . . .

¹⁶ anti = ἀντί Mr. ante *cdd.*

¹⁷ miracula ciet tylyphantas M (*contra metrum*) ciet
elephanteis Mr. ciet elefantas (*vel telefantas Lu. G. Par.*
7666 *Lugd. Bamb.*) *cdd.* ciet et c. *Lu.* I ciet elefantas *Harl. Par.*
7667, *Escorial.* ciet lun. *fortasse* miracula cete | phalaenas

¹⁸ dedit *add.* Linds. <fecit>pausam ore Terzaghi

¹⁹ potissit Pistor petisset *ed princ.* trib. lib. I S

¹⁹⁻²² *coniunx. et trib. lib. I S*

BOOK I

14

Romans use Greek words instead of the good old Latin :

Charisius: There are certain nouns . . . which Pliny calls of the passive function, as 'aquale'; for example Lucilius in the first book of the *Satires*—

“ and the term ‘ draw-liquids ’ is used ” said he, “ for water-basins.”

15-6

Macrobius: Virgil inserted into his work even Greek words, but he was not the first to be so bold as to do this. . . . Lucilius in the first book—

“ And further, the way we said ‘ clinipods ’ and ‘ lustres ’ magnifically, instead of ‘ bed-feet ’ and ‘ lamps. ’ ” . . .

17

extraordinary sights :

Nonius: ‘ Mira ’ and ‘ miracula ’ (wonders) are terms which the old writers used to put for monsters or horrible things . . .—

“ marvels . . . elephants.”

18

End of a god's speech :

Nonius: ‘ Pausa ’ means rest from something . . .—

When he had said these words, he made a pause in his speaking.

19

Some god speaks of a former council :

Pseudo-Asconius: . . . The old writers, as Virgil shows, used to begin either with calling upon the gods, . . . or with a reproach of former times, as Lucilius has it—

“ Especially could I wish, if by chance it were possible, . . . ”

LUCILIUS

20-2

Iul. Rufinianus, *de Figuris Sententiarum* ap. *R.L.*, 46, 1 H :
'Epanalepsis,' repetitio sententiae . . . ; sic apud Lucilium—
"Vellem concilio vestrum, quod dicitis olim,
caelicolae, hic habitum, vellem adfuissemus priore
concilio.

23

Servius, ad *Aen.*, IV, 458 : 'Coniugis antiqui,' aut prioris
aut cari. *Serv. auct.* : Lucilius—
"Concilio antiquo sapiens vir solus fuisti."

24-7

Lactantius, *Divin. Instit.*, IV, 3, 12 : Et Iuppiter a pre-
cantibus pater vocatur et Saturnus et Ianus et Liber et ceteri
deinceps, quod Lucilius in deorum concilio inridet—

ut

nemo sit nostrum quin aut pater optimus divum,
aut Neptunus pater, Liber Saturnus pater, Mars
Ianus Quirinus pater siet ac dicatur ad unum."

28-9

Servius auctus, ad *Aen.*, III, 119 : Quidam pulcher Apollo
epitheton datum Apollini reprehendunt : pulchros enim a
veteribus exsoletos dictos ; nam et apud Lucilium Apollo
pulcher dici non vult.

Nonius, 258, 38 : 'Contendere' significat comparare . . . —

. . . "ut contendere possem

Thestiados Ladae atque Ixionies alochoco."

²⁰ vellem D (I.) vel *cdd.*

²¹ hic habitum vellem *suppl.* M *alii alia*

²³ *trib. lib. I* Van Heusde

²⁹ Ἰξιωνίης ἀλόχοιο Mereier ixiones alcholocheo *Lu. G*
eximone salcholocheo *Gen., Bern.* 83.

^a See pp. 4-5.

^b There may be a hit at Appius Claudius Pulcher, consul in
130 B.C.

BOOK I

20-2

Julius Rufinianus: 'Epanalepsis,' a repetition of a spoken thought . . . ; thus in Lucilius—

"I could wish that at that parliament of yourselves, which ye say, O denizens of heaven, was once held here,—that we had been present at that former parliament.

23

Servius, on 'coniugis antiqui' in Virgil: Either 'former' or 'dear consort.' *The augments add*: Lucilius—

"At that former parliament you were the only wise man."

24-7

Apollo speaks?

Lactantius: People at prayer call not only on Jupiter but also Saturn Janus Liber, and all the others in turn, as 'father'; Lucilius laughs at this in the "Council of the Gods"^a—

"so that there is not one of us who is not called 'father'; 'father' the best of the gods is called; Neptune also is 'father,' Liber and Saturn are 'father,' Mars, Janus, Quirinus are 'father'; one and all are called so."

28-9

Servius (supplemented) on a passage in Virgil: Some find fault with 'beautiful' Apollo as an epithet given to Apollo, saying that 'beautiful' was a term applied by old writers to debauched young men; for example even in Lucilius Apollo does not wish to be called 'beautiful' (or 'pretty').^b

Apollo speaks:

Nonius: 'Contendere' means to compare . . . —

"that I might be able to compare my beauty with that of Leda, Thestius' daughter, and with that of Ixion's wife."^c

^c Dia. Jupiter had been a lover of both her and Leda.

LUCILIUS

30-2

Iulius Rufinianus, *de Fig. Scent.*, 30 (*R.L.*, 45, 27 H): Enthymema fit cum periodos orationis ex contrariis sententiis astringitur. Apud Lucilium—

“ Si me nescire hoc nescis quod quaerere dico,
quare divinas quicquam? an tu quaerere debes
ipse? et si seis q. b. e. scire hoc d. t.”

33

Nonius, 5, 6: ‘Cinaedi’ dicti sunt apud veteres saltatores vel pantomimi. . . . —

“. . . ‘stulte saltatum te inter venisse cinaedos.’”

34

Donatus, ad Ter., *Andr.*, V, 4, 38: ‘Scirpus’ palustris res est levissima. Lucilius in primo—

“. . . nodum in scirpo, in sano facere ulcus.”

35

Lactantius, *Divin. Instit.*, V, 15, 3: Cuius in disserendo quae vis fuerit, quae eloquentia, quod acumen, qui nescit ipsum, ex praedicatione Ciceronis intellet, aut Lucilii, apud quem disserens Neptunus de re difficillima ostendit non posse id explicari—

non Carneaden si ipsum Orcus remittat.”

³¹ an tu M aut *cdd.* quaerere Gesner quare
cdd. aut quare sapis ipse? Leo

³² quod bellum est scire; hoc dare tempta M quod bonum
erit scire hoc dare tute L quare bonus es? scire hoc dabis?
tempta Leo, *G.G.A.*, 1906, (i) 843 *trib. lib. I* Becker

³⁴ <qui vultis> nodum Terzaghi

^a This is conjectural; in the Latin text of Rufinianus, of five of the words the initial letter only is given.

^b proverbial. A hit at G. Gracchus against whom Scipio used the same proverb (Macrob., *S.*, III, 14, 16).

BOOK I

30-2

A god in perplexity questions Apollo? :

Julius Rufinianus : An 'enthymema' comes about when a period of speech is bound together from contrary thoughts. In a passage of Lucilius—

"If you do not know that I do not know that which, I tell you, I am asking, why do you utter any prophecy? Ought you yourself to be asking? And if you know what it is good to know, then try to tell it!"^a

33

A god alludes to Apollo's (or Lupus'?) past? :

Nonius : 'Cinaedi' is a term which was used by the ancients for dancers or *ballerini* . . . —

". . . that you like a fool went among the low debauchees to dance."^b

34

In defence :

Donatus : 'Scirpus' (bulrush) of the marshes is something very smooth. Lucilius in the first book—

". . . "to make a knot in a bulrush, a sore on a sound body."^c

35

Neptune speaks :

Lactantius : The force, eloquence, and acuteness of Carneades in discussion will become clearer, to one who does not know the man's works themselves, from the compliments of Cicero or of Lucilius, in whom Neptune discussing about a difficult matter represents that it cannot be unravelled—

"not if the Lower World should send back Carneades himself."^d

^c Housman, *C.Q.*, I, 56.

^d Carneades (who died in 129) could argue both sides of a question, as he did in Rome in 155-4 B.C.

LUCILIUS

36

Isidorus, *de differ. verb.*, I, 589: Lucilius haec quasi distinguens ait—

“ Quae facies, qui vultus viro ?

37

Nonius 427, I: ‘ Vultus ’ et ‘ facies ’ . . . —

“ Vultus item ut facies, mors, icterus morbus, venenum.”

38

Charisius, ap. *G.L.*, I, 98 3 K: ‘ Vultur ’ dixit Vergilius in VI, sed et ‘ Vulturius ’ Lucilius in I.

39–41

Donatus, ad Ter., *Eun.*, IV, 5, 8: ‘ Iam dudum, aetatem,’ pro longinquo tempore. Lucilius — et Nonius, 174, 26: ‘ Scelerosi ’ pro scelerati . . . —

“ ut multos mensesque diesque,
non tamen aetatem, tempestatem hanc scelerosi
mirentur.”

42–5

Iulius Rufinianus, *de Fig. Sent.* 26. *R.L.*, 45, 6 H: ‘ Epagoge.’ Fit haec ex rerum similium collatione vel

³⁶ *trib. lib.* I Mr.

³⁷ icterus S acer L teter Passerat cetera M
ceter Stowasser citera Harl. Par. 7667 Escorial. citer rell.

³⁶⁻⁷ *coniunx.* M

³⁹⁻⁴¹ ut . . . aetatem *Donat.* non . . . mirentur *Non.*

BOOK I

36

Description of the accused :

Isidore, on 'facies' and 'vultus': It is one may say for the sake of distinction that Lucilius says the following—

“ What sort 's the man's face, and what his countenance? ”

37

Nonius: 'Countenance' and 'face' ^a . . . —

“ His countenance is like his face—it's death, jaundice-disease, poison.”

38

Charisius, in *G.L.*, I, 98, 3 K: 'Vultur' is the form used by Virgil in (book) VI and we have even 'Vulturius' for 'Vulture' in Lucilius, (book) I.

39-41

The trouble about Lupus?

Donatus: 'Some time now; an age ago' instead of 'for a long time.' Lucilius . . . combined with Nonius: 'Scelesosi' for 'scelerati' . . . —

“ so that for many days and months, but still not for a life-time, may the villains marvel at this storm.” ^b

42-5

Julius Rufinianus: 'Epagoge.' This comes about by conjoining two similar things or themes, keeping however a

^a Nonius says that 'vultus' is the expression of the mind's condition as seen in the 'facies,' the mere face.

^b Cf. P. Moeller, *Dios conciliantes qua ratione Lucilius in libro primo aliiue finxerint*, 33.

LUCILIUS

argumentorum, salva tamen similitudine. Rerum. . . .
Argumentorum autem, ut Lucilius—

“ Nam si tu fluctus undasque e gurgite salso
tollere decreris, venti prius Emathii vim,
ventum, inquam, tollas t. e. q. i.
l.”

46

Varro, *de L.L.*, VII, 47: Apud Lucilium . . . —
Occidunt, Lupe, saperdae te et iura siluri!
. . . piscium nomina sunt, eorumque in Graecia origo.

Sat. III.

The following fragments from the first book would seem to be remnants of a separate satire on contemporary life, suggested perhaps by the satire which described the fate of

47

Diomedes, ap. *G.L.*, I, 486, 11 K: Alii dietam putant a lege satura, quae uno rogatu multa simul comprehendat, quod scilicet et satura carmine multa poemata comprehenduntur; cuius saturae legis Lucilius meminit in primo—

per saturam aedilem factum qui legibus solvat.

⁴³ Emathii vim L haematium *cdd.*

⁴⁴⁻⁵ tum cuneta quicta iacebunt | litora H *alii alia trib.*
lib. I Becker

⁴⁶ Lupe saperdae te T lupes aper de te *cdd.*

^a Housman, *C.Q.*, I, 148. The Latin gives only the initial letter of each of the last five words. Emathia was a part of Macedonia.

^b I take this as a forecast, by a god, of Lupus' death and suggest two puns:—(a) on Lupus, *lupus*, a greedy kind of

BOOK I

likeness between them. Of things . . . And of themes, for example Lucilius—

“ For if thou (, Jupiter,) shouldst decide to abolish the billows and the waves from the swirling salt sea, abolish thou first the blast of the Emathian wind,—the wind, I say—then will all the shores lie still.”^a

46

On the fate of Lupus :

Varro : In a passage of Lucilius . . . —

“ O Bass, juices of the salt herring and the sheat-fish are the death of you ! ”^b

. . . These are names of fish and their origin is in Greece.

Sat. III.

Lupus. I put these fragments after the *concilium deorum* because such an order is suggested by the order of two citations in Nonius, namely of lines 8 and 50-1.

47

Diomedes : Others think that the term (*satura*) is derived from a tacked law, which includes many things at once in one bill, for to be sure, in a piece of satiric song also, many poems at once are included. Of this tacked law Lucilius makes mention in his first book—

who may absolve from the laws an aedile elected by tacked procedure.^c

fish (a bass?) in contrast with the herring and the sheat-fish; (b) on *ius, iura*, ‘sauce’ or ‘soup’ and *ius, iura*, ‘justice’ (cp. Cic., *Verr.*, II, 1, 46, 121) which the smaller fry in the end exercise on the giant.

^c The words of this line can be connected in various ways, and we do not know what Lucilius meant. For various views see Cichor, 234-6; Leo, *H.*, XXIV, 69, n. 3; Ullman, *C.P.* VIII, 178 ff.; Kappelmacher, in Pauly-Wissowa, s.v. Lucilius (4), 1035; Terzaghi, ed. *Luc. Sat.*, p. 3.

LUCILIUS

48-9

Nonius, 500, 18 : Ablativus pro genetivo . . . —

Porro quacumque et cuicumque, ut diximus ante obstiterit primo, † hoc minuendi † refert res.

50-1

Nonius, 159, 29 : 'Priva' significat singula. Lucilius satyrarum lib. I et Gellius, X, 20, 4 : Veteres priva dixerunt quae nos singula dicimus; quo verbo Lucilius in primo Satirarum libro usus est—

“ ad cenam adducam, et primum hisce abdomina tunni advenientibus priva dabo cephalaeaque acarnae.”

Cp. Non., 35, 20.

52

Nonius, 117, 17 : 'Gangraena' est cancer . . . —
serpere uti gangraena mala atque herpestica posset.

LIBER II

This book contained, it seems, one satire only, a parody of the trial of the jurist Quintus Mucius Scaevola, accused in 119 or during the first half of 118 B.C. by Titus Albucius on a charge of extortion in Asia. (Cichorius, 237 ff. Marx, proleg.,

53

Schol. Veron., ad *Aen.*, II, 81 : Lucilius in II—

Fandam atque auditam iterabimus famam.

⁴⁸ quacumque et W quacumque it M queicumque
Mr. quaccumque (*cdd.*) est L et quicumque Linds.

⁴⁹ minuendae intentus refert re Mr.

⁵⁰⁻¹ ad . . . dabo *Non.* 159 abdomina . . . acarnae *Gell.*

⁵² mala D (F.) malo *cdd.* malum Mr. adquem
Lu. atque *rell.*

⁵³ famam *add.* Keil

BOOK II

48-9

Nonius : Ablative instead of genitive ^a . . . —

Further, wherever and in whosoever's way he stands first as we said before, . . . he tells the news.

50-1

Nonius : 'Priva' means individual. Lucilius in bk. I of the *Satires*—combined with Gellius : The old writers used the term 'priva' for things which we call 'singula' (single, one to each); it is a word which Lucilius used in the first book of the *Satires*—

"I'll bring them to dinner, and when they reach their places, I'll begin by giving them tunny's paunch, one each, and some heads of sea-perch."

52

Nonius : 'Gangraena' is a canker ^b . . . —

so that the horrible creeping gangrene could come crawling.

BOOK II

XLII ff.). I tentatively distinguish the speakers thus: Albucius, against Scaevola (A), and against witnesses (A.w.); Scaevola, invective (S), and defence (S.d.).

53

Lucilius announces :

Scholiast on Virgil : Lucilius in the second book—

We will tell you again a tale that may be told—a tale already often heard.

^a the quotation is corrupt at the end, so that we cannot tell what Nonius found or took as ablative for genitive.

^b Not cancer, but creeping gangrene.

LUCILIUS

54-5

Nonius, 291, 34 : 'Elidere' etiam excludere significat. . . .
Lucilius Satyrarum lib. II—

"iniuriatum hunc in fauces invasse animamque
elisisse illi'

56

Nonius, 37, 9 : 'Monogrammi' dicti sunt homines macie
pertenues ac decolores : tractum a pictura, quae prius quam
coloribus corporatur umbra fingitur . . . —

" vix vivo homini ac monogrammo.'

57

Nonius, 129, 27 : 'Inpuno' . . . inpudens . . . —

" Homo inpuratus et inpuno est rapinator.

ep. Nonius, 167, 19.

58-9

Priscianus, ap. *G.L.*, II, 483, 24 K : 'Occido' occasus
ὁ δύνας . . . —

" quae horis sublata duabus
omnia sunt sole occaso noctuque."

60

Nonius, 539, 17 : 'Rica' est quod nos sudarium dicimus
. . . —

" chirodyti aurati, ricae, toracia, mitrae.

⁵⁴ inpuratum Muret

⁵⁵ elisisse *vel* elisse *cdd.*

⁵⁷ rapister *Non.* 129 homo inpudicus et impune est
rapinator *Non.* 167 (*s.v.* rapinatores) estque rapister Mr.
estne M et est impune rapister Leo

⁵⁹ occaso noctuque ο -- W ductoque *Prisc.* obduc-
toque tenebris D(I.) abductoque *coni.* M ductu huius
manuque *coni.* Leo

⁶⁰ chirodyti Mr. chirodoti Bouterwek hrodyty,
hrodeti *cdd.* ricae Carrio thoracia Roth cice et
oracia *Lu. Harl. al.* cae et oracia *G.*

BOOK II

54-5

Accusations made by Albucius ; assault and battery :

Nonius: 'Elidere' (knock out, crush out) means even to exclude. . . . Lucilius in the second book of the *Satires*—

(A) "that this wrong-doer made for his gullet, winded him, and knocked him out"^a

56

Nonius: 'Monogrammi' is a term applied to men who are very thin with leanness and have no colour; and it is derived from a painting which is sketched in outline before it is given body by means of colours . . . —

(A) "a mere outline"^b of a man, hardly alive."

57

Scaevola is a robber :

Nonius: 'Inpuno' . . . impudent^c . . . —

(A) "He's a foul wretch and a foot-pad, going scot-free too."

58-9

His larceny or burglary, and other misdeeds :

Priscianus: 'Occido,' aorist-perfect participle masculine 'occasus,' in Greek *ὁ δύναις* . . . —

(A) "all of which were made away with within two hours after sun set and by night."

60

Nonius: 'Rica' (*really* a veil for the head) is what we call a handkerchief . . . —

(A) "golden-buckled sleeved tunics, headveils, bodices, headbands."

^a Or, worse still, 'crushed out his life.'

^b Or 'a mere sketch.'

^c But Nonius and his source are wrong; *inpuno* (from an otherwise unknown word *impunus*) must mean without penalty. The reading *rapinator* (which should be *rapinator*) is suspect.

LUCILIUS

61

Nonius, 187, 17: 'Bulga,' *capacitas vel sinus sum laxitate*
... —

"in bulgam penetrare pilosam.

62

Nonius, 65, 24: 'Natrices' dicuntur angues natantes... —
"Si natibus natricem impressit crassam et capitam,"

63

Glossar. cod. Vat. ap. *C. G.L.*, IV, 18: 'Pedicum,' vicium mollitiae... —

"Pedicum. . . iam excoquit omne.

64-5

Nonius, 10, 10: 'Inlex' et 'exlex' est qui sine lege vivat... —

"Non dico 'vincat licet'; et vagus exul et erret exlex.

66

Charisius, ap. *G.L.*, I, 82, 5 K: Iuris consultus dici debet, non iure consultus; licet... Lucilius II—

"ut iure peritus.

⁶⁴⁻⁵ Leo, *G.G. A.*, 1906, (i), 844-5, exulet erret *Non.* vivat Mr.

⁶⁶ iure | consultus Mr.

^a clearly *pēdicum παιδικόν*. Marx cannot be right; he lengthens the e but connects the word with *pēdis* a louse. In the quotation there has dropped out the word or words causing the elision of *um* in *pēdicum*.

BOOK II

61

Nonius: 'Bulga' (bag), a capacious receptacle or hollow having loose roominess . . . —

(A) "to penetrate into a hairy bag."

62

Nonius: 'Natrices' is a term applied to water-snakes . . . —

(A) "If he has marked his buttocks with a writher, thick and headed,

63

Recovery from the effects of vice? :

A glossary has: 'Pedicum,' a vice of wantonness . . . —

(A) By then he burns out all lust for boys."^a

64-5

Let Scaevola be sentenced:

Nonius: A man who is 'inlex' and 'exlex' is one who lives without the law . . . —

(A) "I do *not* say 'let him win his case'; no, let him be an exiled vagabond and an outlawed wanderer."^b

66

His skill:

Charisius: We ought to say 'iuris consultus' not 'iure consultus,' although it is true that . . . Lucilius in the second book has 'iure peritus'—

(A) "like one skilled in law.

^b right translation uncertain.

LUCILIUS

67-9

Nonius, 10, 27: 'Lurehare' est cum aviditate cibum sumere . . . —

“ Nam quid moetino subiectoque huic opus signo?
Ut lucaretur lardum et carnaria fartim
conficeret? ”

70

Nonius, 10, 27: 'Lureones' dieti sunt a lurchando . . . —

“ Vivite lureones, comedones, vivite ventris! ”

cp. Donat. ad Ter., *Phorm.*, V, 8, 95.

71-2

Nonius, 25, 14: 'Catax' dicitur quem nunc coxonem vocant . . . —

“ Hostilius contra
pestem permitemque catax quam et Manlius
nobis . . . ”

cp. Nonius, 218, 32.

73-4

Nonius, 4, 18: 'Capulum' dicitur quidquid aliam rem intra se capit . . . —

“ Quom illi vidissent Hortensius Postumiusque
ceteri item in capulo hunc non esse aliumque cubare,

⁶⁷ subiecto *cdd.* subrecto D (F.)

⁶⁸ fartim *Flor.* 3 *Par.* 7666 *al.* furtim T parum *Lu.* 1
fartim parum *G.* f. porro M partum L

⁷⁰ *Non.*, 10, 27: 'Lureones' . . . lib. V *Non.* II *Donat.*

⁷¹ Hostiliu' Gerlach hostibus Dousa (I.) hostibimus
Palmer (*Spic.*) hostilibus *cdd.*

⁷² Maniu' Mr.

⁷³ quem illi cum *cdd.* quem cum Iun. quom illic
Mr. quom illico Linds.

BOOK II

67-9

Think of his mascot, and his gluttony :

Nonius : 'Lurchare' means to take food with greediness . . . —

(A) " For what need had he of a phallic emblem ^a thus affixed? That he might stuff himself by guzzling up bacon-fat and stripping meat-hooks? "

70

and of the gluttony of his friends :

Nonius : 'Lurcones' are so called from 'lurchare' . . . —

(A) " Good living to you, you gluttons, you guzzlers, good living to you, you bellies! "

71-2

Questioning of Albucius' witnesses? :

Nonius : By 'catax' (limping) is meant he whom they now call 'coxo' (hobbling) . . . —

(S.d.) " On the other hand, the wrack and ruin which Hostilius and limping ^b Manlius try to bring upon us, "

73-4

The incident of the assault (in Asia) :

Nonius : 'Capulum' (coffin, tomb) is a term applied to anything which 'capit,' takes, another thing inside itself . . . —

(S.d.) " When they, Hortensius and Postumius and the rest of them too, saw that in the coffin there lay not this man but another, ^c

^a *i.e.* a scare-goblin. cf. Marx, XLIII-XLV; Cichor., *Untersuch.*, 240-1.

^b But *catax* may be another proper name here; cf. Cichorius, 249 ff.

^c The victim had perhaps carried out a sham funeral in order to obtain compensation—Cichor., 243.

LUCILIUS

75

Nonius, 261, 29 : ‘ Circumferre ’ est proprie lustrare . . . —
“ Tum facta omnia, sum circumlatus.”

76

Nonius, 335, 16 : ‘ Lustrare ’ . . . —
“ lustratus, piatus.”

77

Nonius, 268, 1 : ‘ Coicere,’ furari, auferre . . . —
“ Quid dicis? cur est factum quod coicis istuc? ”

78-9

Nonius, 102, 7 : ‘ Excantare ’ significat excludere . . . —
“ quae ego nunc huic Aemilio praecanto atque exigo et excanto.”

80-1

Nonius, 102, 19 : ‘ Exculpere ’ est extorquere . . . —
“ Nunc Nomentani quae ex testibus ipse rogando exculpo, haec dicam.”

⁷⁵ facta *vel* facto *cdd.* farto Iun. farto Mr. sunt circumlatus *cdd.* (sum Bern. 83) circumlata Iun.

⁷⁷ quod *cdd.* (quo Escorial.) quor *coni.* Mr.

⁷⁸ huic *add.* M praecanto *cdd.* atque praecanto Mr.

⁸⁰ nunc Nomentani quae S nunc in nomen iam, quae M
(*qui et n. n. i., Quinte coni.*) nunc nomen iam iam quae
Leo nunc nomen iamque *cdd.*

BOOK II

75

Nonius : 'Circumferre' properly means to cleanse . . .
(*S.d.*) "Then all was done aright, I was purified."^a

76

Nonius : 'Lustrare' . . . —
(*S.d.*) "cleansed, made pure."

77

The charges of thieving? :

Nonius (*utterly mistaking the meaning of 'coicere'*):
'Coicere,' to steal, take away . . . —

(*S.d.*) "What say you? Why comes it that you make that charge?"

78-9

Questioning of witnesses by Albucius.

He questions Aemilius, witness in favour of Scaevola :

Nonius : 'Excantare' (to charm out by song) means
'excludere' . . . —

(*A.w.*) "which I now fore-chant to Aemilius here,
which I force out and chant out.

80-1

*Albucius questions the witnesses of L. Atilius Nomentanus?
accused with Scaevola? :*

Nonius : 'Exculpere' means to twist out . . . —

(*A.w.*) "And now you will hear from me all that I
can gouge out of Nomentanus' witnesses by ques-
tioning him myself."^b

^a Scaevola perhaps humorously alleges that he was purified
of blood-guilt—Cichor, 242, 244. But cf. also Marx, pp.
30-2.

^b Cichor., 244-6, Fiske, *Lucilius and Horace*, 327.

LUCILIUS

82

Donatus, ad Ter., *Phorm.*, 1, 2, 73: 'Qui' utinam est, ut Lucilius in II—

“ Qui te, Nomentane, malum di— ” ad cetera pergit.

83

Porphyrrio, ad Hor., *S.*, I, 7, 23: 'Cohortem' comites dicit Bruti, qui in consilio eius erant. Sic et Lucilius ait—

ut praetoris cohors et Nostius dixit aruspex.

84-6

Cicero, *de Orat.*, III, 43, 171: Conlocationis est componere et struere verba sic ut neve asper eorum concursus neve hiuleus sit, sed quodam modo coagmentatus et levis. In quo lepide soceri mei persona lusit is qui elegantissime id facere potuit, Lucilius—

“ Quam lepide lexis conpostae ut tesserulae omnes arte pavimento atque emblemate vermiculato!

quae cum dixisset in Albucium inludens, ne a me quidem abstinuit—

“ Crassum habeo generum, ne rhetoricoterus tu seis.

Cp. Cic., *Or.*, 44, 149; *Brut.*, 79, 274; Non., 188, 20; Plin., XXXVI, 185; Quintil., IX, 4, 113.

⁸² qui . . . di C 244-6 (di *post* qui B) qui te mons montane mali—tum ad *e. q. s.* Leo qui te montane malum ad cetera pergit *Donat.*

⁸³ *trib. lib. XI B, lib. XIV M*

BOOK II

82

Donatus : ' Qui ' means ' would that,' for example Lucilius in the second (book)—

(*A.w.*) " Would that, Nomentanus, you the gods to hell "—and he went on to the rest of it.

83

(*The following might belong to this trial*) :

Porphyrio : By ' cohorts ' he means the companions of Brutus who belonged to his council. Thus Lucilius also says—

as the praetor's train and Nostius the soothsayer said.

84-6

Scaevola in an ' altercation ' with Albucius.

Scaevola mocks at Albucius' oratory with its Greek terms :

Cicero : It is the function of arrangement to put together and to build up one's words in such a way that their combination is neither rough nor gaping, but one might say glued together and smooth. In which connexion, in the character of my father-in-law, he who could do it most elegantly, namely Lucilius, made charming play—

(S) " How charmingly are *ses dits* put together—artfully like all the little stone dice of mosaic in a paved floor or in an inlay of wriggly pattern!

and when he had spoken that, making play of Albucius, he did not keep his tongue off even me—

(S) " Crassus ^a have I as son-in-law, lest you be too much *l'orateur*.

^a *i.e.* Lucius Licinius Crassus, born in 140 B.C.; accused C. Carbo in 119. *lexis* = λέξεις, ' words,' ' phrases.'

LUCILIUS

87-93

Cicero, *de Fin.*, I, 3, 8: Res . . . bonas, verbis electis graviter ornatque dictas, quis non legat? Nisi qui se plane Graecum dici velit, ut a Scaevola est praetore salutatus Athenis Albucius. Quem quidem locum cum multa venustate et omni sale idem Lucilius, apud quem praeclare Scaevola—

“ Graecum te, Albuci, quam Romanum atque
Sabinum

municipem Ponti, Tritani, centurionum,
praeclarorum hominum ac primorum signiferumque,
maluisti dici. Graece ergo praetor Athenis,
id quod maluisti te, cum ad me accedis, saluto :

‘ chaere ’ inquam ‘ Tite. ’ Lictores, turma omnis
chorusque :

‘ chaere Tite. ’ Hinc hostis mi Albucius, hinc
inimicus ! ”

LIBER III

This book also, it seems, contained only one satire, in the form of a letter to a friend (Scipio, or Mummius?—Lafaye, *Rev. de Phil.*, XXXV, 22) and describing an outward journey which Lucilius took from Rome between 120 and 116 B.C., probably in order to visit some estates of his in Southern Italy and in Sicily. Cichorius, 251-261 argues that the book

Porphyrio, ad Hor., *S.*, I, 5, 1 : Lucilio hac satura aemulatur Horatius iter suum a Roma Brundisium usque describens, quod et ille in tertio libro fecit, primo a Roma Capuam usque, et inde fretum Siciliense.

⁹² cohorsque *coni.* Manutius

BOOK III

87-93

Albucius a hellenomaniac : joke played on him by Scaevola's cohorts at Athens—cause of Albucius' hatred of him :

Cicero : As for good themes, spoken with dignity and beauty with choice words, who would not read them? Unless it be one who wants himself to be called downright Greek, just as Albucius was greeted at Athens by Scaevola the praetor. An anecdote indeed which, with much neatness and all wit our same Lucilius gives us; in a passage of his Scaevola speaks thus brilliantly—

(S) “ You have preferred to be called a Greek, Albucius, rather than a Roman and a Sabine, a fellow-townsmen of the centurions Pontius and Tritanus, famous and foremost men, yes, standard-bearers. Therefore I as praetor greet you at Athens in Greek, when you approach me, just as you preferred. ‘ Good-cheer, Titus,’ say I in Greek. ‘ Good-cheer ’ say the attendants, all my troop and band. That’s why Albucius is foe to me; that’s why he’s an enemy! ”

BOOK III

contained not only the account to a friend of the journey actually taken, but also a separate *propempticon* (farewell poem) to the same friend for a future journey as well, the fragments of this being distinguishable by the use of the second person. My view is that this advice to a friend is given by the poet in the course of the narrative of the journey.

Porphyrio on Horace’s first satire : Horace in this satire tries to rival Lucilius by describing his journey from Rome to Brundisium, which the latter satirist also did in his third book, first from Rome as far as Capua, and thence to the Sicilian Strait.

LUCILIUS

94-5

Nonius, 475, 20: 'Partiret' pro partiretur. . . . Lucilius lib. III—

Tu partem laudis caperes, tu gaudia mecum
partisses.

96-7

Nonius, 63, 4: Est . . . gruma mensura quaedam, qua
fixa viae ad lineam diriguntur, ut est agrimensorum et talium.
. . . —

viamque

degrumavisti ut castris mensor facit olim?

98

Nonius, 489, 11: Ab eo quod est labos labosum facit, non
laboriosum. Lucilius satyrarum lib. III—

Praeterea omne iter est hoc labosum atque lutosum.

99-100

Nonius, 150, 18: 'Praecox' et 'praecoca' quod est
immatura . . . —

annicula aspera equa atque

praecoca.

101

Porphyrio, ad Hor. *S.*, I, 6, 106: 'Mantica cui lumbos
onere ulceret.' Mantica pera est, sed hoc ex Luciliano illo
sumptum est—

Mantica cantheri costas gravitate premebat.

⁹⁷ degrumavisti W degrumatus Onions degrumabis
Mercier ut in Merula uti Mr., Onions viamque
degrumavis ut castris *edd.*

⁹⁸ lamosum Keller

⁹⁹⁻¹⁰⁰ aspera equa atque | praecoca H, *C.Q.*, I, 148-9
annicula *v. cd. Dousae, ed. ann. 1471* annicula aspera atque
praecox *edd.*; *vide Linds.*

¹⁰¹ *trib. lib. III D(I.)*

BOOK III

94-5

Address by the poet to his friend (mock grand style ?) :

Nonius : 'Partiret' for 'partiretur.' . . . Lucilius in bk. III—

You too would be taking a part of the renown that is mine, you would have shared the joys with me.

96-7

Marking rest-places on a map before leaving Rome ?

Nonius : The 'gruma' is a certain measuring instrument by which, when set up, roads are set to a straight line; it is used for example by land-surveyors and the like . . . —

and have you levelled off the road as sometimes a camp-surveyor does in a camp?

98

A. To Capua

Lucilius and company have started out ; a bad bit of road :

Nonius (*mistaking the quantity of the first syllable of 'labosum'*): Lucilius in the third book of the Satires makes, from the word 'labos,' 'labosum' not 'laboriosum—'

Moreover the whole of this journey is slippery and slimy.

99-100

Means of travel ? :

Nonius : 'Praecox' and 'praecoca,' which means unripe . . . —

a bucking young yearling filly.

101

Heavy load of one of the pack-animals :

Porphyrio, on 'whose loins a portmanteau chafes with its load' in Horace: 'Mantica' is a bag; and this is taken from that well-known theme of Lucilius—

The portmanteau pressed heavily on the mule's^a ribs.

^a or, gelding's.

33

LUCILIUS

102-5

Gellius, XVI, 9, 3: Significat 'susque deque ferre' animo aequo esse et quod accidit non magni pendere atque interdum negligere et contemnere . . . —

Verum haec ludus ibi, susque omnia deque fuerunt, susque haec deque fuere inquam omnia ludus iocusque;

illud opus durum, ut Setinum accessimus finem,
αἰγίλιποι montes, Aetnae omnes, asperi Athones.

106 -

Iulius Romanus, ap. Charis., *G.L.*, I, 203, 20 K: 'Longe' pro longitudine . . . —

<Vulturnus Capua> longe III milia passum.

ep. [Asconius] ad Cic. *Verr.*, Act. II, lib. I, 125, p. 193.

107-8

Nonius, 396, 13: 'Sumere' etiam significat eligere . . . —
'et spatium curando corpori honestum sumemus.'

109-10

Nonius, 25, 22: 'Bronci' sunt producto ore et dentibus prominentibus . . . —

'Broncus Bovillanus dente adverso eminulo hic est rinoceros.'

¹⁰³ susque haec D(F.) susque ea B susque et *cdd.*

¹⁰⁵ αἰγίλιπες Francken *prob.* M

¹⁰⁶ terminus hic est | Vulturnus Capua Becker, *Phil.*, IV, 82 *sqq. coll.* [Ascon.] ad Cic., *Verr.*, Act. II., lib. I, 125, p. 193: eminens est Vulturnus Capua tria millia passuum

¹⁰⁷ corpori D(F.) corpore *cdd.*

¹⁰⁸ sumimus *coni.* Terzaghi

¹⁰⁹ broccus M Bovillanus T *alii alia* novit lanus *cdd.*

BOOK III

102-5

They reach Setia along the Appian Way :

Gellius : ‘Susque deque ^a ferre’ means to be of an even mind and to think of little weight anything which takes place, and now and then it means to neglect and despise . . . —

But there ^b all this was play and everything was free and easy, all this I say was free and easy, play and fun ; but when we reached the boundary of Setia—*that* was a hard business—goat-clambered mountains, all Aetnas and rugged Athoses.

106

Julius Romanus : ‘Longe’ instead of ‘longitudine’ . . . —

The Volturnus, three thousand paces distant from Capua.

107-8

They decide to stay at Capua : ^c

Nonius : ‘Sumere’ has also the meaning to choose . . . —

“and we’ll take a good breathing space to refresh our persons.”

109-10

B. At Capua, where they see a contest between two gladiators : ^d

Nonius : ‘Bronei’ are men who have a jutting jaw and prominent teeth . . . —

“This jut-mouth of Bovillae, with his one little projecting tooth, is a very rhinoceros.”

^a up and down, topsy-turvey, higgledy-piggledy.

^b on the Arician slope.

^c Thus Marx and others. At Cape Palinurus (see below) argues Cichor., 254.

^d There were two ‘schools’ (*ludi*) of gladiators at Capua.

LUCILIUS

111

Nonius, 217, 12 : ' Posticam ' feminino genere consuetudine appellamus . . . —

' Non peperit, verum postica parte profudit.'

112-13

Gellius, III, 14, 8 : Dimidium est non quod ipsum dimidiatum est sed quae ex dimidiato pars altera est . . . itaque Lucilius eadem secutus . . . —

' uno oculo, pedibusque duobus, dimidiatus, ut porcus.'

114

Priscianus, ap. *G.L.*, II, 501, 10 K : Deponentia in -rior desinentia . . . tam secundum tertiam quam secundum quartam coniugationem declinaverunt auctores . . . —

' Conturbare animam potis est quicumque adoritur.'

115-16

Donatus ad Ter., Phorm., I, 3, 11 : ' Amore abundas.' Abundare dicitur qui successu prospero affluit . . . —

Ille alter abundans
cum septem incolumis pinnis redit et recipit se.'

117

Nonius, 123, 25 : ' Incitas ' dicitur egestas . . . —
illud ad incita cum redit atque interneccionem,

¹¹¹ peperit *Flor.* 3

¹¹²⁻¹³ *lib. I trib.* Fiske (310, 363, n. 221), *lib. XV Corpet*

^a or ' like a halved pig,' hung up in a butcher's shop.

^b or ' confuse his senses ' ; cp. Lucretius, III, 483 (vemens violentia vini | conturbare animam consuevit); Cicero, *Tusc.*, III, 15 (conturbatus animus). But here perhaps it means ' knock the wind out,' ' knock the life out.' Possibly : ' He is able to knock the life out of anyone whosoever attacks him.'

BOOK III

111

Nonius : We habitually speak of 'postica' in the feminine gender . . . —

"She didn't *bring* him forth but from the hinder part she *sprawled* him forth."

112-3

Gellius : A half is not that which itself has been halved, but that which is one of the two parts of that which has been halved. . . . Therefore Lucilius following the same principle says—

"having one eye and two feet, halved like a pig." ^a

114

Priscianus : Authors have inflected deponent verbs ending in *rior* both in the third and in the fourth conjugation . . . —

'Whoever is the attacker can knock his senses out of him.' ^b

115-6

Donatus, on 'You billow over in love' in Terence : 'Abundare' is a term used of him who 'overflows' with prosperous success . . . —

"Look, one of the two, billowing over with seven feathers ^c lunges ^d again and withdraws unscathed."

117

Nonius : 'Incitas' is a term for 'egestas' . . . —

. . . "when yonder fight comes to a standstill, ^e to slaughter,"

^c This seems to refer to one of the fighters who, as a gladiator of the kind called *pinnirapi*, has torn several feathers from his rival's head-crest.

^d or *redit* may be the same as *recipit se*.

^e *incitae* (sc. *calces*), or *incita* (neuter), comes from *iucitus* and refers to pieces (on a gaming-board) which cannot be moved within the rules of the game.

LUCILIUS

118

Paulus, ex Fest., 88, 4: 'Minorem Delum' Puteolos esse dixerunt . . . municipium Graecum antea *Δικαιαρχία* vocitatum est. Unde Lucilius—

inde Dicarchitum populos Delumque minorem.

119

Servius auctus, ad *Aen.*, I, 244: 'Superare' nauticus sermo est. Lucilius—

. . . promontorium remis superamus Minervae.

120

Gellius, I, 16, 2: Lucilius in tertio satyrarum—
ad portam mille a portu est exinde Salernam.

'mille,' inquit, 'est,' non 'mille sunt.'

Cp. Macrob., *S.*, I, 5, 6.

121

Probus, ad Verg., *G.*, III, 146: Silarus flumen est Lucaniae. Portus Alburnus et eiusdem nominis mons ad sextum a Primis Tabernis. Mentionem facit Lucilius hoc versu—

Quattuor hinc Silari ad flumen portumque Alburnum.

^{118, 119, 121} *trib. lib. III D(I.)*

¹¹⁸ Dicarchitum Unger diciarchitum *vel* -icum *cdd.*

¹¹⁹ hinc p. Terzaghi

¹²⁰ portu Lafayette, *Rev. Phil.*, XXXV, 24 portam Gell.,
Macrob. sex inde *Macrob.* Salernam W (*adiectivum*; cp.
Sil., VIII, 853) Salernum *Macrob.* salternum *cdd.*
Gell. *alii alia*

BOOK III

118

C. Beyond Capua

The travellers go on to Puteoli :

Paulus : They said that Puteoli was ' Lesser Delos.' . . .
As a Greek country town Puteoli was formerly often called
by the name Dicaearchia. Whence Lucilius—

thence to the peoples ^a who form the Dicarchitae,
to Lesser Delos.

119

They go by sea from Puteoli, passing Cape Campanella :

Servius, supplemented : ' Superare ' is a sailors' word.
Lucilius—

Our oars doubled Minerva's headland.

120

They call at Salernum :

Gellius : Lucilius, in the third (book) of the Satires—

And then from Salernum's harbour to its gate
it is a thousand of paces.

writes ' it is a thousand,' not ' there are a thousand.'

121

They sail to Portus Alburnus :

Probus : Silarus is a river of Lucania. The haven Alburnus
and a mountain of the same name are about the sixth mile-
stone from Primae Tabernae (The First Inns). Lucilius makes
mention of them in this line—

From here four hours to Silarus' stream and
Alburnus Haven.

^a peoples—*i.e.* the original Greek inhabitants, and the
members of the Roman colony sent in 194 B.C. Dicarchitum =
Δικαρχίτων; Δικαρχία may have been a local form of the real
name Δικαιαρχία.

LUCILIUS

122

Servius auctus, ad *Aen.*, X, 244 : Alii more antiquo 'lux' pro luce accipiunt. . . . Lucilius in tertio—

Hinc media remis Palinurum pervenio nox.

123

Priscianus, ap. *G.L.*, II, 209, 6 K : 'Caupo,' 'caupona' . . . significat tam ipsam tabernam quam mulierem . . . —

caupona hic tamen una Syra . . .

124

Nonius, 20, 29 : 'Cernuus' dicitur proprie inclinatus, quasi quod terram cernat . . . —

Cernuus extemplo plantas convestit honestas.

125

Charisius ap. *G.L.*, I, 72, 6 K : 'Lignum' singulariter dici semper debet in multitudine . . . Lucilius III . . . idem in eodem ligna pluraliter dicit—

"Scindent hi ligna, videte."

126

Nonius, 216, 4 : 'Ostrea' generis feminini . . . —

Ostrea nulla fuit, non purpura, nulla peloris,

¹²⁵ scindent W (*fortasse* cudent) si dent Buecheler
seindunt vel findunt Mr. student *cd.* videte *cd.*
bipenne Mr. videre *ed. princ.*

^a or one inn, called 'The Syrian Hostess.' Virg., *Cop.*, I.

^b Thus Marx interprets *cernuus* (cf. Paul. ex Fest., 38, 42; Isid., Orig., XIX, 34, 13. We have *cernuus* again in Lucilius, Bk. XXVII, pp. 250-1). But *cernuus* comes really from the root kar, as *kápa*, *cercbrum*, *celsus*, etc., and Nonius'

BOOK III

122

Rowing brings them to Cape Palinuro by night ;

Servius (supplemented); Some, after the archaic manner, take the word 'lux' for 'luce.' . . . Lucilius in the third (book) has 'nox' for 'nocte.'

From here my oars brought me along to Palinurus at mid night.

123

But they find lodging ; their hostess :

Priscianus : 'Caupo,' 'caupona' ; . . . the latter means equally the inn and its mistress . . .—

still here one Syrian ^a hostess . . .

124

she puts on her shoes :

Nonius : 'Cernuus' is properly a term for bent over, as it were because the person looks at (*cernit*) the ground. . . .—

Forthwith the shoe ^b covered her pretty feet.

125

A fire is made ready ; the hostess speaks ? :

Charisius : 'Lignum' should always be used in the singular number in dealing with a quantity . . . Lucilius in book III . . . the same poet in the same book uses the plural form 'ligna'—

"These slaves will split some firewood. Look to it."

126

Simple fare is served :

Nonius : 'Ostrea' of the feminine gender . . .—

There was no oyster, no purple fish, no giant mussel, lemma implies a context with a man stooping. If so, the line refers to a male assistant of the hostess. 'Forthwith he stooping shoed his noble feet.' *Planta* is the sole of the foot. The diction is mock-tragic (hit at Accius?).

LUCILIUS

127

Charisius *ap. G.L.*, I, 72, 7 K: Fasces dicuntur asparagi quamvis asparagos pluraliter dicamus, ut Lucilius III—

asparagi nulli,

128-9

Scholl., ad Hor., *S.*, I, 3, 56: 'Incrustari' vas dicitur, cum aliquo vitioso succo inlinitur atque inquinatur, secundum quod et Lucilius in III—

nam mel regionibus illis
incrustatus calix rutai caulis habetur.

130

Nonius, 164, 26: 'Ructus' a ructando dictus . . . —

Exhalas tum acidus ex pectore ructus.

131

Nonius, 455, 37: 'Rictum' ferarum dici volunt, cum Titinius auctor sit etiam hominis dici debere . . . —

Malas tollimus nos atque utimur. . . rictu.

132

Nonius, 173, 11: 'Sententia' sensibilitas . . . —

Vertitur oenophori fundus, sententia nobis.

cp. Isid., *Orig.*, I, 35, 3; XX, 6, 1; Schol. ad Pers., *S.*, V, 140; Consent., *G.L.*, V, 345, 21 K.

¹²⁹ rutai L rutia, ruta *cdd.* *trib. lib. IV Acro*

¹³⁰ exhalans Terzaghi tam Mr.

¹³¹ utimus Rutgers

¹³² oenophoris *Non.*, *Isid.*, I *fortasse oenophorū*

BOOK III

127

Charisius : Men speak of bundles of asparagus, although we use the plural asparaguses, for example Lucilius in book III—
no asparaguses,

128-9

Scholiasts on 'incrustare' in Horace : A vessel is said to be incrustated when it is besmeared and made dirty with some foul moisture; in accordance with this Lucilius also says in the third book of the *Satires*—

. . . for in those regions the dirt-coated pot and the stalk of rue are esteemed as honey-sweet.

130

which brings indigestion :

Nonius : 'Ructus' is a term derived from 'ructare' (to belch) . . . —

Then you puff out sour belches from your chest.

131

But the travellers eat and drink heartily :

Nonius : They would have it that 'rictus' (open mouth) is a term applicable only to wild animals, though Titinius informs us that it should be used even of a man . . . —

We lift wide our jaws and regale with grin and gape.

132

Nonius : 'Sententia,' the same as 'sensibilitas' (feelings) . . . —

The bottom of the wine-holder was turned upside down, and so were our feelings.^a

^a *i.e.* the good wine caused us to change our intention of seeking a better inn? or to get drunk?

LUCILIUS

133-4

Nonius, 279, 24: 'Deponere' est desperare . . . —

Symmacus praeterea iam tum depostus bubuleus
expirans animam pulmonibus aeger agebat.

ep. Non. 38, 25.

135

Servius auctus, ad Verg., *Ecl.*, VI, 53: Apud veteres unus
quisque eo super quod iacebat 'fultus' dicebatur. Lucilius
in tertio—

et pulvino fultus.

136-7

Nonius, 489, 14: 'Nefantia' pro nefanda . . . —

Tantalus qui poenas, ob facta nefantia, poenas
pendit.

138-9

Diomedes, ap. *G.L.*: I, 376, 12 K: Expergitus dicitur qui
satiatus somno sponte evigilat. Unde et Lucilius ait—

Ergo

e somno pueros cum mane expergitus clamo,

Cp. Prisc. ap. *G.L.*, II, 513, 1 K: . . . (Lucilius in III . . .)

¹³³⁻⁴ depositus *cdd.* expirans *Non.* 38 (*s. v.* 'expirare')
exalans 279

¹³⁶⁻⁷ nefantia poenas pendit *cdd.* (*om.* poenas *Par.* 7665
Montepess. Or.) nefantia pronus pendit *Lafaye, Rev. Phil.*,
XXXV, 27

¹³⁸ ergo *vulg.* ego *Diomed. om. Prisc.*

¹³⁹ clamo *Diomed.* clamas *Prisc.*

BOOK III

133-4

Symmachus (? employed on one of *Lucilius*' estates) was ill :

Nonius : ' Deponere ' means to despair of . . . —

Besides this, *Symmachus* the ploughman was already by that time despaired of, sick in the lungs, breathing his last, giving up the ghost.^a

135

Servius (supplemented) : In the old writers everyone was said to be propped up (*fultus*) by that on which he might be lying. *Lucilius* in the third book—

and propped up by a pillow.

136-7

Trouble after eating and drinking too well ? :

Nonius : ' Nefantia ' instead of ' nefanda ' . . . —

Tantalus, who pays a penalty, yea a penalty, for his abominable deeds.

138-9

Dawn comes :

Diomedes : The term ' *expergitus* ' is applied to a man who, satiated with sleep, wakes up of his own accord. Whence also *Lucilius* says—

therefore when, awake from my sleep in the morning, I bawled for the slave-boys,

^a This fragment seems to fit best here. It is usually put earlier as giving the reason for *Lucilius*' journey—see Marx, and Cichor., 252, F. 315.

LUCILIUS

140-1

Nonius, 266, 21 : 'Commodum,' integrum, totum.
Lucilius—

bis quina octogena videbis
commoda te, Capua quinquaginta atque ducenta.

142

Porphyrio, ad Hor. *S.*, I, 10, 30 : 'Bilinguis' dicitur,
quoniam utraque lingua usi sunt. . . . Ennius et Lucilius—

Bruttace bilingui.

Cp. Paulus, ex Festo, 25, 20.

143-5

Probus ad Verg., *Ecl.*, 326, 17 H : Facelitis autem Dianae
Lucilius quoque in tertio satyrarum meminit sic—

et saepe quod ante
optasti, freta, Messanam, Regina videbis
moenia, tum Liparas, Facelinae templa Dianae.

146-7

Nonius, 21, 11 : 'Stricturae' . . . —

crebrae ut scintillae, in stricturis quod genus olim
ferventi ferro.

¹⁴⁰⁻¹ *trib. lib. III D (L.)*

¹⁴¹ *te cdd.* *tunc Mr.* *at e Linds.*

¹⁴² *trib. lib. III Mr.*

BOOK III

140-1

The travellers sail from Palinuro to a point in the Gulf of S. Eufemia :

Nonius : 'Commodum' (having full measure), complete, whole. Lucilius—

you will see that you have travelled twice eighty five thousand paces in full measure, and two hundred and fifty thousand paces from Capua.

142

The Bruttians :

Porphyrio, on 'bilinguis' in Horace : 'Bilinguis' is the term used because the Canusians spoke both languages (*Greek and Oscan*).^a . . . Ennius and Lucilius—

a Bruttian speaking two languages.

143-5

The travellers cross to the neighbourhood of Mylae :

Probus : Of Faceline Diana Lucilius also makes mention in the third book of the *Satires*, thus—

and, as you often expressed a wish to do, you will see the straits and Messina, the walls of Regium, and then the Liparae and the temple of Faceline Diana.

146-7

They see Stromboli in eruption as they sail^b pass^b by night :

Nonius : 'Stricturae' . . . —

as crowds of sparks, of the kind we see sometimes round lumps of metal when the iron is red hot.

^a Oscan, as shewn by Paul. ex Fest., 35.

^b Cf. Marx, *Rh. Mus.*, LXXV, 235-6.

LUCILIUS

148

Nonius, 206, 17 : ' Forum ' . . . masculini . . . —

Romanis ludis forus olim ornatus lucernis.

Cp. Charis., ap. *G.L.*, I, 71, 32 K.

Porphyrio, ad Hor., *S.*, I, 10, 53 : ' Nil comis tragici mutat Lucilius Acci ? ' Facit autem haec Lucilius cum alias, tum vel maxime in tertio libro.

LIBER IV

Sat. I.

We cannot very well trace any division of this book into several satires, but it seems to me that there were two—one on the simple city or country life of the poet's own day contrasted with the luxury of the towns, and another on a

149

Nonius, 206, 26 : ' Fulmentum. ' . . . feminino Lucilius . . . lib. IV—

Subicit huic fulcrum, fulmentas quattuor addit.

150-1

Nonius, 207, 27 : ' Genu ' . . . masculini . . . —

Haeret verticulis adfixum in posteriore parte atque articulis, nam ut nobis talus genusque est.

Cp. Fest., 564, 14, et Paul., ex F., 565, 4.

¹⁴⁹ subicit Saumaise sucit *cdd.* fulcrum *MS. Scal.*
soldum Mr. fuldum *cdd.*

BOOK IV

148

Comparison of the sight with the lamp-lit Roman forum :

Nonius : ' Forum . . . ' in the masculine . . . —

as at times the forum decked with lamps at the Roman games.

Lucilius in book III mocked Accius :

Porphyrio on Horace : ' Is there nothing of the tragic poet Accius which polite Lucilius would alter ? ' In fact Lucilius does this both elsewhere and especially in the third ^a book.

BOOK IV

Sat. I.

famous fight of gladiators. The book was written probably in 118 B.C. A scholiast tells us that Persius ' transferred ' his third satire, on the luxury and vices of the wealthy, from Lucilius' fourth book.

149

On the wastefulness of the rich in town : A. Simplicity of country-life ? Making a bedstead :

Nonius : ' Fulmentum. ' . . . Lucilius has it in the feminine . . . in the fourth book—

Under this he fixes a bed-post, and adds four supports.

150-1

Nonius : ' Genu ' . . . of the masculine ^b . . . —

It is fixed fast by sockets in the hind part and by joints, for it is as the ankle-bone and the knee are to us.

^a Except perhaps lines 124, 136-7, no fragments from this book can be taken as attacking Accius. Cp. Lafaye, *Rev. de Phil.*, XXXV, 26.

^b Marx thinks the fr. describes a man's neck-bone; it seems to carry on the making of a bedstead. *Genuis* is neuter.

LUCILIUS

152

Festus, 252, 1: 'Petimina' in humeris iumentorum ulcera. . . . Lucilius meminit quom ait—

ut petimen naso aut lumbos cervicibus tangat.

Eo nomine autem et inter duos armos suis quod est aut pectus appellari solitum testatur Naevius.

Cp. Paul., 253, 1.

153

Nonius, 16, 26: 'Succusare' est susum frequenter excutere . . . —

succusatoris taetri tardique caballi

Cp. Nonius, 86, 12 (. . . lib. II).

154

Festus, 454, 9: 'Stlembus' gravis, tar<dus, sicut Lucilius>—

Apulidac ped<ibus stlembi>.

Cp. Paul., 455, *fin.*

155

Nonius, 457, 7: 'Catuli' non solum canum diminutive, verum omnium animalium appellantur . . . —

concurreret agros, catulos fetumque ferai. . . .

¹⁵⁴ *trib. lib. III* Mr.

¹⁵⁵ ferai Mr. ferarum Pius ferat *cdd.*

BOOK IV

152

a hunter on a nag?

Festus: 'Petimina,'^a sores on the shoulders of beasts of burden. . . . Lucilius mentions them when he says—

so that the rider touches with his nose the horse's chest or with his nape the buttocks.

But that this word was habitually applied also to the breast or the space that lies between the two fore-quarters of a pig is testified by Naevius.

153

Nonius: 'Succusare' (jolt from underneath) means to jerk upwards again and again . . . —

of a jolter, a loathsome lazy nag

154

Festus: 'Stlembus' (dragging the feet), heavy, slow, as Lucilius says—

of Apulia, a foot-dragging beast.^b

155

encountering a wild beast with such a horse?

Nonius: 'Catuli' is a term applied diminutively to the young not only of dogs, but of all animals . . . —

were to ramble about the fields, and . . . cubs, the brood of a wild animal.

^a This passage of Festus is our only source for the word *petimen*. In spite of his statement here, I translate it according to his second explanation. For Naevius' passage cf. *Remains of Old Latin*, II, pp. 146-7.

^b *sc.* a horse, as Paulus shows. The form *Apulidae* is employed because it fits into a hexameter easily.

LUCILIUS

156

Festus, 488, 16 : S>pa<ra> parvissimi <generis iacula>
. . . Lucilius—

Tum spara, tum ru<mices portantur, tragula> porro.

Cp. Paul., 489, 11; Nonius, 224, 3.

157-8

Nonius, 477, 8 : ' Manducatur ' pro manducat —
Adsequitur nec opinantem, in caput insilit, ipsum
conmanducatur totum<complexa comestque>.

Cp. Non., 479, 1; 81, 29.

159-60

Servius auctus ad *Aen.*, X, 329 : Lucilius in IV—
“ Hi prae se portant mi ingentes munere pisces
triginta numero.”

161

Nonius, 208, 16 : ' Grues ' genere feminino —
Longior hic quam grus, grue tota, cum volat olim.

¹⁵⁶ *suppl. ex Paul.* murices *Paul.* ru<. . . *cd. Farn.*
L. XVIII mu *Farn.* IV, A3

¹⁵⁸ complexa comestque *add. ex 81*

¹⁵⁹ mi ingentes *Mr.* ingentes *edit.* mihi gentes *cd.*

¹⁶¹ congrus L grue *cd.* grege D (I.)

BOOK IV

156

and with small weapons :

Festus : 'Spara,' javelins of the smallest kind . . .
Lucilius—

Then were brought along curved bolts, and then
javelins, and further a strap-spear.^a

157-8

Nonius : 'Manducatur' for 'manducat' . . . —

She comes upon him by surprise, leaps upon his
head, envelops him, chews and gobbles him all up too.

159-60

B. Contrast of the town. Table-Luxury.

Rustic clients attend on a patron :^b

Servius (supplemented) : Lucilius in the fourth book—

These carry before them huge fishes for me thirty
in number, as a present.

161

a huge fish ? :

Nonius : 'Grues' in the feminine gender . . . —

This fellow's longer than a crane, than a whole
crane, when it is in flight, as often seen.^c

^a The weapons are hunting-weapons.

^b A passage in Persius, III, 74 ff. suggests the clients were
Marsians and others; Persius' third satire imitated Lucilius'
fourth book (see above, p. 49).

^c *i.e.* the fish is longer than a crane looks in flight. Perhaps
quam grus compares it with a crane walking, *grue tota* with a
crane stretched out in flight.

LUCILIUS

162-3

Nonius, 427, 8: 'Sebum' et 'unguentum' hanc habent diversitatem: sebum fit ex adipe ruminantium . . . —

“Tisiphone Tityi e pulmonibus atque adipe unguen-
excoctum attulit, Eumenidum sanctissima Erinys.”

164

Priscianus, ap. *G.L.*, II, 485, 19 K: 'Turgeo,' tursi . . . —
obtursi ebrius.

165

Priscianus, ap. *G.L.*, II, 522, 8 K: Vetustissimi . . .
etiam 'edo edis edit' dicebant correpta prima syllaba . . . —

“Qui edit se hic comedit me.”

166

Nonius, 158, 14: 'Puella' pueros . . . —

“cumque hic tam formosus homo ac te dignus
puellus.

Cp. *Fest.*, 324, 15; *Suet.* ap. *Priscian.*, ap. *G.L.*, II, 231,
23 K.

<p>¹⁶²⁻³ Tityi e Mr. Mercier adirem <i>cdd.</i> Eumenidibus <i>cdd.</i></p>	<p>Titini M titene <i>cdd.</i> attulit Eumenidum Iun. <i>fortasse</i> sēd tibi <i>Non.</i></p>	<p>adipe atuli</p>
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¹⁶⁵ sese *Fleckeisen*

¹⁶⁶ homo *Fest., Suet.*

BOOK IV

162-3

A nasty-looking dish ? :

Nonius : Grease and ointment have this difference—grease is made from the lard-fat of cud-chewing animals . . . —

“ Tisiphone, most holy Fury among the Gracious Ones, brought along oil boiled out of the fatty lungs of Tityos.”^a

164

Revelry :

Priscianus : ‘ Turgeo,’ perfect tursi . . . —

‘ I swelled up drunk.

165

Host speaks of a sponger ? :

Priscianus : The oldest writers used to say even ‘ edo, edis, edit,’ with the first syllable shortened . . . —

“ This fellow, who has gobbled his own substance, now gobbles up me.”

166

Matters of sex :

Nonius : ‘ Puellos,’ the same as ‘ pueros ’ . . . —

“ and when he is a person so shapely and a boy worthy of you.”

^a Tisiphone was one of the Furies. The giant Tityos, for trying to outrage Latona, was punished by being condemned to have his liver eaten by a vulture in the Lower World; his liver constantly renewed itself.

LUCILIUS

167-9

Nonius, 458, 2: 'Sumen' . . . Mulieris mammam sumen veteres dici volunt . . . —

Quod si nulla potest mulier tam corpore duro esse, tamen tenero manet cui sucus lacerto, et manus uberibus lactanti in sumine sidat,"

170-1

Nonius, 231, 8: 'Vectis' generis masculini . . . —
ne agitare manu tu
pessulum et hunc vectem possis: cuneis opus.

Sat. II.

172-5

Nonius, 393, 30: 'Spurcum,' saevum vel sanguinarium . . . —

Aeserninus fuit Flaccorum munere quidam Sannis, spureus homo, vita illa dignus locoque. Cum Pacideiano componitur, optimus multo post homines natos gladiator qui fuit unus.

Cp. Nonius, 257, 19; Cic., *Tusc.*, II, 41; *ad Q. fr.*, III, 4, 2; Quintil., IX, 4, 38; al.

¹⁶⁸ manet cui W manat quoi Mr. maneatque s. *vel*
maneat sue(c)usque *cdd.*

¹⁶⁹ minus Palmer uberibus M uberi *cdd.* uber-
tim Mr. *fortasse* uberius

¹⁷⁰ agitare Gerlach agitarem *cdd.*

¹⁷¹ pessulum D(I.) pessulus *cdd.* opus M cuneost
opus ipso Mr. cuneis ipso *cdd.*

BOOK IV

167-9

Nonius: 'Sumen': The old writers would have the term 'sumen' used for even a woman's breast . . . —

"But if no woman can be so hard in body (as a man is), still she who has sap oozing within a tender sinew, whose hand may sink on milky teat and dugs,"^a

170-1

A lover at his mistress' door? : ~ ~ ~ ?

Nonius: 'Vectis' is of the masculine gender . . . —

"that your hand can't make this bolt and bar move; it's wedges you want.

Sat. II.

172-5

A fight between two famous gladiators :

Nonius: 'Spurcum' (nasty, filthy, low), cruel or blood-thirsty^b . . . —

In the public show given by the Flacci was a certain Aeserninus, a Samnite, a nasty^c fellow, worthy of that life and station. He was matched with Pacideianus, who was by far the best of all the gladiators since the creation of man.

^a The right readings and meaning are not clear. *Tenero* (sc. *corpore*) *maneant* may be right; and *lacerto* may mean 'arm' or 'strength.'

^b Nonius is doubtless wrong.

^c *spurcus* in the sense of base, common, low. *Aeserninus* may mean 'a man of Aesernia.' 'Samnis' as on p. 59.

¹⁷² Aeserninus T (*et Cic.*) aserninus *cdd.*, Non. serinus
cdd. Quintil. munere T unac *cdd.*

LUCILIUS

176-81

Cicero, *Tusc.*, IV, 21, 48 : In illo genere sit sane Pacideianus aliquis hoc animo, ut narrat Lucilius—

“ Occidam illum equidem et vineam, si id quaeritis,”
inquit.

“ verum illud credo fore : in os prius accipiam ipse, quam gladium in stomacho surdi ac pulmonibus sisto. Odi hominem, iratus pugno, nec longius quicquam nobis, quam dextrae gladium dum accommodet alter ; usque adeo studio atque odio illius eferor ira.”

Cp. Serv. auct., ad *Aen.*, XII, 646 (Lucilius VII usque adeo etc.)

182-3

Cicero, *de orat.*, III, 23, 86 : Velocius puer id didicerat, sed quod erat aptus ad illud, totumque cognorat. Fuit, ut est apud Lucilium—

quamvis bonus ipse

Sannis, in ludo ac rudibus cuiusvis satis asper.

184

Priscianus, ap. *G.L.*, II, 217, 8 K : Lucilius in IV ‘ Aethiopus ’ dixit pro Aethiops—

rinocerus velut Aethiopus.

185

Nonius, 208, 12 : ‘ Gladius ’ . . . Neutri Lucilius—

Haerebat mucro gladiumque in pectore totum.

¹⁷⁶⁻⁸¹ *trib. lib. IV* Mr.

¹⁷⁸ surdi W furia M furiae S furi Tischer
sura Barth spurci *Seuffert* suria *cdd.*

¹⁸²⁻³ *trib. lib. IV vel III* D (F.)

¹⁸⁵ *ex libro IV ?* gladiumque D(I.) gladium *cdd.*

BOOK IV

176-81

Pacideianus speaks to the onlookers, or to the givers of the show :

Cicero: Let us assume in that profession a very Pacideianus to be of such a spirit as Lucilius tells—

“ I’ll simply kill him and win, if that’s what you want,” said he. “ But I think it’ll come about thus—first I’ll take his blows on my own face; after that I’ll stick my sword in that dunderhead’s gullet and lungs. Curse the fellow, I’ll fight in a temper, and not a minute longer will we delay than it takes either of us to fit his sword to his right hand. So much am I transported with anger, fed by my passion and hatred of him.”

182-3

Pacideianus again on Aeserninus? :

Cicero: The slave-boy had learnt his job rather more quickly than usual (of course it was because he was fitted for that business) and knew the whole thing off. He was, as occurs in Lucilius—

“ ever^a so good a Samnite himself, rough enough for any one in the sport of quarter-staffs.”

184

One of the gladiators makes a successful rush :

Priscianus: Lucilius in the fourth book used the form ‘ Aethiopus ’ for ‘ Aethiops ’—

like an Aethiopic rhinoceros.

185

Nonius: ‘ Gladius ’ . . . Lucilius has it in the neuter—

the point, and the whole sword too, was sticking in his breast.

^a or, ‘ although.’ A ‘ Samnis ’ was a gladiator armed with Samnite weapons.

LUCILIUS

LIBER V

Sat. I.

186-93

Gellius, XVIII, 8: 'Ομοιοτέλευτα . . . ceteraque huiusmodi scitamenta . . . quam sint insubida et inertia et puerilia facetissime hercle significat in quinto Saturarum Lucilius. Nam ubi est cum amico conquestus quod ad se aegrotum non viseret, haec ibidem addit festiviter—

Quo me habeam pacto, tam etsi non quaeris, docebo, quando in eo numero mansi quo in maxima non est pars hominum. . . .

ut periisse velis, quem visere ' nolueris ' cum debueris. Hoc ' nolueris ' et ' debueris ' te si minus delectat, quod atechnon et Eisocratiō lerodesque simul totum ac sit meiraciodes, non operam perdo, si tu hic.

194-5

Nonius, 173, 11: ' Sententia ' . . . idem lib V—
si tam corpus loco validum ac regione maneret
scriptoris, quam vera manet sententia cordi.

¹⁹² ληρῶδες S οχληρωδεςque vel sim. cdd. ac sit H
Eisocratiū hoc ac si M symmiraciodes vel sim. cdd.

^a This book, written about the turn of the years 117 and 116, seems to have contained two subjects, though it is not possible to reach any certainty as to whether each theme consisted of a single satire or of several.

BOOK V

BOOK V *a*

Sat. I. A letter of Lucilius to a friend who had not paid a visit to the poet in sickness.

186-93

Gellius: Upon my word—how very humourously does Lucilius in the fifth (book) of the *Satires* point out the stupidity, the idleness and the childishness of ‘homoeoteleuta’ (things which end alike) . . . and all the other pretty tricks of this sort. . . . For when he complained with a friend on the ground that he did not come to see him in sickness, then and there he went on to say most cheerfully—

Although you do not ask after me, still I will let you know how I find myself, since I have managed to stay among the number in which the greater part of mankind is not found . . . that you wish that man to have passed away whom you *would* not come and see when you *should* have. If this ‘would’ and ‘should’ is not to your liking because, you say, it is all without art,^b and Isocratian, and all rubbish and withal childish—I won’t waste my time, if that’s the kind you are.^c

194-5

Nonius: ‘Sententia’ . . . the same in the fifth book—

if only the writer’s body had strength to stay in its place and at its post even as the feeling of truth stays in his heart.

^b *atechnon* (ἀτεχνον) = *iners*, not deserving the name of art. The fault of Isocrates was that he wrote letters like speeches.

^c Cp. Leo, *G.G.A.*, 1906, (i), 846; Fiske, 110, 432-3; Housman, *C.Q.*, I, 149-151.

LUCILIUS

196

Paulus, 343, 5: 'Querqueram' frigidam cum tremore a Graeco κάρκαρα certum est dici, unde et carcer. Lucilius . . . —

Querquera consequitur . . . capitisque dolores.

Cp. Fest., 342, fin.

197

Festus, 370, 4:—

Rhondes Icadionque

cum dixit Lucilius, duo nomina piratarum posuit, tam infestum sibi corpus et valetudinem referens, quam illi essent saluti navigantium.

198-9

Nonius, 13, 11: 'Crepera' res proprie dicitur dubia . . . —

Fannius solus mihi in magno maerore <repostor> tristitia in summa, crepera re inventus salutis.

Sat. II.

It seems to me that a Roman glutton Gallonius is compared with a country host. Both are laughed at. Then

Pseudo-Acro ad Hor., *S.*, II, 2, 47: 'Haud ita pridem Galloni praeconis erat acipensere mensa infamis.' Gallonius quidam fuit praeco, qui habebat apparatus convivium, quem Lucilius etiam pulsat. Hic etiam acipenserem piscem suis conviviis exhibebat.

¹⁹⁶ consequitur <tussim> Terzaghi <lateris> M

¹⁹⁶⁻⁷ ex libro V?

¹⁹⁸ Fannius (vel sannio vel sanus) W sed nunc M set
nunc Mr. nam tu L sane nunc Corpet sannunt cdd.
solus D(I.) sol is M solis cdd. post maerore add.
metuque S datorque M repostor addidi coll. *Ov.*, *F.*, II, 63

¹⁹⁹ re add S saluti es L

BOOK V

196

my sickness attacked me like pirates :

Paulus : It is certain that the word 'querquera,' a cold fever accompanied by shivering, is derived from the Greek *κάρκαρα*, whence also comes 'carcer.' Lucilius . . . —

Then follows ague and headache.

197

Festus : Lucilius, in saying—

Rhondes and Icadion

brought in the names of two pirates by way of telling that his body and his bad health were just such a nuisance to him as they were to the safety of seafarers.^a

198-9

someone other than you saved me :

Nonius : 'Crepera' (dusty, dark) is a term properly used of a thing which is doubtful . . . —

Fannius^b alone was found to be for me a restorer of safety in my great grief and deep misery and darksome trial.

Sat. II.

follows an ideal dinner. But the attribution of the several fragments on Gallonius to any book must be quite uncertain.

(A) *A feast given by Gallonius : Laelius attacks him among other gluttons :*

Pseudo-Acro, on a mention of Gallonius by Horace : A certain Gallonius was a herald who held feasts with rich *menu* ; Lucilius also attacks him. He even used to put on show a sturgeon at his feasts.

^a Cichor., 51, 3 : cp. Paulus, 106, 15. Steph. Byz., s.v. *Γόνδραι*, s.v. *Πονδαῖοι* ; Cic., *de Fato*, 3, 5.

^b If this reading is right we have either a reference to one of Lucilius' friends or an allusion to the *lex Fannia* of 161 B.C. which enjoined simple fare (Gell., II, 24, 2).

LUCILIUS

200-7

Cic., *de Fin.*, II, 8, 24, 25 : Nee ille, qui Diogenem Stoicum adulescens, post autem Panaetium audierat, Laelius, eo dictus est sapiens quod non intellegeret quid suavissimum esset . . . —

o lapathe, ut iactare, nec es satis cognitus qui sis !
in quo Laelius clamores sophos ille solebat
edere, compellans gumias ex ordine nostros.

Praeclare Laelius, et recte sophos. Illudque vere—

“ o Publi, o gurges Galloni, es homo miser ” inquit.
“ Cenasti in vita numquam bene, cum omnia in ista
consumis squilla atque acupensere cum decimano.”

Is haec loquitur qui . . . non negat libenter umquam
eenasse Gallonium (mentiretur enim), sed bene. . . . Semper
Laelius bene. Quid bene ? Dicit Lucilius (Cic., *ad Att.*, XIII,
52, 1)—

“ bene cocto et
condito, sermone bono et, si quaeris, libenter.”

208-10

Nonius, 445, 23 : ‘ Multum ’ et ‘ satis ’ . . .

Nam si. quod satis est homini, id satis esse potisset,
hoc sat erat ; nunc cum hoc non est, qui credimus porro
divitias ullas animum mi explere potisse ? ”

²⁰⁰⁻⁷ *ex libro V ? (trib. lib. IV D (F.))*

²⁰⁵ acupensere Mr. acipensere *edd.* accubans aere
cdd. (accubant *Erlang.*)

²⁰⁶ *om.* et Cic. *de Fin.*

²⁰⁸ potisset *vel* potuisset *cdd.* potesset *quid. ap.* D (F.)

²¹⁰ potisse *vel* posse *cdd.* potesse *quid. ap.* D (F.)

^a This is probably the meaning ; but it might be ‘ how art thou discussed.’ Not ‘ boasted about ’ ?

^b Shero, *C.P.*, XVIII, 133 ; Fiske, 161. *cum* in both places is temporal. cf. Housman, *C.Q.*, I, 67. For *decimanus* ‘ very big,’ like every tenth wave, see pp. 168, 186-7, 192, 397.

BOOK V

200-7

Cicero: Our Laelius, who as a young man had heard lectures given by Diogenes the Stoic and later by Panaetius, was called wise not because he did not understand what made the pleasantest eating . . . —

O sorrel, how art thou a plaything of scorn,^a and men know not well enough what thy worth is. About this plant Laelius our 'savant' used to shout praises when he was reproaching all our gluttons one by one.

Brilliantly said by Laelius; and he is rightly called 'savant.' This too is a true hit—

“O Publius, O glutton Gallonius, you're a poor fellow,” says he. “You've never dined well in your life, even when you waste all you have on that lobster and on that sturgeon, in size a number ten.”^b

The man who speaks these words is one who . . . does not deny that Gallonius ever dined with a will (for he would be telling an untruth), but he denies that he dined well. . . . Laelius dined always well. What does 'well' mean? Lucilius shall tell us—

with ^c well cooked and well seasoned food, pleasant conversation, and, if you want to know, with a will.”

208-10

Nonius: 'Multum' and 'satis' . . . —

“For if that which is enough for a man could have been enough for me, then that (which I have) were enough; but, as things are, since this is not so, how can I believe that any riches can fulfil my heart's desire hereafter?”

^c The extra words *bene . . . et . . . et* we get from Cic., *ad Att.*, XIII, 52. 1. It is just possible that *cocto* and *condito* refer not to food but to *sermone* unexpectedly added. But the context in Cicero tells against this. I put the two lines here as probably put into the mouth of Laelius.

65

LUCILIUS

211-2

C. G. L., V, 233, 21, *s. v. pila*: Peritissimi lusores habitus sunt Coelius adque Veturius. De Coelio sic dicit Lucilius—
Coelius conlusor Galloni scurra, trigonum
cum ludet, seius ludet et eludet . . .

213

Nonius, 497, 4: Aecusativus positus pro ablativo . . .—
Laevius pauperem ait se ingentia munera fungi.

214

Priseianus, ap. *G. L.*, II, 502, 20 K: Lucilius . . .—
Deficit alma Ceres, nec plebes pane potitur,
secundum quartam coniugationem producta paenultima
protulit.

215

Explan. in Donatum, *G.L.*, IV, 542, 28 K: 'Sero fruges'
. . . 'sevi' ut Lucilius—
Hic sunt herbae quas sevit Iuppiter ipse.

216

Nonius, 201, 1: 'Cepe' generis neutri . . .—
flebile cepe simul lacrimosaeque ordine tallae.

²¹² seius H., *C.Q.*, I, 157-8 solus *cd.*

²¹³ Laevius *vel* Laelius *cdd.*

²¹⁵ *trib. lib.* V Bouterwek

^a or, 'parry.' This seems to be the sense of *cludet* here; cf. Lindsay, *C.Q.*, XX, 102; he takes *eludet* as 'he will win.'

^b Cichorius, 270-1. But the right reading may be Laelius.

BOOK V

211-2

Gallonius :

A gloss, on 'pila' : Coelius and Veturius were held to be the skilfullest players. About Coelius Lucilius speaks thus :—

Coelius the buffoon, player with Gallonius, when he plays at three-corner ball, will knowingly play and outplay^a . . .

213

(B) *A meal given by a countryman Laevius ?*^b

Nonius : The accusative put for the ablative . . . —

Laevius says that though poor he performs vastly important duties.

214

Priscianus : Lucilius . . . —

The nurturing grain runs short, and the common folk get no bread,^c

inflected 'potior' according to the fourth conjugation, lengthening the penultimate syllable ('potiri,' 'potitur').

215

He values his coarse food highly :

A commentator on Donatus : 'Sero' (sow seeds) . . . perfect 'sevi' ; for example Lucilius—

Here are plants sown by Jupiter himself.

216

Various potherbs are served :

Nonius : 'Cepe' of the neuter gender . . . —

and at the same time the weepy onion and tearful onion-peels in a row.

^c alludes perhaps to Marius' opposition to a corndole in 119 B.C.—Cichor., 273 (Plut., *Mar.*, 4).

LUCILIUS

217

Nonius, 201, 8 : 'Cepa' feminini . . . —
lippus edenda acri assiduo ceparius cepa.

Cp. Prisc., ap. *G.L.*, II, 203, 15 K.

218

Charisius, ap. *G.L.* I, 100, 26 K : 'Intiba' . . . masculino genere. . . Lucilius in V deridens rusticam cenam enumeratis multis herbis—

intubus praeterea pedibus praetensus equinis.

Cp. Schol., ad Verg., *G.*, I, 120; Non., 209, 2.

219

Nonius, 449, 19 : 'Interfici' et 'occuldi' et inanimalia veteres posse vehementi auctoritate posuerunt . . . Lucilius—

Durum molle voras, fragmenta interficis panis.

220

Charisius, ap. *G.L.*, I, 94, 16 K : Lucilius V adipatam dicit feminino genere, sed ubi iungit pultem—

adipatam . . . pultem

221-2

Nonius, 154, 20 : 'Primitus' pro primo. . . —
sicuti cum primos ficos propola recentis
protulit et pretio ingenti dat primitus paucos.

Cp. Non., 279, 10.

²¹⁷ assidue *Prisc.* cepa lacrimosa *cdd. Non.*

²¹⁸ praetensus *Non.* pressus *schol.* perserpit *cd.*
Charis. praetonsus G. Wagner

²¹⁹ *ex libro V?* interficis Bentin. interficit *cdd.*

²²¹ primos *cdd.* 154 primus *cdd.* 279

BOOK V

217

Nonius: 'Cepa' of the feminine gender . . . —

an onioner,^a blear-eyed through eating again and again the pungent onion.

218

Charisius: 'Intiba' in the masculine. . . . Lucilius in the fifth book, deriding a country dinner, after giving a list of many potherbs, says—

moreover endive that is spread out^b before the feet of horses.

219

Then comes grain-food:

Nonius: The old writers laid down on strong authority that even lifeless things can be 'killed' and 'slaughtered' . . . Lucilius—

You gobble up the tit-bit hard and the tit bit soft; you are the death of bits of bread.

220

Charisius: Lucilius in book V uses the term 'adipatam,' feminine gender, but it is when he adds 'pultem'—

larded pottage

221-2

Fruits:

Nonius: 'Primitus' for 'primo' . . . —

as happens when a huckster has laid out for sale early figs fresh, and at first offers you only a few at a huge price.

^a an onion-eater, not an onion-seller.

^b This probably refers to the condition of the plant when it is provided as fodder.

LUCILIUS

223

Servius auctus, ad Verg., *G.*, I, 266 : 'Fiscina' genus est vasis, id est corbulae brevis quas perferunt qui arbusta vindemiant . . . —

fiscina fallaci cumulo

224-5

Charisius, ap. *G.L.*, I, 95, 22 K : 'Haec ficus' . . . 'hae fici' . . . Lucilius—

Fici comeduntur et uvae

et—

assiduas ficos.

Cp. id., 128, 31.

226-7

Priscianus, ap. *G.L.*, II, 115, 8 K : 'Scutum' vel 'scuta' . . . Lucilius in V—

Scutam . . .

ligneolam in cerebro infixit.

228-9

Donatus, ad Ter., *Eun.*, II, 3, 45 : 'Gemens' ob continuam tussim. sic Lucilius—

Ante fores autem et triclini limina quidam
perditus Tiresia tussi grandaevus gemebat.

230-1

Nonius, 235, 25 : 'Aequales' rursus aequaevi . . . —

Verum unum cecidisse tamen senis Tiresiae
aequalem constat.

²²⁴⁻⁵ *trib. lib. V* Mr. asse duas D (I.)

²²⁶⁻⁷ *scutam ligneoleam, e. q. s. fortasse unius versus verba sunt*

²²⁸⁻⁹ *trib. lib. V* L, VI *coni. M* Teiresias, Bentley

BOOK V

223

Servius (supplemented): 'Fiscina' is a class of receptacle, that is little squat baskets of the sort carried round by those who are gathering the grapes from the vineyards . . .—

the rush-basket with its deceptive heap

224-5

Charisius: 'Ficus,' feminine singular; 'fici,' nom. pl. fem. . . . Lucilius—

Figs and grapes are gobbled up

and

figs again and again.

226-7

An angry guest runs amok and kills an old man:

Priscianus: 'Scutum' or 'scuta.' . . . Lucilius in (book) V—

He stuck a little wooden tray in his brain.

228-9

Donatus: 'Gemens' because of constant coughing. Thus Lucilius—

But some Tiresias full of years, a lost soul, was groaning with coughs before the door and the threshold of the dining-room.

230-1

Nonius: 'Aequales' means also of equal age . . .—

But it is however agreed that one did fall as old as Tiresias.

²³⁰ verum Mercier veterum *cdd.* cecidisse tamen *G.*
 cecidisset a me *rell.* cecinisse Francken seni' Tiresiai
 Mr. sene T., Mercier senem Tiresiam *cdd.*

LUCILIUS

232

Varro, de *L.L.*, VII, 96: In pluribus verbis *a* ante *e* alii ponunt, alii non . . . Lucilius scribit—

Cecilius pretor ne rusticus fiat.

Cp. Diomedes, ap. *G.L.*, I, 452, 14 K.

233-4

Nonius, 455, 9: 'Rostrum' hominis dici non debere consuetudo praesumpsit, set . . . Lucilius—

Ne designati rostrum praetoris pedesque spectes.

235

Nonius, 158, 31: Omnia animalia 'pecudes' dieuntur . . . —

lascivire pecus Nerei rostrique repandum.

²³² *trib. lib. V M, IX L. F. Schmidt, de Lucil. IX, 8*
pretor *omm. cdd. Varr.* fias *duo cdd. Diomed.*

²³⁵ Nerei Onions niri *Lu.* 1 nisi *G.* nasi Venator

^a *rusticus* unexpectedly for *urbanus*. See next fr. Lucilius probably hits at C. Caecilius Metellus Caprarius, son of Metellus Macedonicus, an opponent of the poet, and pretends that when Caecilius was designated as 'praetor urbanus' men feared that he would turn out to be a 'praetor rusticus'; hence Lucilius uses rustic spelling here to represent a rustic accent (Mueller, *Leb. u. Werke des C. Luc.* 40., Cichor., 277-8, Marx, proleg., XLVII). Caecilius was consul in 113. Was *he* the giver of the rustic dinner of lines 213 ff.?

BOOK V

232

reference to C. Caecilius Metellus Caprarius :

Varro : In many words some put *a* before *e*, some do not . . . Lucilius writes—

Let's not make Cecilius yokel^a praetor.

233-4

Nonius : Common usage has taken for granted that 'rostrum' is a term which ought not to be used of a man, but . . . Lucilius in bk. V of the satires has—

Gaze you not at the snout^b and feet of the chosen praetor.

235

The following also might refer to Caecilius :

Nonius : 'Pecudes' is a word used of all animals . . . —

The herd of Nereus, the herd upturned
Of snout, to folic.^c

(C) *An ideal dinner*^d ?

Drinking at dinner begins :

^b slang; allusion to Caecilius' cognomen Caprarius ('belonging to a goat; 'goatherd')?

^c This line probably hits at Pacuvius and certainly describes the dolphin, confused, as was usual, with the seal. See Pacuvius, 'Teucer,' *Remains of Old Latin*, II, pp. 292-3 : *Nerei repandirostrum incurvicervicum pecus*. Lucilius here puts *rostrique repandum* because *repandirostrum* could not fit into a hexameter. Cf. also Livius, *Remains*, II, pp. 2-3.

^d The following seems to be an account of the stratagem of Aemilius Paullus against the Ligurians in 180 B.C. (Livy, XL, 25-8; Frontinus, III, 17, 2; Cichorius, 272 ff., and Marx, comment., 88 ff.), and put by the poet in the form of a dinner (contrasted with those just described) at which Aemilius and M. Servilius Geminus ('tribunus militum' under Paullus against the Ligurians—Livy, XL, 27, 4) are the chief diners. The exploit of Paullus is related by an officer.

LUCILIUS

236

Nonius, 546, 26 : 'Mixtarium,' quo miscemus . . . —
urceus haut longe Gemino, mixtarius Paulo.

237

Donatus, ad Ter., *Andr.*, III, 2, 4 : 'Quod iussi dari bibere . . . date.' Consuetudine quam ratione dixit pro 'date ei potionem.' Lucilius in quinto—

' " Da bibere ab summo. '

Cp. Porphy., ad Hor. *C.*, III, 21, 7.

238

Nonius, 363, 24 : 'Prodere' rursus differre vel excludere . . . —

' " possisne elabi an<porro>prodenda dies sit. " '

Cp. Donat., ad Ter., *Andr.*, II, 1, 13 (. . . porro prodenda . . .).

239

Nonius, 392, 1 : 'Stat' etiam plenum est . . . —

' Interea stat sentibus pectus. '

Cp. Gell., VIII, 5.

240

Servius auctus, ad *Aen.*, X, 398 : Alii dolorem alicuius studii ardorem et promptam gloriae cupiditatem veterum more dictum volunt . . . Lucilius in V—

' nam omnibus unus dolor <tali> re captus labosque. '

²³⁶ haut L aut *edd.* *vocabula* longe . . . paulo *vulgo corrupta habentur*

²⁴⁰ tali W turpi M

^a in which wine and water were to be mixed.

^b Livy, XL, 27, 1; Cichor., 275.

^c Frontin., l.c.; Cichor., l.c. cp. Livy, XL, 27, 10-15.

BOOK V

236

Nonius : ' Mixtarium,' in which we mix . . . —

a water-pot close by for Geminus, a mixing-vessel ^a for Paullus.

237

Donatus : ' What I ordered to be given to drink, give her.' He said this by common usage rather than in reasoned diction, for ' give her a drink.' Lucilius in the fifth (book)—

' Give them to drink beginning from the couch-head.'

238

One of the diners begins to tell of the great exploit of Aemilius.

Aemilius waits in his camp^b as though in fear ; officer speaks :

Nonius : ' Prodere ' means also to put off or to exclude . . . —

' " whether you could slip away, or whether the day of action must be put off to the future." '

239

Aemilius is worried :

Nonius : ' Stat ' even means is full . . . —

' Meanwhile his thoughts are a standing mass of thorns.'

240

Impatience of the soldiers :

Servius (supplemented), on ' dolor ' in Virgil : Some would have it that a ' dolor,' an ache, is a term used in the manner of the old writers for the heat of some enthusiasm and a ready lust for glory. . . . Lucilius has in the fifth book—

' for at such a turn one ache, one worry, was caught by all.' ^c

LUCILIUS

241-2

Priscianus, ap. *G.L.*, II, 470, 6 K : ‘Nexi’ . . . —

‘Hic solus vigilavit, opinor,
et cum id mi visus facere est, tum retia nexit.’

Cp. Diomedes, ap. *G.L.*, I, 369, 24 K.

243

Nonius, 552, 8 : ‘Catapulta’ iaculum . . . vel sagitta
. . . —

‘custodem classis catapultas pila sarisas’

244

Nonius, 261, 3 : ‘Cernere’ rursus disponere . . . —

“postquam praesidium castris educere crevi,”

245

Nonius, 341, 35 : ‘Mactare’ est magis augere . . . —

“Macte, inquam, virtute simulque his versibus
esto.”

Cp. Serv. auct., ad *Aen.*, IX, 641.

246

Macrobius, *S.*, VI, 1, 35 : ‘Dicite Pierides; non omnia
possumus omnes’ (*Verg.*, *Ecl.*, VIII, 63). Lucilius in V—

‘Maior erat natu; non omnia possumus omnes.’

247-8

Nonius, 515, 2 : ‘Minutum’ pro minute . . . —

Dic quaenam cogat vis ire minutim
per commissuras rimarum noctis nigrore.

²⁴³ pila L tela Roth catapulta stila *edd.*

²⁴⁴ crevi *ed. ann.* 1476 decrevi(t) *edd.*

²⁴⁵ his *Serv.* hic *Non.* versibus *Non.* viribus
Serv., *recte?*

²⁴⁷ quaenam *Mr.* quam *edd.*

BOOK V

241-2

But Aemilius had a plan :

Priscianus : 'Nexi' as a perfect . . . —

'he alone, I think was wide awake, and while he seemed to me to be doing this (i.e. *hesitating*), he also strung nets.'

243

and C. Matienus, duumvir of the fleet, was to help :

Nonius : 'Catapulta,' a spear . . . or arrow . . . —

'the chief of the fleet, bolts for catapults, javelins, spears'

244

Aemilius decides to move :

Nonius : 'Cernere' also means to arrange . . . —

'“after I decided to lead the garrison out of the camp,”'

245

Praise for Aemilius—and Lucilius^a :

Nonius : 'Mactare' is to make grow more . . . —

'“Bravo,” say I “for your valour and for these your verses too.”'

246

Macrobius, on 'Tell, you daughters of Pierus; not all things can we all do,' in Virgil : Lucilius in book V—

'He was older in years; not all things can we all do.'

247-8

The following fragments of bk. V may belong to a third satire.

Nonius : 'Minutim' instead of 'minute' . . . —

Tell me please what things force could squeeze bit by bit through seamy cracks in the black of night.

^a But perhaps *viribus*, 'forces,' is right in line 245.

LUCILIUS

249-50

Nonius, 133, 11 : 'Lupari' ut scortari vel prostitui . . . —
〈Absterge lacrimas〉 et divos ture precemur
consilium fassi, placeatne impune luperis.

Cp. Schol. Veron., ad *Aen.*, VII, 106 (absterge . . . precemur).

251

Festus, 180, 5 :—

Non omnibus dormio

proverbium videtur natum a Cipio quodam, qui Pararhenchon dictus est, quod simularet dormientem, quo impunitius uxor eius moecharetur; eius meminit Lucilius.

LIBER VI

This book, written probably about 115 B.C., contained, it seems, at least two satires. One of them has been taken (Fiske, *Lucilius and Horace*, 330 ff.), rightly I think, as the

Sat. I.

252-3

Porphyrus, ad Hor., *S.*, I, 5, 87 : 'Oppidulo quod versu dicere non est.' Aequum Tuticum significat . . . Hoc autem sub exemplo Lucili posuit; nam ille in sexto Saturarum sic ait—

Servorum est festus dies hic
quem plane hexametro versu non dicere possis.

²⁴⁹ absterge lacrimas *om. Non.*; *add. ex schol.*

²⁵⁰ placeatne Mr. placeat S placent tunc *cdd.*
fortasse Placent ! Tu luperis S superbis *cdd.*

^a An obscure fragment; but see the passage from Festus which is given next.

BOOK VI

249-50

Nonius: 'Lupari' (to go whoring) is used like 'scortari' or 'prostitui' . . . —

Wipe away your tears, and having confessed our purpose, let us offer prayer to the gods with incense, to know if they will let you go and whore unpunished.^a

251

Festus:—

I am not asleep for all^b

is a proverb which seems to have arisen from a certain Cipius, who was called Pararhenchon (Alongside-snorer) for the reason that he pretended to be asleep in order that his wife might commit adultery with more impunity. Lucilius mentions it.

BOOK VI

model of Horace's satire about the bore (Hor, *S.*, I, 9). Another is concerned with politics, the prodigal nobility, and the genteel poor of Rome.

Sat. I. Scipio Aemilianus encounters a boring buffoon.

252-3

The occasion: birthday of Servius Tullius (Ides of August):

Porphyrio on 'A little town which we cannot name in a hexameter.' He means Equus Tuticus; and he put this after the example of Lucilius, for the latter in the sixth book of the *Satires* has these words—

This is that slaves' holiday which you could not name completely in a hexameter line.^c

^b Cp. Cic., *ad Fam.*, VII, 24, 1; *ad Att.*, XIII, 49, 2.

^c Scaliger thinks the poet meant the *Sigillaria*. But Van Heusde (*Stud. Crit. in Luc.*, 143-4, cp. Marx, comment., 92, Cichor., 286-7) decides for the name of a festival in honour of the birth of Servius Tullius; he adduces Fest., 343, 7 (cp. Plut., *Quaest. Rom.*, 100). *plane non*—'you simply couldn't' (?)

LUCILIUS

Arnobius, *Adv. Gentes*, V, 18: Ocrisiam prudentissimam feminam divos inseruisse genitali, explicuisse motus certos; tum sancta efferventia numina vim vomuisse ¹ Lucilii ac regem Servium natum esse Romanum (*sc. taceamus*).

254-8

Festus, 418, 17: 'Scurrae' vocabulum Verrius ineptissime aut ex Graeco tractum ait . . . aut a sequendo; cui magis adsentitur, quod et tenuioris fortunae homines et ceteri alioqui, qui honoris gratia persequerentur quempiam, non antecedere sed sequi sint soliti, quia videlicet dicat Lucilius—

Cornelius Publius noster

Scipiadas † dicto tempus † quae intorquet in ipsum
† oti et delici<i>s luci effictae † atque cinaedo et
sectatori † adeo ipsi † suo, quo rectius dicas.

Ibat forte domum. Sequimur multi atque frequentes;

cum secutos videri velit, ob eorum iurgia, non ob adsuetum officium.

259

Nonius, 136, 27: 'Macellum' dictum pro macilentum Lucilius probat lib. VI—

Si nosti, non magnus homo est, nasutus macellus.

260

Nonius, 159, 38: 'Porcet' significat prohibet . . . —

“Non te porro procedere porcent.”

¹ *fortasse latet Lucilii versus: tum sanctā efferventiā numina vim vomuere trib. lib. VI C, 286-7*

²⁵⁴⁻⁸ *locus desperatus. trib. lib. VI Fiske 331-2*

²⁵⁵ *in tempus quae latet puto vocab. scurra. fortasse dicta . . . scurrae quae i.*

^a Perhaps Lucilius wrote '*tum . . . vomuere.*' But even so it is not known in what book the words should be placed.

^b Although nearly the whole passage, as it appears in the text of Festus, scans correctly, it must be hopelessly corrupt; and all efforts to make sense of it fail. For Scipiadas, cp.

BOOK VI

Origin of the festival ? :

Arnobius: Oerisia, a most discreet woman, slipped gods into her womb, set forth certain movements; then^a the holy deities, boiling over, vomited the essence of Lucilius and the Roman king Servius Tullius was born. Cp. line 1271?

254 8

Scipio going home meets a bore or buffoon :

Festus: The word 'scurra' (dandy, or buffoon) Verrius most stupidly says is derived either from the Greek . . . or from 'sequor;' with him agreement is all the more usual because both people of slenderer fortune, and the rest besides who followed anyone about to do him honour, were wont not to go in front but to follow, which is clear, they say, in view of Lucilius' words—

Our Publius Cornelius son o' Scipio's house . . . ^b
 his male lover—or rather his
 follower (to name him more accurately). He was
 as it happened going home. We followed, numbers
 and crowds of us;

whereas he wants them to appear as having followed because of their insults, not because of a customary duty.

259

The bore :

Nonius: That 'macellus' was a word used for 'macilentus' (rather lean) is proved by Lucilius in the sixth book—

If you know him, he's not a big fellow, rather lean; has a big nose.

260

Nonius: 'Porcet' means prevents . . . —

"They (*i.e.* *Scipio's suite?*) are not stopping you from footing it farther."

Explan. in Donat., ap. *G.L.*, IV, 527 10 K: *ut Miltiades Asclepiades ita Luciliales et Memmiades Scipiades.* Verrius' derivation of 'scurra' from 'sequor' was not unreasonable.

81

LUCILIUS

261

Nonius, 324, 4 : 'Iubere' est velle . . . —

“Salvere iubere salutem est mittere amico.”

262-3

Nonius, 362, 13 : 'Protelare' rursus adiuuare . . . Lucilius satyrarum lib. VI—

quem neque Lucanis oriundi montibus tauri
ducere protelo validis cervicibus possent.

264

Servius auctus, ad *Aen.*, I, 76 : 'Optare' non tantum
eligere significat . . . sed etiam velle . . . —

“ . . . quid ipsum me facere optes.”

265

Nonius, 497, 36 : Genetivus positus pro ablativo . . . —

“Hortare, illorum si possim pacis potiri,”

266

Nonius, 500, 18 : Ablativus pro genetivo . . . —

Id solum adversae fortunae reque resistit.

267-8

Porphyrio, ad *Hor.*, *S.*, I, 9, 78 : 'Sic me servavit Apollo'
. . . hoc illo sensu Homericò sumpsit, quem et Lucilius in
sexto satyrarum repraesentavit sic dicens—

nil ut discrepet ac τὸν δ' ἐξήρπαξεν Ἀπόλλων
fiat.

²⁶⁴ quid ipsum me Mr. ipsum quid L quid <hic>
ipsum M quid ipsum facere *Serv.*

²⁶⁵ pacis L captus S potiri D (I.) capisotiri *vel*
capi sortiri *cdd.*

²⁶⁶ et id *cdd.* *sectud.* et Linds.

²⁶⁷ nil *add.* M *Cf. Hom., Il., XX, 443*

BOOK VI

261

Nonius: 'Tubere' means to wish . . .—

“To send welcome to a friend is to wish him well.”

262-3

Nonius: 'Protelare' (really 'to drive forward') means also to give help . . . Lucilius in bk. VI of the *Satires* uses 'protelum' (a driven team or line)—

whom neither bulls bred in the Lucanian mountains could draw away in a driven team on their sturdy necks.

264

Servius (supplemented): 'Optare' does not mean simply to choose . . . but even to want . . .—

“ . . . what you may want me myself to do.”

265

Nonius: The genitive put for the ablative . . .—

“You encourage me, if I can gain the good will of yonder men,”

266

A last resort saves Scipio:

Nonius: The ablative form put for the genitive^a . . .—

That alone is left of his bad luck in this bad business.

267-8

Porphyrio, on 'Thus did Apollo preserve me' in Horace: He took this in that well known meaning found in Homer; which Lucilius also has set forth in the sixth book of the *Satires*, when he says as follows—

so that it may be all the same and become a case of 'and him Apollo rescued.'

^a But *re* is more probably a dative—"This alone resists bad luck and a bad business."

LUCILIUS

Sat. II.

269

Nonius, 159, 36 : ' Prodigitas ' dicta profusio . . . —
“ Nequitia occupat hos petulantia prodigitasque.”

270-1

Nonius, 111, 21 : ' Facul ' pro faciliter . . . —
“ Peccare impune rati sunt
posse et nobilitate facul propellere iniquos.”

272

Nonius, 125, 9 : ' Innubere ' positum transire, quod hae
quae nubunt ad domos maritorum transeunt . . . —
“ in suam enim hos invadere rem atque innubere
censent.”

273-4

Nonius, 21, 18 : ' Quiritare ' est clamare ; tractum ab is qui
Quirites invocant . . . —
“ Haec inquam rudet ex rostris atque heiulitabit
coneursans veluti Ancarius clareque quiritans.”

Cp. Varro, *L.L.*, VII, 103.

²⁶⁹ hos D (I.) hoc *cdd.*

²⁷¹ nobilitate *cdd.* ep. *H*, *C*, *Q.*, I, 57 nobilitati
(*genetiv.*) M

²⁷² in . . . hos . . . rem *suppl.* C, 286 suam enim in-
vadere atque innubere *cdd.* insinuare L suam enim
<rem> invadere <se> M

²⁷⁴ angarius S (*recte?*)

BOOK VI

Sat. II. *Roman politics, prodigality, and genteel poverty.*

269

A democratic politician speaks against the nobles :

Nonius: 'Prodigitas' is a term used for prodigality . . .—

“Wickedness and wantonness and prodigality takes hold of these men.”

270-1

Nonius: 'Facul' for 'faciliter' . . .—

“They thought they could sin unpunished and that it was easy to repulse their enemies by virtue of their high birth.”

272

Nonius: 'Innubere' was put for to pass across, because women who marry pass over to the houses of their husbands . . .—

“For they (*the nobles*) look upon them (*the common folk*) as attacking their property and passing into it by marriage.”^a

273-4

one of the 'nobles' speaks :

Nonius: 'Quiritare' means to shout; it is derived from those who call upon the Quirites . . .—

“All this, I say, will he roar and yell from the platform, running to and fro like Ancarius and hallooing loudly.”^b

^a So Cichorius, 285-6. Nonius seems to have mistaken the meaning of *innubere*.

^b Someone perhaps compares a democrat (C. Memmius?) with a forbear of Q. Ancharius a senator who was killed in 87, (Appian, *B.C.*, I, 73?) or with C. Gracchus (Plut., *Tib. Gracch.* 2, 2)—Cichor., 282 ff. But Scaliger's proposal *angarius* (*ἀγγαρος*), an express messenger, may be right.

LUCILIUS

275-6

Nonius, 68, 20 : ' Abstemius ' . . . —

“ Chauno meno ” inquit balba, sororem
lanificam dici siccam atque abstemiam ubi audit.

277

Nonius, 540, 26 : ' Amphitapoe ' vestes dicuntur utrimque
habentes villos . . . —

pluma atque amphitapoe et si aliud quid deliciarum.

278-81

Nonius, 78, 2 : ' Bulga ' est sacculus ad brachium pen-
dens . . . —

Cui neque iumentum est nec servus nec comes ullus,
bulgam et quidquid habet nummorum secum habet
ipse ;
cum bulga cenat dormit lavit ; omnis in una est
res homini bulga ; bulga haec devincta lacerto est.

282

Nonius, 189, 24 : ' Zonatim, ' per goerum . . . —

Zonatim circum impluvium cinerarius . . .
cludebat.

²⁷⁵ chauno meno M θαῦμα μέγ' Mr. θαῦμα μὲν L
θαυμαίνω Haupt χαννουμένη Mercier thaunumeno
Lu. thaunomeno G. fortasse thanum (= sanum)
omen id *vel* τραυλὴ μένω

²⁸⁰⁻¹ omnis in unast res (spes *alii*) homini bulga L
omnia in una sunt M omnis in una seti hominibus bulga
haec *cdd.* lacerto Duebner certo *cdd.*

²⁸² per zonatim *cdd. seclud.* per *eld.* cinerarius Lips
c. <aeger> M cini' raru' fluebat Mr. *alii alia*

BOOK VI

275-6

Wantonness of women :

Nonius : ' Abstemius ' . . . —

" I'll thtay open " ^a said she with a lisp, when she heard that her sister was said to be a spinster of wool, and to be sober and temperate.

277

The rich :

Nonius : ' Amphotapoc ' is the name given to coverings having nap-tufts on both sides . . . —

feather-down and double-napped coverlets and every other choice luxury there is.

278-81

The genteel poor ? :

Nonius : ' Bulgæ ' (bag, knapsack) is a little satchel hanging to the arm . . . —

He who has no beast, slave, or any companion, actually keeps with him his wallet, and whatever coins he has ; he dines, sleeps, washes in company with his wallet ; all the man's property is in the one wallet alone ; this wallet hangs tied to his upper arm.

282

Their mean house :

Nonius : ' Zonatum,' in circles . . . —

The hair-curler limped girdle-like round the rain-basin.^b

^a if *chauno meno* (χαῦνο(ς) μένω or μενῶ), as Marx reads, is right, then it must be in two senses, one of them obscene ; so also perhaps ' siccum,' dry.

^b in the *atrium* ; or the word may mean here the central space in the *atrium* ; it also can denote the skylight above.

LUCILIUS

283

Nonius, 212, 7: 'Latrinas' . . . neutro . . . —
 Hic tu apte credis quemquam latrina petisse?

284

Nonius, 181, 22: 'Tenta' dictum pro 'extensa' . . . —
 tres a Deucalione grabati restibus tenti.

285-6

Nonius, 281, 14: 'Dominus' rursum appellatur convivii exhibitor; unde et 'dominia' convivia . . . —
 "Qui te dominum fortem bonus Iuppiter—," inquit Crasso Mucius cum cenabat.

287-8

Porphyrio ad Hor., *S.*, I, 3, 1: Lucilius 'Sardiniensem' dixit in sexto satyrarum sic—
 e Sicula Lucilius Sardiniensem
 terram.

289

Nonius, 137, 21: 'Musimones' asini muli aut equi breves . . . —
 Praedium emit qui vendit equum musimonem.

²⁸³ hoc *edd.* hac tu ab re Mr.

²⁸⁵⁻⁶ qui te bonus Iuppiter inquit crasso mucium cum cenabat dominum fortem *Non.* dominum fortem *transposui* cum cena dominum improbe M cum quo cenabat dominum ornet L dominum male fortem Leo, *G.G.A.*, 1906, (i), 847

²⁸⁹ praedium D (F.) emit pretio L pretium redimet M praetium emit *edd.* huius emit pretium *olim* M

BOOK VI

283

Nonius : ' Latrinae ' . . . in the neuter . . . —

Would you reasonably believe that anyone here has made for the baths? ^a

284

Nonius : ' Tenta ' is a term used for ' extensa ' . . . —

three camp-beds, dating from the Flood, and stretched on cords.

285-6

Unplaced fragments : Mucius Scaerola to his son-in-law :

Nonius : ' Dominus ' (master) again is the name applied to the giver of a banquet; whence also ' dominia ' means banquets . . . —

" And may good Jupiter," said Mucius to Crassus, when he was dining, "—you, my brave master!"

287-8

Lucilius refers to his Sicilian and Sardinian estates? : ^b

Porphyrio : Lucilius used the form ' Sardiniensis ' in the sixth book of the *Satires*, thus—

Lucilius . . . from the Sicilian to the Sardinian land.

289

Nonius : ' Musimones,' small asses, mules or horses . . . —

He who sells a horse, a pony, ^c buys an estate.

^a or, ' privies.'

^b Cichorius, 28-9.

^c Nonius takes *musimonem* here as an epithet; but he may be wrong, because *musimo* was also used, as a noun, of the *monfflon*, found in Corsica, Sardinia, Spain, N. Africa, and Cyprus.

LUCILIUS

LIBER VII

Sat. 1.

290

Nonius, 351, 20 : 'Nobilis' dicitur et notus. . . . Lucilius
Satyrarum lib. VII—

Phryne nobilis illa ubi amatorem improbius quem

291

Nonius, 23, 1 : 'Sagae' mulieres dicuntur feminae ad
lubidinem virorum indagatrices . . . —

aetatem et faciem ut saga et bona conciliatrix.

292-5

Gellius, IX, 14, 21-2 : In casu . . . dandi, qui purissime
locuti sunt, non 'faciei' uti nunc dicitur, sed 'facie' dixerunt.
Lucilius in Saturis—

primum facie quod honestae

aetas accedit.

Lucilius in libro septimo—

“ Qui te diligat, aetatis facieque tuae se
fautorem ostendat, fore amicum polliceatur.”

Sunt tamen non pauci qui utrobique 'facii' legant.

296-7

Nonius, 95, 10 : 'Desquamat' squamis expoliat . . . —

“ rador subvellor desquamor pumicor ornor
expolior pingor.”

²⁹³ aetas W aetati Mr. et annis B honeste
tantis *cdd.* trib. lib. VII Mr.

²⁹⁷ expolior pingor D (F.) expilior expingor *vel* exque
pilor pingor *coni.* M expilior et pingor Guietus expilior
pingor *cdd.*

BOOK VII

BOOK VII^a

Sat. I. Lessons in sexual matters.

290

A notorious whore :

Nonius : 'Nobilis' is a term used also for 'notus.'
Lucilius in the seventh book of the *Satires*—

When that notorious Phryne villainously . . .
some lover

291

Nonius : 'Sagae,' as applied to women, is a term for those
who explore after the lust of men . . . —

in youth and looks, like a bawd and a rare pro-
curess.

292-5

Gellius : In the dative case those whose diction was the
purest used not the form 'faciei,' which is now used, but
'facie.' Lucilius in the *Satires*—

first because to her good looks there is added
youth.

Gellius continues : Lucilius in the seventh book—

"He who loves you, and reveals that he is taken
by your youth and looks, and promises to be your
friend."

But there are not a few who read in both instances 'facii.'

296-7

Nonius : 'Desquamat,' deprives of scales . . . —

"I'm being scraped, underplucked, scaled, rubbed,
adorned, polished and painted."

^a There were probably two satires at least in this book,
one upon matters of physical love, and another of uncertain
bearing but perhaps dealing with life's changes of fortune.
The order is indicated by Nonius, 21, 24; 21, 31; 22, 3.

LUCILIUS

298

Nonius, 21, 24 : ‘Caries’ est vetustas vel putrilago . . . —
 “ne auriculam obsidat caries, ne vermiculi qui.”

299

Nonius, 215, 3 : ‘Nasus’ . . . neutri . . . —
 “queis oculi non sunt neque nasum et qualia sanis.”

300

Nonius, 450, 9 : Etiam humanam vocem nonnulli ‘gannitum’ vocaverunt . . . —
 “Eodem pacto gannis.”

301

Nonius, 169, 34 : ‘Simat’ . . . —
 si movet ac simat nares, delphinus ut olim.

302

Nonius, 19, 20 : ‘Evannetur’ dictum est ventiletur vel moveatur, a vannu in qua legumina ventilantur. Pomponius *e. q. s.* . . . Lucilius satyrarum lib. VII—

hunc molere, illam autem ut frumentum vannere
 lumbis.

²⁹⁸ vermiculi qui L vermiculique *cdd.*

²⁹⁹ queis (Iun.) . . . sanis Mr. quoi si . . . nasum est,
 qualia sentit? L quos . . . et qualia sunt *cdd.* qualia
 alis sunt *coni.* Linds.

³⁰⁰ pacto oggannis D (F.) *fortasse recte* pacto li oganni!
 Mr. pactologannis *cdd.*

³⁰¹ sic Mr. *fortasse* is ac simat Roth aximad *cdd.*

BOOK VII

298

Nonius: 'Caries' (decay) means oldness or rottenness . . . —

"lest a gathering, lest certain little worms block up your tiny ear."^a

299

Nonius: 'Nasus' . . . of the neuter gender . . . —

"those who have no eyes or nose and what the sound in body have."

300

The following also perhaps belong to this theme :

Nonius: Some writers used 'yelping' even of the human voice . . . —

"In the same way you yelp."

301

Nonius: 'Simat' . . . —

if he sets his nostrils a-quivering and snubs them flat as at times a dolphin.^b

302

An unfaithful wife? :

Nonius: 'Evannetur' (will be winnowed out) was used for 'fanned' or 'moved,' from 'vannus' (winnowing-fan), in which pulse-plants^c are tossed about. Pomponius *e.g.s.* . . . Lucilius in bk. VII of the *Satires* has 'vannere' —

that he grinds, but she winnows out as it were corn with her loins.

^a *auricula* is properly the ear-lap, the outside ear.

^b Süss, *H.*, LXII, 354.

^c *legumina*. But Nonius by this word means cereals. The future *evannetur* in Pomp. he takes as a wish.

LUCILIUS

303-5

Nonius, 398, 31: 'Samium' rursum acutum; unde et samiare dicimus acuere, quod in Samo hoc genus artis polleat . . . —

Hanc ubi vult male habere, ulcisci pro scelere eius, testam sumit homo Samiam sibi; "anu noceo,"
inquit,

praececidit caulem testisque una amputat ambo.

Cp. Gell., IV, 16, 6.

306-7

Nonius, 21, 31: 'Virosae' mulieres dicuntur virorum appetentes vel luxuriosae . . . —

Dixi. Ad principium venio: vetulam atque virosam uxorem caedam potius quam castrem egomet me.

308-9

Apuleius, *Apol.*, 10: Improbarim (sc. *Lucil.*) quod Gentium et Macedonem pueros directis nominibus carmine suo prostituerit.

Donatus, ad Ter., *Andr.*, V, 6, 12 (976): 'Tuus est nunc Chremes.' Lucilius in VII—

Nunc praetor tuus est; meus, si discesserit harno Gentius.

310

Nonius, 110, 11: 'Flaccet,' languet, deficit . . . —

Hic est Macedo, si † Agrion † longius flaccet.

³⁰⁴ sibi L tibi B ibi *cdd.*

³⁰⁸ discesserit Cich. decesserit Mr.

³⁰⁹ Gentius *vulg.* gentili *cdd.*

³¹⁰ <ecce>hic Terzaghi agrion *cdd. recte?* ἀχρεῖον
L eugion Quich. Gentio' Mr.

BOOK VII

303-5

Revenge of the husband :

Nonius: 'Samium' also means sharpened, whence we use also 'samiare'^a as a term for to sharpen on the ground that skill of this kind flourishes in Samos . . . —

When the man wants to spite this woman and wants to have vengeance for her wickedness, he takes to himself a Samian sherd;^b "its the old woman I hurt," says he, and cuts off the stalk and lops off both cods at once.

306-7

Someone protests at this :

Nonius: 'Virosae,' as applied to women, is a term for luxurious women or women who long for men . . . —

I've said enough. To come to the main point: I would rather cut off my wretched old man-mad wife than geld myself.

308-9

On Gentius and Macedo :

Apuleius: I must disapprove of Lucilius for sullying in his poetry the boys Gentius and Macedo pointedly under their own names.

Donatus, on 'Chremes is yours now' in Terence: Lucilius in the seventh book—

Now the praetor is yours; but mine will he be if Gentius leaves this year.

310

Nonius: 'Flaccet,' is faint, weakened . . . —

There is Macedo here if *Agrion*(?) droops any longer.

^a *samiare*, to polish with Samian stone; cf. next note.

^b not real 'Samian ware' but stone polished up in the Samian manner. Lucilius makes a pun on *testa* and *testis*. We might say 'sherd . . . and sherds off . . .'

LUCILIUS

311-2

Nonius, 258, 38 : 'Contendere' significat comparare . . . —
Huncin ego unquam Hyacintho hominem cortinipo-
tentis
deliciis contendi?

Sat. II.

313

Nonius, 496, 15 : Genetivus casus positus pro
accusativo . . . —

Tristes difficiles sumus, fastidimus bonorum.

314

Nonius, 139, 4 : 'Muginari,' murmurare . . . —

Muginamur molimur subducimur.

Cp. Non., 346, 16.

315-6

Nonius, 200, 16 : 'Collus' masculino . . . —
calda simeitu
ac bene plena ei vasa olerorum atque anseris collus.

317

Nonius, 395, 11 : 'Segetem' etiam ipsam terram dicimus
. . . (395, 28) —

solem auram adversam segetem immutasse satumque.

³¹⁵⁻⁶ calda simcitu ac bene plena ei vasa olerum Mr. (vasa
olerum Koch) splenia olerum *MS Scal.* calda siem ac
bene plena si olerum M caldais seme (caldissime G,
calda insemul *vel* insemel *coni.* Linds.) ac bene plena iiasolorum
cdd.

³¹⁷ solem *cdd.* (solam G. *recte*?) satumque D (I.)
statumque *cdd.*

BOOK VII

311-2

Nonius: 'Contendere' means to compare . . . —

Have I ever compared this fellow to Hyacinthus, the darling of the Tripodipotent? ^a

Sat. II. Human wishes and fate's decisions?

313

Man's discontent:

Nonius: The genitive case put for the accusative . . . —

We are glum and hard to please; we are disdainful of our good things.

314

Nonius: 'Muginari,' to grumble . . . —

We hum and ha,^b we plan mightily, we are dragged under.^c

315-6

Nonius: 'Collus' in the masculine . . . —

for him at the same time a fine full hot-pot of vegetables^d and a goose's neck.

317

The farmer's troubles? :

Nonius: 'Seges' is a term which we apply even to the ground itself . . . —

that the sun and an unfavourable wind wrought a change in the cornfield and its sown crop.

^a Apollo 'strong i' the tripod.'

^b or dally.

^c or, we shirk, 'take French leave.'

^d But the corrupt text may hide *olorum* (swans; not smells?).

LUCILIUS

318

Nonius, 506, 7 : ' Fulgit ' pro fulget . . . —

Primum fulgit uti caldum e furnacibus ferrum.

319

Nonius, 102, 19 : ' Exculpere ' est extorquere . . . —

esuriente leoni ex ore exculpere praedam,

320

Nonius, 457, 71 : ' Catuli ' . . . —

⟨leae i⟩ratae ad eatulos accedere inultum.

321-2

Nonius, 22, 3 : ' Capronae ' dicuntur comae quae ante frontem sunt . . . —

iaetari caput atque comas fluitare capronas
altas frontibus immissas ut mos fuit illis.

Cp. Paul, ex Fest., 33, 32 (capronae equorum iubae . . .);
C. Gl.L., IV, 29, 49.

323

Nonius, 552, 30 : ' Rorarii ' appellabantur milites qui . . . primo . . . inibant proelium . . . —

quinque hastae, aureolo cinctu rorarius veles.

³¹⁹ VII esuriente Usener, Mr. III L uti esurienti
cdd.

³²⁰ iratae Quich. <utque leae i>ratae M ferai *vel*
pantherai Mr iratae <tigris>*olim* Leo qui *postea* iratae
lēae iratae <que ursae> C rete D (L) rate *cdd.*

BOOK VII

318

Nonius : ' Fulgit ' for ' fulget ' . . . —

First it glares like hot iron from the furnaces.

319

Rash desires or actions :

Nonius : ' Exculpere ' (chisel out, wrench from) means to twist out . . . —

to wrench from a lion's hungry mouth its prey,

320

Nonius : ' Catuli ' . . . —

to approach unharmed the cubs of an angry lioness.

321-2

Spanish affairs ? : The Lusitanians ? : ^a

Nonius : ' Capronae ' (forelocks) is a term applied to the hair which is in front of the forehead . . . —

that their head was tossed about, their forelocks floated about on high, let loose upon their foreheads, as was their manner.

323

reward to soldiers in Spain ? :

Nonius : ' Rorarii ' was a name given to soldiers who . . . joined battle first . . . —

. . . five lances, the light-armed and skirmishers with a little golden circlet.^b

^a Cp. Appian, *Iber.*, 67. Lucilius may refer to Popillius' campaign of 139 (Cichor., 32-3); but might he not refer to a fine horse (Fiske, 26)?

^b The clause *quinque hastae* is incomplete. The fragment refers to military rewards. Marx, *ad* 290.

LUCILIUS

LIBER VIII

Sat. I.

324-5

Nonius, 489, 22 : 'Gracila est' pro gracilis est. Lucilius satyrarum lib. VIII—

quod gracila est, pernix, quod pectore puro,
quod puero similis.

326

Nonius, 217, 12 : 'Posticam' . . . neutro . . . —
Pistrinum adpositum posticum cella culina.

327-7a

Priscianus, ap. *G.L.*, II, 115, 15 K : 'Panus.' . . . Lucilius in VIII—

<fusus>

intus modo stet rectus, foris subteminis panus.

Cp. Non., 149, 19; Charis., ap. *G.L.*, I, 105, 18 K : VII, 285, 20.

328-9

Nonius, 427, 22 : 'Priores' et 'primores' . . . —
gallinaceus cum victor se gallus honeste
in tentos digitos primoresque erigit ungues.

³²⁴ et L

³²⁶ cella Gulielmus sella *cdd.*

³²⁷ fusus *add.* W subteminus *Flor.* 3 *Non.* substeminis
G. Non. substeminus *Lu. Non.*

³²⁹ in tentos H altius in M homeste intulit is L h. i.
in Quich. honeste sustulit in *Ald.* onestemtelitus *cdd.*

BOOK VIII

BOOK VIII ^a

Sat. I. On women and men's relations with them

324-5

The best woman for a man ?

Nonius : ' Gracila est ' for ' gracilis est. ' Lucilius in the eighth book of the *Satires*—

because she is slender and nimble, because she has a pure heart, because she looks like a boy.

326

A simple house :

Nonius : ' Postica ' . . . in the neuter gender . . .—

Built on to it is a pounding-mill, a backhouse, a store-room, and a kitchen.

327-7a

The good wife's work :

Priseianus : ' Panus ' . . . Lucilius in book VIII—

provided that, inside, the spindle stands upright and, outside,^b a bobbin-full of weft.

328-9

Her pride ? :

Nonius : ' Priores ' and ' primores ' . . .—

when a poultry-cock, winner in a good fight, raises itself on its toes at full stretch and on its front claws.

^a This book certainly dealt with matters of sex, and probably with trades which ministered to table-luxury.

^b that is, all round, covering the spindle.

LUCILIUS

330

Priscianus ap. *G.L.*, II, 397, 24 K : A 'lenteo' 'lentesco' derivatur, quomodo a 'duro' 'duresco' et a 'vireo' 'viresco.' Lucilius in VIII—

lentet opus.

Cp. Macrobi., ap. *G.L.*, V, 650, 31 K.

331-2

Nonius, 257, 37 : 'Conponere,' coniungere . . . —

" cum poclo bibo eodem, amplector, labra labellis fietricis conpono, hoc est cum ψωλοκοποῦμαι."

Cp. Non., 308, 22.

333

Nonius, 257, 37 : 'Conponere,' coniungere . . . —

" Tum latus conponit lateri et cum pectore pectus."

334

Porphyrio ad Hor., *S.*, I, 2, 125 : Lucilius ait in VIII—

" . . . et cruribus crura diallaxon,"

335

Porphyrio ad Hor., *S.*, I, 2, 68 : 'Muttonem' pro virili membro dixit Lucilium imitatus; ille etenim in VIII sic ait—

" at laeva lacrimas muttoni absterget amica."

³³² ψωλοκοποῦμαι Iunius recte; cf. *Cronert, Rh. Mus.*, LXV, 470-1 in paripso psolo copumai M ipso loco pomas *edd.* 257 via ωλοκοπουμη Lu. 308 om. via G 308 via οκοσιούμη *Gen., Bern.* 83, 308

Porph. : VIII *edd.* VII *cdd.*

BOOK VIII

330

She is allured by an adulterer :

Priscianus: From 'lenteo' is derived 'lentesco,' like 'duresco' from 'duro,' 'viresco' from 'vireo.' Lucilius in book VIII—
her work slows up.

331-2

The adulterer seduces her :

Nonius: 'Conponere,' to join together . . . —

"When I drink from the same cup, embrace her, lay my lips to her little ones (the scheming jade!)^a—that is, when I'm lustful."

333

Nonius: 'Conponere,' to join together . . . —

"Then she lays side to side and joins breast with breast."

334

Porphyrio: Lucilius says in book VIII—

"and I about^b to cross legs with legs,"

335

Porphyrio: By 'mutto' he meant the male organ, in imitation of Lucilius. For he in book VIII writes as follows—

"But, with her left hand, from my counterpart My mistress^c wipes the tears."

^a This is probably right. Nonius is probably wrong in quoting this fragment elsewhere as illustrating the use of *ingere* for *ingere*, as though 'fictrix' meant a 'licker into shape.' (Non., 308, 18 ff.)

^b διαλλάξων, future indic. Possibly διάλλαξον, aorist imperative.

^c Or perhaps it is amicā (sc. manu) as in Martial, IX, 41; *Priapea*, XXXIII, 6 Mr.

LUCILIUS

Sat. II.

336

Nonius, 497, 36 : Genetivus positus pro ablativo . . . —
quarum et abundemus rerum et quarum indigeamus.

337-8

Nonius, 119, 16 : 'Gigeria' intestina gallinarum conquisita
cocta . . . —

Gigeria insunt
sive adeo hepatica.

339

Nonius, 84, 8 : 'Colustra,' lac concretum in mammis . . . —
† hiberam insulam † omento omnicolore colustra.

340

Priscianus, ap. *G.L.*, II, 546, 9 K : 'Sallio' sallitum facit,
'sallo' salsum . . . —

sallere murenas, mercem in frigidaria ferre.

341-2

Nonius, 212, 27 : 'Mercatura' feminini . . . —
verum et mercaturae omnes et quaestiuoli isti
intuiti . . .

³³⁷ gigeria (Bentin.) insunt Mr. gigeria insunt L gi-
zeria ni sunt M gigeriae sunt S gizerini sunt *cdd.*, *an*
recte?

³³⁹ fortasse ferinam | . . . insulsam o. o. e. hiberam in-
sulam fomento *vel sim.* *cdd. vide Linds. ad loc.* permulsam
fomento horto omnicolore colustra M

³⁴¹⁻² isti intuiti S isti M instituti *cdd.* (*sequitur in*
Non. Turpilius . . .)

BOOK VIII

Sat. II. On table-luxury?

336

Human needs :

Nonius : The genitive put for the ablative . . .
of what things we have plenty and of what we
stand in need.

337-8

Some people are epicures : choice dishes :

Nonius : 'Gigeria,'^a the choice cooked entrails of poultry
. . . —
There's giblets or indeed *foies gras* in it.

339

Nonius : 'Colustra,' milk congealed in the breasts . . .
. . . with tripe of all hues, and beestings.

340

The fish-merchant :

Priscianus : 'Sallio' (I salt) makes 'sallitum' its supine,
'sallo' (I salt) makes 'salsum' . . . —
to salt sea-murries,^b and to bring the wares into
his cold-storage house.

341-2

Nonius : 'Mercatura' of the feminine gender . . .
but also all those business deals and those petty
little profits that are unsafe . . .

^a It is uncertain whether the correct form is *gizeria* or *gigeria*.

^b The murena is a 'sea-eel' (*Murena helena*).

LUCILIUS

343-4

Nonius, 4, 1: 'Tolutim' dicitur quasi volutim . . . —

Si omne iter evadit stadiumque acclive tolutim,
idem—

Velle tolutim hic semper iter coepturus videtur.

345-6

Nonius, 533, 25: 'Cercurus' navis est Asiana pergrandis
. . . —

Verum flumen uti atque ipso divortio aquae vis
propellit pedibus cercyrum currat ut aequis.

LIBER IX

Of the two satires in this book (written c. 112-111 B.C.), one deals with sights seen apparently on a walk in Rome during the month of March, and with thoughts about them;

Sat. I.

347

Priscianus, ap. *G.L.*, II. 251, 12 K: Invenitur etiam 'haec capis capidis' cuius diminutivum est 'capidula' . . . Lucilius in IX—

Hinc ancilia, ab hoc apices capidasque repertas.

³⁴⁴ iter coepturus L et incepturus Bouterwek agi incepturus M semper incepturus *cdd.*

³⁴⁵⁻⁶ vis . . . aequis W divortio igneis pedibus cercyrum concurret aequis *cdd.* aquae sunt . . . conferet Mr. de vortice montis saxum ingens pedibus cercyrum currere ut aequis M aquarum ilignis . . . concinit Iun.

BOOK IX

343-4

The following fragments seem to refer to a Spanish horse

Nonius: 'Tolutim' (lifting up the feet?) is a term used just like 'volutim' . . . —

If he passes over the whole track of the steep race-course at a rapid trot,

the same poet—

About to begin a journey, he seems to want it always at a rapid trot.

345-6

Nonius: 'Cercurus' means a very large Asiatic ship . . . —

But, like a river and the rush of water from its very watershed, it pushes on the pinnacle so that it runs along with the sheet-ropes let out equally.^a

BOOK IX

and the other with rules of spelling and literary composition, which Lucilius lays down in opposition to the views of Accius.

Sat. I.

347

The Salii, flamines, and pontifices:

Priscianus: We find even nom. feminine 'capis,' gen. 'capidis' (one-handed bowl), of which the diminutive form is 'capidula' . . . Lucilius in book IX—

Hence arose the Shields, hence the invention of the Cone-Caps^b and the Bowls.

^a *i.e.* with the wind right aft, at full speed (cp. Cic., *ad Att.*, XVI, 6; Ov., *F.*, III, 565). This passage is desperately corrupt. The *cercurus* was really a light ship used particularly by the Cyprians.

^b Plut., *Num.*, 13; Livy, VI, 41, 9; X, 7, 10; Cic., *Par.*, I, 11. The *ancilia* belonged particularly to the *Salii*, the *apices* to the *flamines*, and the *capides* to the *pontifices*.

LUCILIUS

348

Festus, 370, 32 : 'Redantruare' dicitur in Saliorum exultationibus; "cum praesul amptruavit." quod est motus edidit, ei referuntur invicem idem motus. Lucilius—

praesul ut amptruet inde, ut vulgus redamptruet inde.

Cp. Non., 165, 17 (. . . Lucilius lib. IX . . . redandruet).

349

Nonius, 67, 17 : 'Pareutaetoe' qui de pueritia veniunt ad pubertatem . . . Lucilius lib. IX—

unde pareutaetoe clamides ac barbula prima.

350-1

Nonius, 18, 17 : 'Rutrum' dictum est a 'radendo' . . . —
Frumentarius est ; modium hic secum atque rutellum una adfert.

³⁴⁸ vulgus *Fest.* ut vulgus *Non.* redandruet inde
Non. redamplavit at *Fest.* (*sequitur* Pacuvius . . .)

Non. 67 : Pareutaetoe qui Buecheler parectato hi qui *cdd.*

³⁴⁹ unde *vel* inde *cdd.* pareutaetoe chlamydes Buecheler parectato e calamides *cdd.*

^a Buecheler, *Rh. Mus.*, XLVIII, 1893, 631; Cichor., 44; *C.I.A.*, III, 1, 107, 109 (*παρεύτακτοι* mentioned; cp. *παρεντακτέω* Polyb., III, 50, 7; and even V, 56, 7). Cp. also Lucilius, Bk. XXVIII, l. 816, pp. 262-3.

BOOK IX

348

Dance of the Salii :

Festus : ‘Redantruare’ is a term used in describing the leappings of the Salii (Jumpers, Dancers); “when the dance-leader ‘amptuavit’” (has leaped around), that is, has set the movements, all movements in reply are made to agree with his. Lucilius—

that the dance-leader should leap around on this side and the chorus should leap around in time with him on that.

349

The ‘ephebi’ of Attica :

Nonius : ‘Pareutactoe’ is a term applied to those who from boyhood are approaching puberty . . . Lucilius in bk. IX—

whence comes their name *παρεΰτακτοι* (‘in regular training’), and their cloaks and first short beard.^a

350-1

Applicant for the corn-dole :

Nonius : ‘Rutrum’ (shovel) is a term derived from ‘rado’^b . . . —

He’s a corn-doler;^c he brings with him a peck-measure and a little shovel too.

^b *rutrum* comes really from *ruo*.

^c Cichorius, 292 ff., rightly sees in this fragment an allusion to a receiver of the corn dole after 123 B.C., rather than to a corn-dealer. Lucilius may be playing on both senses and I have translated accordingly.

LUCILIUS

352-3

Nonius, 445, 13: 'Acerosum' et 'aceratum' utrumque nove positum. . . . Aceratum est lutum paleis mixtum, ut laterariis usus est . . . —

Lateres qui ducit habet nihil amplius numquam quam commune lutum ac paleas caenumque aceratum.

354-5

Nonius, 166, 4: 'Ramites' dicuntur pulmones vel hirnea . . . —

quod deformis senex ἀρθριτικός ac podagrosus est, quod mancus miserque exilis ramite magno.

356

Priscianus ap. *G.L.*, II, 507, 1 K: 'Seabo, scabi' . . . —
Scaberat ut porcus contritis arbore costis.

357-8

Nonius, 216, 4: 'Ostrea' . . . (17) neutri . . . —

Quid ergo si ostrea Cerco
cognorit fluvium limum ac caenum sapere ipsum? . . .

³⁵² lateres Leo *G.G.A.*, 1906, (1), 848 nam laterem Iun. et laterem M latere *cdd.* nil M mihi *cdd.* numquam Linds. a me Leo natum M unquam Iun. nam quam *cdd.*

³⁵³ ac paleas Francken a paleis *cdd.* caenumque aceroso *cdd.* cenoque aceratum M (aceratum D. (F.))

³⁵⁷ quid ergo? si ostrea Cerco C 296-8 (ergo L) quid ergo si tenera ostrea M *alii alia* quid ergo si cerno ostrea *cdd.*

³⁵⁸ cognorit *cdd.* cognorim Bentin.

BOOK IX

352-3

a brick-maker :

Nonius : ' Acerosum ' (wholemeal bread) and ' aceratum ' (clay mixed with chaff) are both put as unusual words. . . . ' Aceratum ' is ^a clay mixed with chaff, according to the custom of brickmakers . . . —

He who makes bricks never has more than common natural clay and chaff, mixed mud and grain-husks.^b

354-5

an old wreck of a man :

Nonius : ' Ramites ' (blood-vessels of the lungs) is a term used for lungs, or for a rupture . . . —

because he is a deformed, rheumaticky, gouty old man, because he is a poor maimed lanky wretch with a big rupture.

356

Priscianus : ' Scabo,' perfect ' scabi ' . . . —

He had scratched as a pig does by rubbing its ribs against a tree.

357-8

an old glutton with spoilt palate :

Nonius : ' Ostrea ' . . . of the neuter gender . . . —

What then if Cerco^c finds that oysters taste of the very mud and mire of the rivers?

^a The distinction drawn by Nonius was not strictly observed by the Romans.

^b cf. Leo, *G.G.A.*, 1906, (i), 848.

^c Cichor., 296-8.

LUCILIUS

359-60

Nonius, 497, 36: Genetivus positus pro ablativo . . .
(498, 14)—

Si nihil ad faciem et si olim lupa prostibulumque,
nummi opus atque opus fit.

361

Nonius, 19, 20: 'Evannetur' . . . —

Crisabit ut si frumentum elunibus vannat.

362-3

Nonius, 455, 10: 'Rostrum' . . . —

Arripio et rostrum labeasque huic Zopyriatim
percutio dentesque advorsos discutio omnes.

364

Charisius, ap. *G.L.*, I, 100 K: 'Lora' . . . e corio vin-
cula . . . —

ipsa suo e corio omnia lora.

365

Gellius, I, 16, 10: Lucilius . . . in libro IX . . . —

Tu milli nummum potes uno quaerere centum. . . .

dixit . . . 'uno milli nummum' pro 'unis mille nummis

Cp. Macrobius, *Sat.*, I, 5, 7.

³⁶⁰ opus fit *coni.* H subit M assis Lips obsi
(= ὄψον) Leo, *G.G.A.*, 1906 (i), 849 obsit *cdd.*

³⁶¹ crisabitque D(I.) crissavit Iun. cursavit *cdd.*

³⁶² huic Westerhow zopyriatim Varges vociferanti M
huic zopyrioni Iunius hoc zopyrioni L hoc zeferiat in
cdd. *fortasse* ne feriat me

³⁶⁴ suo e M si se *cdd.*

BOOK IX

359-60

an old whore :

Nonius : The genitive put for the ablative . . . —

If she's nothing much in looks, and if she was of old a whore and a harlot, shew a shilling, she'll be willing.

361

Nonius : ' *Evannetur* ' . . . —

She'll jerk as though she were winnowing corn with her buttocks.

362-3

a fight :

Nonius : ' *Rostrum* ' . . . —

I lay hold of him Zopyrion-wise.^a I hit his mug and his lips and shatter all his teeth that meet my blows.

364

Charisius : ' *Lora* ' . . . as meaning bonds made out of hide . . . —

even all the straps from his hide.^b

365

Good business in Rome :

Gellius : Lucilius . . . in the ninth book . . . —

With but one thousand sesterces you can get a hundred (thousand) . . .^c

. . . used . . . ' *uno milli nummum* ' instead of ' *unis mille nummis* .'

^a If this reading be right, there is an allusion not to the Persian Zopyrus (Herod., III, 154; Justin, III, 10 ff.), but to the slave mentioned by Lucilius in bk. XXII, fr. 626.

^b Apparently some sort of proverb, but the meaning is not clear.

^c *sc.* sesterces; *or* one hundred delicacies.

LUCILIUS

Sat. II.

Cp. Accius, *Remains of Old Latin*, Vol. II, *introd.*, pp. xxii-xxiv. The extant fragments of Lucilius given below have caused much discussion, especially as to whether Lucilius meant to lay down rules not only of spelling but also of pronunciation. The chief points arise out of the rules for 'i' and 'ei' (lines 375 ff.). See Sommer, in *Hermes*, XLIV,

366-7

Nonius, 286, 33: 'Discere' est ignotam rem meditando assequi . . . —

Labora

discere ne te res ipsa ac ratio ipsa refellat.

Porphyrio, ad Hor., *S.*, I, 10, 53: meminit Lucilius IX et X.

368-72

Terentius Scaurus, ap. *G.L.*, VII, 18, K: Lucilius in nono saturarum de orthographia praeicipiens ait—

'a' primum est, hinc incipiam, et quae nomina ab hoc sunt. . . .

deinde—

'aa' primum longa, 'a' brevis syllaba; nos tamen unum

hoc faciemus et uno eodemque ut dicimus pacto scribemus pacem Pacideianum, aridum, acetum,

Ἀρεσ ὞Ἀρεσ Graeci ut faciunt.

³⁶⁶⁻⁷ labora d. n. te res D (I.) discere l. n. r. t. *add.*

³⁶⁸ *post sunt trib. Lucil.* deinde M

³⁶⁹ aa geminum longa a brevis Ribb. a primum longa brevis *add.* diximus D (I.)

³⁷¹ pacem Pacideianum B pacem plaecide ianum aridum *add.*

³⁷² ὞Ἀρεσ ὞Ἀρεσ D (I.) apce ape *vel sim.* *add.*

BOOK IX

Sat. II. On literary composition. Rules of spelling.

70 ff.; Fay, in *Am. Journ. Phil.*, XXXIII, no. 131, 311 ff.; Kent, in *id.*, XXXII, no. 127, 272 ff. (full details) and in *Glotta*, IV, 299 ff.; Süss in *H.*, LXII, 342 ff.; Colson in *C.Q.*, XV, 1921, 11-17. My own view is that Lucilius deals with spelling primarily.

366-7

Attention required :

Nonius : 'Discere' means to become master of a thing not known, by studying it . . . —

Take pains to learn, lest the very essence and the very principle of the thing should elude you.^a

we shall differ^b from the teaching of Accius :

Porphyrio : Lucilius makes mention of Accius in (books) IX and X.

368-72

Vowels. a :^c

Terentius Scaurus : Lucilius, laying down the rules of good spelling in the ninth book of the *Satires*, says—

'a' comes first; I will begin with this and then the letter-names which come after it. . . .

and then—

First 'aa' for the long, 'a' for the short syllable.^d But we will spell both with one letter, and as we say now will write in one and the same way pācem Pācideianum, āridum ācetum,^e just as the Greeks do with ᾠᾶρες Ἄρες.

^a Süss, *H.*, LXII, 346-7.

^b *i.e.* from Accius' rules on spelling only (it seems).

^c cf. also E. Cocchia, *Atti della r. ac. di Napoli*, N.S., V, 1917, 337 ff.

^d says Accius.

^e on Pacideianus see above, lines 172 ff.; *aridum, acetum*, dry, wine-vinegar. ᾠᾶρες Ἄρες—Homer, *Iliad*, V, 31.

LUCILIUS

373

Nonius, 503, 16 : Ab eo quod est ' fervit ' breviato accentu ' fervere ' facit, ut ' sperno spernere ' . . . —

Fervere ne longum. Vero hoc lictoribus tradam.

374

Quintil., I, 6, 8 : Apud Lucilium—

Fervit aqua et fervet; fervit nunc fervet ad annum.

Cp. Non., 503, 11 : (. . . Lucilius lib. IX. . . .) Prisc., ap. *G.L.*, II, 478, 18 K; Prob., ap. *G.L.*, IV, 241, 22 K.

375-6

Charisius, ap. *G.L.*, I, 78, 8 ff. : Lucilius . . . et per unum ' i ' . . . genitivum scribi posse existimat . . . —

Porro hoc si filius Luci fecerit, i solum, ut ' Corneli Cornificique.'

377-9

Velius Longus, ap. *G.L.*, VII, 56, 2 K : Alii . . . quorum est . . . Lucilius, varie scriptitaverunt; siquidem in iis quae producerentur alia per ' i ' longam alia per ' e ' et ' i ' notaverunt, velut differentia quadam separantes, ut cum diceremus ' viri,' si essent plures, per ' e ' et ' i ' scriberemus,

³⁷³ *fortasse* fervere ě, ne *vel* fervere ne ē longum fervere
an e L vero *cdd.* verum Mr. lictoribus *vel*
lectoribus *cdd.*

³⁷⁵⁻⁶ *vide* M *ad loc.*, et *G.L.*, I, 78

^a The normal conjugation in best Latin prose is *ferveo*, *fervĕre*.

^b apparently a pun on ' corripere,' make a syllable or vowel short, and ' corripere,' arrest; cf. Süß, *H.*, LXII, 342-3. But Lucilius may have written ' lectoribus ' ' my readers.'

BOOK IX

373

e :

Nonius : From the word 'fervit' comes 'fervēre'^a with shortened tone, as 'sperno, spernere' . . . —

'Fervere,' not with long 'e.' To be sure, I'll leave this to the beadles.^b

374

Quintilian : We have in a passage of Lucilius—

Water boils (*fervit*) and will boil (*fervet*) ; 'fervit' now, 'fervet' for the coming year.

375-6

i and *ei* :^c

Charisius : Lucilius thinks that the genitive can also be written with one 'i' . . . —

Further, in "If the son of Lucius (*Luci*) does this," put 'i' alone, as in "of Cornelius and Cornificius" (*Corneli Cornificique*).

377-9

Velius Longus : Others, of whom . . . Lucilius is one, used to differ in their spelling : thus in the case of *i*-vowels which were pronounced long they spelt some with *i* long, some with *e* and *i*, really making a certain distinction of usage, so that when we said "viri," nominative plural, we should write it 'virei' with 'e' and 'i' ; but if it was genitive

^c The order of the succeeding fragments seems to me to be established by the following references : Charis., *G.L.*, I, 78 (lines 375-6) ; Charis., *op. cit.*, 79 (379) ; Quint., I, 7, 15 (377-8) ; Vel. Long., *G.L.*, VII, 56, 2 (377-9) ; Quint., *l.c.* (380-1) ; Vel., *op. cit.*, 56, 10 (382-3) ; Vel., 56, 13 (386-7). Any further alteration of Marx's order would be wrong. See also Kent, *Am. J. Ph.*, XXXII, no. 127, 281 ; id., XXXIV, no. 135, 315 ff., cp. Süss, *H.*, LXII, 347. Skutsch, *Glotta*, I, 310 and others add lines 380-1 to this fr.

LUCILIUS

si vero esset unius 'viri,' per i notaremus. Et Lucilius in nono—

Iam 'puerei venere' 'e' postremum facito atque 'i' ut puerei plures fiant; 'i' si facis solum.

'pupilli pueri Lucili,' hoc unius fiet.

Cp. Charis., ap. *G.L.*, I, 79 K.; Quintil., I, 7, 15.

380-1

Quintil., I, 7, 15: Ae deinceps idem—

'Mendaci' 'furique' addes 'e,' cum dare furei iusseris.

382-3

Velius Longus, ap. *G.L.*, VII, 56, 10 K: Item—

'Hoc illi factum est uni,' tenue hoc facies 'i';
'haec ille fecere,' addes 'e,' ut pinguius fiat.

384-7

Terentius Saurus, ap. *G.L.*, VII, 18, 23 K: Itemque quod Lucilius ubi 'i' exile est per se iubet scribi, at ubi plenum est praeponendum esse 'e' credit, his versibus—

³⁷⁸ fiant *Quint.* faciant *Vel.*

³⁸⁰ mendaci Furique (*genetiv.*); addes e cum dare furei iusseris <aut mendacei homini> Skutsch, *Glotta*, I, 310. eum dabi' Furi. Mr. dato, Furei L

^a Fay, op. cit., 313. Cp. lines 375-6.

^b For discussions on this fragment see Fay, *Am. J. Ph.*, XXXIII, p. 313 and *id.* XXXVI, no. 141, 79; Colson, *C.Q.*, XV, 13 ff.; Sommer, *H.*, XLIV, 76-7; Süß, *H.*, LXII, 343-4; Skutsch, *Glotta*, I, 310. It may be that Lucilius

BOOK IX

singular, we should represent it with an 'i.' Thus Lucilius in the ninth book—

Now the next point:—"the boys have come;" put at the end (of *puerei*) 'e' and 'i,' that the *puerei* may express the plural, boys. If you put 'i' alone, "*pupilli, pueri. Lucili*" then you make it express the genitive singular (of an orphan, of a boy, of Lucilius).^a

380-1

Quintilian: And again the same poet—

To *mendaci* (a liar) and *furi* (a thief) add 'e' when you order anyone to give it to a thief (*furei*) or to a liar (*mendacei*).^b

382-3

Velius Longus: Again—

"This was done *illi uni*" (to him alone); this 'i' you will write simple. "All this *illei* (they) did;" add 'e' that it may become richer.^c

384-7

Terentius Scaurus: And again, Lucilius orders that when *i* is 'thin' it should be written by itself, but when it is 'full,' he believes *e* should be put in front, in these lines—

here uses *dare* like our colloquial "to give it to someone," and says: Add 'e' to the dative so as to give. For the ablative (take-away-case) Lucilius may thus have said "take away a letter." But it is hardly likely that he really did lay down such fatuous precepts except perhaps to provide mnemonics for rules of spelling.

^c Süss, *H.*, LXII, 345-6. Skutsch, *Glotta*, I, 309. Does Lucilius, in the matter of *ille* and the like, break his rule of '-ei' for the dative singular in order to distinguish *illei* plural?

LUCILIUS

‘ Mille ’ hominum, duo ‘ milia ’; item huc ‘ e ’
 utroque opus ‘ meille,
 meilia.’ Iam tenues ‘ i ’ ‘ pila ’ in qua lusimus, ‘ pilum ’
 quo piso, ‘ i ’ tenues. Si plura haec feceris ‘ pila ’
 quae iacimus, addes ‘ e,’ ‘ peila,’ ut plenius fiat.

Cp. Vel. Long., ap. *G.L.*, VII, 56, 13 K; Marius Victorin.,
 ap. *G.L.*, VI, 18, 3 K.

388

Quintil., I, 7, 18: ‘ Ae ’ syllabam cuius secundam nunc
 ‘ e ’ litteram ponimus varie per ‘ a ’ et ‘ i ’ efferebant . . . est
 in hac quoque parte Lucili praeceptum . . . in nono.

Martianus Capella, III, 266 . . . Lucilius in dativo casu
 ‘ a ’ et ‘ e ’ coniungit dicens—

† huic Terentiae Orbiliae Licinius †

Cassiodorius, ap. *G.L.*, VII, 149, 1 K: Q littera tunc recte
 ponitur cum illi statim ‘ u ’ littera et alia quaelibet una
 pluresve vocales coniunctae fuerint ita ut una syllaba fiat;
 cetera per ‘ c ’ scribuntur. Hoc quoque Lucilio videtur.

³⁸⁴ vide *G.L.*, VII, 19. mille . . . milia Colson *C.Q.*,
 XV, 12 meille . . . meilia S

³⁸⁴⁻⁵ meille | meilia iam Colson meiles | meilitiam S
 mille militiam *cdd.* pila in qua Fay, *A.J.P.*, XXXIII,
 pp. 313 *sqq.* (*ubi et tenuest*) tenue i. pilam Ken pila
 in, qua Süß, *H.*, LXII, 348 pilam qua ludimus S *alii*
alia pinsimus Kent

³⁸⁶ piso, ‘ i ’ tenues W tenue i. si plura Kent *om. i Ter.*
Cassiod.: Lucilio Semler lucio *cdd.*

^a here Lucilius shortens the vowel-name—Colson, *C.Q.*,
 XV, 12. But see Kent, *A.J.P.*, XXXIV, 318. Lucilius must
 mean *pīla* both in the singular and in the plural.

BOOK IX

A thousand (*mille*) men, two thousand (*milia*); here again an 'e' is needed in both, *meille*, *meilia*. Now the next point:—you must put a simple short 'i'^a in *pīla* (ball) at which we have played, also a simple long 'i' in *pīlum* (pestle) with which I pound. If you make a neuter plural, e.g. *pīla* (spears) which we throw, add 'e,' *peila*, that it may be a fuller word.^b

388

Diphthongs. ae :

Quintilian: The syllable 'ae,' for whose second letter we now put 'e,' they used to pronounce differently, with 'a' and 'i' . . . On this point also there is a precept of Lucilius . . . in the ninth book.

Martianus Capella: Lucilius joins 'a' to 'e' in the dative case, when he says—

' *Terentiae* ' and ' *Orbiliae*,' ' To this Terentia . . . and Orbilia ' Licinius^c

Consonants. q :

Cassiodorius: It is right to put the letter 'q' when the letter 'u' and any other single or several vowels are directly joined to it in such a way that one syllable is made; in all other instances 'c' is written. This is the opinion of Lucilius among others.

^b See Fay, *Am. J. Ph.* XXXIII, no. 131, 313-6; Colson, *C.Q.*, XV, 12; Süß, *H.*, LXII, 348; Kent, *Am. J. Ph.*, XXXII, 272 ff.; XXXIV, no. 135, 315 ff.; Sommer, *H.*, XLIV, 75.

^c If this fr. is not wholly corrupt (*Līcīniūs* certainly is, probably for *Licinus*), then Martianus has given simply some relevant words, not the whole fragment.

LUCILIUS

389-92

Velius Longus, ap. *G.L.*, VII, 47, 1 K: Possit etiam plerosque consonantes et omnes semivocales pro syllabis ponere. Nam apud Lucilium in nono, in quo de litteris disputat, omnes vicem syllabarum implent, cum dicit—

‘ r ’; non multum est hoc cacosyntheton atque
canina

si lingua dico; nihil ad me; nomen enim illi est.

Item—

‘ s ’ nostrum et semigraeci quod dicimus ‘ sigma ’
nil erroris habet.

Apparet ergo haec nihil aliud quam locum syllabae tenere nec tamen syllabas esse.

Velius Longus, ap. *G.L.*, VII, 60, 14 K: Antiquos seimus et ‘ abs te ’ dixisse . . . seimus ipsos et ‘ ab Lucilio ’ dixisse.

393

Velius Longus, ap. *G.L.*, VII, 62, 18 K: ‘ Abbibere ’ etiam quidam geminato ‘ b ’ maluerunt et dicere et scribere intermissa ‘ d, ’ et in hoc nullam differentiam putat esse Lucilius qui ait—

‘ abbibere ’; hic non multum est ‘ d ’ siet an ‘ b. ’

³⁸⁹ r Mr. a re *cdd.*

³⁹⁰ ad *cdd.* ar D (I.) enim M hoc *cdd.*

Vel. Long. 60, 14 K: *trib. Lucilio* Becker.

³⁹³ hic *add.* M

^a the ‘ half-vowels ’ f, l, m, n, r, s, x, which can be spoken with continued sound; x tended to become ss in vulgar speech.

^b r a snarling sound ‘ er, ’ as opposed to *εὐσυνθεσία*.

^c i.e. ‘ r ’ pronounced.

BOOK IX

389-92

r; s:

Velius Longus: It would be possible to write even most consonants and all the half-vowels ^a so as to represent syllables. For in Lucilius, in the ninth book, in which he argues about letters, all of these play the part of syllables, when he says—

‘r’; it does not make much difference if I speak this in an ugly sound-unit ^b and in dog-language; I am not answerable for it, because that sound ^c is its name.

Again—

our ‘s’ and what we call in our half-Greek way ‘sigma’ has no fault in it.

It is clear therefore that they really do stand as syllables and are still not syllables.^d

prepositions. a, ab:

Velius Longus: We know that the archaic writers said ‘abs te’ . . . and that they also said ‘ab Lucilio.’

393

ad:

Velius Longus: Some even preferred to speak and write ‘abbibere’ (to drink in) with double ‘b,’ ‘d’ being dropped, and Lucilius thinks this makes no difference; he says—

‘abbibere’; here it is not of much moment whether we have ‘d’ or ‘b.’

^d in fact, in Lucilius these letters are to be taken as pronounced rather than named; probably also, in naming, e.g., letter m, Lucilius made a mere mumble with lips closed, instead of saying ‘em.’ But sometimes he naturally used, for the other consonants, their names, for metrical reasons, just as he liked. Thus, in the next fragment ‘d’ and ‘b’ must be pronounced as ‘dē,’ ‘bē,’ in order to make them occupy the position of a long syllable.

LUCILIUS

394-5

Velius Longus, ap. *G.L.*, VII, 61, 16 K: Haec similiter littera ('c') geminatur in eo quod est 'capio accipio'; itaque Lucilius—

atque 'adcurrere' scribas
'd' ne an 'c' non est quod quaeras atque labores.

396

Velius Longus, ap. *G.L.*, VII, 65, 11 K: 'Per' vero praepositio omnibus integra praepositur, nisi cum incidit in 'l' litteram, adfinem consonantem . . . nec aliter apud Lucilium legitur . . . —

'pelliciendus,' quod est inducendus, geminat 'l.'

397

Pompeius, ap. *G.L.*, V, 289, K: Lucilius . . . ait . . . —
Adde soloecismon genera atque vocabula centum.

Et perecurrit ipsa vocabula versibus scriptis arte, et ibi enumerat illa omnia.

Cp. Donatus, ap. *G.L.*, IV, 393, 18 K: *al.*

398-400

Charisius, ap. *G.L.*, III, 6 K: 'Intro' est in locum, 'intus' in loco . . . Lucilius . . . —

Nam veluti 'intro' aliud longe esse atque 'intus' videmus,
sic item 'apud te' aliud longe est, neque idem valet 'ad te';
'intro' nos vocat at sese tenet 'intus.'

³⁹⁵ atque *vulgo* eque M aequae *cl.*

³⁹⁶ geminato L

³⁹⁷ *ex libro IX? X coni.* M

³⁹⁸ ¹⁰⁰ *trib. lib. IX D (F.)*

³⁹⁹ item *add. L. vide M p. 83*

BOOK IX

394-5

Velius Longus : In like manner this letter 'c' is doubled in the word 'accipio' (from 'capio'); therefore Lucilius—

and there is no need to query and make a fuss as to whether you will write 'accurrere' (to run to) with a 'd' ('adcurrere') or a 'c' ('accurrere').

396

per :

Velius Longus : But the preposition *per* is put unaltered before all words except when it falls next to the letter 'l,' a related consonant . . . nor do we read otherwise in Lucilius . . . —

'pelliciendus,' which means 'he must be led on,' doubles the 'l.'

397

Solecisms and usages :

Pompeius : Lucilius . . . says . . . —

Take also a hundred kinds of solecisms and their word-forms.^a

And he runs through the word-forms themselves in skilfully written lines, and in them enumerates all the solecisms.

398-400

intro, intus :

Charisius : 'Intro' means into a place, 'intus' in a place . . . Lucilius . . . —

For just as we see that 'into' is something far different from 'inside,' so also 'with you' is something far different from 'to you' and has not the same force. A man calls us 'into,' but his position is 'inside.'

^a Marx attributes this line to bk. X.

LUCILIUS

401-10

Nonius, 428, 5: 'Poesis' et 'poema' . . . —

Non haec quid valeat, quidve hoc intersit et illud,
cognoscis. Primum hoc quod dicimus esse 'poema.'
Pars est parva 'poema' <'poesis.'>

Idem—

Epistula item quaevis non magna 'poema' est;
illa 'poesis' opus totum, ut tota Ilias una est,
una *θέσις* sunt Annales Enni atque *ἔπος* unum,
et maius multo est quam quod dixi ante 'poema',
quapropter dico—nemo qui culpat Homerum
perpetuo culpat, neque quod dixi ante 'poesin';
versum unum culpat, verbum, enthymema, locumve.

LIBER X

Sat. I.

Vita Persii, p. 238 (Iahn): Lecto Lucili libro decimo
vehementer saturas componere instituit . . . sibi primo mox
omnibus detractaturus cum . . . recentium poetarum et
oratorum insectatione.

-
- ⁴⁰¹ valeat *cdd.* valeant L hoc intersit et illud *coni.*
Mr. inter sit Deubner intersiet illud *cdd.* (*an recte?*)
⁴⁰² poema *vel* poesis *cdd.* 'poema' 'poesis' W
⁴⁰⁵ ut tota Ilias una est D (I.) totaque illa summast *cdd.*
⁴⁰⁶ sunt L, Vahlen velut Leo ut *cdd.* *ἔπος* L
opus M estoc *cdd.*
⁴⁰⁷ et Linds. est *cdd.*
⁴¹⁰ locumve L locum unum M locumque *vel.*
locum *cdd.* poema Leo

BOOK X

401-10

What is poetry? : ^a

Nonius : 'Poesis' (a long poem) and 'poema' (a passage of verse, a small poem) . . . —

You do not understand what this (poesis) means and how the one differs from the other. First take that which we call a 'poem.' A 'poem' is a small part of 'poesy.'

The same writer—

Again any epistle (in verse) which is not long is a 'poem,' but the 'poesy' above mentioned is a whole work just as the whole *Iliad* and the *Annals* of Ennius each make one theme and one epic; and it is a much bigger thing than that (namely, a 'poem') which I mentioned before. Wherefore I say: no one who blames Homer blames him all through, nor that which I mentioned before—his 'poesy'; he blames a line, a word, a thought, or a passage.^b

BOOK X ^c

Sat. I. On style in poetry and oratory.

Life of Persius : Having read the tenth book of Lucilius he eagerly set about composing satires destined to disparage in this way first himself, and soon the general public, including persecution of poets and orators of recent date.

^a dispute with Accius?

^b The distinction which Lucilius draws is not between a poem and poetry in the abstract, but between a small piece of verse (independent or as an episode or mere phrase) and a long continuous work like the *Iliad*. cf. Deubner, *H.*, XLV, 311-2; Fiske, 148-9.

^c So far as we can tell from the meagre remains, two satires formed the contents of this book. One seems to carry on the theme of the second (?) satire of book IX, while from the other we have apparently a stormy landing from a fleet in some war.

LUCILIUS

Porphyrio, ad Hor., *S.*, I, 10, 53 : ‘ Nil comis tragici mutat Lucilius Acci? ’ Facit autem haec Lucilius cum alias tum vel maxime in tertio libro ; meminit IX et X.

411

Atil. Fortun., *G.L.*, VI, 278, 17 K : Quod si omnia velis cognoscere et nomina et genera metrorum . . . veteres legemus, id est ut ait Lucilius—

archeotera . . . unde haec sunt omnia nata.

412

Donatus, ad Ter., *Andr.*, II, 1, 24 : ‘ Ne iste haud mecum sentit.’ ‘ ne,’ valde, aut ut quidam volunt ‘ o quam.’ Lucilius in X—

—“ Ne tu in arce bovem descripsti magnifice,”
inquit.

Servius, ad *Aen.*, VIII, 83 : Sciendum . . . hoc esse vitiosum monosyllabo finiri versum, nisi forte ipso monosyllabo minora explicentur animalia . . . Gratiores enim versus isti sunt secundum Lucilium.

⁴¹¹ *trib. lib. XXX Fiske, IX Mr. archeotyra cd. A. -pa cd. B archetypa ed. princ. archetypos Keil*

⁴¹² ne tu . . . descripsti H, *C.Q.* I, 57 ne ego illum M ne! quem Mr. *νή τόν* Buecheler ne qui Dziatzko ne quem *vulgo* ne *cdd. ABV* neque *TC cdd. deter.* descripisti *cd. V* descripsit *cd. C* descripsi *rell.*

Serv., Aen., VIII, 83 : lib. IX tribuitur, fortasse recte

^a *i.e.* of Homer, thinks Marx ; of the old comedy, thinks Fiske, 109, 281, who assigns the fragment to book XXX. Lucilius may have written ἀρχέτυπα, ‘ original models.’

BOOK X

(a) *On poetic compositions :*

Porphyrio : ' Is there nothing in the tragedy writer Accius which polite Lucilius would like to alter ' ? Lucilius does in fact do this above all in the third book, and also elsewhere ; he mentions him in books IX and X.

411

Ancient masters as sources of style :

Atilius Fortunatianus : But if you want to know all the names and classes of metres . . . we will read the old writers, that is in the words of Lucilius—

the older works,^a whence all these have arisen.

412

One writer praises another :

Donatus on ' ne ' in Terence : ' Ne,' strongly ; or, as some would have it, ' oh how '— Lucilius in the tenth book—

“ Oh, how magnificently ” said he, “ did you describe ^b the ' bull on the citadel.' ”

On monosyllabic endings (of Ennius ?) :

Servius : Still we must understand that it is bad verse-composition when a line ends in a monosyllable, unless perhaps by that very monosyllable the smaller animals are expressed . . . For thus, according to Lucilius, such lines as these are more pleasing.

^b apparently in a poem imitating Attic comedy, from which the Attic proverb βούς ἐν πόλει was drawn ; or in an ἐπίδειξις in a speech (Fiske, 110). See Jahn, *H.*, III, 181. A huge bronze bull was dedicated on the Athenian acropolis.

LUCILIUS

413

Servius, ad *Aen.*, XI, 602: 'Horret ager,' terribilis est. Est autem versus Ennianus, vituperatus a Lucilio dicente per inrisionem debuisse eum dicere—

horret et alget.

Cp. Hor., *S.*, I, 10, 54.

Hieronymus, *Comment. in Michaeam*, II, 7 (vol. VI, 518-9 Vall.; VI, 1220 Migne): Poeta sublimis, non Homerus alter ut Lucilius de Ennio suspicatur, sed primus Homerus apud Latinos.

Cp. Hor., *Ep.*, II, I, 50.

414-5

Schol., ad Iuv., III, 175: Exodiarius apud veteres in fine ludorum intrabat qui ridiculus foret. . . . spectaculi . . . huius et Lucilius meminit—

Principio exitus dignus
exodiumque sequatur.

416

Servius auctus, ad *Aen.*, IX, 573: Ut ait Lucilius—

bonum schema

est quotiens sensus variatur in iteratione verborum, et in fine positus sequentis fit exordium; qui appellatur 'climax.'

⁴¹³ *add. ex Ennio* 'sparsis hastis longis campus' et M

⁴¹³⁻⁶ *ex libro X? vel IX?*

⁴¹⁴⁻⁵ *ex libro X?* sequatur M sequetur *edd.*
sequitur *Schol.*

BOOK X

413

On awkward lines of Ennius :

Servius : on 'horret ager' in Virgil : 'Horret' means 'is terrible.' It is in fact a line of Ennius jibed at by Lucilius who derisively says that he ought to have put *horret et alget*—

bristles and shivers.

Still, Ennius was a great poet :

Jerome : A sublime poet, not a second Homer, as Lucilius suspects of Ennius, but the first Homer amongst the Latins.

414-5

Take care about the plot of a work :

A Scholiast on 'exodium'^a : In the old writers an 'after-piece actor' used to come in at the end of the play in order to be funny. . . . Amongst others Lucilius mentions this spectacle—

Let an ending and afterpiece follow which shall be worthy of the beginning.

416

(b) *On oratory. The 'climax' :*

Servius (supplemented):—

a good figure

as Lucilius says comes whenever any sense is altered by repetition of words, and being put at the end of a clause is also the beginning of the next; this is called a 'climax.'

^a a comic piece added to plays (chiefly *Atellanae*); under the empire it was given as a separate show after tragedies.

LUCILIUS

417-8

Nonius, 396, 13 : ' Sumere ' etiam significat eligere. . . .
Lucilius Satyrarum lib. X—

Horum est iudicium, crisis ut describimus ante;
hoc est, quid sumam quid non, in quoque locemus.

Chir. Fortunat., III, 6, ap. *R.L.*, 124, 7 H : Quid hic aliud
observabimus? Ut quae verba magis sonantia sunt, ea
potius conlocemus, quae Lucilius ' euphona appellat.'

418a

Nonius, 262, 5 : ' Confidentia ' rursus temeritas, audacia
. . . idem lib. X—

improbis confidens nequam malus ut videatur.

Sat. II.

419

Nonius, 234, 37 : ' Aptum ' rursus conexum et conligatum
significat . . . —

tonsillas quoque praevalidis in funibus aptas.

420

Nonius, 512, 22 : ' Firmiter ' pro firme . . . —
fluctibus a ventisque adversis firmiter essent.

⁴¹⁷ honorum *cdd.* bonorum D (I.) crisis L, M
Crassis C crassis *cdd.* ut *cdd.* sicut Corpet
describimus *cdd.* descripsimus D (I.) dixi scribimus Leo
^{418a} lib. X *G. om. X Gen. al.* liber Linds. (*trib. Pacuvio*)
praecedit in Non. Pac. Atal. gradere . . . confidentiam
(*Remains*, II, 182-3) *tunc idem e. q. s.* idem (sc. *Pac.*) **
idem (sc. *Lucil.*) lib. X Gerlach ut *add. Mr., L*
⁴¹⁹ praevalidis D (F.) *ex vet. cd.* quae validis M
quoquo validis Buecheler quoque validis *cdd.*

BOOK X

417-8

Choice of words or phrases (or topics?) :

Nonius : ' Sumere ' also means to choose. . . . Lucilius in the tenth book of *Satires*—

Such persons as these use judgment, ' selection ' as I describe it before ; that is what word I should choose and what not, and where we should place it.^a

Choice of pleasant-sounding words :

Chir. Fortunat. : What other rule shall we keep here ? We should prefer to arrange together words which are of the more sounding sort, words which Lucilius calls ' musical.'

418a

The unprincipled modern orator ? :

Nonius : ' Confidentia ' means also rashness, boldness . . . the same poet in bk. X—

that he appears a bold bad villain audacious and a worthless waster.^b

Sat. II.

419

Mooring of ships :

Nonius : ' Aptum ' means also entwined and bound up . . . —

and also the mooring-stakes bound up in strong ropes.

420

Nonius : ' Firmiter ' for ' firme ' . . . —

they might stand firm against the dashing waves and winds.

^a Fiske 110 and 463, and in *T.A.P.*, XL, 124. Cichor. 300. Perhaps ' To these principles belong judgment . . . '

^b Lindsay, *C.Q.*, XX, 63 argues that this is a line of Pacuvius. The matter is doubtful ; see apparatus criticus.

LUCILIUS

421

Nonius, 517, 10 : ' Desubito ' . . . (34)—
quamvis desubito trinis deducere scalis.

422

Nonius, 219, 12 : ' Pigror ' generis masculini . . . —
Languor obrepsitque pigror torporque quietis.

423

Nonius, 552, 30 : ' Rorarii ' . . . —
Pone paludatos stabat rorarius velox.

LIBER XI

The character of this book, written between 116 and 110 B.C., and containing only one satire, is well marked. It consisted of a number of anecdotes about well-known contemporaries of Lucilius (Cichor., 302ff.); we can see six of

424-5

Gellius, IV, 17, 1 : Lucilii ex XI versus sunt—
Scipiadae magno improbus obiebat Asellus
lustrum illo censore malum infelixque fuisse.

' Obiebat ' ' o ' littera producta multos legere audio.

Cp. Cic., *de Orat.*, II, 268 (et 258?).

⁴²¹ *fortasse* scalis deducere trinis

⁴²² obrepsitque pigror languor Mr. (obrepsitque Iun.)
obressitque (*vel* -quae) *cdd.* *fortasse* obpressit quietis
cdd. vietus Mr.

⁴²³ paludatos Mr. -um Dousa (F.) -us *cdd.*

^a or perhaps it is *quietis*, ' of sleep.'

^b On Scipio his particular friend Lucilius probably dwelt at greater length than he did on other prominent men of the day, and of course in a complimentary not satiric manner.

BOOK XI

421

Orders to land :

Nonius : ' Desubito ' . . . —

ever so suddenly to lead down by three ladders from each (ship).

422

Rest :

Nonius : ' Pigror ' of the masculine gender . . . —

As they lay quiet,^a weariness . . . and sloth and numbness crept upon them.

423

A battle-line made ready :

Nonius : ' Rorarii ' . . . —

Behind those in soldier's cloaks was standing the swift skirmisher.

BOOK XI

these anecdotes, and in five cases chance has preserved for us, so far as I can see, the beginning of the story. The whole book was perhaps addressed to one Pacenius (see line 440).

424-5

I. On Scipio Aemilianus.^b

(a) *On the censorship of Scipio and Mummius* (B.C. 142) :

Gellius : From the eleventh book of Lucilius there are the lines—

The villain Asellus ^c laid to the charge of the great son o' Scipio's house, that when he was censor it was a bad and unlucky period.^d

I hear many read ' obiciebat ' with the vowel ' o ' long.

^c Tiberius Claudius Asellus, who as a tribune accused Scipio in 140 B.C.

^d *lustrum* means the five years between the opening of two censorships; or the solemn purification which was supposed to follow the taking of a census; or the eighteen months during which censors were in office every five years.

LUCILIUS

426-7

Nonius, 344, 34 : 'Meret,' militat . . . idem lib. XI—
"Annos hic terra iam plures miles Hibera
nobiscum meret."

428

Nonius, 181, 22 : 'Tenta' dictum pro extensa . . . —
Huc ubi concessum pellesque ut in ordine tentae,

429

Nonius, 212, 7 : 'Latrinas' genere feminino . . . —
qui in latrina languet.

430-1

Nonius, 394, 16 : 'Spurcum' etiam fetidum . . . —
Praetor noster ad hoc, 'quam spurceust ore,
quod omnes
extra castra ut stercus foras eiecit ad unum'!

432-5

Charisius, ap. *G.L.*, 94, 21 K : 'Forfices' et 'forcipes'
quidam distinguunt. . . . Lucilius etiam medicorum forcipes
dicit libro XI—

scalprorum forcipiumque
milia viginti.

⁴²⁶ hic t. i. Palmer (*Spic.*) hic errat tam *vel* incerrat
tam *vel sim. cdd.* Hibera Palmer (*Spic.*) hiberna *cdd.*

⁴²⁸ huc Mr. hic *cdd.* concessum Douša (F.)

⁴³⁰ ad hoc Mr. adhuc *cdd.* spurceust Mercier
spurcus sit Mr. spurcos L spurcus *cdd.*

^a Cichor., 39-40. On Lucilius' service with Scipio in Spain, see Marx, proleg., XXV, Cichor., 29 ff. (between 139 and 134?)

BOOK XI

426-7

(b) *On Scipio in Spain ; at Numantia (134-3 B.C.).*

Nonius : 'Meret,' serves as a soldier . . . the same poet in the eleventh book—

“ He has been serving many years already with us in the land of Spain.^a

428

Winter quarters :

Nonius : 'Tenta' is a term used for stretched out . . . —

When they all withdrew hither, and the tent-skins were stretched out in lines,

429

Slack ways of the soldiery :

Nonius : 'Latrinae' (closets) in the feminine gender . . . — who grows languid in the wash-bath.^b

430-1

Scipio expels all the filthy camp-followers :

Nonius : 'Spurcum' (dirty) also means smelly . . . —

To this our praetor: What a dirty face he's got because he has thrown out of the camp all those fellows to a man like dung into the open.^c

432-5

Health of the army ? :

Charisius : Some distinguish between 'forfices' (scissors) and 'forcipes' (pincers). . . . Lucilius in book XI mentions 'forcipes' even of surgeons—

twenty thousand knives and pincers.

^b Scipio dealt suitably with this sort—App., *Iber.*, 85; cp. [Plut.], *apophthegm. Scip. min.*, 16, 201 C.; cf. Cichor., 304-5.

^c Appian, *Iber.*, 85; Livy, *Epit.*, 57; Valer. Max., II, 7, 1, etc.

LUCILIUS

item paulo post—

et uncis

forcipibus dentes evelleret.

436-7

Nonius, 18, 14: 'Rudus,' stercus . . . —

viai

sternendae iaciendum huc aggerem et id genus
rudus.

438-9

Nonius, 227, 33: 'Torquem' generis masculini . . . —

Conventus pulcher; braciae saga fulgere, torques
† datis † magni.

Cp. Non., 506, 24.

440-2

Nonius, 22, 29: 'Tricones,' morosi et ad reddendum
duri . . . —

Lucius Cotta senex, crassi pater huius, Paceni,
magnus fuit trico nummarius, solvere nulli
lentus;

id est facilis.

Cp. Non., 338, 11.

443

Nonius, 8, 11: 'Tricae' sunt impedimenta et implicationes
. . . —

Nec mihi amatore hoc opus nec tricone vadato.

⁴³⁶ viai Mercier vim *cdd.*

⁴³⁷ sternendae Mercier sternendai Mr. sternenda et
cdd.

⁴³⁸⁻⁹ torquem datis *cdd.* 227 torques (*om. datis*) *cdd.* 506
caelati C praedatis Linds. aurati M induti Mr.
torques sat L

⁴⁴⁰ paceni *cdd.* 22 pacem *cdd.* 338 Paconi Nettleship
Panaeti Bentin., D (F.) Παναίθου Iun. panaethi Mr.

⁴⁴³ amatore Iun. amore *cdd.*

BOOK XI

and again a little after this—

and that he might draw out teeth with hooked pincers.

436-7

He gives orders to push on with military-works :

Nonius : ' Rudus,' dirt . . . —

for the laying of a level road they must bring here and bank up rubbish and rubble ^a of that kind.

438-9

The Celtiberi and the Numantines :

Nonius : ' Torquem ' of the masculine gender . . . —

A comely crowd; there was a gleam of war-cloaks, and trousers and big necklaces.^b

440-2

II. On Lucius Aurelius Cotta,^c consul in 144 B.C. ?

Nonius : ' Tricones ' (tricksters) capricious (or ' mōrosi,' dilatory) persons and hard to get a return from . . . —

The old man Lucius Cotta, my dear Pacenius, the father of this fat fellow,^d was a great trickster, a taker of bribes, pliant for paying no one ;^e

' lentus,' that is, easy.

443

Nonius : ' Tricae ' (trifles, trifling, trickeries) are hindrances and entanglements . . . —

I've no use for this lecher, no use for this bail-bound trickster.

^a ' rudus ' means limed stones.

^b Cichor., 306-8.

^c He was unfriendly to Scipio, and ruined by debts.

^d perhaps L. Cotta, consul in 119—Cichor., *Röm. Stud.*, 77. Or possibly it is ' Cotta, father of Crassus . . . ' or ' Cotta, father of this fat Pacenius . . . '

^e Cichor., *Untersuch.*, 308-310.

LUCILIUS

444

Gellius, XI, 7, 9: "Non enim Lucilium" inquit "legistis qui tergiversatorem bovinatorem dicit." Est autem in Lucilii XI versus hic—

Si tricosus bovinatorque ore improbus duro . . .

Cp. Non., 79, 29.

445-7

Nonius, 276, 20: 'Damnare' est exheredare . . . —

Cassius Gaius hic operarius, quem Cephalonem dicimus, sectorem furemque; hunc Tullius Quintus index heredem facit, et damnati alii omnes.

448-9

Gellius, IV, 17, 1: Lucilii ex XI versus sunt . . . idem infra—

Conicere in versus dictum praeconis volebam
Grani.

In hac quoque primi verbi praepositione . . . producent.

Cicero, *Brut.*, 46, 172: Ego memini T. Tineam Placentinum hominem facetissimum cum familiari nostro Q. Granio praecone dicacitate certare. "Eon," inquit Brutus, "de quo multa Lucilius?" Isto ipso; sed Tineam non minus multa ridicule dicentem Granius obruebat nescioquo sapore vernaculo.

⁴⁴⁶ Quintus L inquam Quich. quem *cdd.*

⁴⁴⁷ index *cdd.* iudex *ed. princ.*

^a *bovinator* means a cowman, cowboy, dawdler. Lucilius may mean 'blusterer' here, for '*bovinor*' means 'I brawl.' On *bovinator* and *tricosus* see Landgraf, *Philologus*, LXXII, 156-7.

^b *Cichor.*, 314-15 (he suggests C. Cassius Sabaco); cp. *id.*, *Röm. Stud.*, 83. Cephalo = Capito; there is a pun on *sector*, cut-purse, and *sector*, purchaser of confiscated goods, the real

BOOK XI

444

Gellius: "What," he said, "you have not read Lucilius, who speaks of a shuffler as 'bovinator'?" And in fact there is in book XI of Lucilius this line—

If this tricky fellow, this brazen-faced shuffling^a villain . . .

445-7

III. On Gaius Cassius:

Nonius: 'Damnare' means to disinherit . . . —

Here we have Gaius Cassius, an odd-job man whom we call Cephalo, this cut-purse and thief. Him does Quintus Tullius the informer make the heir, and all the others lose their cases.^b

448-9

IV. On Quintus Granius the crier:

Gellius: From book XI of Lucilius there are the lines . . . the same poet lower down—

I was wanting to put into verse a speech of Granius the crier.^c

In this preposition also—that of the first word (*conicere*) they lengthen the vowel.

Cicero: I remember how Titus Tinca of Placentia, a very witty fellow, was having a contest of wordy wit with our friend Quintus Granius the crier. "Do you mean," said Brutus, "with him about whom Lucilius has much to say?" That's the very man; but Granius by some inborn flavour overwhelmed Tinca who was not behind-hand in making many a good joke.

vocation of Capito; and probably two meanings in *operarius*, 'man of business.' *iudex*, judge, may well be right.

^c Süss, *H.*, LII, 350. On Granius, see also pp. 186-7 and 190-1; Marx *ad* 411; Cic., *Brut.*, 43, 160; *ad Fam.*, IX, 15, 2; *de Orat.*, II, 244, 254, 281, 282; *pro Pl.* 33.

LUCILIUS

450-2

Nonius, 305, 23: 'Fama' est rursus infamia . . . unde et 'famosum' dictum est infame . . . —

Quintus Opimius ille, Iugurtini pater huius, et formosus homo fuit et famosus, utrumque primo adulescens; posterius dat rectius sese.

453

Priscianus, ap. *G.L.*, II, 231, 13 K: 'Puellus, puella.' Lucilius in XI—

Inde venit Romam tener ipse etiam atque puellus.

Cicero, *de Orat.*, II, 277: Quom Q. Opimius consularis qui adulescentulus male audisset, festivo homini Egilio, qui videretur esse mollior nec esset, dixisset: "quid tu, Egilia mea? quando ad me venis cum tua colu et lana?" "non pol," inquit, "audeo; nam me ad famosas vetuit mater accedere."

Cp. Non., 198; 15; 305, 21.

454

Charisius, ap. *G.L.*, I, 240, 8 K: 'Mu' pro mutire . . . —
non laudare hominem quemquam neque mu facere
umquam.

⁴⁵² dat *vulg.* dare T da *cdd.*

Cic.: ecilio *cdd.* *Cic.* (*deest apud Non.*) Decio M, Cichorius ecilia *cdd.* *Cic.* decilla *Non.* trib. *Luc. lib.* XI M *Fortasse scripsit Lucil.*: namque ad famosas vetuit me accedere mater

⁴⁵⁴ inquam *cl. Colon.* Dousae fortasse recte umquam *N* in quemquam *exc. Par.* trib. *lib II exc. Cauch.* XI D (F.)

BOOK XI

450-2

V. *On Quintus Opimius, consul in 154 B.C. :*

Nonius : 'Fama' means also infamy . . . whence 'famosum' is a term for 'infamous' . . . —

The well known Quintus Opimius, father of this Jugurthine,^a was a man both graceful in form and graceless in fame; he was both these at first when he was a youth; but afterwards he behaved himself better.

453

Priscianus : 'Puellus' feminine puella.' Lucilius in XI—

Thence he himself came to Rome, still tender, still a little boy.

Cicero : When Quintus Opimius (now of consular rank), who as quite a youth had been spoken badly of, had just said to a cheery fellow Egilius (who appeared to be rather unmanly but was not) the following : "What about you, my dear Miss Egilia? When are you coming to see me with your distaff and wool?" "Upon my word," he said, "I daren't. For mother has forbidden me to make any advances towards *débauchées*."^b

454

A remark of Lucilius about this book in general :

Charisius : 'Mu' for 'to mutter' . . . —

never to praise any man nor to boo at him.

^a *i.e.* Lucius Opimius, consul in 121 B.C., bribed by Jugurtha in 116, condemned in 110, and exiled. cf. Cichor., 310 ff.

^b Cicero uses 'famosus' and 'adolescens' (cp. fr. 450-2); the last words quoted are an altered hexameter; *accedere (ad)* is an especially Lucilian term;—thus the attribution to Lucilius and his eleventh book is probable. The reading of the name *Egilius* is uncertain.

LUCILIUS

LIBER XII

455

Servius auctus, ad *Aen.*, II, 77: 'Fuerit quodcumque' . . . 'quodcumque' vetusta voce mortem significari Lucilius docet in XII—

Hunc, siquid pueris nobis me et fratre fuisset

hoc est si mors vel me vel fratrem oppressisset.

456-7

Nonius, 513, 1: 'Publicitus' pro 'publice.' Lucilius satyrarum lib. XII—

"huic homini quaestore aliquo esse opus atque
corago,
publicitus qui mi atque e fisco praebat aurum."

458-9

Diomedes, ap. *G.L.*, I, 365, 4 K: 'Decollo, decollavi. hoc verbum apud veteres 'decipio' significat . . . —

quibus fructibus . . .
me decollavi victus.

460

Gellius, IX, 14, 9: 'Fames, fami.' . . . Lucilius in XII—
"rugosum atque fami plenum."

⁴⁵⁸⁻⁹ quibus fructibus me de | colavi victus M victus me
decollavi Mr.

^a Whether this is Manius Lucilius (*Ephem. Epigr.*, IV, 213, Cichor., 1 ff., 19 ff.) we cannot be sure.

^b Lucilius uses the word choragus, χορηγός, the man who fitted out and trained the chorus for a Greek play.

BOOK XII

BOOK XII

455

Lucilius and his brother ? :

Servius (supplemented) : ‘ Fuerit quodcumque ’ (whatever may become of me) . . . that ‘ quodcumque ’ as an archaic expression means death we can learn from Lucilius in the twelfth book—

If anything had become of us, me and my brother,^a in our boyhood, this man . . .

that is, if death had overwhelmed either me or my brother.

456-7

Lucilius' father speaks of his sons' extravagance ? :

Nonius : ‘ Publicitus ’ for ‘ publice.’ Lucilius in the twelfth book of the *Satires*—

“ that as for me, I need some state-treasurer and outfitter^b who might provide me with gold on the public account from a state money-bag.”

458-9

and of his own sacrifices ? :

Diomedes : ‘ Decollo, decollavi.’ This verb in the old writers means ‘ I deceive ’ . . . —

of these enjoyments of living I detruncated myself.^c

460

Gellius : ‘ Fames, gen. fami ’ . . . Lucilius in book XII—

“ shrivelled and full of hunger.”

^c Fiske 322 translates :—‘ upon which fruits of life I have fertilised myself ’ and takes them as words of praise of the poet to his teacher. The notice in Diomedes is imperfect, and Marx may be right in reading *decolavi*, in transitive sense (*decolare* is properly to trickle away through a colander) instead of *decollavi* (*decollare* ‘ to take off from the neck, behead,’ ‘ to rob’).

145

LUCILIUS

461-2

Nonius, 363, 1 : 'Protelare' . . . —

Hunc iuga mulorum protelo ducere centum
non possunt.

463

Nonius, 512, 21 : 'Firmiter' pro 'firme' . . . —

“Firmiter hoc pariterque tuo sit pectore fixum.”

464

Priscianus, ap. *G.L.*, II, 399, 12 K : 'Assentio' et 'assentior.' . . . Lucilius in XII—

Assensus sum homini.

Diomedes, ap. *G.L.*, I, 487 K : Liberalibus apud Atticos die festo Liberi patris vinum cantoribus pro corollario dabatur, cuius rei testis est Lucilius in duodecimo.

LIBER XIII

Sat. I. ?

465-6

Nonius, 216, 4 : 'Ostrea' . . . neutri . . . (20) idem lib. XIII—

Hoc fit idem in cena ; dabis ostrea milibus nummum
empta.

^a Imitated from Homer, *Od.*, IX, 241-2.

BOOK XIII

461-2

some huge person or thing :

Nonius 'Protelare' . . . —

This a hundred yoke of mules cannot draw in a team.^a

463

Lucilius accepts advice from his father or teacher ?

Nonius : 'Firmiter' for 'firme' . . . —

"Let this likewise be firmly fixed in your breast."

464

Priscianus : 'Assentio' and 'assentior' . . . Lucilius in bk. XII—

I agreed with him.

on Attic customs :

Diomedes : At the Dionysia, a holiday of father Dionysus amongst the people of Attica, wine was given as a prize^b to the singers (*i.e.* the actors); of this custom Lucilius is a witness in the twelfth book.

BOOK XIII

Sat. I. ? Table-luxury and its cure.

465-6

Costly delicacies :

Nonius : 'Ostrea' . . . of the neuter gender . . . the same poet in the thirteenth book—

This same thing comes about at a dinner; you will present oysters bought for thousands of sesterces.

^b *corollarium*, garland-money for a wreath of flowers, and so, a free gift.

LUCILIUS

467

Nonius, 398, 26 : ' Samium ' est testeum . . . —
et non pauper uti ac Samio curtoque catino.

468

Nonius, 151, 10 : ' Pasceolus,' ex aluta sacculus . . . —
adde Syracensis sola pasceolum . . . alutam.

469

Nonius, 204, 15 : ' Epulum ' generis . . . feminini . . . —
Idem epulo cibus atque epulai Iovis omnipotentis.
Qui versus utrumque designat.

470-1

Nonius 511, 18 : ' Ampliter ' . . . —
nam sumptibus magnis
extractam ampliter atque apte cum accumbimus
mensam,

472

Nonius, 281, 14 : ' Dominus ' rursus appellatur convivii
exhibitor; unde et ' dominia ' convivia . . . —

Primum tollantur dominia atque sodalicia omnia.

⁴⁶⁷ pauper uti ac W pauperitiae *cdd.* pauper uti
edd. coll. quae ex Cic., de Rep., III, in Non. sequuntur

⁴⁶⁸ pasceolum ** alutam M pasceolum aluta C 315-6
pasceolumque et alutam D (I.) (alutam *ed. princ.*) pasce-
olum alutamen *cdd.* pasceolum optima aluta *coni.* Ter-
zaghi

⁴⁶⁹ epulai Mr. epulatio *cdd.*

⁴⁷¹ extracta M apte *add.* Mr. ampliter ac decumanam
L mensam *ed. a.* 1476 mensa *cdd.*

⁴⁷² primum tollantur W tollantur *post omnia cdd.*
tollant Havet *Rev. d. Phil., XIV, 29 (sequitur in Nonio Tur-*
pilius) domnia B dominia *vel domini cdd.* i primum
domina (= dominia) a. s. o. tollant Mr. (*ed. Non.*)

BOOK XIII

467

served on costly table-ware :

Nonius : ' Samium ' is earthen . . . —

and not like a poor man and on a broken Samian dish.^a

468

Costly dress :

Nonius : ' Pasceolus,' a little bag made out of soft leather . . . —

and besides these, shoe-soles from Syracuse, a fine bag, a leathern purse.^b

469

A feast fit for the gods :

Nonius : ' Epulum ' . . . of the feminine gender . . . —

The same food and the same festive dishes in a feast of Jupiter the all-powerful.

This line shows both forms.

470-1

Nonius : ' Ampliter ' . . . —

for when we take our seats at a table garnished plentifully and suitably and at great cost,

472

A protest against table-luxury :

Nonius : ' Dominus ' again is a name applied to the giver of a banquet, whence also ' dominia ' are banquets . . . —

First let all masterships of revels and all fellowships be done away with.

^a or, ' not like a man poor and possessed of broken Samian ware.'

^b *aluta* means soft leather; but in Juv., XIV, 282 it means a purse.

LUCILIUS

Sat. II.?

473

Nonius, 425, 6 : ' Fors ' et ' fortuna ' . . . —
cui parilem fortuna locum fatumque tulit fors.

474

Servius auctus, ad Verg., *G.*, IV, 25 : ' Inertem ' hic pro otioso posuit . . . quae vox ponitur . . . pro eo qui sine arte sit, ut apud Lucilium in tertio decimo—

ut perhibetur iners ars in quo non erit ulla.

Cp. Serv., *ad Aen.*, IV, 158.

475

Nonius, 519, 2 : ' Multos ' . . . malos appellabant . . . —
unus modo de multis qui ingenio sit.

476

Nonius, 261, 3 : ' Cernere ' rursus disponere . . . —
Acribus inter se cum armis configere cererint,

477-8

Nonius, 425, 6 : ' Fors ' et ' fortuna ' . . . —
aut forte omnino ac fortuna vincere bello;
si forte ac temere omnino, quid rursus ad honorem?

⁴⁷⁴ erit *Serv.*, *ad Aen.*, est *ad G.*

⁴⁷⁵ ingenio sit *vel* ingeniosa sit *cdd.* ingenuos sit Mr. ingeniosust Linds. (*recte?*)

⁴⁷⁶ cererint L cernunt Francken cernit *cdd.*

⁴⁷⁸ rursus L, Mr. quorsum? ad honorem? M cursum a. h. *cdd.*

BOOK XIII

Sat. II. ? The fortunes of man in peace and war ? :

473

Nonius : ' Fors ' and ' fortuna ' . . . —

a man to whom chance and Fortune have brought
a like position and destiny.

474

The uncultivated man :

Servius (supplemented) : He put ' iners ' here for ' otiosus '
. . . a term which is put . . . for a man who is artless, as
in Lucilius in the thirteenth book—

as he in whom there will be found no art at all is
called artless.^a

475

The rarity of genius :

Nonius : ' Many ' was a term they gave to the ' bad ' . . . —
only one among the many who may be a man of
talent.

476

The test of war :

Nonius : ' Cernere ' again means to arrange . . . —

When they have arranged ^b to fight it out among
themselves in bitter conflict,

477-8

Victory by chance is not glorious :

Nonius : ' Fors ' and ' fortuna ' . . . —

or to win in war altogether through chance and
Fortune; if through chance and altogether through
sheer luck, what again has it to do with honour?

^a *i.e.* rude, vulgar.

^b *cernit* of the *cdd.* may be right (when he sees them fighting);
but if so, Nonius is wrong in adding this quotation here.

LUCILIUS

LIBER XIV

Sat. I.

479

Charisius, ap. *G.L.*, I, 106, 24 K: 'Palumbes' Vergilius
feminino genere dixit . . . Lucilius XIV masculine—

macroque palumbes.

Cp. Non., 219, 6.

480

Serv. auct., ad Verg., *G.*, I, 129: Non numquam pro
fetore ponitur 'virus,' ut apud Lucilium—

anseris herbilis virus.

Cp. Paul, ex Fest., 71, 28.

481

Charisius, ap. *G.L.*, I, 79, 15 K: 'Caseus' masculini generis
est . . . —

Caseus allium olit.

482

Nonius, 477, 5: 'Mandueatur' pro 'manducat' . . . —
eum illud quid faciat quod manducamur in ore.

⁴⁸⁰ *trib. lib. XIV* Shero, *C.P. XVIII*, 130, *lib. IX* Fiske
382, *lib. V* Mr.

⁴⁸¹ alium olit M allium olet Lindemann allia olens
D (I.) alvum | molliet Stowasser *W. St.*, XXVII, 212
aula | mollis M ala molis *cd. Col.* ala molliet *ed. pr.*
ala mol lit *aut* alumol liet *Neap. alii alia*

⁴⁸² eum *edd.* tum Linds. num hilum quid satiat Mr.

BOOK XIV

BOOK XIV ^a

Sat. I. Discourse on life in Rome. Simple living :

479

Charisius : Virgil uses 'palumbes' in the feminine gender . . . Lucilius in (book) XIV has it in the masculine—
and lean ^b ring-doves.

480

Servius (supplemented); Sometimes 'virus' is put for a stench, for example in Lucilius—
the poisonous stench of a grass-fed goose.^c

481

Charisius : 'Casens' is of the masculine gender . . . —
The cheese stinks of garlic.

482

Objects of eating ? :

Nonius : 'Manducatur' for 'mandueat' . . . —
when what we munch in the mouth has some result.^d

^a A satire or discourse on Roman life is followed apparently by one on affairs in provinces and particularly Spain.

^b through ill-feeding. Normally the ring-dove is the fattest of its kind.

^c Shero, *C.P.*, XVIII, 130. Paulus says that a 'herbilis anser,' fed on 'herba,' was not so fat as one fed on grain.

^d or, 'since he makes something—that something which we munch in the mouth.'

LUCILIUS

483

Nonius, 230, 17 : 'Vulgus' . . . —

Dilectum video studiose vulgus habere.

484

Nonius, 220, 17 : 'Prosecta,' exta quae aris dantur ex fibris pecudum dissecta, sunt generis neutri. . . . Feminino—

“cenam,” inquit, “nullam neque divo proseciam ullam.”

485-6

Nonius, 184, 12 : 'Viscus' positum pro viscera . . . —

“Idne aegre est magis an quod pane et viscere privo?”

“Quod viscus dederas tuquidem, hoc est; viscera largi.”

Cf. Non., 470, 30.

487-8

Priscianus, ap. *G.L.*, II, 534, 25 K : 'Lacesso lacessivi.' . . . Caper . . . 'lacessi' dicit esse . . . et profert exemplum Lucilii quo usus est in XIV—

Num vetus ille Cato . . . lacessisse . . .
consciis non erat ipse sibi?

Sed potest 'lacessisse' per syncopam esse prolata *'vi'* syllabae.

⁴⁸⁴ proseciam Mr. prosiciem S (*sequitur in Non. : Varro . . . prosiciem*) prosectam *cdl.* (prosecam *Lu.*)

⁴⁸⁵ aegre D (I.) aegri *cdl.*

Prisc., 534 K : Cato lacessisse † appellari quod † consciis; *varia docti*

^a Marx takes *dilectum* as a man favoured by the crowd; but cp. Housman, *C.Q.*, I, 66.

^b or 'real meat.' What this fragment means or alludes to I do not know. cf. Marx, ad 474; Havet, *Rev. d. Phil.*,

BOOK XIV

483

Public distributions of food ('viscerationes') in Rome. A mob gathers:

Nonius: 'Vulgus' . . . —

I see that the common crowd is eagerly holding a levy.^a

484

complaint by one of the crowd demanding a 'visceratio'?

Nonius: 'Prosecta' (cut off), that is entrails cut away from the guts of cattle and offered on altars, is a term of the neuter gender. . . . In a feminine form . . . —

"no dinner," says he, "nor any cutlet offered to a god."

485-6

Nonius: 'Viscus' put for 'viscera' . . . —

"Is that a worse trouble? Or is this a worse trouble that I deprive you of bread and meat?"
 "This is the meat you had given us! Give us a good dole of meats."^b

487-8

allusion to Cato:

Priscianus: 'Lacesso, lacessivi.' Caper says the past is 'lacessi' . . . and he adduces an example of it used by Lucilius in the fourteenth book—

Surely our old Cato knew in his own heart that he stirred up . . . ?

But 'lacessisse' may possibly be a form uttered in syncope with the syllable 'vi' cut out.

XX, 65; Cichor., 325 ff. It is difficult to accept *tū quidem* in spite of Buech., *Arch. lex. Lat.* III, 145 and in spite of the two references in Nonius. *Quod viscus* . . . may mean 'This is the worst trouble—that you had offered us meat.' Note also that *hoc est* might mean 'he is eating this.' The fragment possibly deals with a *visceratio* or public distribution of meat.

LUCILIUS

489-90

Priscianus, ap. *G.L.*, II, 215, 7 K: 'Hilum' pro 'ullum' vetustissimi proferebant . . . —

Naumachiam licet haec inquam alveolumque
putare et
calces; delectes te, hilo non rectius vivas.

491-2

Nonius, 519, 1: Veterum memorabilis scientia paucorum numerum pro bonis ponebat . . . —

non paucis malle ac sapientibus esse probatum
ἢ πᾶσιν νεκέεσσι καταφθιμένοισιν ἀνάσσειν.

(Hom. *Od.*, XI 491.)

493-4

Nonius, 425, 36: 'Antiquior' melior . . . —

"Quin potius vitam degat sedatus quietam."

"Quanto antiquius quam facere hoc fecisse videri!"

⁴⁹³ degas Iun.

⁴⁹⁴ quanto D (I.) quamtu *edd.* videri M vi-
derist L videris D (F.) videaris *edd.*

^a the game of *duodecim scripta*, a kind of backgammon, was played on a lined board (*alveus*, *alveolus*) with *calculi* (*calces* is here used to fit hexameter verse). Tyrrell, *Hermathena*, II, 365 thinks that Lucilius depicts a guest consoling a host for an accident at a meal; life is chance! cf. Shero, *C.P.*, XVIII, 131. A *naumachia* (*ναυμαχία*) was a sham sea-fight.

BOOK XIV

489-90

Philosophical advice ; right living :

Priscianus: Very old writers used to say 'hilum' for 'ullum' . . . —

Say I, you may look on all this as the game of 'sea-fight' or a game^a with board and counters; even though you may amuse yourself, not a whit the more upright would your life be.

491-2

seek the praise of the wise few, and a quiet life :

Nonius: The ancients in their memorable wisdom used to employ the term 'few' in number to express 'good' men . . . —

not to prefer to be thought honourable by the few and wise rather than "to be a king over all the souls that are dead and gone."^b

493-4

Nonius: 'Antiquior' better . . . —

"But rather let him pass a restful life in quietness." "How much better than to do this is—being found guilty of doing."^c

^b Homer, *Od.*, XI, 491.

^c Here the second speaker prefers a life embroiled in political affairs. *Fecisse videri* is a legal phrase used of an accused who has lost his case.

LUCILIUS

Sat. II.

495-6

Nonius, 533, 25: 'Cercyrus' navis Asiae pergrandis . . . —
"Ad regem legatus Rhodum Ecbatanam ac Babylonem
ibo, cercurum sumam."

497

Servius auctus, ad Verg., *G.*, IV, 387: Carpathium mare inter Rhodum et Alexandriam appellatum esse dicitur a Carpatho insula, ut Lucilius—

"Carpathium mare transvectus cenabis Rhodi."

498

Porphyrio, ad Hor., *C.*, I, 7, 1: 'claram Rhodon' . . . de qua et Lucilius sic ait—

"Carpathium Rhodus in pelagus se inclinat apertum."

499-500

Nonius, 18, 24: 'Nebulones' et 'tenebriones' dicti sunt qui mendaciis et astutiis suis nebulam quandam et tenebras obiciant . . . —

"Publius Pavus Tuditanus mihi quaestor Hibera in terra fuit lucifugus nebulo, id genus sane."

⁴⁹⁷ *trib. lib. XIV* Mr.

⁴⁹⁸ *trib. lib. XIV* Mr. Carpathium Rhodus *edd.* Rhodus
Carpathium *edd.* qua Rhodus M

⁴⁹⁹ Tuditanus mihi Bouterwek mihi Tuditanus D
(F.) mihi Bubetanus *coni.* M mihi turbitanus *edd.*
(tubitanus *G., Flor.* 3)

BOOK XIV

Sat. II. Affairs in the provinces.

495-6

Journeying to the East :

Nonius : 'Cercurus' is a very large Asiatic ship . . . —

“ I will go as envoy to the king, to Rhodes, to Ecbatana and Babylon. I will take a pinnace.”^a

497

Servius (supplemented) : The Carpathian sea between Rhodes and Alexandria is said to have been so called from Carpathus island, as Lucilius has it—

“ When you have been carried across the Carpathian sea, you will dine at Rhodes city.”

498

Porphyrio, on 'Rhodes the brilliant' in Horace : Lucilius also speaks of it thus—

“ Rhodes island slopes down into the open sea of Carpathus.”

499-500

Spain.

A bad quaestor (attached to Scipio's staff?) :

Nonius : 'Nebulones' and 'tenebriones' (night-birds, swindlers) are terms applied to persons who throw a kind of 'nebula' fog or darkness in front of their dishonesties and trickeries. . . . —

“ Publius Pavus Tuditanus was my state-treasurer in the land of Spain, a son of darkness, a shady fellow, truly one of that kind.”

^a The *cercurus* was really a small Cyprian ship. Marx thinks the speaker is Scipio Aemilianus on his journey taken c. 139 B.C.; Cichor. (324-5) argues for a *legatio libera* such as that of P. Scipio Nasica to Pergamum in 132. The mention of Babylon (by then a ruin) suggests, if not a sight-seeing tourist, an imaginary event.

LUCILIUS

501-2

Macrob., *S.*, VI, 4, 2: 'Teucris addita Iuno' . . . id est adfixa et per hoc infesta: hoc iam dixerat Lucilius in libro quarto decimo his versibus—

“ Si mihi non praetor siet additus atque agitet me,
non male sit; ille ut dico me exenterat unus.”

Cp. Serv. ad *Aen.*, VI, 90.

503

Donatus ad Ter., *Phorm.*, 1, 4, 7: 'Punctum' pro momento . . . —

puncto uno horae qui quoque invasit.

504

Nonius, 481, 16: 'Libertatem uti' pro 'uti libertate' . . . —

“ quem metuas saepe, interdum quem utare libenter.”

505

Nonius, 17, 22: 'Gradarius' est molli gradu et sine succusatura nitens . . . —

Ipsae eus non formosus gradarius optimus vector,

506

Apuleius, *Flor.*, 21: Sibimet equum deligunt diutinae fortitudinis, vivacis pernicitatis, id est ferre validum et ire rapidum—

qui campos collesque gradu perlabitur uno,
ut ait Lucilius.

⁵⁰³ quiquomque Mr. invassit Sabbadini

⁵⁰⁵ vector Iun. victor *cdd.*

⁵⁰⁶ *ex libro XIV?*

^a *i.e.* Viriathus, suggests Cichor., 33-4.

BOOK XIV

501-2

counter-complaint of the quaestor :

Macrobius, on 'Juno, hanging onto the Trojans' in Virgil: 'Addita,' that is, fixed to, and because of this, unfriendly. Lucilius had already used the word in this sense, in these lines of the fourteenth book—

"If there were no governor hanging onto me and harassing me, it would not be so bad, but it's he, I'm telling you, and no other, who is disembowelling me."

503

Donatus: 'Punctum' (point) for 'momentum' . . . —

"who ^a attacked every minute in the hour.

504

Nonius: 'Libertatem uti' for 'uti libertate' . . . —

"whom you must fear often, but must now and then be good friends with."

505

a (Spanish?) horse :

Nonius: 'Gradarius' (a pacer) means making effort with easy stride and without jolting . . . —

The horse himself, not a shapely beast, but a steady pacer, an excellent mount,^b

506

Apuleius: They choose for themselves a good mount, a horse of staying strength and lively nimbleness, that is to say vigorous in carrying a weight and quick in movement—

who slips over plains and hills with one stride,^c

^b Cichor., 34-6 suggests that Lucilius saw Viriathus on horseback, perhaps at the meeting between Viriathus and Popilius in 139 B.C. The description suggests an 'Asturco' (Asturian horse).

^c or possibly 'at one level pace.'

LUCILIUS

LIBER XV

Most of this book was taken up with setting forth certain benefits of philosophy (as taught by the Cynics and the Stoics?) though it is not easy to see the bearing of fragments which deal with one of Lucilius' favourite topics, namely horses. That these fragments came early in the book is

507-8

Nonius, 537, 5: 'Paenula' est vestis quam supra tunicam accipimus. . . . Lucilius satyrarum lib. XV—

Paenula, si quaeris, cantherius, servus, segestre utilior mihi quam sapiens.

509-10

Nonius, 344, 35: 'Meret,' militat . . . —

dum miles Hibera
terrast atque meret ter sex aetati' quasi annos.

511-3

Gellius, I, 16, 10: Lucilius . . . in libro XV ita dicit—

Hunc milli passum qui vicerit atque duobus
Campanus sonipes succussor nullus sequetur
maiore in spatio ac diversus videbitur ire.

. . . 'Milli passum' dixit pro 'mille passibus.'

Cp. Macrob., *S.*, I, 5, 7; Non., 16, 31.

⁵¹⁰ terrast atque L ac meret hic ter M ter sex Iun.
terras ac meret tersa ex *edd.* aetate *edd. prob.* Leo (*genetiv.*)
aetati' L *prob.* M anneis Mr.

BOOK XV

BOOK XV

indicated by the sequence Nonius 537, 9 and 538, 2. Marx puts them late in it; but this is due to his theory that Nonius or his slaves glanced through each book of Lucilius backwards. See my *Introd.*

507-8

(A) *On horses (especially the breeds of Spain?)*

What is useful? :

Nonius: 'Paenula' (overcloak) is a garment which we put on over the tunic. . . . Lucilius in bk. XV of the *Satires*—

If you ask me, an overcloak, a gelding, a slave, a straw-coat—I have more use for any one of these than I have for a wiseacre.

509-10

Experience in Spain :

Nonius: 'Meret' serves as a soldier' . . .—

while he is a soldier in the land of Spain and serves for eighteen years or so of time.^a

511-3

A Spanish horse compared with a Campanian? :

Gellius: Lucilius . . . in book XV has the following—

No jolting clattering prancer from Campania, though he may have gained a lead over him in a run of a thousand or two thousand paces, will be seen following in a longer run, but will look as though he is going the other way.

. . . He wrote 'milli passum' instead of 'mille passibus.'

^a Military service in Spain was very much disliked by the Romans. The campaigns would be those which took place B.C. 153-135 during the Celtiberic War.

LUCILIUS

514

Gellius, IV, 17, 3: Item XV—

Subicit huic humilem et suffert citus posteriorem;
 'subicit' u littera longa legunt.

515

Nonius, 490, 23: 'Holerorum' pro 'holerum' . . . —
 Tintinnabulum abest hinc surpiculique holerorum.

516-7

Nonius, 123, 28: 'Incitas' . . . —

Vilicum Aristocratem mediastrinum atque bubuleum
 commanducatus conrupit, ad incita adegit.

Cp. Nonius, 143, 6; 479, 4.

518

Nonius, 22, 23: 'Stomis' (*vel* 'Prostomis'?) dicitur
 ferrum quod ad cohibendam equorum tenaciam naribus vel
 morsui inponitur, Graece, ἀπὸ τοῦ στόματος . . . —

Trulleus pro stomide huic ingens de naribus pendet.

⁵¹⁴ suffert citus Leo suffercitus *cdd.*

Non. 22, 27: postomis *cdd.* prostomis Linds. stomis
 Saumaise

⁵¹⁸ pro stomide Saumaise postomide *cdd.* *an* pro-
 stomis?

^a The reference is probably to a horse.

^b I take the meaning to be that this good horse needs no bell like a sheep to keep him from going astray nor dangling bags of greens to make him move.

BOOK XV

514

Gellius : Again in book XV—

He bends himself low to this rider and quickly brings down his hind quarters ;^a

people read 'subicit' with the vowel 'u' long.

515

Nonius : 'Holerorum' for 'holerum' . . . —

Here there is present no sign of a bell nor of rush-baskets of pot-herbs.^b

516-7

A vicious horse :

Nonius : 'Incitas' . . . —

He chewed up and made a ruin of the bailiff Aristocrates, the odd-job man, and the cow-man, and checkmated them.^c

518

Nonius : 'Stomis,' mouthpiece (or 'Prostomis,' twitch) is the term used for a piece of iron which is put in the nostrils or jaw of horses to restrain their stubbornness ; it is a Greek word and is derived ^d from στόμα . . . —

For a mouthpiece he has a huge basin ^e hanging from his nostrils.

^c 'Reduced them to a standstill.' On *incita*, see above, p. 36.

^d This is certain. But see next note.

^e By *trulleus* Lucilius probably means here a feeding-vessel. But it is not clear whether *pro stomide* is right. The MSS. of Nonius have *postomis* in the lemma, and *postomide* in the quotation, perhaps rightly, for a glossary says *postomis*, ἐπιστομῖς. Moreover, Lucilius may be speaking of a horse, of a flute-player (ἐπιστομῖς and στομῖς, mouth-band), or of a tippler.

LUCILIUS

519

Nonius, 22, 7: 'Cerebrosi' dicuntur ad insaniam faciles, quibus frequenter cerebrum moveatur . . . —

te primum cum istis, insanum hominem et cerebrosum.

520-3

Nonius, 533, 11: 'Corbita' est genus navigii tardum et grande . . . —

Multa homines portenta in Homeri versibus ficta monstra putant; quorum in primis Polyphemus ducentos

Cyclops longus pedes; et porro huic maius bacillum quam malus navi in corbita maximus ulla.

524-9

Lactantius, *Div. Instit.*, I, 22, 13: Lucilius eorum stultitiam, qui simulacra deos putant esse, deridet his versibus (*epit.*, 22)—

Terriculas Lamias, Fauni quas Pompilique instituere Numae, tremit has hic omnia ponit.

Ut pueri infantes credunt signa omnia aena vivere et esse homines, sic isti somnia ficta vera putant, credunt signis cor inesse in aenis.

Pergula pictorum, veri nil, omnia ficta.

Cp. Nonius, 56, 7 (526-7).

530

Nonius, 124, 17: 'Inuncare' quasi unco invadere et adripere . . . —

at qui nummos tristis inuncat.

⁵²³ navi in corbita D (I.) navis in . . . ulla *cdd.* navi e . . . ullast *opus musiv. Tunis. ubi v. 523 citatur; v. pp. 421-2*

⁵²⁷ somnia L omnia *cdd.* istie omnia Mr.

⁵²⁹ pictorum *Lactant.* fictorum M

BOOK XV

(B) *Philosophy cures superstition :*

519

Nonius : 'Cerebrosi' is a term applied to those who are easily made mad, whose brain is often disturbed . . . —

and with them you first, you crack-brained man.

520-3

Nonius : 'Corbita' is a slow and massive kind of ship . . . —

People think that in the poetry of Homer there are many prodigies which are make-believe monstrosities, among the chief of which is Polyphemus the Cyclops, two hundred feet tall; and further his little walking-stick, bigger than the biggest mast of any cargo-boat.

524-9

Lactantius : Lucilius, in the following lines,^a laughs at the silliness of those who think that images are gods—

As for scarecrows and witches, which our Fauns and Numa Pompiliuses established—he trembles at them, and thinks them all-important. As baby children believe that all bronze statues are alive and are men, so these (*superstitious grown-ups*) think the fictions of dreams are real, and believe that bronze statues have a living heart inside. These things are a painters' gallery, nothing real, all make-believe.

530

(C) *Philosophy cures avarice and teaches the simple life :*

The miser :

Nonius : 'Inuncare,' to attack and pull in sharply as with an 'unca,' a hook . . . —

and one who, gloomy of visage, hooks in his coins.

^a given in the *epit.*

LUCILIUS

531-2

Nonius, 2, 14: 'Senium' . . . —

In numero quorum nunc primus Trebellius multost Lucius, nam arcessit febris senium vomitum pus.

533

Charisius, ap. *G.L.*, I, 96, 9 K: 'Alicam' sine aspiratione dictam Verrius tradit, et sic multi dixerunt; quamvis Lucilius XV—

“ Nemo est halicarius posterior te,”

cum asperatione dixerit.

534-5

Nonius, 537, 32: 'Palla' est honestae mulieris vestimentum . . . —

“ Cum tecum est, quidvis satis est; visuri alieni sint homines, spiram pallas redimicula promit.”

536-7

Nonius, 445, 14: 'Acerosum' . . . panem farre minus purgato nec sordibus a candido separatis dicendum veteres putaverunt . . . —

“ quae gallam bibere ac rugas conducere ventris farre aceroso oleis decumano pane coegit.”

Cp. Paul., ex Fest., 96.

⁵³¹⁻² multos titos lucios *cdd.* multost Lucius L nam
(L) arcessit Mr. marcebat Dacier nam sanat L *νάρκη*
Onions narce saeva i(s) M *alii alia* narces(s)ibai
cdd. plus *cdd.* pus *Ald.*

⁵³⁵ spiras pallam D (I.)

⁵³⁶ ventri *cdd.* *Paul.*

⁵³⁷ oleis Linds (*qui et Olei = Auli coni.*) oleo Iun.
olei *cdd.* decumano pane coegit T d. p. cumano
c. *cdd.*

BOOK XV

531-2

The miserly Trebellius :

Nonius : ' Senium ' . . . —

Among this crowd Lucius Trebellius now comes easily first, for he calls up fevers in a man, and vexation, and retching, and festering.

533

Charisius : Verrius relates that ' alica ' was pronounced thus without an ' h,' and many have pronounced it so; yet Lucilius, in the fifteenth book pronounced it ' halicarius', with an ' h'—

“ No spelt-eater ^a comes second to you,”

534-5

The miser's wife ? :

Nonius : ' Palla ' (mantle) is a garment worn by a modest woman . . . —

When she is with you, anything will do; should other men be coming to see her, she brings out her chin-ribbons,^b her mantles, her headbands.

536-7

Nonius . . . Old writers thought that ' acerosus ' was a term to be used for bread not well cleared of coarse meal, when the ords have not been separated from the pure . . . —

“ who ^c forced them to drink gall-wine, and their bellies to contract in wrinkles through feeding with coarse wholemeal, with olives, and hunks of bread number tens in size.”

^a So Cichor., 294; not spelt-grinder.

^b Thus in Juv., III, 208. Or possibly braids of hair—Pliny, IX, 117; Val. Flacc., VI, 396.

^c It is uncertain what the antecedent of *quae* is; it might be *fames*, *paupertas*, *egestas* or *parsimonia*, to judge from the remark of Paulus, from Fest., 96, 3, on part of this fr. For *decumanus*, see pp. 64, 168, 186-7, 192, 396-7.

LUCILIUS

538-9

Nonius, 213, 21 : 'Medimnum' . . . masculini . . . —
praeter quam in pretio; primus semisse, secundus
nummo, tertius iam pluris quam totus medimnus.

540-1

Nonius, 397, 25 : 'Sacrum' etiam scelestum et detestabile
. . . —

Ac de isto sacer ille tocoglyphos ac Syrophoenix
quid facere est solitus?

542

Nonius, 536, 15 : 'Tunica' est vestimentum sine manicis
. . . —

Scit ποιητικὸν esse, videt tunica et toga quid sit.

543

Nonius, 447, 5 : 'Ergastilum' et 'ergastilus' ut genere ita
intellectibus differunt; nam neutro carceris locus est, mas-
culino custos poenalis loci . . .

non ergastilus unus.

⁵³⁹ pluris Iun. plurest Mr. plures *cdd.*
⁵⁴⁰ ille tocoglyphos ac Roth illoto colfo sax *cdd.*

^a which contained six *molii*. This fragment is obscure; e.g. *in pretio* may be part of an expression *in pretio esse*, 'to be of value,' and *primus, secundus, tertius*, may all qualify *medimnus*.

^b *τοκογλύφος*, one who records minutely the interest on his loans (*γλύφω*, inscribe on wax tablets).

BOOK XV

538-9

The price of corn ? :

Nonius: 'Medimnum' . . . of the masculine gender . . . —
. . . except in the matter of price; the first modius was sold for half an *as*, the second for a sesterce, the third for more than a whole bushel^a would fetch.

540-1

Tricks of the money-maker :

Nonius: 'Sacrum' (sacred; also accursed, devilish) means also villainous and hateful . . . —

But that devil of a money-grubber,^b that Syro-phoenician, what did he usually do in a case like that?

542

Nonius: 'Tunica' is a garment without sleeves . . .

He knows it is 'creative,' he sees the difference between a shirt and a suit.^c

543

Unplaced fragment :

Nonius: 'Ergastilum' (prison) and 'ergastilus' (prison-foreman?^d) differ both in gender and meaning, for in the neuter it means the place of imprisonment, in the masculine a guardian of the place of penalty . . . —

not one foreman of a prison.

^c Or 'he sees what a coat and a cloak means.' I take this fragment as referring to the money-maker of the last fragment. He knows that his loans or his hoards are creative (ποιητικά) of fresh interest (τόκοι). The reference to *tunica* and *togu* is clearly proverbial. *Scit ποιητικὸν esse* might mean 'he knows what it is to be creative.'

^d the word more probably means a slave confined in an *ergastilum*.

LUCILIUS

LIBER XVI

544-6

Nonius, 98, 16: 'Demagis,' valde magis. Lucilius lib. XVI—

Rex Cotus ille duo hos ventos, austrum atque aquilonem

novisse aiebat se solos demagis; istos
ex nimbo austellos nec nosse nec esse putare.

547-8

Nonius, 201, 14: 'Cubitus' . . . neutri . . . —

Lysippi Iuppiter ista
transibit quadraginta cubita altus Tarento.

549-51

Nonius, 422, 25: 'Horridum' plerumque extans et prominens . . . —

et
hi quos divitiae producunt et caput unguunt
horridulum.

⁵⁴⁵ <se> solos *ed princ.* aiebat solos sed Gerlach *alii*
alia

⁵⁴⁷ istae L

⁵⁴⁹⁻⁵⁰ et hi M et ii (hii, i) *cdl.* hic (*plur.*) Mr. *for-*
tasse hi et set Ribb.

^a There was probably one satire in this book, of a philosophical character, dealing with luxury in the city and simplicity in the country. On the title 'Collyra,' attributed to bk. XVI by Porphyrio, see notice on bk. XXI, pp. 194-5.

BOOK XVI

BOOK XVI ^a

544-6

(A) *Town-life.*

A saying of Cotys : ^b

Nonius : 'Demagis,' very much more. Lucilius in the sixteenth book—

That famous King Cotys used to say that he knew these two winds, the south wind and the north wind, very much more than others; but as for those gentle south winds made out of a rain-cloud, he said that he neither knew them nor thought they existed.

547-8

A big merchant-ship ?

Nonius : 'Cubitus' . . . of the neuter gender . . . —

In this (ship?) Lysippus' 'Jupiter,' ^c forty ells high, shall cross from Tarentum. ^d

549-51

The new rich :

Nonius : 'Horridum' generally means standing out and prominent . . . —

and those whom riches promote, whose frowsy little heads riches anoint.

^b A Thracian, either the father of Cersobleptes (4th cent. B.C.), or the ally of Perseus but later reconciled to the Romans (2nd cent. B.C.). The fr. looks like the beginning of a satire; but cf. the excellent notes of Marx, *ad* 527.

^c on this statue, see Strabo, VI, 278; Pliny, *N.H.*, XXXIV, 39.

^d *sc.* to Rome.

LUCILIUS

552-3

Gellius, IV, 1, 3: Mundum muliebrem Lucilius in satyrarum XVI . . . genere . . . neutro appellavit his verbis—

Legavit quidam uxori mundum omne penumque ;
quid 'mundum' atque 'penus,' quid non? quis
dividet istuc?

Cp. Nonius, 214, 15 (legat u. m. o. p.).

554

Servius, ad *Aen.*, I, 703: Feminino Lucilius posuit ut—
uxori legata penus.

555

Nonius, 513, 1: 'Publicitus' pro publice . . . —
"Publicitus vendit tamen atque extrema ligurris."

556

Charisius, ap. *G.L.*, I, 72, 30 K: 'Pistrinum' . . . feminine
. . . —

media est pistrina

ad tabernam referens.

Cp. Varro, *L.L.*, V, 138.

557-8

Priscianus, ap. *G.L.*, II, 87, 15 K: Vetustissimi . . . com-
parativis etiam huiuscemodi sunt . . . usi . . . —

"Fundi delectat virtus te, vilicus paulo
strenuior si evaserit."

⁵⁵² omne atque penumque *cdd.* *Gell.* *omm.* atque *cdd.*
Non.

⁵⁵³ atque penum *add. edd. vett.* penus M

⁵⁵⁴ *trib. lib.* XVI D (I.)

⁵⁵⁵ vendis *cdd.* vendit Bentin.

BOOK XVI

552-3

Bequeathing one's possessions :

Gellius : Lucilius in book XVI of the Satires used 'mundus,' as applied to a woman's toilet, . . . in the neuter gender; his words are these—

Someone bequeathed to his wife all the toilet and store. What is 'toilet' and 'store'? What is not? Who will settle that point?

554

Servius : Lucilius put it (*penus* or *penum*) in the feminine gender; for example—

the store bequeathed to the wife.

555

bankruptcy? :

Nonius : 'Publicitus' for 'publice' . . . —

“ Still, he sells it all by public auction and you lick up the last leavings.”

556

Description of an inn : ^a

Charisius : 'Pistrinum' . . . in the feminine . . . —

in the middle is a pounding-mill

referring to an inn.

557-8

(B) *Country-life.*

The farm :

Priscianus : Very old writers used comparatives even in this way . . . —

“ The goodness of your farm is a delight to you if the bailiff has turned out to be a little more active than usual.”

^a Varro, *L.L.*, V, 138 may indicate that Lucilius is referring to a building in the city; but see p. 421.

LUCILIUS

559-61

Nonius, 234, 37: 'Aptum' rursus conexum et conligatum significat . . . —

"Ibat forte aries," inquit, "iam quod genus, quantis testibus! vix uno filo hosce haerere putares, pellicula extrema exaptum pendere onus ingens."

562

Nonius, 201, 1: 'Cepe' generis neutri . . . —

"Hoc aliud longe est" inquit qui cepe serebat.

563

Nonius, 513, 14: 'Ignaviter' pro ignave . . . —

"Cur tam ignaviter hoc praesertim tempore quaeris?"

Cp. Priscianus, ap. *G.L.*, III, 71, 2 K.

Censorinus, *de die natali*, III, 3: Euclides . . . Socraticus duplicem omnibus omnino nobis genium dicit adpositum, quam rem apud Lucilium in libro satyrarum XVI licet agnoscere.

LIBER XVII

Sat. I.

564

Nonius, 134, 35: 'Laverna,' dea cui supplicant fures. . . . Lucilius lib. XVII—

Si messes facis et Musas si vendis Lavernae,

⁵⁶⁴ si messes *cdd.* et *add.* M semissis facient Musas D (I.) si semissis facis Musas L, Onions *fortasse recte* si messes facitis Mr.

^a This may be the beginning of a fable (Fiske, 167-8). Marx takes *pellicula* in the sense of foreskin; how I do not know.

BOOK XVII

559-61

Story of a ram :

Nonius: 'Aptum' means also tied and bound to . . . —

"There went by chance a ram," said he, "and what a breed! How huge his cods are! You'd think they were stuck on by scarcely so much as a single thread, that this huge load hung fastened to the outside of his hide."^a

562

The kitchen-garden :

Nonius: 'Cepe' of the neuter gender . . . —

"This is quite another thing," said the man who was planting onions.

563

an untimely questioner :

Nonius: 'Ignaviter' for 'ignave' . . . —

"Why are you so inept with your questioning at this of all times?"

A double influence in everyone :

Censorinus: Euclides the Socratic states that a double genius is attached to every single one of us; this you may learn from the sixteenth book of Lucilius' Satires.^b

BOOK XVII^c

Sat. I. A parody and commentary on incidents in the Odyssey (with allusions to Roman life?)

Plagiarism : 564

Nonius: 'Laverna,' a goddess to whom thieves make prayer. . . . Lucilius in the seventeenth book—

If you reap harvests and sell poetry to Laverna,

^b We may take it that Lucilius himself stated this doctrine of Empedocles in this book as a hypothesis or a conclusion.

^c The fragments show traces of a parody of Homer, and possibly of a satire on business-life in Rome.

LUCILIUS

565-6

Priscianus, ap. *G.L.*, II, 475, 25 K : Lucilius in XVII—
 “ Nupturum te nupta negas, quod vivere Ulixen speras.”

In hoc quoque subaudiendum est ‘esse,’ id est ‘nupturum esse’ pro ‘nuptum ire’ *γαμηθήσεσθαι*.

567-73

Nonius, 25, 26 : ‘Conpernes’ dicuntur longis pedibus . . . —
 “ Num censes calliplocamon callisphyron ullam non licitum esse uterum atque etiam inguina tangere mammis,
 conpernem aut varam fuisse Amphitryonis acoetin Alcmenam atque alias, Helenam ipsam denique—nolo dicere; tute vide atque disyllabon elige quodvis—
κούρην eupatereiam aliquam rem insignem habuisse, verrucam naevum punctum dentem eminulum unum ? ”

Cp. Non., 26, 8.

574

Nonius, 371, 9 : ‘Praestare,’ antecellere . . . —
 “ Si facie facies praestat, si corpore corpus.”

⁵⁶⁷ num S nunc *cdd.* ullam S illam *cdd.*

⁵⁷⁰ Helenam S Heram Onions Ledam *edd.* lenam *cdd.* menam *Lu.* 1

⁵⁷² *κούρην* M *Τυρῶν* Iun. *ρην* *cdd.*

⁵⁷³ punctum M dictum *cdd.*

Non., 371 : Lucilius lib. XXVII *cdd.* XVII L

⁵⁷⁴ facie facies *Escorial.* facies *rell.*

^a On the use of the masculine form for the feminine, ep. Gellius, I, 7; originally ‘nupturum’ was ‘nuptu + erom,’ ‘erom’ being the infinitive of ‘sum.’

BOOK XVII

565-6

Temptation of Penelope :

Priscianus : Lucilius in the seventeenth book—

“ Married as you are you deny that you will get married,^a because you hope Ulysses is alive.”

Here also we must understand ‘esse,’ that is ‘nupturum esse’ for ‘nuptum ire,’ in Greek *γαμηθήσεσθαι*.

567-73

Nonius : ‘Conpernes’ is a term applied to people with long feet.^b . . . —

“ Surely you don’t believe that any woman with lovely curls and lovely ankles could not touch paunch and even groin with her breasts, and that Amphitrión’s wife^c Alcmena could not have been knock-kneed or bow-legged, and that others, even Helen herself, could not have been—I prefer not to say it;^d see to it yourself and choose any two-syllabled word you like—that a maiden begotten by a noble father^e could not have had a mark of note, a wart, a mole, a pock-mark, one little prominent tooth? ”^f

574

Nonius : ‘Praestare,’ to stand out (surpass) . . . —

“ If she surpasses her, looks for looks, and figure for figure.”^g

^b it really means with knees bent inwards.

^c Homer, *Od.*, XI, 266 Ἀμφιτρύωνος ἄκοιτιν.

^d *scortum*, whore; or *moecham*, adulteress. ✓

^e Homer, *Il.*, VI, 292; *Od.*, XXII, 227; cp. *Il.*, III, 426; *Od.*, XI, 235 (Τυρῶ ἴδον εὐπατέρειαν. Thus Τυρῶ may be the right reading here for ριν).

^f on this fr. cf. Haupt, *Opusc.*, I, 186.

^g This is the general sense; *facie* is dative, *corpore* ablative of comparison, the missing word being *pulchrius* or the like.

LUCILIUS

575-6

Macrob., *S.*, VI, 1, 43 : Lucilius in septimo decimo—
Magna ossa lacertique
apparent homini.

Sat. II. ?

577-8

Nonius, 361, 27 : 'Proprium' rursus significat perpetuum
. . . (362, 9)—

Cetera contemnit et in usurā omnia ponit
non magnā; proprium vero nil neminem habere.

579-80

Nonius, 6, 21 : 'Calvitur' dictum est frustratur . . .
(7, 2)—

"Si non it, capito" inquit, "eum, et si calvitur." "Ergo
fur dominum?"

LIBER XVIII

581-2

Nonius, 544, 8 : 'Cadi' vasa quibus vina conduntur.
Lucilius lib. XVIII—

Milia ducentum frumenti tollis medimnum,
vini mille cadum.

Cp. Non., 495, 38.

⁵⁷⁶ hominis L

⁵⁷⁹⁻⁸⁰ endo ferto manum Carrio

⁵⁸¹ tu centum Bouterwek, Leo

^a Marx takes *usura* as enjoyment of life's gifts. 'He lays
out his all in enjoyment.' This may well be right.

BOOK XVIII

575-6

Boxing-match between Ulysses and Irus? :

Macrobius : Lucilius in the seventeenth book—

His big bones and muscles show up.

Sat. II.? On business life in Rome?

577-8

A business man :

Nonius : 'Proprium' (one's own) also means perpetual . . . —

He wagers his all in a little money-lending,^a and spurns all other professions; for to be sure no one has anything for ever his own.

579-80

Serving a warrant :

Nonius : 'Calvitur' is a term used for 'frustratur' . . . —

"If he does not go," said he, "and if he shirks, arrest him." "Shall the thief arrest the owner then?"^b

BOOK XVIII

581-2

From a satire on gluttony?

Nonius : 'Cadi' are jars in which wines are stored. Lucilius in the eighteenth book—

You take away twelve hundred bushels of corn and a thousand jars of wine.^c

^b Lucilius here adapts a law of the Twelve Tables preserved in Porphyr., on Hor., *S.*, I, 9, 76 'ni it, antestamino; igitur em capito,' and Fest., 452, 6 'Si calvitur pedemve struit, manum endo iacito.' See below, pp. 424-7. Lucilius calls attention to ambiguity in the wording of the law.

^c Imitated by Horace, *S.* II, 3, 111 ff. Fiske, 234.

LUCILIUS

583

Nonius, 113, 6 : 'Frunisci' pro 'frui' . . . —

Aeque fruniscor ego ac tu.

LIBER XIX

584

Nonius, 176, 6 : 'Singulatim' et 'singillatim' a singulis.
. . . Lucilius lib. XIX—

Sic singillatim nostrum unus quisque movetur.

585

Nonius, 396, 13 : 'Sumere' etiam significat eligere . . . —
Sume diem qui est visus tibi pulcherrimus unus.

586-7

Nonius, 357, 33 : 'Olim' temporis futuri . . . —
Sic tu illos fructus quaeras, adversa hieme olim
quis uti possis ac delectare domi te.

588-9

Nonius, 358, 13 : 'Optare' eligere . . . —
Aurum vis hominemne? Habeas. "Hominem?
quid ad aurum?
quare, ut dicimus, non video hic quid magno opere
optem."

⁵⁸⁶ sic *Lu., G.* si *Gen., Bern.* 83

⁵⁸⁷ ac D (I.) hacc *cdd.*

⁵⁸⁸ hominemne Quich. <-ve> Corpet <en> D (I.)
hominem *cdd.*

^a On this book Fiske, 230 ff., 246-7 is worth consulting. It contained perhaps one satire only; at any rate most of the fragments seem to be written in cynic-stoic tone upon the theme of contentment with one's lot.

^b Housman, *C.Q.*, I, 153-4.

BOOK XIX

583

Nonius : ' Frunisci ' for ' frui ' . . . —

I enjoy things as much as you.

BOOK XIX ^a

584

Individual feelings :

Nonius : ' Singulatum ' and ' singillatim ' from ' singuli ' . . . Lucilius in the nineteenth book—

Thus each of us is stirred one by one.

585

Nonius : ' Sumere ' even means to choose. . . . —

Take for example the day which seemed to you to be the very loveliest of all.^b

586-7

Looking to the future :

Nonius : ' Olim ' of future time. . . . —

So ^c you too should procure those gains with which you may enjoy and delight yourself at home one day when winter rages against you.

588-9

Desire for gold and other good things :

Nonius : ' Optare, ' to choose . . . —

Gold or man,^d which do you want? Take your choice. "The man? What is the man compared with his gold? Wherefore, as we say, in such a case I do not see what I should earnestly choose."^e

^c *sc.* like the ant.

^d or simply ' Is it gold or the man you want to have? '

^e Fiske, 237; or possibly ' why I should earnestly desire, ' or ' choose the man, ' or ' make a choice. '

LUCILIUS

590

Nonius, 11, 26 : ' Passum ' est proprie rugosum vel siccum
. . . —

Rugosi passique senes eadem omnia quaerunt.

591

Nonius, 445, 23 : ' Multum ' et ' satis ' . . . —

Denique uti stulto nil sit satis, omnia cum sint.

592-3

Nonius, 149, 27 : ' Peniculamentum ' a veteribus pars vestis dicitur . . . et 55, 26 : ' Infans ' a non fando dictus est . . . (56, 5)—

Peniculamento vero reprehendere noli,
ut pueri infantes faciunt, mulierculam honestam.

594

Priscianus, ap. *G.L.*, II, 542, 26 K : Alia vero in ' si ' desinentia supra dictam regulam servant, id est generalem in ' si ' desinentium—' sensi sensum,' ' rausi rausum.' Unde Lucilius in XIX—

rausuro tragicus qui carmina perdit Oreste.

⁵⁹²⁻³ *coniunx.* M peniculamento v. r. n. *Non.* 149 ut
p. e. q. s. *Non.* 56.

^a *sc.* gain. Fiske, 231.

^b Imitated by Horace, *S.*, I, 1, 61 ff.

^c Fiske, 238-244 sees in this a scene from childhood where the nurse is a respectable relation of the child; if this is right,

BOOK XIX

590

Nonius : ' Passum ' means properly wrinkled or dry . . .—

Wrinkled and shockheaded old men seek all those same rare delights.^a

591

The fool is never satisfied :

Nonius : ' Multum ' and ' satis ' . . .—

And lastly so that nothing is enough for a fool, though all the world is his.^b

592-3

The following fragments refer to right behaviour :

Nonius : ' Peniculamentum ' is a term used by the old writers for part of a garment . . . and ' Infans ' is a term derived from ' non fari ' . . .—

But do not seize by the skirt, as infant children do, a modest little woman.^c

594

Priscianus : However other perfects ending in *si* keep the rule mentioned above, I mean the general rule of perfects ending in *si*—' sensi, sensum,' ' rausi, rausum.' Whence Lucilius in book XIX—

a tragic player who is the ruin of his verses because his Orestes will be hoarse.^d

then, as Fiske suggests, the Scholiast's remark '*hoc nutricula sicca vetusta infantibus monstrat*' (on Juv., XIV, 208) may be a real hexameter of Lucilius and not an accidental one (Fiske, 241), though Lucilius is not mentioned by the scholiast.

^d Because he will speak hoarsely in the part of Orestes (*rausuro*, 'inclined to be hoarse,' from *raucio*).

LUCILIUS

LIBER XX

Written in 107 or 106, this book contained a satire on a banquet, probably given by Granius in 107 (see Marx, proleg., XLIX for the attribution of at least one account by Lucilius

Sat. I.

Cic., *Brut.*, 43, 160 (*de L. Licinio Crasso*): Nisi in eo magistratu cenavisset apud praeconem Granium idque nobis (bis?) narravisset Lucilius, tribunum plebis nesciremus fuisse.

595

Nonius, 321, 17: 'Invitare' significat replere. . . . Lucilius—

pulchre invitati acceptique benigne.

596

Servius ad Verg., *G.*, II, 98: 'Rex ipse Phanaeus.' de Lucilio hoc tractum est, qui ait—

Χῶς τε δειράστης,

id est οἶνος.

597

Paulus, ex Festo, 50, 25:—

decumana ova

dicuntur . . . quia sunt magna; nam . . . ovum decimum maius nascitur . . .

Cp. *C.G.*, V, 566, 49.

Cic.: trib. lib. XX M, lib. XI al.

⁵⁹⁵ trib. lib. XXX Mr., lib. XX W

⁵⁹⁶ trib. lib. XX Fiske

⁵⁹⁷ trib. Luc. Usener, lib. V Mr., lib. XX W

^a See note on p. 141. The second account of or allusion to this banquet may have been in book XXI or possibly XXIII. But in Cicero's notice (*nobis*) *bis* may be a ditto-graphy, so that there was perhaps no second account at all (Shero, *C.P.*, XVIII, 128).

BOOK XX

BOOK XX

of this dinner to bk. XX). It is probable also that there was another satire describing ships in a storm, but it is doubtful.

Sat. I.

A dinner given by Quintus Granius the crier to L. Licinius Crassus, tribune in 107 B.C.

Cicero: Had he (L. Licinius Crassus) not dined during his holding of that magistracy at the house of Granius ^a the crier, and had not Lucilius related it (twice?) for us, we should not be aware that he had been a tribune of the plebs.

595

The guests are well entertained:

Nonius: 'Invitare' (invite, entertain) means to fill. . . .
Lucilius—

splendidly entertained and received kindly.

596

The first course ('promulsis,' 'gustatio.') ? :

Servius: 'Even the king of Phanae.'^b This idea is derived from Lucilius, who says—

and our Lord of Chios,

that is, wine.

597

Paulus:—

eggs, number tens

are so called . . . because they are big. For every tenth egg comes forth bigger than the others.^c

^b Phanae was a headland of Chios, which was famed for its wine.

^c Cp. the explanation of *decumani fluctus*, every tenth wave, also given here by Paulus. That Lucilius is the source is indicated by Schol. on Luc., V, 672 giving *decumanis fluctibus* from 'Lucius.' The first course of a dinner usually included eggs.

LUCILIUS

598

Priscianus, ap. *G.L.*, II, 485, 19 K: 'Tergeo, tersi.' . .
Lucilius in XX—

Purpureo tersit tunc latas gausape mensas.

599

Gellius, II, 24, 7: Lex deinde Licinia rogata est . . . cum et carnis aridae et salsamenti certa pondera in singulos dies constituisset, quidquid esset tamen e terra vite arbore promisee atque indefinite largita est. . . Lucilius quoque legis istius meminit in his verbis—

“ Legem vitemus Licini.”

600

Paulus, ex Fest., 38, 1: Dicebantur 'Centenariae cenae' in quas lege Licinia non plus centussibus praeter terra enata impendebatur, id est centum assibus, qui erant breves nummi ex aere.

601-3

Macrob., *S.*, III, 16, 17: Sed et Lucilius acer et violentus poeta ostendit scire se hunc piscem egregii saporis qui inter duos pontes captus esset, eumque quasi ligurritorem 'catillonem' appellat . . . qui proxime ripas stercus insectaretur. Proprie autem catillones dicebantur qui ad polluctum Herculis ultimi eum venirent catillos ligurribant. Lucilii versus hi sunt—

Fingere praeterea, adferri quod quisque volebat;
illum sumina ducebant atque altilium lanx,
hunc pontes Tiberinus duo inter captus catillo.

⁵⁹⁹ *ex libro XX?*

Paul., 38: *trib. Luc. M trib. lib. XX W*

⁶⁰¹⁻³ *trib. lib. IV D (F.). XX con. M*

^a That Festus refers to 'centenaria cena' or the like used by Lucilius we may be certain; cp. bk. XXVIII, fr. 729. If Lucilius used the plural (e.g. *cenae centenariae*), then this notice probably applies to one of books XXVI-XXIX.

^b *i.e.* the *Pons Aemilius* and the *Pons Sublicius*. The *cloaca maxima* emptied into the Tiber a little above the *Pons Sub-*

BOOK XX

598

Between the courses :

Priscianus: 'Tergeo,' perfect 'tersi.' . . . Lucilius in book XX—

Then he wiped the broad tables with a rough purple cloth.

599

The second course :

Avoiding the Licinian law (passed between 129 and 105 B.C. ?)

Gellius: Then a Licinian law was brought forward . . . which laid down fixed weights of dried meat and pickled fish for each day, and yet bestowed without distinction of kind or quantity whatever came from soil, vine or fruit-tree. . . . Lucilius also mentions this law in these words—

"Let us avoid the Licinian law."

600

Paulus: 'Dinners called 'hundred-halfpenny dinners'^a were those on which by a Licinian law, not counting food sprung from the soil, not more than a 'centussis' was spent, that is one hundred 'asses,' which were small coins of copper.

601-3

Macrobius: But Lucilius also, a biting and boisterous poet, shows that he knows this fish of specially good taste caught between the two bridges, and he calls it, as being a glutton, a 'plate-licker' . . . a fish that is to say, which hunted out dung very close to the banks. But 'catillones' was properly a term which was habitually employed for those who, when they came last to an offering for Hercules, used to lick the plates. The lines of Lucilius are these—

Besides he ordered to be made ready and brought to the table what each one wanted. This man's fancy was taken by pigs' paps and a dish of fattened fowls, while the other's was taken by a licker-fish of the Tiber, caught between the two bridges.^b

licius; cf. Marx *ad* 1174; Shero, *C.P.*, XVIII, 132; Süß, *H.*, LXII, 352; Fiske, 410-411.

LUCILIUS

604

Nonius, 151, 1 : ' Praecisum ' et ' omasum, ' partes carnis et viscerum. . . . Lucilius lib. XX—

Illi praeciso atque epulis capiuntur opimis.

605-6

Nonius, 201, 20 : ' Colubra ' feminini . . . —

“ Iam dirumpetur medius, iam, ut Marsus colubras dirumpit cantu venas cum extenderit omnes.”

607-8

Nonius, 427, 22 : ' Priores ' et ' primores ' . . . —

“ Calpurni saevam legem Pisonis reprimi, eduxique animam in primoribus oribus naribus.”

609-10

Cic., *ad Att.*, VI, 3, 7 : Tibi autem valde solet in ore esse—

Granius autem

non contemnere se et reges odisse superbos.

Cp. Cic., *ad Att.*, II, 8, 1.

611

Nonius, 18, 24 : ' Nebulones ' . . . —

“ nugator cum idem ac nebulo sit maximus multo.”

⁶⁰⁷ saevam legem Iun. saeva lege in *cdd.*

⁶⁰⁸ primoribus oribus Süß, *II.*, LXII, 353 primoris
faucibus M *fortasse* primoris *vel* primoribus partibus *vel*
primoribus naribus (*Ald.*) primoribus naribus *cdd.* *seclud.*
in Mr.

⁶⁰⁹⁻¹⁰ *trib. Lucil. lib. XI cdd., lib. XX coni. M*

⁶¹¹ cum idem Mr. euidem *cdd.*

^a With eating, anger, laughter, or the like. Shero, *C.P.*, XVIII, 132; Süß, *II.*, LXII, 352; Fiske, 414; Iltgen, *de Hor. Luc. aem.*, 21. The Marsi were famous for their skill in snake-charming.

BOOK XX

604

Nonius: 'Praecisum' and 'omasum' (bullock's tripe), pieces of flesh and guts. . . . Lucilius in book XX—

They are ensnared by a cutlet, by the rich viands of the feast.

605-6

A guest speaks?

Nonius: 'Colubra' of the feminine gender . . . —

"Now he'll burst asunder^a in the middle, now, as a Marsian bursts snakes asunder with his singing when he has made all their veins swell."

607-8

L. Crassus? ^b speaks?

Nonius: 'Priores' and 'primores' . . . —

"I found fault with the savage law^c of Calpurnius Piso, and snorted my anger through the nostrils at the tip of my nose."

609-10

The host speaks:

Cicero: But you very often have these words in your mouth—

But Granius says he has no bad opinion of himself, and hates haughty kings.^d

611

A rascal:

Nonius: 'Nebulones' . . . —

"since that same fellow is a swaggerer and by far the biggest swindler ever."

^b Marx, proleg., XLIX.

^c Lex Calpurnia repetundarum, 149 B.C., for dealing with charges of extortion by officials in Roman provinces.

^d sc. of dinners?

LUCILIUS

612-4

Gellius, III, 14, 10: Lucilius . . . in vicesimo . . .
'dimidiam horam' dicere studiose fugit sed pro 'dimidia'
'dimidium' ponit in hisce versibus—

tempestate sua atque eodem uno tempore et horae
dimidio et tribus confectis dumtaxat, eandem
ad quartam.

Sat. II.

615

Varro, *L.L.*, V, 23-24: 'Terra' ut putant eadem et humus.
. . . Humor hinc. Itaque ideo Lucilius—

Terra abit in nimbos umoremque.

616

Paulus, ex Fest., 50, 25: ('Decumana' ova dicuntur) et
'decumani' fluctus quia sunt magna. Nam . . . fluctus
decimus fieri maximus dicitur.

decumanis fluctibus

Cp. *C.G.L.*, V, 16, 19.

617-8

Nonius, 536, 5: 'Anquinae,' vincla quibus antennae tenen-
tur. Lucilius—

Armamenta tamen malum vela omnia servo;
funis enim praecisus cito atque anquina soluta.

⁶¹⁵ *trib. lib. III* Varges, XX W abit Augustinus abiit
cd. abit . . . <h>umoremque Kent, *Trans. Amer. Phil.*
Assoc., LXVII, 67-8. imbremque *cd.*

⁶¹⁶ decumanis fluctibus *Schol. ad Lucan.*, V, 672 ubi *Lucil.*
trib. *trib. lib. XX* W, III Mr.

⁶¹⁷ vela Iun. velum Mr. vel *cdl.*

⁶¹⁸ anquina Iun. anchora *cdl.* (*item in lemm.*)

^a The meaning is not clear, but Lucilius was surely referring
to the hours in the periods of recurrence of an illness.

BOOK XX

612-4

After-effects of a revel :—the quartan ague ? :

Gellius: Lucilius . . . in the twentieth book studiously avoids using 'dimidia hora,' and instead of 'dimidia' puts 'dimidium' in these lines—

(the fever wanes) in its own season and always at the same time—when three hours and a half at least have been spent—towards the same fourth hour as before.^a

Sat. II. Ships storm-tossed at their moorings.^b

615

A storm :

Varro: 'Terra,' they think, and 'humus' are the same . . . 'Humor' comes from this source. For this reason then Lucilius says—

The land vanishes into black clouds and moisture.

616

Rough sea :

Paulus—

waves all number tens

are so called because they are big. For . . . every tenth wave is said to be the biggest.^c

617-8

Saving the tackle :

Nonius: 'Anquinae' are the fastenings by which the sail-yards are held. Lucilius—

But I saved the tackle, the mast, the sails, everything; for the cable was quickly cut^d and the hal-yard was loosened.

^b Even if my reconstruction is sound, the following group of fragments may belong to a story told at Granius' dinner.

^c The example *decumanis fluctibus* is from Lucilius, as is shown by Schol. on Lucan, V, 672.

^d *i.e.* at my orders.

LUCILIUS

619-20

Nonius, 546, 25 : 'Carchesia' . . . foramina quae summo mali funes recipiunt. Lucilius—

<fluctus>

Tertius hic mali superat carchesia summa.

621

Festus, 382, 19, et Paulus, ex Festo, 383, 8 : 'Remillum' dicitur quasi repandum. . . . Lucilius—

Suda remillum

622

Nonius, 490, 29 : 'Guberna' pro 'gubernacula' . . . —

“ Proras despoliate et detundete gubernas.”

Cp. Marius Victorinus, ap. *G.L.*, VI, 56, 6 K (. . . detendite et spoliare . . .).

LIBER XXI

Porphyrio, ad Hor., *C.*, I, 22, 10 : 'dum meam canto Lalagen.' Id est earmen in Lalagen nomine amicam compositum sicut scilicet liber Lucilii XVI (XXI?) Collyra inscribitur eo quod de Collyra amica scriptus sit.

⁶¹⁹⁻²⁰ *trib. III* Varges, XX W

⁶¹⁹ <fluctus> *vel* <nauta> *add.* W

⁶²¹ *trib. lib. XX* W

⁶²⁰ tertio D (I.), *qui trib. lib. III* Lucilius tertio : tertius Mr., *qui tertio e Non. lemm. excidisse putat* hinc *Harl., Par. 7667, Escorial.* hic *rell.*

^a This word, which occurs here only, seems to refer to a ship's sail bent by the wind in clear weather; or turned up, raised up. Cf. Marx *ad* 1303.

BOOK XXI

619-20

Nonius: 'Carchesia' . . . the holes which receive the ropes at the mast-head. Lucilius—

Then a third wave overtops the mast's scuttle-holes right up aloft.

621

Calm after storm:

Festus: 'Remillum' means as it were spread out . . . Lucilius—

The clear spread out^a

622

Laying up the ship for repairs:

Nonius: 'Guberna' for 'gubernacula' . . . —

"Strip bare the prows and dismantle the helms."

BOOK XXI

Porphyrio on: 'while I sing my Lalage' in Horace: That is an ode addressed to a mistress named Lalage; I mean just as Lucilius' twenty-first^b book is entitled 'Collyra' because its theme was a mistress Collyra.

^b The manuscripts have XVI, but in the extant fragments of book sixteen there is nothing which suggests a mistress of Lucilius. Although Collyra may indeed have been the title of book XVI on the strength perhaps of one satire in it, of which nothing remains, Cichorius, 94, suggests plausibly that the true reading in Porphyrio here is XXI; of book XXI we have no fragments left.

LUCILIUS

LIBRI XXII-XXV

Books XXII-XXV were written in elegiac couplets, and dealt chiefly if not wholly with freedmen and slaves known to or possessed by Lucilius, who wrote little poems and epitaphs

LIBER XXII

623

Gloss. cod. Vat. 1469, Goetz, *Rh. Mus.*, XL, 324: 'Abzet,' extincta vel mortua. Lucilius in XXII—

Primum Pacilius tesorophylax pater abzet.

Cf. *C.G.L.*, IV, XVIII.

624-5

Donatus, ad Ter., *Phorm.*, II, 1, 57: An 'columen' columna? unde columellae apud veteres dicti servi maiores domus . . . —

Servus neque infidus domino neque inutili' quaquam
Lucili columella hic situs Metrophanes.

Cp. Mart., XI, 90, 4.

626

Nonius, 210, 26: 'Labea' . . . feminini. . . Lucilius satyrarum lib. XXII—

Zopyrion labeas caedit utrimque secus.

⁶²⁴ inutili vel inutilis *edd.* quaquam *edd. vet.* quoi-
quam D (I.) quanquam *edd. prob.* M

⁶²⁵ Metrophanes *additum ex Mart., XI, 90, 4*

BOOK XXII

BOOKS XXII-XXV

upon them in their own dialect. The books were probably published after the death of the poet. (Marx, proleg., L; Cichor., 97 ff.)

BOOK XXII

623

Pacilius (epitaph) :

A Glossary: 'Abzet'^a means 'put out' or 'dead.'
Lucilius in book XXII—

First my treasurer Pacilius, a very father, a 's a
cauld corp.

624-5

Metrophanes (epitaph) :

Donatus on a passage in Terence: Does 'columen' here mean 'columna'? From this word comes 'columellae' applied in archaic writers to the older slaves of a household . . . —

Here lies a slave who was both faithful and in all ways useful to his master, a little pillar of Lucilius' house, by name Metrophanes.

626

Zopyrion :

Nonius: . . . 'Labea' . . . of the feminine gender.
. . . Lucilius in the twenty-second book of the *Satires*—

Zopyrion^b buffets his lips right and left.

^a An Oscan or a Paelignian word; cp. Paelignian *afded*. Pacilius is the Oscan Paakul.

^b This slave is probably the same as he who is alluded to in lines 362-3.

LUCILIUS

627

Nonius, 215, 2 : 'Nasus' . . . neutri . . . —

Nasum rectius nunc homini est suraene pedesne ?

628

Nonius, 149, 5 : 'Petilum,' tenue et exile . . . —

insignis varis cruribus et petilis.

LIBER XXIII

629

Priscianus, ap. *G.L.*, II, 506, 24 K : 'Lambo' . . . 'lambi,'
Lucilius in XXIII—

Lucundasque puer qui lamberat ore placentas.

LIBER XXIV

.....

LIBER XXV

630

Charisius, ap. *G.L.*, I, 123, 8 K : Arabus Lucilius XXV—

Arabus . . . Artemo

⁶²⁷⁻⁸ *coniunx.* M

⁶²⁷ nunc *cdd.* huic B suraene pedesne L, Mr. -ve
-ve lun. serene pedes *cdd.* (surene *Flor.* 3)

⁶²⁸ *trib. lib. XII cdd. Non.* XXII L

^a *et petilis*, end of a pentameter; or possibly read *atque petilis*, end of a hexameter.

BOOK XXV

627

On persons unnamed :

Nonius : 'Nasus' . . . of the neuter gender . . .

Now is the fellow's nose straighter, and are his calves and feet so too ?

628

Nonius : 'Petilum,' thin and meagre . . . —

a man marked by being bow-legged and thin-shanked.^a

BOOK XXIII

629

Priscianus : 'Lambo' . . . perfect 'lambi.' Lucilius in book XXIII—

The slave-boy who had licked ^b up the nice cakes too.

BOOK XXIV

No fragments have survived.

BOOK XXV

630

Charisius : The form 'Arabus' is used by Lucilius in book XXV—

Artemo the Arab ^c

^b From *lambo*, *lambère*; but *lamberat* may be a present tense (verb *lambero*)—Plaut., *Ps.*, II, 4, 53; Paul., from Festus, 84, 30 (to tear to pieces).

^c Apparently a slave.

LUCILIUS

631

Charisius, ap. *G.L.*, I, 71, 7 K: Si ' O Aemilie ' et ' Iulie ' dixeris, Graece declinaveris, ut Lucilius—

† tierci leontado et et pumone ethermo pulas †

LIBER XXVI

Written about 131 B.C., this book is the first of all that Lucilius wrote (see Marx *ad* 592-6 and proleg., XXX ff.) Marx plausibly distinguishes three satires (see Marx, proleg., CXII—his order must be reversed); I have tried to trace an introduction and five other satires, or at any rate themes sketching some of the poet's views on professional life. The quotations by Nonius from books XXVI to XXX are plentiful

Sat. I.

632-4

Plinius, *N.H.*, praef., 7: Praeterea est quaedam publica etiam cruditorum reiectio; utitur illa et M. Tullius extra omnem ingenii aleam positus et, quod miremur, per advocatum defenditur—

<ab indoctissimis>

nec doctissimis <legi me>; Man<ium Manil>ium
Persiumve haec legere nolo, Iunium Congum volo.

⁶³¹ te ire Leonida uti, Numonie, Thermopulas M Leon-
tiado C *fortasse* Leontiada *trib. lib. XXII-XXV W*

⁶³²⁻⁵ *ex libro XXVI?*

⁶³²⁻³ ab indoctissimis *supplevi ex Cic., de Or., II, 6, 25; vide*
infra legi me *supplevi ex Cic., l. c. (legi velle)* nec seribo
indoctis nimis *suppl. M post* nec doctissimis

⁶³³⁻⁴ Manium Manilium C108 doctissimis Manium Persium
Plin. Persiumve M

^a The hopelessly corrupt text suggests a reference not to Leonidas, the Spartan commander-in-chief at the battle of Thermopylae, but to Leontiadas, who led the Thebans in that battle. I suggest that the line of Lucilius was a pentameter and have therefore put it in the group of

BOOK XXVI

631

an allusion to Thermopylae :

Charisius : If you say 'Aemilie' and 'Iulie' as vocatives you will decline in Greek fashion, for example Lucilius—

O Leontiadas . . . Thermopylae.^a

BOOK XXVI

enough to make the matter of arranging them an important one. Since Marx's theory of Nonius' method seems to me to be inferior, the divergence of my arrangements from his is much more marked than it is in dealing with books I to XX; not only the quotations in any sequence, but also the separate satires or themes, where these are distinguishable, will be found in an order reverse to that of Marx.

Sat. I. (A) Introduction^b to his literary work (possibly not a separate satire) :

632-4

Pliny : Besides this we have a certain right to challenge jurymen publicly even in a court of scholars; the privilege is used by Marcus Tullius, a man placed outside all hazard as to genius; he employs the defence of an advocate, and this is something we may well wonder at—

. . . that I should be read by the very unlearned nor by the very learned; I don't want Manius Manilius^c or Persius^d to read all this, but I do want Junius Congus^e to do it.

books XXII-XXV as being perhaps part of an epitaph or other occasional poem, even a literary exercise.

^b On these frs. see Cichor., 105 ff., and W. Baehrens, *H.*, LIV, 75 ff. ^c consul in 149.

^d C. Persius, an orator of high birth who lived in the Gracchan period.

^e Marcus Iunius Congus, author of a legal treatise *de potestatibus*, and possibly of a historical work—Cichor., 121 ff. He died in 54 B.C. This is a difficult fragment. I have followed not Marx but Cichorius (105 ff., text on 108), adding more from Cicero. Cf. also Terzaghi, *Lucil. Sat. Reliquiae*, p. 36, and Baehrens, *H.*, LIV, 76-8 (another restoration).

LUCILIUS

635

Cic., *de Or.*, 6, 25 : C. Lucilius, homo doctus et perurbanus, dicere solebat neque se ab indoctissimis neque a doctissimis legi velle, quod alteri nihil intellegerent, alteri plus fortasse quam ipse, de quo etiam scripsit—

Persium non curo legere,

(hic fuit enim ut noramus omnium fere nostrorum hominum doctissimus)—

Laelium Decumum volo ;

(quem cognovimus virum bonum et non inlitteratum, sed nihil ad Persium).

Cic., *de Fin.*, I, 3, 7 : Nec vero ut noster Lucilius recusabo quominus omnes mea legant. utinam esset ille Persius ! Scipio vero et Rutilius multo etiam magis ; quorum ille iudicium reformidans Tarentinis ait se et Consentinis et Siculis scribere.

Cp. Cic., *Brut.*, 26, 99.

636-7

Nonius, 165, 12 : ‘ Repedare.’ Lucilius lib. XXVI—

rediisse ac repedasse, ut Romam vitet, gladiatoribus.

⁶³⁵ C108 Persium *reicit ut gloss. et scribit* Gaium non curo legere Laelium, Decumum volo.

⁶³⁶ Romam bitat S Roma invitat Quich. R. invitet Onions Roma, ut vitet *coni.* Linds. ut Roma vitet *cdd.*

^a Unknown. I have followed Cichorius, 106-8, up to a certain point, but I cannot agree with substituting Gaium for Persium (which Cichor. takes to be an intruded gloss) in Cicero's passage, whereby Cichorius makes the persons Gaius Laelius and Decumus.

^b Thus Marx ; Cichor., 108-9 and 23 ff. differs. I think the mention of Persius again by Cicero gives us a definite lead.

^c P. Rutilius Rufus, consul in 105.

Cicero : Lucilius, a learned and most witty man, used to say that he wished to be read neither by the very learned nor by the very unlearned, on the ground that the one kind would understand nothing of him, and the other kind would understand perhaps more than he did himself; of whom he went so far as to write—

I don't care for Persius to read me,

(for he was, as we have known, about the most learned of our people)—

but I do want Decimus ^a Laelius to do it;

(whom we recognised as a worthy man and not unlettered, but nothing compared with Persius).

The following also seems ^b to belong to the same context :

Cicero : Nor after the manner of our poet Lucilius will I refuse to sanction the reading of my works by everyone. I only wish that his famous Persius were alive now ! Yes, and much more even, Scipio and Rutilius ^c; it was in fear of their judgment that he says he writes for the people of Tarentum and of Consentia and of Sicily.^d

(B) *Married Life.* Perhaps an imaginary discourse of a friend on meeting Lucilius when the poet was leaving Rome.^e

636-7

Leaving Rome:—

Nonius : 'Repedare.' Lucilius has in the twenty-sixth book—

that he has returned and footed it back that he may avoid Rome during a show of gladiators.^f

^d It is quite possible that Lucilius had estates in South Italy and in Sicily (see above, pp. 30 ff.).

^e In this satire Lucilius seems to have expressed his opinions of marriage; he was doubtless inspired by the cynical speech of Metellus Macedonicus in 131 B.C.

^f Lucilius seems to explain that he does as other Roman gentlemen do, citing an example.

LUCILIUS

Idemque—

Sanctum ego a Metellorum iam Anxur repedabam
munere.

638

Nonius, 88, 25 : ‘ Cribrum ’ . . . —

“ cribrum incerniculum, lucernam, in laterem in
telam licium.”

639

Nonius, 324, 10 : ‘ Inpurus ’ est aliquo vitio maculatus . . .

“ coniugem infidamque pathicam familiam impuram
domum.”

640-1

Nonius, 97, 5 : ‘ Depoclassere ’ ac ‘ deargentassere ’ et
‘ decalauticare ’ . . . —

“ depoclassere aliqua sperans me ac deargentassere
decalauticare, eburno speculo despeculassere.”

⁶³⁷ Metellorum iam Anxur Cichor., 137 *sqq.* sanctum ego
a metello romam repedabam *cdd.* sancto *coni.* Linds.
hanc tum L Antium Fruterius Roma rem M Roma
iam B Metelli (*seclud.* romam) Mr.

⁶³⁸ in cerniculum Mr in telam *cdd.* *fortasse* et telam
lucernam laterem in telam, licium Buecheler, *Rh. Mus.*,
XLIII, 291 lucem in laternam *vel* in laternam lucem Mr.

⁶³⁹ infidam atque Onions pathicam Duebner placi-
tam M flacitam *ed. princ.* elaticam Stowasser flati-
cam *cdd.*

Non., 97, 5 : depoclassere *cdd.* depeculassere *Harl.* 3

⁶⁴⁰ depoclassere L. F. Schmidt depeculari W. Schmitt
depoculassere *Harl.* 1, G depeculassere *rell.*

⁶⁴¹ despeculassere Schmidt depeculassere *cdd.*

BOOK XXVI

And the same poet—

I was at that very time footing it back from the saintly Metelli's show at Rome to Anxur.^a

638

The frugal wife of old times : ✓

Nonius : 'Cribrum' . . . —

“ a sieve, a riddle, a lamp, a thrum for the wool-ball and for the warp.”^b

639

The contrast of modern looseness : ✓

Nonius : 'Inpurus' means besmirched by some blemish . . . —

“ a . . . wife, an unfaithful debauched household, a defiled home.”

640-1

Nonius : 'Depoculassere' and 'deargentassere' and 'decalauticare' . . . —

“ Some woman, hoping she will un goblet,^c unplate, unshawl, unmirror me of an ivory mirror.”

^a Cichor., 137 ff. The Metellus referred to is doubtless Macedonicus, but the right readings are doubtful. Some take *sanctum* as the supine of *sancire*, 'in order to ratify something.' It would hardly be an epithet of Anxur. I take it as a genitive plural. L. uses it probably in sarcasm, for he was no friend of the Metelli. W. Schmitt, *Satirenfragmente des L. aus den Büchern XXVI-XXX* suggests that *sanctum* is an epithet of *Albanum nemus*.

^b Cf. Bucheler, *Rh. Mus.*, XLIII, 291; Cichor., 135. *Incerniculum* can mean (i) a sieve or (ii) a stand on which flour was set out for sale. The meaning of *laterem* also is doubtful. Perhaps we ought to accept Muller's *in cerniculum* and translate 'a sieve for the corn-stand, a light for the clay lamp, a thrum for the warp.'

^c or (?) 'hoping I will spend money on goblet . . .' *aliqua* may be neuter plural. The form *-assere* is future perfect.

LUCILIUS

642-3

Nonius, 382, 41 : ' Rogare,' poscere . . . —

“ Ferri tantum, si roget me, non dem quantum auri
petit;
si secubitet, sic quoque a me quae roget non im-
petret.”

Cp. Non., 366, 23.

644-5

Nonius, 360, 26 : ' Offerre,' invenire . . . —

“ Homines ipsi hanc sibi molestiam ultro atque
aerumnam offerunt;
ducunt uxores, producunt quibus haec faciant
liberos.”

Cp. Non., 373, 2.

646

Nonius, 17, 32 : ' Delirare ' est de recto decedere . . . —

“ qua propter deliro et cupidi officium fungor
liberum.”

Sat. II.

647

Nonius, 351, 1 : ' Mutare,' derelinquere . . . —

Mihi quidem non persuadetur publiceis mutem meos.

⁶⁴³ sic Gulielmus si *edd.* ⁶⁴⁵ faveant Mr.

⁶⁴⁶ cupidi *edd.* cupide *edd.* fungor liberum M
fungo ruborum *Lu.* fungor ruberum *rell.*

⁶⁴⁷ publiceis *vel* Publi utei Mr. publices *Lu. G.* pu-
lices *rell., fortasse recte, cf. Smith, A.J.P., XXII, 44 sqq.*

^a *molestia* echoes the remarks made by Metellus in 131 B.C. on the nuisance of wives, but the necessity of having them in order to have children. Cf. Livy, *Epit.*, 59; Schol. ad Hor. *S.*, II, 1, 72.

^b Cichor., 133-4.

^c *delirare* means to leave the balk (*lira*, ridge or balk between two furrows).

BOOK XXVI

642-3

Nonius : ' Rogare ' to ask for . . . —

“ If she should ask me, I wouldn't give her as much iron as the gold she's trying to get; should she sleep alone, not even thus would she get from me what she asks.”

644-5

The nuisance of marriage :

Nonius : ' Offerre ' to come upon . . . —

“ Men provide this irksomeness ^a and hardship for themselves of their own accord—they get wives and beget children, so that for their sake they may do all this that I've said.” ^b

646

Begetting children :

Nonius : ' Delirare ' means to depart from the straight line . . . —

“ wherefore do I go off the rails ^c and do the duty of a man eager for children.” ^d

Sat. II. The troubles of men of business and of men of fashion. ^e (a) *Business life : Lucilius will keep his estates.*

647

Nonius : ' Mutare,' to leave utterly . . . —

I at any rate won't be persuaded to give my own fields in exchange for farmed state-revenues.^f

^d *i.e.* we must marry, mad though the thought is. Here again Lucilius consciously maintains the attitude of Metellus. (Cf. note on lines 644-5.) But it may be that *cupide* should be read and *liberum* taken not as a gen. pl. but as an adj. acc. sing. : “eagerly perform a free part.”

^e Lucilius seems to reject both these ways of living by illustrating them.

Stoic idea. Cp. Cichor., 75. Marx thinks *agris* is to be understood. But cf. lines 650-1. By using *mutare* L. means perhaps simply exchange.

LUCILIUS

648-9

Nonius, 351, 3: 'Mutare,' transferre . . . —

“ Doctior quam ceteri
sis; has mutas aliquo † tecum † sartas tectas ditias.”

650-1

Nonius, 351, 6: 'Mutare,' aliud pro alio accipere . . . —

Publicanus vero ut Asiae fiam, ut scripturarius
pro Lucilio, id ego nolo et uno hoc non muto omnia.

Cp. Non., 38, 4.

652-3

Nonius, 38, 5: 'Versipelles' dicti sunt quolibet genere se
commutantes . . . —

At libertinus tricorius Syrus ipse ac mastigias
quicum versipellis fio et quicum commuto omnia.

654

Nonius, 97, 9: 'Difflare' . . . —

Pars diffatur vento, pars autem obrigescit frigore.

⁶⁴⁹ sis; has Linds. et *vel* ac Mr. si *asa vel sa cdd.*
mutes Quich. mittis mutas *cdd.* sartas tectas ditias
Duentzer (factas *coni.* Linds.) *fortasse* ditius tum sacra
face a via L ab amicis mutas aliquo te cum satias facta
sit M satra facta vitia *Lu. G.* satrafa acutia *Bamb.,*
Gen.

⁶⁵⁰ fiam ut s. *cdd.* 38 fiam s. *cdd.* 351 aut Onions

⁶⁵² *fortasse* tricosus

^a For the Latin expression, cf. Fest., 472, 19 (*sarta tecta*, buildings in good repair); Cic., *Verr.*, II, 12, 50, 130, etc. But this fragment is very uncertain.

BOOK XXVI

648-9

Nonius: 'Mutare,' to convey . . . —

“Be wiser than the others; see that you exchange for something these your riches ‘covered and in good repair.’”^a

650-1

No tax-farming for Lucilius:

Nonius: 'Mutare,' to receive one thing for another . . .

But to become a tax-farmer of Asia, a collector of pasture-taxes, instead of Lucilius—*that* I don't want; in exchange for what I am—for this alone of all things I'm not taking the whole world.^b

652-3

An unscrupulous agent:

Nonius: 'Versipellis' is a term applied to those who change themselves into any kind of thing . . . —

But he is a freedman, a rascal thick-skinned^c thrice over, a very Syrian, yea a rogue, with whom I change my skin, with whom I exchange everything.

654

Business on my estate is very bad:

Nonius: 'Diffiare' . . . —

Part of it is blown away by the wind, while part is frozen stiff by the frost.

^b Cichor., 72 ff., Baehrens, *H.*, LIV, 81. Again the Stoic idea. In another reference to this passage, Nonius (38, 4) takes *scripturarius* as *tabellarius*, a keeper of archives, a registrar.

^c Or 'Triorius', a member of a tribe in Gallia Narbonensis (Livy, XXI, 31)? Whatever the context of this fragment the reference is to an agent, of the freedman or a like class, between the tax-farmer and his Asiatic business. 'Versipellis' contains the idea of craftiness, a 'shuffler.'

LUCILIUS

655

Nonius, 521, 1 : ' Proventum ' etiam malarum rerum dici veteres voluerunt . . . —

denique adeo male me accipiunt decimae et proveniunt male,

656

Nonius, 272, 27 : ' Constat, ' valet . . . —

Trado ergo alias nummo porro, quod mihi constat carius.

657

Nonius, 23, 9 : ' Moenes ' apud veteres. . . . Lucilius lib. XXVI—

Munifici comesque amicis nostris videamur viri.

658

Nonius, 38, 1 : ' Conbibones, ' conpotores, a bibendo dicti . . . —

quandoquidem reperti magnis conbibonum ex copiis . . .

659

Nonius, 525, 18 : Quotiens per accusativum casum annos vel dies loquimur, iuges annos vel dies significamus . . . (526, 14)—

qui sex menses vitam ducunt, Orco spondent septimum.

Cp. Non. 283, 27.

⁶⁵⁶ aliis L alias *cdd.* *prob.* M

⁶⁵⁸ reperti *vel* res periit Mr. (res periit Quich., L) repperii M repperi *cdd.*

BOOK XXVI

655

Nonius: 'Proventus' is a term by which the old writers meant to express even bad fortune . . . —

to put it shortly, the tithes ^a give me such a bad time and are turning out so badly.

656

Nonius: 'Constat,' is valued . . . —

Therefore that which is a too costly business for me to keep I'll for the future deliver by sale elsewhere for a shilling.

657

(b) *Men of fashion.*

Boon companions:

Nonius: 'Moenes' is a term which was used by the old writers. . . . Lucilius in bk. XXVI has 'munifici'—

Let us appear to our friends generous givers and good fellows.

658

Nonius: 'Conbibones,' drinkers together, a term derived from 'bibere' . . . —

since to be sure, found among great crowds of fellow-tiplers. . . .

659

The road to ruin:

Nonius: Whenever we speak of years or days in the accusative case, we mean years or days continually . . . —

who drag out life for six months, and pledge the seventh with Death.^b

^a These refer to the tithes tribute of the province of Sicily (where Lucilius held estates?) not to Asia where they were not a cause of trouble until 123 B.C. But cf. also Cichor., 102-3.

^b Cichor., 175; Baehrens, *H.*, LIV, 79. Adapted from Caccilius—see *Remains of Old Latin*, Vol. I, 490-1.

LUCILIUS

660-1

Nonius, 269, 1 : 'Conficere,' colligere . . . —

Nonne multitudinem
tuorum quam in album indidit tua dextra confecit
sibi ?

662

Nonius, 158, 18 : 'Mordicus' . . . —

mordicus petere aurum e flamma expediat, e cacno
cibum.

663

Nonius, 254, 1 : 'Capere,' accipere . . . —

Malisne esse? Lautum e mensa, puere, capturu's
cibum ?

Cp. Nonius, 337, 14.

664

Nonius, 38, 13 : 'Capital' dictum est capitis periculum
. . . —

Facile deridemur; seimus capital esse irascier.

⁶⁶⁰ nonne Duebner nocte *coni.* Linds. non te *cdd.*
⁶⁶¹ indidit tua dextra Linds. indidisti dextra Duebner
indidit a dextera *cdd.* (indit *Lu.* 1) confecit sibi Linds.
confeci tibi Duebner conficis dextra tibi Mr. quam in
alvum indidi ista dextra confecisse ibi *coni.* M indidisti
dextram (*i.e. propitium*) conficis tibi Terzaghi conficis
ibi *cdd.*

⁶⁶³ malisne Linds. malis nec si Leo malis necesse
cdd. 254 m. n. est *cdd.* 337 *fortasse* lautus purae
cdd. 254 pure *cdd.* 337 *fortasse* pura

BOOK XXVI

660-1

Nonius : 'Conficere,' to collect . . . —

Has he not picked up for himself a crowd of those friends of yours which your right hand has entered in your register ? ^a

662

Miserliness ? :

Nonius : 'Mordicus' . . . —

it may be worth while to pick out with the teeth gold from flame, food from filth. ^b

663

Addressed to a boy ? :

Nonius : 'Capere,' to receive . . . —

Would you rather eat ? Boy, are you going to take good clean food from a table ? ^c

664

Lucilius ^d does not mind derision :

Nonius : 'Capital' is a term used of disaster to the person ('caput') . . . —

We take a laugh against us with an easy temper ; we know that to lose our temper is a capital crime.

^a The readings and the sense are alike doubtful.

^b Miserliness ? or the Cynic-Stoic rule of simple diet ? Cf. Marx, pp. 240-1.

^c The meaning is not clear. The sense may not be complete. 'malisne esse'—'would you prefer to be . . . '(?) 'to eat with your jaws' (? hardly). Read perhaps *pure* and construe it with *lautum* (so Marx), or *pura* (sc. *mensa*).

^d Marx thinks that this is the complaint of some parasite.

LUCILIUS

Sat. III.

665

Nonius, 74, 21 : 'Averrunicare,' avertere . . . —

“ Di monerint meliora, amentiam averrunccassint
tuam ! ”

666

Nonius, 88, 27 : 'Contemnificum' . . . —

Ego enim contemnificus fieri et fastidire Agamem-
nonis.

667-8

Nonius, 158, 11 : 'Prosperari' . . .

Nec Minervae prosperatur pax quod Cassandram
· · ·
signo deripuit.

669

Nonius, 297, 14 : 'Efferre,' subdere . . . —

Depugnabunt pro te ipsi et morientur ac se ultro
efferent.

⁶⁶⁵ monerint *edd.* minuerint *cdd.*

⁶⁶⁷ Minervae ei Onions homini mea Leo minima ei
Mr. nec minimo est nec *vel* nec minimo ei M minimo
et *cdd.* *secl.* et Linds. *post* Cassandram *suppl.* suo
Onions deae Quich. Mr. saevo B Locrus M

⁶⁶⁹ offerent Passerat

^a Cp. Cichor., 127 ff.

^b Lucilius' eritic here parodies the tragic diction of Pacuvius (in *Chryses*) by quoting a line (one word short); for this, see *Remains of Old Latin*, Vol. II, pp. 206-77. The true meanings of the old words *verrunco* and *averrunco* are not known. But the words mean something stronger than Nonius implies. Perhaps from *verrere* to sweep and *runcare* to hoe or plane off.

BOOK XXVI

Sat. III. *On writing tragic poetry.*^a

665

Nonius: 'Averruncare,' to turn aside (literally 'to sweep and hoe away'?) . . . —

"May the gods advise you better things, and root out this your madness!"^b

666

Lucilius admits his fault?

Nonius: 'Contemnificum' . . . —

For I become contemnifical and despise Agamemnon.^c

667-8

Nonius: 'Prosperari' . . . —

Nor was Minerva's favour propitiated; for he dragged Cassandra away from the statue.^d

669

Nonius: 'Efferre,' to submit (or substitute)^e . . . —

They will fight it out in person, will die and actually make their own funerals for your sake.

^c Lucilius retorts in like style. In *Chryses* of Pacuvius there was perhaps a quarrel between Achilles and Agamemnon over Chryseis. Cf. Fiske, *T.A.P.*, XL, 131.

^d *i.e.* Ajax, son of Oileus, dragged Cassandra away from the statue of Pallas. Again probably a hit at Pacuvius' *Chryses*: see last two notes. If Minerva is right, the reference is to the anger of Athene (Homer, *Od.*, IV, 499, Virg., *Aen.*, I, 40).

^e Nonius is wrong, unless *subdere* can mean 'to bury,' 'lay out,' or *offerent* is read for *effeferent* in the quotation from Lucilius. But *efferre* in the lemma (in a group of which all begin with *e*) forbids this.

LUCILIUS

670-1

Nonius, 297, 16 : ' Efferre ' significat proferre . . . —
Ego ubi quem ex praecordiis
efero versum,

672-3

Nonius, 38, 17 : ' Clandestino ' est abscondite . . . —
At enim dieis " clandestino tibi quod commissum foret,
neu muttires quidquam neu mysteria eferres foras."'
Cp. Non., 249, 15.

674

Nonius, 38, 20 : ' Idiotas ' a Graeco tractum, inutiles . . . —
Quidni? Et tu idem inlitteratum me atque idiotam
diceres.

675

Nonius, 359, 2 : ' Offendere, ' invenire . . . —
siquod verbum inusitatum aut zetematium offen-
deram.

Sat. IV.

676-7

Nonius, 272, 41 : ' Constat, ' compositum est . . . —
Principio physici omnes constare hominem ex ani-
ma et corpore
dicunt.

⁶⁷³ *fortasse* muttires (Linds.) mittere *edd.* 38

^a Marx connects this fragment with the introductory fragments (see above); but the order in Nonius forbids this. *Ex praecordiis* perhaps means simply ' out of natural feeling.'

BOOK XXVI

670-1

Letting out secrets in satires ? :

Nonius : ' Efferre ' means to bring out . . . —

When I bring forth any line out of my very heart,^a

672-3

Nonius : ' Clandestino ' means in a hidden manner . . . —

But, let us suppose, you say : " about that which was entrusted to you in secret you ought not to have muttered a word ; you ought not to have spread the secret abroad."

674

Nonius : ' Idiotae,' a term borrowed from the Greek, means useless people . . . —

Why not ? Besides, *you* again would say I was unlettered and a common fellow.^b

675

Nonius : ' Offendere,' to come upon . . . —

if I had hit upon some unusual word or a petty problem.^c

Sat. IV. On certain teachings of the Cynics and the Stoics.^d

676-7

What man is made of :

Nonius : ' Constat,' has been composed . . . —

In the first place all the natural philosophers say that man is made up of soul and body.

^b On this fragment and the next see Cichor., 127-8 ; Fiske, 456, 473, n. 64 and id., *Hurv. Stud.*, XXIV, 6. Punctuate perhaps : *Quidni et . . . diceres ?*

^c ζήτημάτιον = *quaestiuncula*.

^d Fiske, 436 ff., and in *T.A.P.*, XL, 137-8. The subject may be that of a sick glutton.

LUCILIUS

678

Nonius, 279, 7: 'Dare,' ostendere . . . —

Animo qui aegrotat videmus corpore hunc signum dare;

679

Nonius, 268, 27: 'Confectum,' defessum . . . —

tum doloribus confectum corpus animo obsistere.

680

Nonius, 408, 29: 'Tangere,' inspicere . . . —

nequam prius quam venas hominis tetigit ac praecordia.

681

Nonius, 214, 19: 'Nundinae' . . . masculini . . . —

paucorum atque hoc pacto si nil gustat internundinum,

682-3

Nonius, 103, 24: 'Elevit,' maculavit . . . —

Si hic vestimenta elevit luto,
ab eo risum magnum inprudens ac cachinum subicit.

⁶⁸⁰ nequam *cdd.* nunquam Gerlach neque Iun.

⁶⁸¹ nundinum *Flor.* 2 nundino *cdd.*

⁶⁸³ adeo Mr. inprudens a. e. Quich. ad chacinnum
inprudens *cdd.*

^a but *nequam* is not certain. 'Before the rascal felt the poor fellow's pulse' (?).

BOOK XXVI

678

A sick man ; diagnosis :

Nonius : ' Dare,' to show . . . —

We see him who is sick in mind showing the mark of it on his body ;

679

Nonius : ' Confectum ' (spent, worn out), tired out . . . —

that then the body, spent with pains, sets itself against the mind.

680

Medical aid :

Nonius : ' Tangere ' (touch, feel), to inspect . . . —

before he felt the rascal's ^a pulse and tested his heart.

681

Fasting of the patient :

Nonius : ' Nundinae ' . . . of the masculine gender . . . —

of a few . . . and if in this way he tastes nothing for a week and more,^b

682-3

Progress of the illness :

Nonius : ' Elevit ' (fouled), spotted . . . —

If he has fouled his clothes with dirt, from this he unwittingly prompts great laughter and jeering.

^b Marx takes *paucorum* as an epithet of *dierum*, but it may depend on a verb of partaking or needing. It is impossible to take *internundinum* as a genitive plural here. *Nundinum* or *internundinum* is in fact neuter.

LUCILIUS

684-5

Nonius, 38, 23 : ' Expirare ' . . . —

ut si eluivem facere per ventrem velis,
cura ne omnibus distento corpore expiret viis.

Cp. Non., 103, 28.

686

Nonius, 290, 31 : ' Exigere ' est excludere . . . (291, 10)—
vestmentis frigus atque horrorem exacturum putet.

687

Nonius, 293, 9 : ' Evadere ' est liberari . . . —

Idcirco omnes evasuros eissent aegritudinem.

688

Nonius, 394, 31 : ' Siccum,' exercitum . . . —

“ Cum stadio in gymnasio in duplici corpus siccassem
pila,”

Sat. V.

This satire (like the whole book perhaps) is an *είσαγωγή* addressed to a man (perhaps Congus—see above, p. 201 and esp. Cichor., 109 ff., 120 ff.) who is about to complete

689

Nonius, 437, 12 : ' Probatum ' et ' spectatum ' . . . —

tuam probatam mi et spectatam maxime adulescentiam.

⁶⁸⁵ cura ne Onions curare *edd.*

⁶⁸⁶ putat D (F.) *fortasse* frigus se atque

⁶⁸⁷ omnes se Quich. omnem se Mr.

⁶⁸⁸ gymnasi cum s. i. d. Mr. in stadio M

BOOK XXVI

684-5

Nonius : ' Expirare ' . . . —

so that if you wish to make a purging through the bowels, take care lest it should pour from your puffy body by all passages.

686

Sweating out the fever :

Nonius : ' Exigere ' (drive out) means to exclude . . . —

. . . he may think that he will drive out the chill and shivering with bedclothes.

687

Nonius : ' Evadere ' (escape) means to be set free . . . —

Therefore they believe that all patients will escape from illness.

688

Convalescence ? :

Nonius : ' Siccum ' (dry), exercised . . . —

“ When I had dried my body on the race-course, in the gymnasium, and in the game of double-ball,”^a

Sat. V.

a work in prose on the ancient history of Rome. Lucilius advises him to write in poetry on contemporary Roman history instead. The satire expresses several Epicurean ideas.

689

Lucilius trusts his friend :

Nonius : ' Probatum ' and ' spectatum ' . . . —

your youth which I have thoroughly tried and observed.

^a I take this as applying to the patient; but Lucilius may be referring to his own method of being healthy. The game was probably a simple one where two persons threw one or two balls to each other.

LUCILIUS

690

Nonius, 497, 20: Accusativus vel nominativus pro ablativo . . . —

Haec tu si voles per auris pectus inrigarier,

691

Nonius, 110, 30: 'Folliculum' Lucilius posuit pro corpore lib. XXVI—

Ego si, qui sum et quo folliculo nunc sum indutus,
non queo. . . .

692-3

Nonius, 117, 24: 'Genium,' parsimoniam . . . —

Curet aegrotum, sumtum homini praebeat, genium
suum
defrudet, ali parcat.

694

Nonius, 372, 1: 'Praecipere' est iubere vel monere . . . —

Porro amici est bene praecipere, Tusci bene praedicere.

695

Lactantius, *Div. Institut.*, VI, 18, 6: Viator ille verus ac iustus non dicet illud Lucilianum—

Homini amico et familiari non est mentiri meum.

⁶⁹³ defrudet ali parcat *cdd.* defrudet, det alii, parcat M
det alii parta B fraudet alii parcat Mr.

⁶⁹⁴ Tusci bene praedicere Mercier *prob.* H, *C.Q.*, I, 59
veri C 116-7 et veri Terzaghi bene tueri praedicant
M tueri bene praedicare *cdd.*

⁶⁹⁵ *trib. lib. XXVI C*, 119 ff.

^a or 'to let this advice be poured as water into your mind.'

^b *sc.* undertake to write a lofty epic? The construction may be *siqui sum et (si)quo* . . .

BOOK XXVI

690

Lucilius craves attention :

Nonius : The accusative or the nominative instead of the ablative . . . —

If you will be content to let your mind be watered by this advice ^a through your ears,

691

Lucilius disclaims lofty powers ?

Nonius : ' Follieulus ' (little bag, ball, husk) is a term put by Lucilius for body in the twenty-sixth book—

If, being what I am and in the husk in which I am clothed, I cannot for my part ^b . . .

692-3

He plays a friend's part :

Nonius : ' Genius ' (inclination, appetite), parsimony ^c . . . —

Let him take care of a sick friend, let him give of his purse to the fellow, spite his own inclination, and be forbearing with another. ^d

694

Nonius : ' Praecipere ' (take in advance ; forewarn), means to order or to advise . . . —

Further it is the part of a friend to forewarn aright, of a Tuscan soothsayer to foretell aright.

695

Lactantius : That true and just wayfarer will not use that well-known saying of Lucilius—

It is not my way to lie to a friend and acquaintance.

^c This is quite wrong on Nonius' part ; note that Lucilius' precept is distinctly Epicurean.

^d or possibly ' let him forbear to receive nourishment.'

LUCILIUS

696-7

Servius, ad *Aen.*, X, 564: 'Tacitae' Amyclae dictae sunt quod periire silentio. Hinc est quod ait Lucilius—

Mihi necesse est eloqui,
nam scio Amyclas tacendo periisse.

698

Donatus, ad Ter., *Andr.*, V, 4, 11: 'Ut,' ne non. Lucilius—
Metuam ut memoriam retineas. . . .

699

Nonius, 293, 1: 'Evadere,' exire, tendere . . . —
Evadat saltem aliquid aliqua quod conatus sum.

700

Nonius, 330, 13: 'Induci,' delectari . . . —
Veterem historiam, inductus studio, scribis ad
amores tuos;

701

Nonius, 88, 29: 'Cordi est' . . . animo sedet . . . —
et quod tibi magno opere cordi est, mihi vehementer displicet,

⁶⁹⁶⁻⁸ *ex libro XXI?* metuam Bentley tuam *vel*
tu iam *edd.*

⁶⁹⁹ aliquo Mr.

⁷⁰¹ *fortasse* mi vementer L

BOOK XXVI

696-7

Servius : Amyclae^a was called ' quiet ' because it perished through silence. Hence that remark of Lucilius—

I must needs speak out, for I know that Amyclae perished through keeping quiet.

698

Donatus : ' Ut, ' lest . . . not. Lucilius—

I shall fear lest you do not keep in mind . . .

699

Hope of results :

Nonius : ' Evadere, ' turn out, follow a course . . . —

May something which I have tried to produce find at least some outlet for itself.^b

700

You are writing an ancient history ; I don't like that :

Nonius : ' Induci ' (to be led on, induced), to be delighted . . . —

Led on by your eagerness, you are writing an ancient history addressed to your dearest friend ;

701

Nonius : ' Cordi est ' means . . . lies at the heart . . . —
and that which lies passionately at your heart is violently displeasing to me,

^a Amyclae in Laconia? Without distinguishing, Servius states that, warned often but wrongly that an enemy was approaching, it forbade the spreading of any such warning, and was then captured unawares. Virgil, with others after him, seems to have applied the story to Amyclae in Italy which had become deserted because of a plague of serpents.

^b or ' May something which I have tried turn out somehow at any rate. '

LUCILIUS

702

Nonius, 74, 27 : ' Apisei,' adipisei . . . —
 ut ego effugiam quod te in primis cupere apisei
 intellego.

703

Nonius, 353, 11 : ' Niti ' . . . —
 summis nitere opibus, at ego contra ut dissimilis
 siem.

704

Nonius, 78, 2 : ' Bulga ' est folliculus . . . —
 ita uti quisque nostrum e bulga est matris in lucem
 editus.

705

Nonius, 183, 31 : ' Vegrande,' valde grande . . . —
 Non idcirco extollitur nee vitae vegrandi datur.
 Cp. Non., 297, 40.

706

Nonius, 367, 10 : ' Petere,' cupere, appetere . . . —
 Sin autem hoc vident, bona semper petere sapientem
 [et] putant,

707

Nonius, 88, 29 : ' Cordi est ' . . .
 Tibi porro istaec res idcirco est cordi quod rere utilem.

⁷⁰² effuciam *Lu.* 1 effieiam Lips

⁷⁰⁶ *sectud.* et Iun. exputant *coni.* Linds.

⁷⁰⁷ tibi L si tibi *cdd.* rere Iun. re *cdd.* utilest

Onions

^a These last three fragments may be joined together.

^b Marx rightly thinks Lucilius here expresses the Epicurean idea that all living things aim at pleasure from birth. *Bulga* is here a vulgar word for womb.

BOOK XXVI

702

Nonius : ‘ Apisci,’ the same as ‘ adipisci . . . —
so that I recoil from that which, I understand, you
wish especially to attain.^a

703

We go different ways :

Nonius : ‘ Niti ’ . . . —

You press on to the best of your powers . . . but
I on the other hand strive to be quite unlike that.

704

And this is natural :

Nonius : ‘ Bulga ’ means a little bag . . . —

just as when each of us was given forth to light
from a mother’s bag.^b

705

Pleasure not the chief aim of life :

Nonius : ‘ Vegrande,’ very large^c . . . —

That is not why a man is brought up and not for
that is he given over to a short life.

706

Nonius : ‘ Petere,’ to want, to grasp after . . . —

But if they see this, and think that the wise man
always aims at things that are good,

707

Lucilius admits the utility of ancient history :

Nonius : ‘ Cordi est ’ . . . —

Further this matter lies at your heart because
you think it is useful.

^c Nonius, misled by the double negative in his example,
has taken *vegrandis* wrongly; it means ‘ not large.’

LUCILIUS

708-9

Nonius, 437, 14 : 'Bellum' et 'proclium' . . . —
ut Romanus populus victus vei, superatus proeliis
saepe est multis, bello vero numquam, in quo sunt
omnia.

Cp. Non., 420, 32.

710-1

Nonius, 186, 31 : 'Viriatum' dictum est magnarum
virium . . . —
contra flagitium nescire bello vinci a barbaro
Viriato, Annibale.

712

Nonius, 437, 20 : Inter 'cavere' et 'vitare' Lucilius
esse distantiam voluit, lib. XXVI, et esse plus 'vitare'—
quid cavendum tibi censerem, quid vitandum
maxume.

713

Nonius, 396, 9 : 'Sumere,' suscipere . . . —
Hunc laborem sumas laudem qui tibi ac fructum ferat.

714

Nonius, 255, 1 : 'Crepare' est sonare . . . —
Percrepa pugnam Popili, facta Corneli cane.

⁷⁰⁸ ut *om. cdd.* 420 at Mr. vei Mr. vel *cdd.* 420
vi et *cdd.* 437

⁷¹² censerem Quich.

⁷¹¹ Popili Gerlach pompili *cdd.*

^a This etymology is false.

BOOK XXVI

708-9

The greatness of Rome's past in wars :

Nonius : ' Bellum ' and ' proelium ' . . . —

as the Roman people has been often beaten by force and overcome in many battles, but never in a whole war, in which lies all that is vital.

710-1

Nonius : ' Viriatus ' was used for anything of great ' vires ' ^a . . . —

that on the contrary we know not disgrace of defeat in a whole war by barbarian Viriathus or Hannibal.

712

Lucilius gives his advice :

Nonius : Lucilius in book XXVI meant to make a difference between ' cavere ' and ' vitare,' and to make ' vitare ' the stronger term—

what I thought you should beware of and what you should avoid most.

713

Nonius : ' Sumere,' to undertake . . . —

You must undertake a labour that may bring praise and profit for you.

714

Tell of modern wars :

Nonius : ' Crepare ' means to sound . . . —

Make a loud noise about Popillius' battle,
And sing the exploits of Cornelius.^b

^b *i.e.* let your subject be modern history in epic verse (*cane*). Popillius Laenas was defeated in 138 by the Numantines (Liv. *epit.*, 55) who were laid low in 133 by Corn. Scip. Aemil.

LUCILIUS

715-6

Nonius, 238, 25 : ' Appellere ' est applicare . . . --
Aggere in iaciendo siquost vineis actis opus,
primum id dant operam ut quamprimum appell-
ant. . . .

Cp. Non., 243, 43; 327, 26.

717

Nonius, 388, 16 : ' Saevum ' dicitur inmite . . .
quodque te in tranquillum ex saevis transfers tem-
pestatibus.

718

Nonius, 250, 24 : ' Colere,' diligere . . . --
Quare hoc colere est satius quam illa, studium omne
hic consumere.

719

Nonius, 110, 19 : ' Fulgorivit,' fulgorem fecit vel fulmine
afflavit . . . --

lucorum exactorem Albanum et fulguritarum
arborum.

⁷¹⁵ in vineis *cdd.* 238 *om.* in *cdd.* 243, 327

⁷¹⁷ transfers Dousa (I.) transfert *coni.* Mercier trans-
fer *cdd.*

⁷¹⁹ lucorum L luporum *cdd.* exactorem Lips
exauctorem *cdd.* *prob.* M Albanum (*vel* Albanûm) Mr.
malvanum *cdd.* fulguritarum *Flor.* 3 fulguritatem
cdd. fulguritorem Mr.

BOOK XXVI

715-6

Nonius : ' Appellere,' means to apply . . . —

In throwing up a mound, if there is any need to bring up penthouses, they take pains first to apply quickly^a . . .

717

Lucilius' reasons for his advice :

Nonius : ' Saevum ' is a term for ungentle . . . —

and because you transfer yourself from fierce storms into calm.^b

718

Nonius : ' Colere,' to esteem . . . —

Wherefore it is better to devote yourself to this pursuit rather than to that,^c and to spend all your diligence in this sphere.

719

Unplaced fragment :

Nonius : ' Fulgorivit,' made lightning or blasted with a thunderbolt . . . —

overseer of the Alban groves and the trees which have been struck by lightning.

^a sc. *muro vineas* (Marx). Is Lucilius using a common task of the Numantine war to illustrate the labour of writing about it?

^b *i.e.* because writing ancient history transfers you from the political squabbles of the Gracchan age to peace of mind (Cichor., 112 ff.)

^c *i.e.* to epic poetry rather than to annals in prose.

LUCILIUS

Sat. VI.

720-1

Nonius, 253, 10 : 'Capere,' delectare . . . —

Nunc itidem populo . . . his cum scriptoribus ;
volumus capere animum illorum.

722

Nonius, 186, 35 : 'Vescum,' minutum, obscurum . . . —

quam fastidiosum ac vescum vivere.

Cp. Gell., XVI, 5, 7.

723

Nonius, 191, 12 : 'Angues' masculino genere . . . —

nisi portenta anguisque volucris ac pinnatos scribitis.

Cp. Non., 436, 9.

724-5

Nonius, 499, 7 : Dativus pro accusativo . . . —

Si miserantur se ipsi, vide ne illorum causa superior
† e loco se conlocarit.

⁷²⁰ populo <placere nolo> his cum M populo istum
cdd. populo placere nolo M populum aucupamur
istis cum s. Mr. populost ut Leo

⁷²² vescum cum (*om.* cum *Lu.*) fastidio vivere *cdd.* *seclud.*
cum fastidio Gerlach vivere cum fastidio Terzaghi fas-
tidito vivere Leo

⁷²⁴⁻⁵ superior e loco se collocarit L (collocarit Guictus) et
loco bono locata sit *coni.* M si miserantur se ipsi, vide |
causam (causam Guictus) illorum superiore conlocarit ne loco
Mr. *fortasse* eo loco superiore loco conlocavit *cdd.*

BOOK XXVI

Sat. VI. Literary controversy.^a Methods of certain writers are rejected.

720-1

Nonius : 'Capere,' to delight . . . —

Now likewise . . . the people together with such writers as these; I wanted to take their fancy.

722

Nonius : 'Vescum' (foodless; thin), minute, obscure . . . —
than to pass through life as a squeamish and a thin feeble fellow.^b

723

Imitations of the tragic style :

Nonius : 'Angues' in the masculine gender . . . —

P^c unless you all write about portents and flying feathered snakes.

724-5

Nonius : The dative ^d instead of the accusative . . . —

P? If these persons actually show self-pity, look to it lest *their* case, being the better one, has put itself in that position.

^a With special allusions and references in parody to the tragic style of Pacuvius (Cichor., 127 ff.), marked here P.

^b Marx attributes this line to a speech of Antiopa (of Pacuvius). But she would have used feminine adjectives.

^c allusion to Pacuvius, *Medus*, cf. Cichor., 136 ff.; Fiske, *T.A.P.*, XL, 528, and *Remains of Old Latin*, Vol. II, pp. 254-5.

^d Nonius mistook *ipsi* for a dative. Marx thinks that the rhetorical device of 'commiseratio' is laughed at. Cp. Fiske, 110, and *id.*, in *T.A.P.*, XL, 128. *illorum causā* (abl.) would suit the metre better; but all is uncertain.

LUCILIUS

726

Nonius, 138, 22 : ' Monstrificabile ' . . . —
 . . . Nunc ignobilitas his mirum ac monstrificabile.

727-8

Nonius, 125, 27 : ' Inluyies,' sordes . . . —
Hic cruciatur fame
 frigore inluyie inbalnitie inperfunditie incuria.

729-30

Nonius, 126, 3 : ' Invidiosum,' quod sit vitabile ad viden-
 dum . . . —
 squalitate summa ac scabie summa in aerumna
 obrutam,
 neque inimicis invidiosam, neque amico exoptabilem.
 Cp. Non., 226, 8.

731

Nonius, 502, 6 : Accusativus pro dativo . . . —
 suspendatne sese an gladium incumbat, ne caelum
 bibat.

⁷²⁸ inluyie inperfundie inbalnitie *cdd.* (*recte?*) inper-
 funditie *Guictus*
⁷³¹ sese an Koch se *cdd.* an *ms. Fabri* an in
cdd. rell.

^a uncertain, but it mocks at Pacuvius' (?) ' luctificabile ' ;
 cp. Cichor., 130; Fiske, *T.A.P.*, XL, 129; *Remains*, Vol. II,
 pp. 164-5.

BOOK XXVI

726

Lycus and Dirce ? :

Nonius : ' Monstrificabile ' . . . —

P^a Well now, to these men low birth is a wonder,
a monstrous thing.

727-8

Antiopa imprisoned :

Nonius : ' Inludies,' dirt. . . . —

P^b Here she is racked by hunger, and by cold
Uncleanliness, bathlessness, washlessness,
Uncaredforness.

729-30

Nonius : ' Invidiosum ' (*really* enviable), the sort of thing
which ought to be avoided as regards the eyesight . . . —

P^c . . . a woman overwhelmed
With deepest dirtiness and scabbiness,
In direst want, not envied by the unfriendly,
Nor to be longed for by a friend.

731

Antiopa ? Ajax ? :

Nonius : The accusative instead of the dative. . . . —

P^d whether she should hang herself or fall upon a
sword, lest she still drink the air.

^b *Remains*, Vol. II, pp. 164-5; Pacuv., *Antiopa*.

^c see preceding note.

^d This fr. may refer not to Antiopa but to Ajax, in Pacuvius' *Armorum Iudicium*, *Remains*, II, pp. 178-9 .

LUCILIUS

732

Nonius, 264, 30: 'Cogere,' in unum colligere . . . —
 "Rauco contionem sonitu et curvis cogant cornibus."

733

Nonius, 528, 9: 'De' pro ab . . . —
 Solus illam vim de classe prohibuit Vulcaniam.

734

Nonius, 96, 1: 'Domutionem' . . . —
 Domutionis cupidi imperium regis paene inminuimus.

735

Nonius, 381, 24: 'Referre' significat perferre, indicare . . . —
 † quod is † intellegebar posse † haud † ad paucos rettuli.

736

Nonius, 491, 29: 'Glutino' pro glutine . . .
 . . . Praeterito tepido glutinator glutino.

⁷³³ illam L etiam M idem *vel* etiam Mr. Ajax
 Passerat, Duebner iam *cdd.* de classe *Ald.* de
 claasse Stowasser declarasse *cdd.*

⁷³⁴ domum itionis L domuitionis (domuitjonis) Stowasser

⁷³⁵ *vide* Linds. *ad loc.*

⁷³⁶ praetreito *coni.* Mr.

^a Pacuv., *Armorum Iudicium*, in *Remains of Old Latin*, Vol. II, pp. 172-3. The line perhaps expresses a Roman custom; see Fiske, *C.P.*, III, 337-9.

^b *Remains*, II, 174-5? Homer, *Il.*, XVI, 574 ff.

^c 'domutio' is found in Pacuvius and Accius (*Remains*, II, 228-9 and 372-3, cp. 608-9). The incident is probably that described in Homer, *Il.*, II, 212 ff. Thersites wanted the Achaeans to give up the siege of Troy.

BOOK XXVI

732

Agamemnon proclaims a competition for Achilles' arms:

Nonius: 'Cogere,' to gather into a mass . . . —

P^a " Let them bring together a meeting with the hoarse blare of crump horns."

733

Ajax saves the fleet at Troy:

Nonius: 'De' for 'ab' . . . —

P^b He alone kept back yonder violence of the Fire-god from the fleet.

734

A Greek praises Ulysses for striking Thersites?:

Nonius: 'Domutionem' . . . —

P^c We in our eagerness for home-going
Ruined well-nigh the King's authority.

735

Lucilius appeals to his friends for guidance:

Nonius: 'Referre' means to convey, to point out . . . —

^d because I was understood, being what I am, to have the power (*sc. to write tragedies*) . . . I referred it to a few friends.

736

Touching up a book:

Nonius: 'Glutino' for 'glutine' . . . —

Let the gluer rub it over with warm glue.^e

^d The fr. is corrupt.

^e Nonius says book XXVI, so we have an incomplete septenarius (Cichor., 152-3). Mueller (Marx approving, not without reason) puts the fragment in bk. XXVIII as a complete senarius. *praeterito* may be 2nd person imperative, and *glutinator* a vocative.

LUCILIUS

LIBER XXVII

Sat. I.

737

Nonius, 237, 33 : ‘Aditus’ interpellatio. . . . Lucilius lib. XXVII—

“Pacem cum peto cum placo, cum adeo et cum appello meam.”

738

Nonius, 238, 21 : ‘Appellare’ . . . —

“Cum mei me adeunt servuli, non dominam ego appellem meam?”

739

Nonius, 472, 13 : ‘Inpertit’ . . . —

Sospitat, inpertit salutem plurimam et plenissimam.

740

Nonius, 420, 3 : ‘Verrere,’ ferire, pervertere . . . —

“quam non solum devorare se omnia ac devorrere”

741

Nonius, 296, 27 : ‘Expedire,’ utile esse . . . —

“Ego enim an perficiam ut me amare expediat?”

⁷³⁷ pacem cum L cum pacem *cdd.*

⁷³⁹ sospita inperti salute plurima e. p. L sospitat saluti inpertit M plurimam et plenissimam *Par.* 7667 plurima et plenissima *rell.*

⁷⁴⁰ at *coni.* Linds. devorrere Linds. deverrere *cdd.*

⁷⁴¹ enim an *cdd.* ego enim ah *vel* a Mr. perficiam Madvig pereiciam *cdd.* (peritiam *Escorial.*)

^a Lucilius discourses upon love, the use of wealth, and the fortunes of life, perhaps in three separate satires, though I distinguish them with hesitation.

BOOK XXVII

BOOK XXVII ^a

Sat. I. Love's madness.

737

(A) a τόπος from the *Eunuchus* of Terence, or his Greek model.^b
Lover and mistress :

Nonius : ' Aditus ' (approach) interruption. . . . Lucilius has ' adeo ' in book XXVII—

“ When I ask to make it up, when I pacify her, when I go to her and call her ' my dear. ' ”

738

Behaviour before slaves :

Nonius : ' Appellare ' . . . —

“ When my little slaves come to me, am I not to address my dear as ' mistress ' ? ”

739

Uncertain love :

Nonius : ' Inpertit ' . . . —

He hopes she will prosper and sends his very best wishes for her heartiest good health.

740

Nonius : ' Verrere ' (sweep), to beat, turn aside. . . . —

“ a woman who . . . she can not only gobble up and make a clean sweep of everything . . . ”

741

Nonius : ' Expedire, ' to be useful . . . —

“ But shall I ever manage to make it worth her while to love me ? ”

^b Fiske, *Lucilius and Horace*, 393 ff. I adopt his order, but exclude Marx 731. cf. Terence, *Eun.*, 46 ff.

LUCILIUS

742

Nonius, 253, 23 : 'Capere,' decipere, circumvenire . . . —
 " At metuis porro ne aspectu et forma capiare
 altera."

743

Nonius, 284, 32 : 'Differre,' distare . . . —
 Tamen aut verruca aut cicatrix melius; papulae
 differunt.

744

Nonius, 37, 6 : 'Maltas' veteres molles appellari voluerunt,
 a Graeco, quasi *μαλακούς* . . . —
 Insanum vocant quem maltam ac feminam dici
 vident.

745

Nonius, 366, 31 : 'Petere,' sequi . . . —
 Rerum exploratorem mittam, miserum mendicum
 petam.

746

Nonius, 37, 11 : 'Monogrammi' . . . —
 Quae pietas? Monogrammi quinque adducti;
 pietatem vocant!

⁷⁴² capiar alterae Dziatzko
⁷⁴³ aut Mercier *fortasse* tamen | alii veruca aliti Lu.,
 G. aditi *rell.* melius M medicis Stowasser naevus
 Mercier naevus Mr. medio L medius *cdd.*
⁷⁴⁴ vocant *cdd.* vocans B vident T lubet *coni.*
 Linds. videt *cdd.*
⁷⁴⁵ exploratorem *Escorial.* 2 explicatorem Lu. ex-
 pilatorem *vel* expiratorem *rell.*

BOOK XXVII

742

Nonius : 'Capere,' to deceive, 'get round' . . .

"But you fear further lest you are taken in by another girl's looks and form."

743

(B) *Blemishes of a woman?*

Nonius : 'Differre,' to stand apart . . . —

Still, better either a wart or a scar; as for pimples, they're different.

744

Blemishes of a man? :

Nonius : The old writers by using of men the term 'maltae' ^a meant 'soft,' from the Greek, as it were *μαλακοί* (or *μαλθακοί*?) . . . —

They call him a madman whom they see to be known as 'mollycoddle' and 'feminine.'

745

Discovering and punishing an unfaithful mistress? :

Nonius : 'Petere' (look for, go for), to follow . . . —

I'll send a man to spy out affairs, I'll look for a wretched beggar.

746

Nonius : 'Monogrammi' . . . —

What sort of kindness? Five sketches ^b were brought in; and they call it kindness!

^a *maltha* is (i) petroleum-tar; (ii) a thick polish made of slaked lime and fat.

^b Mere 'shadows' or 'scrawls' of men. See pp. 20-1.

LUCILIUS

747

Nonius, 271, 27 : 'Caedere,' excidere . . . —
 "Lignum caedat pensum faciat aedes verrat vapulet."
 Cp. Non. 420, 10.

748

Nonius, 74, 19 : 'Arduum' pro aridum . . . —
 Arduum miserinum atque infelix lignum sabucum
 vocat.

Sat. II

749

Nonius, 275, 13 : 'Conmodare' est mutuari . . . —
 Certa sunt sine detrimento quae inter sese conmo-
 dent.

750

Nonius, 370, 29 : 'Parcere,' servare . . . —
 Parcat illi magis cui possit, cui fidem esse existiment.
 Cp. Serv., ad *Aen.*, X, 532.

751-2

Nonius, 29, 1 : 'Pedetemtim' et 'pedepressim' dictum est
 caute, quasi lenta et tarda itione . . . —

Ille contra omnia inter plures sensim et pedetemtim
 foris,
 nequem laedat.

⁷⁴⁷ vorrat Mr.

⁷⁴⁸ miserinum *Flor.* 3 *prob.* Linds. (cf. *Class. Rev.*, X, 17).
 miserrimum *cdd.* lignum Iun. signum *cdd.* vocant
 Iun.

⁷⁵⁰ malus *vel* mains *cdd.* magis Gerlaeh cui *cdd.*
 qui M cui prosit Mr. existiment D(F.) existimet Mr.
 eximent *cdd.* (extiment *Bern.* 83)

BOOK XXVII

747

Nonius : 'Caedere,' to cut out . . . —

“ Let her chop wood, spin her weight of wool, sweep the rooms, and take a hiding.”

748

The following perhaps belongs to this context :

Nonius : 'Ardum' for 'aridum' . . . —

He calls the elder a sapless, miserable little tree, an unlucky tree.^a

Sat. II. On the intercourse of men.

749

Affairs of business :

Nonius : 'Commodare' means to borrow ^b . . . —

There are established things which men may give and take on loan among themselves without disadvantage.^c

750

Nonius : 'Parcere,' to preserve . . . —

Let him rather reserve ^d for whomever he can, for the man in whom they think ^e is some honour.

751-2

Nonius : 'Pedetentim' (step by step) and 'pedepressim' are terms used for cautiously, as it were with a slow and tardy walk . . . —

He on the other hand, in public and amongst a crowd, does everything gently, step by step, lest he hurt anyone.

^a the elder was a tree of bad omen.

^b in fact *commodare* means to lend, *mutuari* to borrow.

^c a teaching of Panaetius.

^d or ' Let him show forbearance.

^e *i.e.* (if *existiment* is right) in whom the business-world in general has faith. But this fr. is obscure.

LUCILIUS

753-4

Nonius, 37, 15 : ' Portorium ' dicitur merces quae portitoribus datur . . . —

Facit idem quod illi qui in scriptum e portu exportant
clanculum
ne portorium dent.

755-7

Nonius, 358, 31 : ' Offendere, ' laedere . . . —

Nam hic quidem
reditum talem portendebant, neque alia in re † ulla †
offendere.

758

Nonius, 477, 26 : ' Adiutatur ' pro adiutat . . . —
nec si paulo minus usurast magna adiutatus diu,

759

Nonius, 213, 34 : ' Messem ' . . . masculino . . . —
potius quam non magno messe, non proba vindemia.

760

Nonius, 88, 8 : ' Cibicidas ' . . . —
viginti an triginta domi vel centum cibicidas alas.

⁷⁵⁵ hi M

⁷⁵⁶ re ditum <tibi> | talem M nam hi re ditum quidem
Terzaghi re *ed. ann.* 1480 mare *cdd.* ulla *cd.*
ulula *Lu.* I in me re cula *coni.* Linds. ulla *fortasse*
delendum

⁷⁵⁸ usurast Mr. usuras et *cdd.*

⁷⁶⁰ viginti an triginta domi vel centum Linds. v. d. a. t.
cdd. an centum Mr.

BOOK XXVII

753-4

Nonius: 'Portorium' is a term used of the due which is given to customs-officers . . . —

He does the same as those who carry out secretly from a harbour unregistered^a wares, so that they may not pay the customs-due.

755-7

Nonius: 'Offendere,' to hurt . . . —

For then indeed they kept predicting for you a return such as this, and they caused you no offence^b in any other matter.

758

Nonius: 'Adiutatur' for 'adiutat' . . . —

nor, if it (your estate?) has for a long time helped you with a profit somewhat on the smaller side,

759

Nonius: 'Messis . . . in the masculine . . . —

rather than with a harvest not big and a vintage not good.

760

Household economy? (*Cynic theme of plain living?*):

Parasites:

Nonius: 'Cibicidas' . . . —

whether you feed at home twenty or thirty or a hundred munch-murderers.^c

^a *i.e.* contraband, not entered up (*ἀναπόγραφον*) by the customs-officials.

^b or, *offendēre* 'that it does you no harm.'

^c or, 'bread-butchers': clients, parasites, or slaves.

LUCILIUS

761-2

Nonius, 331, 8 : ' Insigne, ' utile, necessarium . . . —
Cocus non curat cauda insignem esse illam, dum
pinguis siet ;
sic amici quaerunt animum, rem parasiti ac ditias.

763-5

Nonius, 88, 10 : ' Contenturum ' . . . —
Tu Lucilium
credis contenturum, cum me ruperim, summa omnia
fecerim ?

(Cp. Non., 382, 31.

766-7

Nonius, 27, 6 : ' Strabones ' sunt strambi (*strabi* ?) quos
nunc dicimus . . . —
nulli me invidere, non strabonem fieri saepius
deliciis me istorum.

768

Nonius, 88, 17 : ' Canicas ' veteres furfures esse voluerunt
. . . —
quanti vellet quam canicas ac pultem e Magonis
manu.

⁷⁶¹ eauda Onions caudam *G.* claudam *vel* claudus
rell. *fortasse* alaudam illam *cdd.* hillai Mr., *sec.*
D (I.) ullam Ribb.

⁷⁶² amici quaerunt Duebner animum q. a. Mr. amici
a. q. *cdd.* ac ditias *el. princ.* ac divitias aut (aut d. a.)
cdd. aut ditias *coni.* Linds.

⁷⁶³ *fortasse* <me>tu

⁷⁶⁴ ruperint *cdd.*, 88, 382 ruperim Iun.

⁷⁶⁸ ac pultem M a pulte *Lu.* apud te *rell.* (*recte* ?)
e (ec) Mr. et *cdd.* *seclud.* Onions Magonis Iun.
magonis *el. princ.* maconis *Lu.* (*prob.* Mr. = mangonis)
magonis *rell. et Flor.* 3

BOOK XXVII

761-2

Nonius: 'Insigne' (remarkable), useful, necessary . . . —

A cook cares not that yonder bird is remarkable for his tail, provided that it ^a is a fat bird. So do friends have an eye to a man's mind, and parasites to his wealth and money.

763-5

Nonius: 'Contenturum' . . . —

Do you believe that I, Lucilius, will go on striving when I have fairly burst myself, aye, done all my very best? ^b

766-7

Nonius: 'Strabones' is a term used of those whom we now call 'strambi' . . . —

that I envy no one, and are not too often made cross-eyed ^c by the choice allurements of those fellows.

768

Nonius: 'Canicae' is a term by which the ancients meant to express bran . . . —

at what price he likes, rather than bran and pottage from a Mago's hand. ^d

^a possibly a peacock bred for the table, when the so-called tail would be of no use. But the reading *cauda* is not certain.

^b I take *contenturum* as from *contendo*, not *contineo*. If from *contineo*, then 'will hold myself in,' '. . . contain myself.'

^c this implies envy.

^d I think there is a disparaging allusion to the importation of foreign grain, in this case from Africa, whether we read *Māgonis* (a Carthaginian name; but elsewhere it is *Māgonis*) or *māgonis*. There was a Carthaginian named Mago whose work on agriculture was translated into Latin by order of the Senate—Cic., *Or.*, I, 58, 249; Varro, *R.R.*, I, 1, 10; Colum., I, 1, 13; Pliny, XVIII, 22.

LUCILIUS

Sat. III.

769

Nonius, 275, 19 : 'Captare' . . . —

Quod si paulisper captare atque observare haec
volueris,

770

Nonius, 238, 5 : 'Adtendere' est intendere . . . —

Rem cognoscas simul, et dictis animum attendas
postulo.

Cp. Non., 275, 22.

771

Nonius, 138, 16 : 'Mutuum' pro mutuo . . . —

et si, maxime quod spero, mutuum hoc mecum facis,

772-3

Nonius, 374, 21 : 'Proferre,' palam facere . . . —

Proferat

ergo iamiam vester ordo scelera quae in se admisierit.

774

Nonius, 360, 10 : 'Observare' . . . —

Quod si observas hominem, qui pro commodo et regno
audeat,

⁷⁷²⁻³ proferat ego iamiam C 146 iam nunc Norden
proferam ego L proferat iam ergo ordo voster Mr.
proferat ergo iam vester *cdd.* *fortasse* proferat ergo ea
vester

⁷⁷⁴ *fortasse* quid audeat Iun. gaudeat *cdd.* (gaudeas
Lu. 1) *fortasse* re gaudeat

BOOK XXVII

Sat. III. Address to a senatorial friend on how to bear life's changes of fortune.^a

769

Share this problem with me? :

Nonius : 'Captare' . . . —

But if you will please take and look at this for a little while.

770

Nonius : 'Adtendere' means to bend towards . . . —

I ask you to look into this with me and bend your mind to what I say.

771

Nonius : 'Mutuum' for 'mutuo' . . . —

and if, as I hope above everything, you will do the same as I in this, returning like for like.

772-3

Misdeeds of the high-born :

Nonius : 'Proferre,' to make public . . . —

'Then let your order^b now bring to light the villainies which it has committed.

774

Men's motives and objects :

Nonius : 'Observare' . . . —

But if you take a look at the fellow, how he ventures for his interest and for his realm,^c

^a Apparently this satire is imitated from precepts of Archilochus.

^b *sc.* of senatorials. There may be an allusion to Tiberius Gracchus—cf. Marx, and Cichor., 146 ff.

^c *i.e.* his estates. *qui* perhaps nom.—'who ventures.'

LUCILIUS

775

Nonius, 330, 11 : 'Inducere,' instituere, confirmare . . . —
aut quod animum induxit semel et utile omnino
putat.

776

Nonius, 289, 9 : 'Deductum,' delectatione ductum . . . —
Illo oculi deducunt ipsi atque animum spes illuc
rapit.

777

Nonius, 361, 27 : 'Proprium' rursus significat perpetuum
. . . (362, 17)—

Cum sciam nihil esse in vita proprium mortali datum,

778

Nonius, 407, 31 : 'Tempestatas,' tempus . . . —
iam qua tempestate vivo chresin ad me recipio.

779

Nonius, 286, 5 : 'Demissum,' humile, miserandum, abiectum . . . —

re in secunda tollere animos, in mala demittere.

780

Nonius, 20, 29 : 'Cernuus' dicitur proprie inclinatus . . .
(21, 6) . . . —

modo sursum modo deorsum tamquam collus cernui.

Cp. Non., 200, 22.

⁷⁷⁷⁻⁸ *coniunx.* L.

⁷⁷⁸ *chresin* L. certe sine *cdd.* *prob.* M

⁷⁷⁹ et in mala *cdd.* *om.* in *Lu.* 1

⁷⁸⁰ *cernui* *cdd.* 21 *cernis* *cdd.* 200 *fortasse* *cernuus*

^a or possibly 'or that which has once convinced his mind, and which he thinks . . . ' *perhaps* 'or because he has . . . '

^b Lines 777-8 are probably consecutive.

^c imitated from Archilochus, 66 Edmonds (*L.C.L.*).

BOOK XXVII

775

Nonius: 'Inducere,' to establish, confirm . . . —
 or what he has once brought his mind to do ^a
 and thinks to be in every way useful.

776

Nonius: 'Deductum,' drawn by delight . . . —
 Thither do their very eyes entice them; thither
 hope hurries their minds.

777

Nonius: 'Proprium' (one's own) again means everlasting . . . —
 Since I know that nothing in this life is given to a
 mortal as his own for good,

778

Nonius: 'Tempestat,' time . . . —
 and considering the times I live in, I nowadays
 take in my Lady Utility to live with.^b

779

Nonius: 'Demissum,' lowly, pitiable, downcast . . . —
 to raise their spirits in good times, to make them
 low in bad.^c

780

Nonius: 'Cernuus' in its proper sense means bent . . . —
 now up, now down, like the neck of a stooping
 clown.^d

^d I take this applying to a man's mind. Whatever *cernuus* may mean here, it is quite possible that we can join 779 and 780. Surely *cernui* cannot mean 'of a sock (boot)' here; Nonius in two other quotations takes *cernuus* in the sense of stooping forward; and even here we might read *cernuus* (the *edd.* of Non. 200, 18 have *cernis* in another quotation of this same passage) as an epithet (bent, broken, lolling) of *collus*. Cp. pp. 40-1.

LUCILIUS

781

Nonius, 302, 25 : ' Ferre,' pati . . . —

Certum est quidquid sit, quasi non sit ferre aequo
animo ac fortiter.

782

Nonius, 269, 35 : ' Concedere,' credere vel consentire . . . —
id concedere unum atque in eo dare quo superatur
manus.

783

Nonius, 368, 16 : ' Pernix ' significat celer . . . —

Fuimus pernices, aeternum id nobis sperantes fore.

784

Nonius, 384, 26 : ' Redire,' referri, revocari . . . —

Si non tamen ad te hoc redibit, tu hoc carebis con-
modo.

785

Nonius, 29, 21 : ' Mediocritatem ' . . . —

Paulo hoc melius quam mediocre, hoc minus malum
quam ut pessimum.

786

Nonius, 300, 19 : ' Excidere,' dissentire . . . —

Metuo ut fieri possit; ergo antiquo ab Arciloco
excido.

⁷⁸¹ certum est H, C.Q., I, 154 ceterum *cdd. prob.* M
quidquid *cdd.* quid L *prob.* M quasi *Bern.* 347, 357,
Montepess., Ox. quid *rell.* quidquid sit, non sit Onions
quid sit, quid non sit Mr. ferre Bouterwek fero *cdd.*
ferre Lu. I

⁷⁸² id (*vel* mihi) Corpet in *cdd.*

⁷⁸³ nobis *ed. pr.* vobis *cdd.*

⁷⁸⁵ quam ut p. (*vel sim.*) *cdd.* quamst p. Mr.

⁷⁸⁶ antiquo M ego quom vivo Mr. ego vero (ñō)
coni. Linds. ergo quo Lu. G. ergo vivo *Gen. Bern.* 83

BOOK XXVII

781

Nonius: 'Ferre,' to suffer . . . —

I am determined, whatever it is, to bear it bravely with a steady mind, as though it did not exist.

782

Nonius: 'Concedere,' to believe or to agree . . . —

to grant and to give way in that point alone in which he is overargued.

783

Nonius: 'Pernix' means swift . . . —

We were quick, in the hope that that would be in store for us for ever.

784

Nonius: 'Redire,' to be brought back, to be called back . . . —

Still, if this does not come back to you, you will have to do without that advantage.^a

785

Nonius: 'Mediocritas' . . . —

This is a little better than middling, that is a little less bad than what you would call the worst.

786

A man refuses to listen to wise advice? :

Nonius: 'Excidere' (fall out), to disagree . . . —

I fear it can't be done; so I fall out with old Archilochus.^b

^a The sense is not clear.

^b cf. Archiloch., 74 (*L.C.L.*) χρημάτων ἄελπτον οὐδέν ἐστιν οὐδ' ἀπόμοτον οὐδὲ θαυμάσιον. . . . ἐκ δὲ τοῦ καὶ πιστὰ πάντα, etc.

LUCILIUS

787

Nonius, 301, 12 : 'Excludere,' liberare . . . —
 . . . primum qua virtute servitute excluserit.

788-9

Nonius, 196, 18 : 'Chartam' . . . masculini . . . —
 'Pήσεις ubi,
 Graeci ubi nunc Socratici carti? "Quidquid quaeritis,
 periiimus."

790

Nonius, 320, 30 : 'Honor,' sepultura . . . —
 nullo honore, heredis fletu nullo, nullo funere.

791-2

Nonius, 308, 24 : 'Fingere,' componere . . . 37, 26 :
 'Sedulo' significat sine dolo . . . —

Rem, populi salutem fictis versibus Lucilius
 quibus potest inperitit, totumque hoc studiose et
 sedulo.

Cp. Non., 37, 20.

⁷⁸⁷ virtute servitute *cdd.* servitutum *edd. vett.* vir-
 tute <se>servitute M

⁷⁸⁸⁻⁹ Pήσεις W nunc L nescis Lips nunc die B
 vestri *coni.* M haec si *coni.* Linds. nec si *cdd. rec.*
 nec sic *rell.* *seclud.* sic Terzaghi *fortasse* Graecae

⁷⁹⁰ heredis fletu Buecheler (fletu Iun. *al.*) redi Munro
 taedis fletu L di! sepultu' Mr. ludis M displetu
cdd. nullo, nullo M nullo *cdd.* n. h. nullo heredis
 fletu nullo f. Linds.

⁷⁹¹ rem, populi L (*prob.* H, C.Q., I, 59; C, 144) te, Popli M
 item Popli Stowasser, W. St., XXVII, 214 re populi *vel*
 em populi Mr. item populi *cdd.* salutem *cdd.* 37, 27
 salute et *cdd.* 308 totumque h. s. e. s. *add. ex Non., 37,*
 28 *sqq.*

BOOK XXVII

787

Nonius: 'Excludere,' to set free . . . —

firstly through what virtue he removed . . . from slavery.

788-9

Nonius: 'Charta . . .' of the masculine gender . . . —

Where are the dissertations ^a? Now where are those Greek Socratic pamphlets? "Whatever you ask, we're done for."

790

Fate of the unwise:

Nonius: 'Honor' (mark of honour or respect), burial . . . — with no act of honour, no sobbing of an heir, no funeral.^b

791-2

Dedication of book XXVII? or beginning of a satire?:

Nonius: 'Fingere,' to put together. . . . 'Sedulo' means without guile . . . —

Something important—the people's health and prosperity—this is Lucilius' greeting imparted to verses such as he can write, and all this with heartiness and earnestness.^c

^a But if *nec sic* is right (which is unlikely), then:—"and can't you save matters even thus?"

^b There is perhaps an allusion in this to Tiberius Gracchus (Cichor., 145-6) or some other famous man.

^c Lucilius seem to unite in one idea a general and a particular meaning of *impertio* (bestow on, impart to, with dat.; and *impertire alicui salutem*, to present with greeting). If *te Popli* is right then the book was addressed to Scipio (but cf. Cichor., 143-4); *salus* may here be an expression of farewell; see Cic., *Fam.*, VII, 32, 2. The derivation of *sedulus* from *sē-dolo* is wrong. Usually placed at the beginning of book XXVII, this fr. must come after lines 744, 746, 753-4 (sequence in Non., 37, 6, 11, 15, 20).

LUCILIUS

LIBER XXVIII

Lucilius experimented here with all three of his usual metres. A sequence in Nonius shows that a satire in iambs was succeeded (not preceded, as Marx's scheme would make

Sat. I.

Attack by a Roman citizen (who tells the story) with some friends and slaves against the house of another, with threats by the latter of a lawsuit to come. The aggressor

793

Nonius, 275, 9: 'Credere,' fidei committere. Lucilius lib. XXVIII—

“ vitam ac fortunas cui concrediderim meas.”

794

Nonius, 121, 7: 'Hornum,' ipsius anni . . . —

“ utrum anno an horno tete abstuleris a viro.”

795

Nonius, 268, 32: 'Conficere,' frangere. Lucilius lib. XXVIII—

“ Malo hercle vestro, confectores cardinum.”

796-7

Nonius, 414, 7: 'Terga,' dorsa . . . —

“ orationem facere compendi potes;
salve, dum salvo in tergo et tergino licet.”

⁷⁹⁴ tete Mr. res abstuleris L te abstinueris S
tecum M te abstuleris *cdd.* tute Leo *fortasse* ted
⁷⁹⁷ salve L solvi Iun. salvi *cdd.* *om.* in Lu. 1
et in tergino G. dum salvo tergo a tergino Mr.

^a The poet plays apparently on the words *salve* (here 'good bye' rather than 'good-day'), *salvus* and *tergum* (back), *terginum* (a whip made of hide). But perhaps we

BOOK XXVIII

BOOK XXVIII

it) by one or two satires in septenarii; there was one satire in hexameters, but there is nothing to show where it was placed in the book.

Sat. I. An occurrence in Rome.

appears to hunt out a faithless wife, and the scene may be modelled on an episode from a Greek play of the "New Comedy."

793

Nonius: 'Crederē,' to give in trust. Lucilius in book twenty-eight—

"the man to whom I entrusted my livelihood and fortunes."

794

Seducer to erring wife? :

Nonius: 'Hornum,' of this very year . . . —

"whether it was last year or this year that you stole yourself from your husband."

795

Bad language from one of the besieged party :

Nonius: 'Conficere,' to break. Lucilius in book XXVIII has 'confectores'—

"By Hercules, to hell with you, you hinge-breakers!"

796-7

Reply from the attacker :

Nonius: 'Terga,' backs . . . —

"You can spare your language! Be saved while you may, with a saving of your hide and raw-hide!"^a

should read *solvi* 'while you may be quit of this trouble . . . or possibly 'you can . . . be quit (*solvi*) of speech. . . .'

257

LUCILIUS

798

Nonius, 239, 14 : ‘ Argutum,’ audax, malitiosum . . .
 “ Agite agite fures mendaci arguta manu.”

799

Nonius, 555, 26 : ‘ Ballistae,’ saxa maiora et gravia . . . —
 “ Quid fit ? ” “ Ballistas iactant centenarias ! ”

800

Nonius, 390, 4 : ‘ Submittere,’ subdere, supponere . . . —
 “ Submittas alios siquos possis censeo.”

801

Nonius, 206, 26 : ‘ Fulmentum ’ . . . feminino . . . —
 fulmentas † aeneis atque aeneis † subducere.

802

Nonius, 403, 29 : ‘ Subire ’ significat ingredi . . . —
 Pueri praeterea nostris qui subeant iubet.

803

Nonius, 506, 26 : ‘ Es ’ pro ‘ esto ’ . . . —
 “ Coice te intro ac bono animo es.”

⁷⁹⁸ arguta manu Buecheler, *Rh., Mus., XLII*, 473 argu-
 tamini *cdd. prob.* M

⁷⁹⁹ quid *vel* qui *cdd.* fit *vel* sit *cdd.* sic T iactant
 L iactas *ed. ann.* 1480 *prob.* M iactans *cdd.*

⁸⁰⁰ censeo D (I.) censeam Quich. censeas *cdd.*

⁸⁰¹ sene vis atque anu Mr. veneis atque animeis L
 nasaque aeneis *coni.* Linds. aeneis (eis *Flor.* 3) atque
 aeneis *cdd.* *fortasse* atque eis aeneas

⁸⁰³ coicite *Lu.* 1, *G.* conicite *rell.* conice te *Ald.*
 coicito te L

^a but if *argutamini* is right, then we ought perhaps to translate :—‘ prattle away with fibbing [tongue] to the liar’; or it might be ‘ in a fibbing tricking company ’ (*manu*).

BOOK XXVIII

798

The attack pressed :

Nonius : ‘ Argutum,’ bold, ill-willed . . . —

“ Come, get a move on, knaves all, smart and tricky now with your hands ! ”^a

799

Nonius : ‘ Ballistae,’ heavy stones of the larger sort . . . —

“ What’s up ? ” “ They’re throwing hundred-pound shot ! ”^b

800

Nonius : ‘ Submittere,’ to bring under, put under . . . —

“ I vote you shove some more under, if you can.”

801

Nonius : ‘ Fulmentum ’ . . . in the feminine . . . —

to pull away^c supports. . . .

802

Nonius : ‘ Subire ’ means to advance . . . —

He further gave orders that slave-boys should come up to help on our side.

803

Entry forced :

Nonius : ‘ Es ’ for ‘ esto ’ . . . —

“ Get yourself inside, and keep your spirits up.”

^b I am doubtful about this, though *ballista* is certainly used of the missile (Plaut., *Trinumm.*, III, 2, 42; Sisenna, *Hist.*, IV, as quoted also under this *lemma* by Nonius, is doubtful); Nonius’ *mss.* have:—*saxa maiora et gravia quibus iaciuntur*; perhaps he wrote *quibus iaciuntur saxa* e. q. s.; in this case Lucilius would mean “ they are violently working balisters which can hurl hundred-pound shots.”

^c hardly ‘ to draw up,’ ‘ raise.’

LUCILIUS

804

Nonius, 280, 11 : 'Dicere,' denuntiare . . . —
 minitari aperte capitis dicturum diem.

805-11

Probus ad Verg., *Ecl.*, VI, 31 : Lucilius in XXVIII Saty-
 rarum—

Hoc cum feceris,
 cum ceteris reus una tradetur Lupo.
 Non aderit ; ἀρχαῖς hominem et stoechiis simul
 privabit, igni cum et aqua interdixerit.
 Duo habet stoechia, adfuerit anima et corpore
 (γῆ corpus, anima est πνεῦμα); posterioribus
 stoechiis si id maluerit privabit tamen.

812

Nonius, 296, 18 : 'Exire,' evadere, liberari . . . —
 ne hoc faciat atque ex hac is aerumna exeat.

813

Nonius, 318, 21 : 'Habere,' audire . . . —
 Habes omnem rem ; timeo ne accuser.

⁸⁰⁸ privabit *edd.* p. cum Egnatius privabitur *vel* p.
 et *cdd.*

⁸¹⁰ γῆ Duebner χῆ *cd. Par.* tum *cd. Vat.*

⁸¹² is erumna exeat *Mr.* aer. is exeat *Iun. prob.* M
 erumna exeatis *cdd.*

^a *diem dicere* is 'to give notice of a day for trial.'

^b Lucius Cornelius Lentulus Lupus, whose own trial is
 described by Lucilius in book I (pp. 5 ff.).

BOOK XXVIII

804

Result of laying an accusation (a parody on philosophic discussion) :

Nonius : ' Dicere,' to give notice of (a suit) . . . —

to threaten openly that he will lay an accusation ^a against him on a capital charge.

805-11

Probus : Lucilius in book XXVIII of the *Satires* has—

When you have done this, he will be handed over with the other defendants to Lupus. Suppose he does not appear in court; Lupus ^b will deprive the man of ' first beginnings ' and ' elements ' too, when he has forbidden ^c him the use of ' fire ' and ' water.' He has still two elements, supposing he does appear in court, body and soul (body is ' earth,' soul is ' air '); none the less he will deprive him of these latter elements,^d if that's what he prefers.

812

Fears of the attacker :

Nonius : ' Exire,' to escape, to be set free . . . —

so that he may not do this, and that he may escape from his present trouble.

813

Nonius : ' Habere,' to hear . . . —

You have the whole story; I am afraid of being accused.

^c *i.e.* condemned him to banishment. In ἀρχαῖς there may be a double meaning ' first beginnings ' and ' offices, magistracies ' ; but *stoechia*, στοιχεῖα are simply ' elements.'

^d *sc.* by execution. On this fr., see Marx; and Buecheler, *Rh Mus.*, XLIII, 292; Reitzenstein, *H.*, LIX, 6.

LUCILIUS

814

Nonius, 31, 23: 'Inritare' dictum est proprie provocare . . . —

Lucili, si in amore inritarit suo.

Sat. II.

815

Nonius, 331, 4: 'Ire,' accumbere . . . —

Chremes in medium, in summum ierat Demaenetus.

816

Nonius, 67, 14: 'Pareutaetoi' . . . —

eplebum quendam quem pareutaeton vocant.

817-8

Nonius, 330, 30: 'Interficere,' consumere, finire . . .

"Piscium
magnam atque altilium vim interfecisti." "At
nego."

819

Nonius, 330, 30: 'Interpellare,' dicere, docere . . . —

"Verum tu quid agis? Interpella me, ut sciam."

⁸¹⁴ inritaris tuo Mr.

⁸¹⁵ ierat Roth ire ad *cdd.* (iere *Escorial.*)

Non. 67, 14: XXVIII Mr. XX tuum efoebum *cdd.*;
lib. XX non habet nisi hexametros

⁸¹⁶ pareutaeton vocant Onions parectaton (praeutaeton
Lu. 1) v. *cdd.*

⁸¹⁸ at Mr. haut Onions ut *cdd.*

^a cf. Cichor., 44 ff. He thinks that Lucilius visited Athens and as a student there heard lectures from these philosophers. Most of the satire seems to me to have been a dialogue at the banquet.

BOOK XXVIII

814

The following belongs to this satire: fear of the satirist's invective? :

Nonius: 'Inritare' is a term properly used for to provoke . . . —

. . . of Lucilius, if he should vex him in his affairs of love.

Sat. II. A Greek banquet (at Athens?); philosophy discussed.^a

815

Nonius: 'Ire,' to recline at table . . . —

Chremes had gone to the middle, Demaenetus to the head couch of the feast.^b

816

Nonius: 'Pareutaetoi' . . . —

a certain stripling of the kind they call 'in training.'^c

817-8

The meal :

Nonius: 'Interficere' (kill), to consume, make an end of . . . —

"You have done ruin to a great mass of fish and fattened fowls." "But I deny it."

819

Discussions begin :

Nonius: 'Interpellare' tell to, to inform . . . —

"But what are you up to? Come put in a word with me, so that I may know."

^b *Medium* and *summum* are epithets of either: two out of the three *lecti* (couches) of the *triclinium*; or: of the middle and left seats of any of the *lecti*.

^c See pp. 108-9.

LUCILIUS

820

Nonius, 478, 24 : 'Volam' pro velim . . . —

“Eidola atque atomus vincere Epicuri volam.”

821

Nonius, 410, 4 : 'Tristis,' doctus . . . —

“Adde eodem, tristis ac severus philosophus.”

822-3

Nonius, 414, 17 : 'Transmittere,' tradere, derelinquere . . . —

“Polemon et amavit, morte huic transmisit suam scolen quam dicunt.”

824-5

Nonius, 175, 22 : 'Subsicivum,' secundum, sequens . . . —

“Praeterea haec subsiciva si quando voles opera . . .”

⁸²² Polemonem Iun. Polemona L polemo(-n) et *cdd.*
morte L mortem *cdd.*

^a *eidola* atque *atomūs*, Greek *εἶδωλα καὶ ἀτόμους*. The sense is not clear; I suspect that *vincere* is not the right reading here. The doctrines referred to are those of the formation of all solids from atoms, and the creation of sense by thin filmy images flowing from any solid to the organ of sense.

BOOK XXVIII

820

On philosophers ; Epicurus :

Nonius : ‘ Volam ’ for ‘ velim ’ . . . —

“ I shall like Epicurus’ images and atoms to carry the day.”^a

821

Xenocrates, rector of the Academy :

Nonius : ‘ Tristis ’ (mournful), learned . . . —

“ Add to this again—he was a philosopher of mournful and severe looks.”^b

822-3

Polemo and Crates, rectors of the Academy :

Nonius : ‘ Transmittere,’ to hand over, to leave behind . . . —

“ And Polemo loved him, and on his death handed on to him his ‘ school ’^c as they call it.”

824-5

Philosophic studies ? :

Nonius : ‘ Subsievum ’ (a remainder of land ‘ cut off ’ in surveying), secondary, following . . . —

“ Moreover if you will ever want these works which have been done in overtime . . . ”

^b cf. Diog. Laert., IV, 6 *σεμνός δὲ τὰ τε ἄλλα Ξενοκράτης καὶ σκυθρωπὸς αἶεί.* But read perhaps *severos philosophῆus* (*φιλοσόφους*).

^c Or read Polemonem amavit ‘ Crates loved Polemo; Polemo on his death handed on. . . .’ The reference here is to Crates (Diog. Laert., IV, 21, *Κράτης . . . ἐρώμενος Πολέμωνος. ἀλλὰ καὶ διεδέξατο τὴν σχολὴν αὐτοῦ*) rather than to Xenocrates (Diog. Laert., IV, 19. . . . *ὁ Πολέμων κατὰ πάντα ἐζηλώκει τὸν Ξενοκράτην. ὃν καὶ ἐρασθῆναι αὐτοῦ φησιν Ἀρίστιππος, i.e. pseud-Aristippus*), who taught Polemo.

LUCILIUS

826

Nonius, 36, 29 : 'Pensum' significat exaequatum, quod sine inclinatione sunt quae penduntur . . . —

“ nihil parvi ac pensi, uti litteras doceas lutum.”

827

Nonius, 37, 1 : 'Aqua intercus,' hydropum morbus . . . —
 . . . “ aquam te in animo habere intercutem.”

828

Nonius, 496, 15 : Genetivus casus positus pro accusativo . . . —

“ cui saepe mille inposui plagarum in diem.”

829

Nonius, 496, 15 : Genetivus casus positus pro accusativo . . . —

“ si argenti indiges.”

830

Nonius, 384, 17 : 'Redundare' abundare, superesse . . . —

“ Primo redundat aurum ac thensauri patent.”

⁸²⁶ parci L ac *cdd.* hoc Onions nil parvo huic pensi. Haut Mr.

⁸²⁸ die Ribb.

⁸³⁰ redundat *Bern.*, 347, 357, *Montepess.*, *Ox.* redundant *rell.*

^a The Latin is not clear, if it is right. Perhaps <*habet* . . . > | *nihil* 'he lays no slight or weight on it, so that you are teaching . . .' Cf. Buecheler, *Rh. Mus.*, XLIII, 292.

BOOK XXVIII

826

Some spurn wise teaching :

Nonius : ' Pensum ' (something weighed) means equally balanced, because things which are equally suspended show no dipping of the scale . . . —

“ it's no slight thing, no level going,^a that you should teach mud how to read and write.”

827

Nonius : ' Aqua intercus ' (water under the skin) the disease of dropsical persons ^b . . . —

“ that you have dropsy-water on the brain.”

828

Nonius : The genitive case put instead of the accusative . . . —

“ on whom I have many a time rained a thousand blows to meet the day's need.”^c

829

Money is no safe possession ? :

Nonius : The genitive case put instead of the accusative . . . —

“ if you are short of silver.”

830

Nonius : ' Redundare ' (overflow), to abound, to be too much . . . —

“ At first the gold overflows and treasuries lie open.”

^b or ' one of the dropsical diseases.' *in animo*, ' in the mind.'

^c or simply ' every day.'

LUCILIUS

831-2

Nonius, 74, 11 : ' Armillum ' . . . —

“ Hinc ad me hinc, licet ;
‘ anus russum ad armillum. ’ ”

833

Nonius, 278, 33 : ‘ Da, ’ die . . . (279, 4)—

“ Persuade et transi, vel da quam ob rem transeas. ”

834

Nonius, 250, 53 : ‘ Cedere, ’ recedere . . . —

“ vel si alio opus sit, fore, si hinc aliquo cesseris. ”

Sat. III.

835

Nonius, 237, 2 : ‘ Autumare ’ est dicere . . . —

“ Socraticum quidam tyrauno misse Aristippum autu-
mant . . . ”

⁸³¹ huc . . . huc Leo a me D (F.) me ilicet Mr.

⁸³³ persuade *cdd.* pervade Mr. vel *cdd.* sed M

⁸³⁵ socratitum *Gen., Bern. 83* socratium *rell.* Socrat-
icum Iun. quiddam Linds. quidam L quiddante
cdd. misse Guictus misisse *cdd.*

^a For the proverb (on going back to old habits), cf. *C.G.L.*, V, 6, 13; 48, 21, *armillum, vas vinarium unde anus ad armillum*; also a title of one of Phaedrus' fables—*anus ad amphoram*. Cp. Appul., *M.*, 9, 230, 22. Whether we have this fragment right or not, apparently a philosopher jeers at the man who falls back again and again into a be-

BOOK XXVIII

831-2

Backsliding?

Nonius: 'Armillum' . . . —

“Thence to me, thence—you're welcome; 'back goes the old woman to the wine-pot.'”^a

833

The following two fragments belong to this satire:

Nonius: 'Da,' tell . . . —

“Persuade us and go over, or else give the reason why you are going over.”^b

834

Nonius: 'Cedere,' to withdraw . . . —

“or, if you need anything else, that you shall have it, if you take yourself away somewhere from here.”

Sat. III. Philosophical advice.^c

835

Nonius: 'Autumare' means to say . . . —

“Some say that Socrates' disciple Aristippus sent to the tyrant^d . . .”

setting sin as an old hag goes back to her tipping; presumably *russum* means 'again,' not 'red.'

^b It is difficult even to guess at the meaning. Buecheler, *Rh. Mus.*, XLIII, 293 thinks that crossing to Athens is referred to. It might mean going over to a different philosophical belief. *vel* seems to mean 'or at least.'

^c probably in the form of a dialogue (see l. 836) between a youth and a man of experience (see l. 837).

^d *sc.* Dionysius I of Syracuse, to whom he sent three books on Libyan history (*Diog. Laert.*, II, 83); he also sent him a *χρεία* (*id.*, 84, Fiske, 161) *i.e.* a moral anecdote which is probably the work referred to here. We might read *Socraticum quiddam*—'Aristippus sent something socratic' (or 'a memorial of Socrates').

LUCILIUS

836

Nonius, 248, 24: 'Committere,' coniungere, sociare . . . —
 "Quid me fiet?" "Siquidem non vis te improbis
 committere,"

837

Nonius, 492, 18: 'Senectam' pro senectute . . . —
 "Prospiciendum ergo in senectam iam nunc adules-
 centia est."

838-9

Nonius, 379, 1: 'Religiosos' quoque dies infames vel
 infaustos . . . —
 "anno vertenti dies
 tetri miseri ac religiosi."

840

Nonius, 328, 6: 'Iactare,' ambitiosius gloriari . . . —
 "In re agenda, ipsa ridicula iactat se † deret †"

841

Nonius, 175, 33: 'Sarcinator' . . . —
 "sarcinatorem esse summum, suere centonem
 .optume."

842

Nonius, 365, 39: 'Pretium' dicitur quod re emptā datur
 . . . —
 . . . nec parvo † catullo † pretio

⁸³⁶ non vis (*vel* novis) te *cdd.* nunc vis te Vahlen
 novisti *coni.* Linds.

⁸³⁷ senectam D (F.) senecta *cdd.* iam *add.* Mr.
 nunc ab adolescentia L nunc in a. Casaubon

⁸³⁸ vertenti L vertente *cdd.*

Non. 328: XXVIII Mr. XVIII *cdd.*

⁸⁴⁰ iactat adque alia adserit Mr. (iactat atque Iun.)
constit. hexam. Linds.: in rē agenda | ipsa ridicula idem iactetque
 (-tatque) adque severet (-at) ridicula id atque (adque
Lu. I) adsederet (adseret *Bern.* 83) *cdd.*

BOOK XXVIII

836

Nonius: 'Committere,' to join together, to associate . . . —
 "What will become of me?" "Well, if you do not want to entrust yourself to rascals,"

837

Nonius: 'Senectæ' for 'senectus' . . . —
 "Therefore youth must look forward towards old age now, at once."

838-9

Nonius: 'Religiosi' used as a term also of days of ill-report or unlucky . . . —
 "in the turning year . . . hideous unhappy days of evil omen."^a

840

Nonius: 'Iactare,' to vaunt very boastfully . . . —
 "In doing a job, even a laughable one, he boasts . . ."

841

Nonius: 'Sarcinator' . . . —
 "to be a tip-top botcher, to stitch a patch-work excellently."^b

842

Nonius: 'Pretium' is a term used for that which is given when a thing is bought . . . —
 . . . and . . . at no small price.

^a allusion to the latter half of February, when there were 'dies parentales.'

^b Not 'to be a handy man'?

⁸⁴² catullo (capillo *Cant.* 1) *edd.* catulum Mr. Catulo
 C catillo Mercier catula L satullo Loewe *alii*
alia *fortasse catillu' vel . . . at ullo vel par vocat ullo*

LUCILIUS

843

Nonius, 248, 31 : 'Committere,' facere . . . —

“Commovet se nusquam neque committet, ut pereat
sibi . . .”

Sat. IV.

844

Nonius, 226, 25 : 'Statura' generis feminini . . . —

Qua re pro facie pro statura Accius . . .

845

Nonius, 308, 32 : 'Fingere,' parare . . . —

Sed fuga fingitur; ut timido pede percitus vadit!

846-7

Nonius, 395, 31 : 'Sumere' est accipere, tollere . . . —

Omnia viseatis manibus leget, omnia sumet,
omnia, crede mihi : presse res auferet omnis.

Cp. Non., 332, 41.

⁸⁴³ committit Quich., L

⁸⁴⁴ Accius status masculini. M. Tullius *e. q. s. cdd.* Acci
status (*trib. Lucil.* status) L Accius 'status' Linds.

⁸⁴⁵ ut Mr. ac Acidal. *fortasse* et fingitur timido
cdd. pede p. v. Acidal. v. p. p. *cdd.*

⁸⁴⁶⁻⁷ <sumet> *add.* Bentin. <omnia> crede Quich.
presse *cdd.* prossus Buecheler prae se M prendet
Leo res auferet omnes Popma presse auferet omnis et
cdd.

BOOK XXVIII

843

Nonius : ‘Committere,’ to do . . . —

“He makes no move nor will he so behave as to cause himself to lose . . .”

Sat. IV.^a

844

Nonius : ‘Statura,’ of the feminine gender . . . —

Wherefore Accius, in proportion ^b to his looks and stature, . . .

845

Nonius : ‘Fingere,’ to make ready . . . —

But he’s making an escape ; see how with fearful foot he goes speeding along ! ^c

846-7

Nonius : ‘Sumere’ means to receive, take away . . . —

He will purloin everything with smeared hands, he will filch everything—everything, take my word for it ; he will carry off the whole lot riotously.

^a That the following fragments are part of a separate satire is shewn by their metre ; but we can trace no connected theme. Accius and probably other well-known Romans were apparently satirised.

^b Accius the poet was a little man, but he had allowed a large statue of himself to be set up in the temple of the Muses (*Remains of Old Latin*, Vol. II, pp. xxi, 599). But the reading and the meaning of the fragment are in dispute. Cf. Marx, *ad* 794.

^c The line suggests to me a scoffing imitation of some epic hexameter.

273

LUCILIUS

848

Nonius, 406, 32 : 'Tollere' est elevare . . . —

Tanti se e tenebris montes eis aetera tollent.

849-50

Nonius, 25, 10 : 'Vatax' et 'varicosus,' pedibus vitiosis . . . —

ut si progeniem antiquam qua est Maximus Quintus,
qua varicosus vatax. . . .

851

Nonius, 394, 16 : 'Spurcum' etiam fetidum . . . —

quaeque aspectu sunt spurca et odore.

LIBER XXIX

That there were five satires in this book has been rightly argued by Marx (see his proleg., CVII-CXI), but we must reverse his order; the satires were written as follows:— I iambs, II mixed, III hexameters, IV iambs, V trochaics. (Nonius, 36, 5; 36, 10; 36, 18; 36, 25; 36, 27; ep. 245, 18; 248, 8). The book shows clearly how deeply the poet had imbibed the hellenistic influences in the Roman society of his day. The meaning of many of the fragments is very obscure. Marx denies that Lucilius ever used metres other

⁸⁴⁸ tanti se e tenebris W tenebris L se in aethera L tantae se emporiis merces et faenera Mr.	tanti se nemoris M tanti se Emporiis Palmer (<i>Spic.</i>) eis aetera Vahlen ad sidera Palmer. et factera <i>cdl.</i>	tantis e tanti se εἰς αἰθέρα Linds. et factera <i>cdl.</i>
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⁸⁵¹ vacax qua varicosus vatax *cdl.* (*vid.* C., 154 ff.)

^a Here again we have perhaps an echo of an epic poem. The readings are quite uncertain.

BOOK XXIX

848

Nonius: 'Tollere' means to lift up . . . —

Mountains so vast will raise themselves out of the darkness to the open sky.^a

849-50

Nonius: 'Vatax' and 'varicosus,' having deformed feet . . . —

as if . . . an ancient lineage, from which have sprung Quintus Maximus^b and the swell-veined splay-footed. . . .

851

Nonius: 'Spurcum' (nasty) even means smelly . . . —
and things which are nasty to sight and smell.

BOOK XXIX

than senarii, septenarii, hexameters, and elegiac couplets; but it seems to me that in one satire in this book, in which he quoted or parodied literary works, he did use metres for him unusual, but employed in the works he was satirising. Fragment no. 885 quoted from Ennius' Thyestes supports this view, but does not prove it, since the words can be put in septenarian metre. We should not forget that Lucilius was experimenting in these earlier books.

^b Possibly Quintus Fabius Maximus Aemilianus (consul in 145; brother of Scipio) or his son Allobrogicus (consul in 121). Both served at Numantia in Spain. Vatax (cp. Catax perhaps in book II, 72) possibly puns on some man named Vatia and Cichorius points to C. Servilius, father of P. Servilius Vatia (later Isauricus)—Cichorius, 154-7. Varicosus means perhaps straddle-footed here, and vatax may mean bandy-legged.

LUCILIUS

Sat. I.

852-3

Nonius, 24, 5 : ' Ignominia ' est nominis nota. . . . Lucilius lib. XXIX—

Apollost numen, qui te antiquis non sinet
deliciis maculam atque ignominiam inponere.

854

Nonius, 318, 24 : ' Habere,' dirigere . . . —
Huc alio cum iter haberet praeteriens venit.

855-6

Nonius, 325, 35 : ' Indulgere,' augere . . . —
Tu qui iram indulges nimis
manus a muliere abstinere melius est.

857

Nonius, 303, 12 : ' Ferre,' adferre . . . —
colligere auxilium, tam etsi est indigna ut feram.

858

Nonius, 357, 12 : ' Obscenum ' significat et male dictum . . . —
Deum rex avertat verba obscena !

859

Nonius, 36, 2 : ' Subplantare ' dictum est pedem subponere . . . —
' Subplantare ' aiunt Graeci.

⁸⁵³ Deliacis Iun. *fortasse recte* deliciis *cdd.*

⁸⁵⁶ a. m. a. Iun. abstinere a muliere *cdd.*

⁸⁵⁸ rex avertat T rixavertat *Escorial., II.1* rixa
vertat vertat *rell.*

^a or ' his favourite,' beloved,' *sc.* Hyacinthus, a boy loved by Apollo.

BOOK XXIX

Sat. I. Friendship.

852-3

A. Brutal passions :

Nonius : ' *Ignominia* ' means a mark against one's ' *nomen*,' name. . . . Lucilius in the twenty-ninth book—

There's a deity Apollo, who will not allow you to put stain and disrepute on your honest pleasures.^a

854

Nonius : ' *Habere*,' to direct . . . —

Hither he comes in passing, while he was keeping a journey to another place.

855-6

Nonius : ' *Indulgere* ' (indulge), to increase . . . —

You who indulge in anger too much—you had better keep your hands off the woman.

857

Nonius : ' *Ferre*,' to bring up . . . —

to whip up a rescue party, even though she is unworthy of my bringing it.^b

858

Nonius : ' *Obscenum*,' means also ill spoken . . . —

May the king of gods turn aside words of bad omen!

859

B. True friendship.

False friends :

Nonius : ' *Subplantare* ' is a term used for to trip up with the foot . . . —

The Greeks say ' to trip up the heels.'^c

^b This means to me to be the meaning. But cf. Marx, *ad* 916.

^c ὑποσκελίζειν. *planta* is the sole of the foot.

LUCILIUS

860-1

Nonius, 278, 9 : ‘ Delenitus ’ est mente alienatus . . . —
Concedat homini id quod velit, deleniat,
corrumpat prorsum ac nervos omnes eligat.

Cp. Non., 269, 33 ; 301, 9.

862

Nonius, 234, 23 : ‘ Aptus ’ significat adeptus . . . —
ut si id quod concupisset non aptus foret,

863-4

Nonius, 289, 29 : ‘ Deferre ’ . . . —
“ Quapropter certum est facere contra ac persequi
et nomen deferre hominis.”

865

Nonius, 330, 20 : ‘ Insultare,’ iniuriosius aliquid dicere
. . . —
Insulta miserum tu quoque in me!

866

Nonius, 288, 10 : ‘ Detrahere,’ extrahere . . . —
cum ipsi in lutum descendant, cum alios detrahant.

867-8

Nonius, 372, 24 : ‘ Producere ’ dicitur longius ducere . . . —
. et si retinere hunc voles,
si longius te producturum et diutius,

⁸⁶¹ prorsum *Gl* prorsus *rell. et cdd.* 301

⁸⁶² foret *add.* D (L.)

⁸⁶⁵ tu *Passerat* te *cdd.*

⁸⁶⁶ tum alios *Bern., 347, 357, Montepess., Ox.*

BOOK XXIX

860-1

Nonius: 'Delenitus' (soothed, softened down, captivated), means estranged from intelligence . . . —

Let him yield to the fellow what he wants, and soothe him down, utterly spoil him and pick out all his sinews.

862

Nonius: 'Aptus' means having attained . . . —

so that if he did not attain that which he had eagerly desired,

863-4

Nonius: 'Deferre' . . . —

"Wherefore I am determined to do the opposite and prosecute the fellow and lodge a case against his name."

865

Nonius: 'Insultare,' to say something rather hurtful . . . —

You too! Go on throwing insults at poor me!

866

True friends:

Nonius: 'Detrahere,' to pull out . . . —

since they go down themselves into the mire, and drag others out of it.^a

867-8

Nonius: 'Producere' is a term for to draw out longer . . . —

and if you want to retain him, and if . . . that you will drag out the business any further, any longer,

^a Thus I translate in the light of Nonius' lemma. But by itself the fragment would express reckless men dragging others down to ruin with them, rather than bold rescuers of the fallen. The second *cum* may mean 'although.'

LUCILIUS

869

Nonius, 351, 20 : ‘ Nobilis ’ dicitur et notus . . . (352, 4)—
Tum illud ἐπιφώνει quod etiamnum nobile est.

870-1

Nonius, 36, 8 : ‘ Coniugare,’ copulare, dictum est a
. . . —
. . . quam mihi quantum est inter humanum genus
rerumque inter se coniugat communicat!

872

Nonius, 360, 29 : ‘ Offerre,’ adferre . . . —
ut nunc in hac re mihi opem atque auxilium offeras.

873

Nonius, 364, 1 : ‘ Periculum ’ est salutis discrimen . . . —
Adde alios omnes meo periculo ex ordine.

874

Nonius, 110, 28 : ‘ Favitorem ’ . . . —
Favitorem tibi me, amicum, amatorem putes,

875-6

Nonius, 315, 29 : ‘ Grave,’ necessarium . . . —
habeasque in animo mi admodum causam gravem
fore quae me ab ullo commodo abducat tuo.

⁸⁶⁹ ἐπιφώνει D (I.) ἐπεφώνει Mr. epifoni *cdd.* (epi-
tofoni *Lu.*) etiamnum D (I.) etiamnunc Madvig
etiam tum *cdd.*

⁸⁷⁰ quam mihi *cdd.* cum amicis M quam mi ille Mr.
⁸⁷¹ rerumque *cdd.* rerum quae M ferumque Mercier
coniugat Bentin. coniungat (*item in lemm.*) *cdd.* coniun-
gant M

⁸⁷² uti L in *add.* Quich.

⁸⁷⁴⁻⁶ *coniunx.* D (F.)

⁸⁷⁵ habeasque in Onions habeas quoque Mr. habe-
asque (quae) *cdd.*

BOOK XXIX

869

Other fragments :

Nonius 'Nobilis' is used also for well known . . .

And now for *envoi* utter the famous moral, which is well known even to this day.^a

870-1

Nonius: 'Coingare,' to tie together, is a term derived from 'iugum' (yoke) . . . —

See how he shares with me as much as mankind enjoys, and all that men make binding among themselves!^b

872

Nonius: 'Offerre,' to bring to . . . —

that you may bring help and aid to me now in this business.

873

Nonius: 'Periculum' means a hazarding of safety . . . —

At my risk take all the rest besides in order.

874

Nonius: 'Favitoem' . . . —

Believe me to be your admirer, friend, and lover,

875-6

Nonius: 'Grave' (weighty, important), necessary . . . —

and bear in mind that it will be a very weighty reason in my case which could draw me away from any advantage of yours.

^a Cichor., 178. Perhaps the saying was *κοινὰ φίλων*; see next fr.

^b very uncertain.

LUCILIUS

877

Nonius, 364, 5: 'Periculum,' experimentum . . .
cuius sei in periculo feceris periculum,

878

Nonius, 252, 14: 'Carpere,' celeriter praeterire . . . —
Hiemem unamquamque carпам.

Sat. II.

879

Nonius, 30, 22: 'Exordium' est initium . . . —
verum tristis contorto aliquo ex Pacuviano exordio.

880

Nonius, 171, 2: 'Signatam' virginem vetustas voluit
dicere . . . —

primum Crysi cum negat signatam gnatam reddere.

⁸⁷⁷ se *vel* si *add.* sine Francken

⁸⁷⁸ hieme M

⁸⁷⁹ verum Mercier utrum Iun. virum *add.*

⁸⁸⁰ primum D(F.) prima Onions primam *add.*
signatam <natam> B <gnatam> *coni.* Linds. sic
natam Schmitt se gnatam r. Mercier reddere *add.*
redire G. I recedere Onions

^a See *Remains of Old Latin*, Vol. II, pp. 192 ff.

^b Agamemnon.

^c Astynome, daughter of Chryses. Hygin., *Fab.*, 121, perhaps summarises this prologue: 'cum Chryses ad Agamem-

BOOK XXIX

877

Nonius : ' Periculum ' (experiment, trial), test . . . —
of whom if you will make trial in time of trial,

878

Nonius : ' Carpere ' (pluck, gather, tear off), to pass quickly . . . —

Let me pluck each winter's fruits.

Sat. II. Attack on tragedy and comedy.

879

A. *Tragedy.* (i) *Pacuvius*, ' *Chryses*.'^a

Think of Pacuvius' prologues :

Nonius : ' Exordium ' (warp of a web ; prologue) means a beginning . . . —

but a gloomy fellow from some tangled prologue of *Pacuvius*.

880

For example the prologue (?) of his ' Chryses ' :

Nonius : By ' *signatam* ' (sealed, undefiled) antiquity meant to express a maiden . . . —

at first when he^b denied that he would give back *Chryses'* virgin daughter^c to her father virgin-sealed.

nonem deprecandum venisset ut sibi filiam redderet, non impetravit. Ob id Apollo exercitum eius partim fame partim morbo totum consumpsit. Itaque Agamemnon *Chryseida* gravidam sacerdoti remisit. Cp. Euripides in *Hypsirrhylai* εὐφημα καὶ σᾶ καὶ κατεσφραγισμένα. It is possible that *signatam* means marked, defiled. Translate perhaps : ' When he refused to give back . . . ' Hardly : ' When he denied that . . . was virgin-sealed when he gave her back.'

LUCILIUS

881

Nonius, 27, 7: 'Exterminatum' est praeter terminos
missum . . . —

nei rediret ad se atque illam exterminaret miseriam.

882-3

Nonius, 31, 15: 'Sudum' dictum est quasi semiudum, ut
est aer post pluvias serenus et liquidus . . . —

nec ventorum flamina
flando suda secudent.

884

Nonius, 205, 23: 'Fretum' . . . masculini . . . Lucilius—

Serena caeli numina et salsi fretus.

Cp. Charis., ap. *G.L.*, I, 129, 6 K.

885

Nonius, 405, 2: 'Spargere,' madefacere . . . —

latere pendens saxa spargens tabo sanie et sanguine
atro,

Cp. Cic., *Tusc. Disp.*, I, 44, 107.

⁸⁸¹ ni *Lu.* ne *G., al.* exterminaret *ed. princ.* exter-
minare *cdd.* miseriam *cdd. rec.* miseram *rell.*
miserulam Guetius, Mr.

⁸⁸² suda secudent *cdd.* suda iter secudent M

⁸⁸⁴ serena caeli *ed. princ.* caeli serena M *Abh. Sächs.*
Ak. d. W., Phil.-Hist. Kl., XXVII, 107 serana caccaceli
Lu. caccili *G.* numina *ed. princ.* momina L lumina
Mr. numine M nomine *cdd.* nomina *Flor.* 3

⁸⁸⁵ Lucilius XVIII latere *cdd.* XXVIII *** Ennius
Thyeste, latere Mr.

^a Perhaps Pacuvius' *Chryses* is again suggested here, and the person referred to might be Agamemnon. But if the corrupt *miseram* in Nonius is an intruded gloss on some other word meaning wretched, then perhaps the sense is:—'if Agamemnon would not send Chryseis (*Astynome*) out of his land so as to return to Chryses, then . . .'

BOOK XXIX

881

Nonius : ' Exterminatum ' means sent beyond the boundaries (termini) . . . —

Unless he came to his own self again,
And banished out of bounds that wretchedness.^a

882-3

(ii) *Ennius*, ' *Thyestes*. '

Thyestes' threat :

Nonius : ' Sudum ' was used, we may say, for ' semiudum ' (half wet), just as the air is calm and limpid after rain-showers . . . —

nor may clear breezes blow favourable ^b with their gusts.

884

Nonius : ' Fretum ' . . . of the masculine. . . . Lucilius—
The serene godheads of the sky and the salt sea.^c

885

Nonius : ' Spargere ' (bespatter), to make wet . . . —

He hanging by his flank and spattering
The rocks with gore, with mess of black-hued
blood,^d

^b At first sight the Latin looks like a hexameter or two incomplete hexameters, but cf. Marx ad 872; Cic., *Tusc.*, I, 144, 107 *Ut naufragio pereat Atreus!*—a threat of Thyestes. See *Remains of Old Latin*, Vol. I, pp. 354-5.

^c The fragment is a whole senarius or part of a septenarius. It seems to fit well as placed here and in this satire of mixed metres a senarius is not out of place.

^d Certainly from Ennius' *Thyestes*—Cic., *Tusc.*, I, 44, 107, where Cicero's quotation shews that Ennius wrote these words. The metre was not septenarian, but Lucilius may have written this fragment as one septenarius with a word over. Cf. *Remains of Old Latin*, Vol. I, pp. 354-5.

LUCILIUS

886

Nonius, 489, 14 : ' Nefantia ' pro nefanda . . . —
 . . . dissociata aeque omnia ac nefantia.

(Cp. Varro, *Sciamachia*, *περὶ τῦφου*, 509B (Non., 489, 19–21).

887–8

Nonius, 275, 4 : ' Credere ' est fidem habere dictis vel factis.
 . . . Lucilius lib. XXIX—

Hymnis, velim

te id quod verum est credere.

889

Nonius, 330, 9 : ' Inducere,' persuadere. Lucilius lib.
 XXIX—

Hymnis, ego animum sic induco, quod tu ab insano
 auferas . . .

890–1

Nonius, 196, 11 : ' Consortionem ' feminini . . . —

Deierat se non scripsisse et post non scripturum;
 redi
 in consortionem.

⁸⁸⁶ dissociata Guictus aeque Fruter. dissociataque
 Buecheler *prob.* M dissociat atque *cdd.*

Non., 275, 4 : XXVI *vel* XXVII *cdd.* XXVIII Mr.
 XXIX M

⁸⁸⁸ te *cdd.* tete Mr. te mi Onions *fortasse* ted
 Non., 330 : XXVIII *ighymnis Lu. Gen. Bern.* 83 XXVIII
 hymnis *G. al.* XXVIII Hymnis Mr.

⁸⁸⁹ sic *cdd.* si M

⁸⁹⁰ deierat se non W. Baehrens, *II.*, LIV, 80 deira te
 non C 168–9 deirat enim se Mr. enim non Havet
 deirat enim scripsisse (scripsisse scribse) *cdd.*

^a Probably from *Thyestes*, certainly from a tragedy;
dissociata probably translates *ἀκοινωνητα*, 'unsocial,' 'in-

BOOK XXIX

886

Nonius: 'Nefantia' for 'nefanda' . . . —
all alike repugnant and unspeakable.^a

887-8

B. *The New Comely*. (i) *Caecilius*, 'Hymnis.'^b

Nonius: 'Credere' means to have faith in things said or done. . . . Lucilius in book XXIX^c—

Hymnis, I should like you to believe what is the truth.

889

Nonius: 'Inducere,' to persuade. Lucilius in book XXIX^d—

Hymnis, thus do I make up my mind, that what you steal from the crazy . . .

890-1

Nonius: 'Consortio,' a feminine form . . . —

He swears he did not write it and that he won't write it in future; come back to consortship!^e

human,' 'not to be communicated,' 'outcast' (Cic., *ad Att.*, VI, 3, 7; VI, 1, 7).

^b See *Remains of Old Latin*, I, 490 ff. Baehrens, *H.*, LIV, 79-80; Lucilius seems to apply the name Hymnis to a mistress of his with whom he had quarrelled.

^c Nonius' *mss.* vary between XXVII and XXVI; but since the lemma comes between one provided by book XXVIII and one by book XXX, it must belong to XXVIII or XXIX (for XXX has hexameters only). If we read, *e.g.* *tete*, it might be a senarius, but since Hymnis was apparently a theme of Lucilius in septenarii of book XXIX, I have followed Marx.

^d This number seems to be right for palaeographical reasons; see *appar. crit.*, and Marx, *ad* 894.

^e The reading and the meaning are uncertain.

LUCILIUS

892

Nonius, 369, 37 : 'Putare,' aestimare . . . —

“ Perge, amabo, ac si pote face dignam me ut vobis
putem.”

893-5

Nonius, 289, 32 : 'Destinare' emere . . . —

“ Facio.

“ Ad lenonem venio, tribus in libertatem milibus
destinor.”

896

Nonius, 107, 26 : 'Eugium,' media pars inter naturalia
muliebria. Lucilis in [epodis]—

Hymnis sine eugio † ac destina †.

897

Nonius, 360, 33 : 'Obducere,' aperire . . . —

Vos interea lumen auferte atque aulaea obducite.

Varro, *L.L.*, VI, 69 : 'Spondere' est dicere 'spondeo' a
'sponte' . . . itaque Lucilius scribit de Cretaeta, cum ad se
cubitus venerit, sponte ipsam suapte adductam ut tunicam
et cetera reiceret.

⁸⁹² pote L potes *cdd.* fortasse potis

⁸⁹³ facio <cito> Mr. <ilico> M

⁸⁹⁴ veno *coni.* Linds. destinor W destino *Acid. prob.*
M destiner *cdd.*

Non., 107, 26 : in epodis hymnis sine eugio ac destina *cdd.*
in epodis *secl.* Mr. sine podice Hymnis si sine eugio, | ac
destinas M eugio accipi me ac Mr. age, destina Ribbeck
atque destina Terzaghi *trib. lib. XXIX W*

Varro : *senarios* cum ad me cubitum venerat | sponte
ipsa suapte adducta ut tunicam et cetera | reiceret L *sep-*
tenarios cum ad me cubitum venerat | sponte est ipsa suapte
e. q. s. *coni.* W *ex lib. XXIX ?*

BOOK XXIX

892

Nonius: 'Putare,' to appraise . . . —

"Please go on, and if you can, bring it about that I can count myself worthy of you men."

893-5

Nonius: 'Destinare' (set up, put up, destine), to buy (*really* 'intend taking') . . . —

"I do it; I come to the pimp. I am put up for sale into freedom at three thousand."^a

896

Nonius: 'Eugium,' a part within the private parts of a woman. Lucilius in . . . —

Hymnis without maidenhead^b . . .

897

Nonius: 'Obducere' (draw over, draw across), to open . . . —

Meanwhile, you there, away with the light, and draw the curtains across.

Varro: 'Spondere' is to say 'spondeo' (I promise) from 'sponte' . . . and thus it is that Lucilius writes about Cretaea,^c that when she came to his house to lie with him, she was led 'sponte' of her own free will to cast aside her tunic and the rest.

^a sc. *drachmarum*; cf. also Cichor., 172; Baehrens, *H.*, LIV, 79.

^b text probably corrupt; *destina* is possibly a 'support' here, as in Arnob., II, 92; Vitruv., V, 12, 3, but what Lucilius may have meant by it in this sense I do not know.

^c Cretaea: 'Cretan woman,' used as a proper name.

LUCILIUS

898-9

Donatus, ad Ter., *Phorm.*, IV, 3, 9: 'Commodum,' tantum quod. Lucilius—

Mihi commodum
statuerat dare, vestimenta et in toro reposueram.

900

Nonius, 274, 11: 'Conducere' . . . —
mango, non magna mercede, magno quod conduxeris.

901-2

Nonius, 294, 9: 'Explorare' . . . —
Certum scio
esse ita ut dicis; nam mihi erant de illo explorata
omnia.

903

Nonius, 36, 14: 'Emungi' ex manifesta significatione
manat . . . —
in me illis spem esse omnem, quovis posse me emungi
bolo.

⁸⁹⁸⁻⁸⁹⁹ *trib. lib. XXIX* W

⁸⁹⁸ *fortasse* <se> mihi

⁸⁹⁹ statuerat M est aut cdd. vestimenta et in toro
repositueram W iam vestimenta posueram *coni.* M vesti-
mentor posueram *cdd.* (vestmentotum O vestimenta
repositueram V)

⁹⁰⁰ mango Mr. magno *cdd. prob.* M mercedest Mr.

⁹⁰³ in me illis Iun. in mellis *cdd.* bolo Carrio
volo *cdd.*

BOOK XXIX

898-9

Donatus : 'Commodum,' only just. Lucilius—

She had just decided to give herself to me, and I had already put down my clothes upon the bed.

900

(ii) *A scene from a comedy unknown ; a bad cashier.
a talk about business :*

Nonius : 'Conducere' . . . —

O monger,^a that which you have hired at a great price will bring you no great revenue.

901-2

Nonius : 'Explorare' . . . —

I know that it is a sure thing as you say ; for I had looked into everything which had to do with that fellow.

903

Nonius : 'Emungi' is a term which springs from something whose meaning is manifest . . . —

that all their hopes lie in me, that I can be diddled out of any haul I have made.^b

^a *Mango* may be wrong here. If it is right, Lucilius makes a pun on *mango, magno*.

^b or possibly 'that any bait can be used to pull my leg'; *bolus* can mean (a) a throw at dice; (b) a cast of a fishing-net, with extensions of meaning implying gain or loss; (c) a tit-bit. *Emungere* is properly to wipe the nose, here to 'deceive,' 'diddle.'

LUCILIUS

904-5

Nonius, 472, 5 : 'Palpatur' . . . —

hic me ubi

videt, subblanditur palpatur caput scabit pedes legit.

Cp. Fest., 258, 19.

906

Nonius, 283, 29 : 'Ducere,' volvere, pertractare . . . —

Age nunc summam sumptus due atque aeris simul
adde alieni.

907

Nonius, 74, 3 : 'Aera,' numeri nota. . . . —

Hoc est ratio? Perversa aera summae et subducta
inprobe.

908

Nonius, 399, 11 : 'Subducere,' subputare . . .

Eodem uno hic modo rationes omnes subducent suas.

⁹⁰⁵⁻⁶ hic . . . palpatur Birt, *Rh. Mus.*, LXXI, 272-3
secundum cdl. ubi me vidit *Fest.* hic me ubi videt |
subblanditur <fur> palpatur M *fortasse* suppalpatur.
pedes legit *add. ex Fest.*

⁹⁰⁶ subdue Leo aeri (aeris Iun.) simul adde alieni *cdl.*
adde alieni aeris simul Mr. aeris alieni simul | a. M

⁹⁰⁷ haec *ed. princ.* summae et subducta W summae
subducta S summa est Casaubon summa et subducta
cdl.

⁹⁰⁸ rationes *cd. vet. Dousae* errationes *rell.* rationes
omnes Mr. (qui et r. aeris *coni.*) subducent Iun. subducent
cd. vet. Dousae subduceret *cdl. rell.*

BOOK XXIX

904-5

Nonius : 'Palpatur' . . . —

when this fellow sets eyes on me, he caresses me gently, pats me lightly, scratches my head, gathers the lice.^a

906

Examining accounts :

Nonius : 'Ducere' (count, 'tot up'), to ponder, scan through . . . —

Come now, tot up the debit side, and add too the sum of the debts.^b

907

Nonius : 'Aera,' 'a mark expressing a number . . . —

Is this what you call accounting? The figure for the total is falsified and counted up dishonestly!

908

Nonius : 'Subducere,' to count up . . . —

In this one and only way will they then reckon up all their accounts.

^a Cf. Birt, *Rh. Mus.*, LXXI, 272-3. *Pedes legere* was a job given to specially employed persons whose duty it was to pick the pests from their employers. *Pedes legit* is added here from Festus, 258, 19; the expression can also mean 'shuffle (pick up) the feet.'

^b As it appears in the mss. this line is in anapaestic metre, but it can be changed into a septenarius by slight transpositions of words. Yet why should not Lucilius have introduced a passage in a rapid metre?

^c *aera*, fem. sing., mostly late Latin for an item of an account; but classical writers used for such items *aera* (neut. plur. of *aes*), 'counters.' Hence perhaps Nonius is wrong in taking *aera* as fem. sing. and the reading *summa et subducta* right—'the items are all wrong, and the sum-total counted up dishonestly.'

LUCILIUS

909

Nonius, 287, 8: 'Distrahere' est vendere . . . —
"dividunt differant dissipent distrahant."

Sat. III.

Fornix

Arnobius, II, 6: Fornicem Lucilianum et Marsyam
Pomponi obsignatum memoria continetis.

910-1

Nonius, 238, 5: 'Adtendere' est intendere . . . —
praeterea ut nostris animos adtendere dictis
atque adhibere velis.

912

Nonius, 383, 13: 'Rogare,' instituere . . . —
consilium patriae legumque oriundus rogator.

913-5

Nonius, 153, 14: 'Permities,' periculum, exitium . . . —
Nunc tu
contra venis, vel qui in nuptis voluisse neges te
nec sine permitie?

⁹¹⁰ nostris Bentin. nostros *cdd.*

Non. 383, 13: *trib. lib. XXIX M XXVIII Mr. XXVII*
cdd.

⁹¹⁴ voluisse C 160 noluisse *coni.* M belle esse L
versere Mercier versasse Linds. vel sese *cdd.*

^a or 'sell by retail.' If this (in cretic metre) is not what
Lucilius wrote, then the quotation from this poet must have
dropped out of Nonius' text; I take it that it at any rate

BOOK XXIX

909

Nonius: 'Distrahere' means to sell . . . —

"let them share out, scatter, squander, sell up." ^a

Sa., III. 'The Brothel.' On the subject of choosing a woman; addressed to a friend of rank and promise.

Title:

Arnobius: You hold stamped on your memories *The Brothel* ^b of Lucilius, and *Marsyas* of Pomponius.

910-1

Lucilius begs a hearing:

Nonius: 'Adtendere' means to strain towards . . . —

moreover that you may be pleased to give and bend your mind to my words.

912

Because of his friend's future?

Nonius: 'Rogare,' to constitute . . . —

a rising proposer of his country's counsels and laws.

913-5

A. *Behaviour towards married women:*

Nonius: 'Permities,' danger, mischief . . . —

Now do you come forward with an objection? You indeed when you deny that you have lusted after married women, and not without mischief either?

ended in *distrabant*. But Lucilius may well have used even this metre, unusual for him, in dealing with a scene from the 'New Comedy.'

^b Hilberg, *Wien. Stud.*, XXV, 156, thinks that the word applies to Lucilius' poetry as a whole; a Christian might well have used it so; but the addition of Pomponius' *Marsyas* favours a particular reference, and I think that this satire of book XXIX has the best claim.

LUCILIUS

916

Nonius, 271, 18 : ‘Convenire,’ interpellare . . . —
 “Haec tum conventus tela insidiasque locavi.”
 Cp. Non., 340, 29.

917-8

Nonius, 36, 21 : ‘Collare’ est vinculi genus quo collum
 astringitur . . . —
 “cum manicis catulo collareique, ut fugitivum,
 deportem.”

919-20

Nonius, 300, 21 : ‘Eiectum’ dictum exclusum . . . —
 ubi erat ∪ ∪ copia — ∪
 eicere istum abs te quamprimum et perdere amorem.

921-2

Nonius, 290, 2 : ‘Docere,’ dicere . . . —
 At non sunt similes neque dant. Quid si dare
 vellent?
 Acciperesne? Doce.

Non., 271 : lib. XXIX *cdd.* XXVIII *cdd.* 340
⁹¹⁶ hic D (I.)
⁹¹⁷ collareque *cdd.* fortasse catulum collareique
⁹¹⁹ ubi *G.* ibi *rell.* erit *coni.* Mr. ∪ ∪ copia — ∪ W
 κοπιῶσα Mr. scopus Iun. kopioses L scabiosus
coni. M scabiosum Schmitt scopios *vel* scopiose *cdd.*
 speciosa *vel* speciose Onions ibi erat σκοπός (*anapaest.*)
 Havet
⁹²¹ si *ed. princ.* sin Mr. sint *cdd.*
⁹²² acciperesne *cd. N. Fabri* acciperisne *Lu. 1, Gen.,*
Bern. 83 acceperisne *rell.*

BOOK XXIX

916

A past experience ; an injured husband ? :

Nonius : ' *Convenire*, ' to accost . . . —

“ Thus accosted, I then placed these weapons and laid an ambush.”^a

917-8

Nonius : ' *Collare* ' is a kind of fetter for fastening the neck tightly . . . —

“ when I fetch him home like a runaway in handcuffs and a dog-chain^b and a dog-collar.”

919-20

Nonius : ' *Eiectum* ' is a term used for kept out . . . —

when there were ways and means [you ought to have] cast that love away from you and destroyed it forthwith.

921-2

B. *Behaviour towards maidens.*

Nonius : ' *Docere*, ' to tell . . . —

But they are not like other women, nor do they offer you their charms. What if they choose to do so? Would you accept? Tell me.

^a Marx thinks of a man accosted by a prostitute; Fiske, 262, makes the speaker a woman and takes *conventus* as a gen. sing. ('hour of assignation'); it is not even certain whether the fragment belongs to book XXIX or to book XXVIII, where it might well be placed in Sat. IV of that book; see above, pp. 272 ff.

^b this seems to be the meaning of *catulus* here. But I suggest reading *catulum*—'like a runaway puppy.'

LUCILIUS

923-4

Nonius, 391, 35: 'Stare,' erigi, prominere . . . —

Hic corpus solidum invenies, hic stare papillas
pectore marmoreo.

925

Nonius, 220, 2: 'Polypus' generis feminini . . . —

Paulisper comedent iam eadem haec se ut polypus
ipsa.

926

Festus, 410, 5: 'Suppum' antiqui dicebant quem nunc
'supinum' dicimus . . . eius vocabuli meminit etiam
Lucilius—

Si vero das quod rogat et si suggeris suppus,

927-8

Nonius, 313, 8: 'Flagitium' . . . —

Quae et poscent minus et praebebunt rectius
multo
et sine flagitio.

⁹²⁵ comedent iam eadem L comedens edet S come-
dent iam haec sese Mr. cui | paulisper me dem, iam edet
M cui medentia medem *cdd.*

⁹²⁷ *trib. lib. XXIX* M quae et C 162 quae Mr.
qui et Mercier *prob.* M quiete *cdd.*

^a The Latin is very corrupt. *Paulisper* perhaps ends a clause or sentence not given by Nonius. For other inter-

BOOK XXIX

923-4

C. *Behaviour towards freedwomen who are costly harlots.*

Nonius: 'Stare,' to be raised up, to project . . . —

Here you will find a firm full body and breasts standing out on a marble-white chest.

925

Nonius: 'Polypus' of the feminine gender . . . —

For a little while now these same creatures will devour their very selves like a cuttle fish.^a

926

Festus: The archaic writers used to employ the term 'suppus' for such as we now call 'supinus' . . . of this word Lucilius moreover makes mention—

But if you give what she asks, and you bear your load lying on your back,

927-8

D. *Behaviour towards common women of the brothel:*

Nonius: 'Flagitium' . . . —

Women who will ask for less and also make their offers with much more propriety and without reproach.^b

pretations see Marx, and Fiske, 163; cp. Cichor., 161. Nonius is probably wrong about *polypus*; I take *ipsa* as a neuter plural.

^b Lucilius apparently advocates the brothel in preference to other ways of satisfying lust. But the fragment is not certain; if *qui* is right, it refers to male prostitutes who would be in no danger of *flagitium*, scandal (*sc.* of an illegitimate child).

LUCILIUS

Sat. III.

929-30

Nonius, 74, 8 : 'Advocasse' pro vocasse . . . —
Amicos hodie cum improbo illo audivimus
Lucilio advocasse.

931-3

Nonius, 383, 21 : 'Remissum,' missum . . . —
Cohibet domi
maestus se Albinus, repudium quod filiae
remisit.

Cp. Non., 350, 32.

934

Charisius, ap. *G.L.*, I, 96, 15 K : 'Nemo' . . . antiqui et
pro 'nullo' saepe posuerunt, ideoque 'nemo' dicentes quasi
minus significarent et 'homo' addebant, ut. . . Lucilius
XXIX . . . —

“ Quis tu homo es ? ” “ Nemo sum homo.”

935

Nonius, 381, 19 : 'Referre,' reddere . . . —
“ Quod te intromisi gratiam referat mihi.”

936-7

Nonius, 384, 5 : 'Recipere,' revocare . . . —
“ primum ex advorso siquod est cenaculum
quo recipiat te.”

⁹³⁵ referas D (I.)

^a So far as we can tell, this satire contained a mixture of various themes among which we can trace no connexion; but the whole may have been put in the form of a conversation at a dinner.

BOOK XXIX

Sat. III.^a

929-30

(i) *A dinner. Lucilius to attend :*

Nonius : 'Advocasse' for 'vocasse' . . . —

We have heard that he has invited some friends including that rascal Lucilius.

931-3

Albinus declines :

Nonius : 'Remissum,' the same as 'missum' . . . —

Albinus^b confines himself to his house in sorrow, because the man has sent a bill of divorce to his daughter.

934

Charisius : Again the archaic writers often put 'nemo' for 'nullus,' and therefore when using the term 'nemo,' as though they expressed their meaning too vaguely, they used to add 'homo' also; for example. . . Lucilius in book XXIX . . . —

"What man are you?" "No man am I."^c

935

Fears of the doorkeeper about admitting Lucilius ? :

Nonius : 'Referre,' to render . . . —

"I hope he'll return me thanks because I have sent you in."

936-7

Nonius : 'Recipere,' to call away . . . —

"first if there is any dining-room opposite, where he could take you in."

^b Probably Sp. Postumius Albinus, consul in 148; who the prospective son-in-law was we cannot tell.

^c Aristoph., *Wasps*, 184 τίς εἶ ποτ' ἀνθρῶπ' ἐτεόν;—Οὔτις νῆ Δία. Hom., *Od.*, IX, 355, 366.

LUCILIUS

938

Varro, *L.L.*, VII, 47 : Apud Lucilium—
quod thymno capto cobium excludunt foras.

939-40

Nonius, 381, 7 : ‘ Reddere,’ facere . . . —
Pluteos excutiet, tectaque et testudines
reddet.

941

Nonius, 245, 13 : ‘ Anceps ’ duplex . . . —
“ Nemo hos ancipites ferro effringat cardines.”

942

Nonius, 245, 20 : ‘ Anceps,’ acutum ex utraque parte . . . —
“ Vecte atque ancipiti ferro effringam cardines.”

943-4

Nonius, 288, 27 : ‘ Deicere ’ dicitur mittere . . . —
Vas ex fenestris in caput
deiciam qui prope ad ostium aspiraverint.

⁹³⁸ *ex libro XXIX?* quod *b* quidem *F* quei Mr.
quid est L. Spengel cobium C.O. Mr. corium *cd.*

⁹³⁹ excutiet L, Mr. exeudet Quich. ex seutis M
exeudit Iun. excutit *cdd.*

⁹⁴¹ ancipites *cdd.* ancipiti Bentley *prob. II, C.Q., I, 61*
fortasse effringet

⁹⁴³ vas W vasa Mr. has *cdd.*, *fortasse recte (sc. aulas)*

⁹³⁴ deiciunt *Lu., G.* deiciam *rell. tribuitur hoc fr.*
lib. XXIX XXVII cdd.

^a It is possible that this theme is connected with the incidents of the preceding frs.

BOOK XXIX

938

(ii) *Scene from the 'New Comedy'; an excluded lover.*^a

Varro: In a passage of Lucilius we have—

because when they've caught a tunny they shut the goby outdoors.^b

939-40

Preparations for attack:

Nonius: 'Reddere,' to make . . . —

He will hammer out pent-houses and roofs, he will make shield-shelters.

941

Nonius: 'Anceps,' double . . . —

"Let no one break open these double hinges with an axe."^c

942

Nonius: 'Anceps,' sharp on either side . . . —

"With crowbar and with axe of double head^d these hinges I'll break open."

943-4

The defence:

Nonius: 'Deicere' (throw down) is a term used for to send . . . —

I'll throw from the windows a pot down on the heads of any who have strained their way hither close by the door.

^b Cichor., 179-180; he interprets:—a whore, when she finds a rich man, scorns the poor ones; cp. Fiske, 151. *Cobius*, *gobius*, might mean a gudgeon (as some translate), but the gudgeon is a fish of fresh waters, the *cobius* a fish of the sea. Cf. Pliny, XXXII, 146.

^c I retain the reading *ancipites* of the MSS.—see next note.

^d I take it that the attacker replies to the preceding fragment in elevated style, turning *ancipites* into a different sense.

LUCILIUS

945

Nonius, 36, 25 : ' Depilati ' dictum rarefacti . . . —

“ Gnatho, quid actum est ? ” “ Depilati omnes sumus.”

946

Nonius, 272, 12 : ' Caedere, ' frangere . . . —

“ Caede ostium, Gnatho, urge.” “ Restant, periimus.”

Cp. Non., 417, 32.

947

Nonius, 358, 26 : ' Offendere ' est percutere . . . —

“ Crus lapide ? Nihil est.” “ Credam, si te offenderit.”

948

Nonius, 313, 16 : ' Filum, ' oris liniamentum . . . —

〈Tu〉 surge mulier, duc te, filum non malum.

949

Nonius, 97, 3 : ' Deletio ' . . . —

deletionem nostri ad unum exercitus.

⁹¹⁷ caedam Gerlach

⁹¹⁸ tu *suppl.* W duc te ! Mr., Linds. ducte *Gen. Bern.*, 83 ducite *rell.*

^a Nonius is vague ; scalded smooth by the hot water thrown on them thinks Marx ; surely it simply means ' we're done for, ' ' cheated. '

BOOK XXIX

945

Set-back of the attackers :

Nonius : ‘ *Depilati* ’ (‘ with the hairs pulled out ’) is a term used for thinned out . . . —

“ Gnatho, what’s happened? ” “ We’re all fleeced.”^a

946

Nonius : ‘ *Caedere*, ’ to break . . . —

“ Smash the door, Gnatho, shove! ”^b “ They won’t shift; we’re done for! ”

947

Nonius : ‘ *Offendere* ’ means to strike hard . . . —

“ Your leg against a stone? ”^c “ It’s nothing.”
“ I’ll believe it, if he strikes you hard! ”

948

Nonius : ‘ *Filum*, ’ the feature of the face . . . —

Up with you, woman; get a move on; it’s not a bad phiz.^d

949

(iii) *Rome and Hannibal*.^e

Battle of Cannae (216 B.C.) :

Nonius : ‘ *Deletio* ’ . . . —

the destruction of our army to a man.

^b *sc.* against the defenders; or the door-posts?

^c It seems to me that some well known saying is applied here; but the fragment is obscure.

^d Marx takes this as an incomplete septenarius; the reading is certainly doubtful. We might read *ducis filum* . . . ‘ you spin a good thread,’ with a pun on *filum*, ‘ face.’

^e The events alluded to date from 216 to 202 B.C.

LUCILIUS

950

Nonius, 317, 29 : ' Habere,' tenere, occupare . . . —
Hoc tum ille habebat et fere omnem Apuliam.

951

Nonius, 288, 33 : ' Deicere,' praecepitare . . . —
detrusus tota vi deiectusque Italia.

952-3

Nonius, 240, 9 : ' Accipere,' decipere . . . —
sic inquam veteratorem illum vetulum lupum
Annibalem acceptum.

954-5

Nonius, 339, 9 : ' Longe ' etiam ' valde ' . . . —
cum viderim in vita mea
ἐπίτευγμα Apelli longe opera ante alia omnia.

956

Nonius, 472, 9 : ' Partiret ' pro partiretur . . . —
Quid? Quas partiret ipse doctrinas bonis . . .

⁹⁵⁰ *fortasse* Capuam ille
⁹⁵⁴ cum viderim in vita mea Quich. cuium M cui
ubi deriminutia (vita) meae *Lu. G.* cui derim in vita meae
(*mea Harl. 1*) *rell.*
⁹⁵⁵ *ἐπίτευγμα* Iun. epitegma *vel* epitagma *cdd.*
apepelli, apelli *cdd.* (appelli *Gen.*) belli M ependi Mr.
⁹⁵⁶ quid . . . bonis Cich. 177 novas *coni.* M ipse pro
doctrina boni *cdd.*

^a Samnium (Marx). Cichor., 164 thinks Bruttium.

^b By Scipio's tactics at Zama to make Hannibal's elephants useless or (Cichor., 165-7) by the stratagem of Claudius Nero

BOOK XXIX

950

South Italy joins Hannibal after the battle :

Nonius : ' Habere,' to hold, occupy . . . —

This region ^a and almost the whole of Apulia he held at that time.

951

Recall of Hannibal (203 B.C.) :

Nonius : ' Deicere,' to hurl headlong . . . —

beaten back by force and hurled out of all Italy.

952-3

Battle of Zama (202 B.C.)? :

Nonius : ' Accipere ' (take in, receive, entertain), to deceive . . . —

that thus, I say, was that old sly-boots, that old wolf Hannibal, taken in.^b

954-5

(iv) *Works of art. Apelles :*

Nonius : ' Longe ' means even very much . . . —

since I have seen an artifice of Apelles far in advance of all other works known in my life.^c

956

(v) *Other fragments. Socrates' teaching? :*

Nonius : ' Partiret ' for ' partiretur ' . . . —

What then? The teachings which he himself imparted to gentlemen . . .

before the battle of the Metaurus (B.C. 207). But Nonius is perhaps wrong and we should take *acceptum* in an ordinary but ironical meaning—' entertained.'

^c In spite of Marx, I feel that the manuscript reading forces us to refer the fr. not to any *bellum* (*sc.* Scipio at Zama) but to ' Apelles ' and a work of art.

LUCILIUS

957-8

Nonius, 282, 20 : ' Discrimen ' rursus separatio . . . —
 et amabat omnes ; nam ut discrimen non facit
 neque signat linea alba, . . .

Cp. Non., 405, 16.

959-60

Nonius, 405, 10 : ' Signare ' est designare, ostendere
 . . . —

sic Socrates in amore et in adolescentulis
 meliore paulo facie ; signat nil quem amet.

961

Nonius, 418, 3 : ' Urgere ' est premere, cogere . . . —
 Urguet gravedo saepius culpa tua.

⁹⁵⁷ nemut Linds. nam ut *cdd.* 282 (*om. nam Gen. Bern.*
 83) 405

⁹⁵⁸ alba <in albo marmore> *coni. M coll. Soph., fr. 307 N*

⁹⁵⁷⁻⁶⁰ *coniunx.* Mercier

⁹⁵⁹ sic Mercier si *cdd.* socrates *e. q. s. cdd.*
 Socrates amore *quid. ap. Iun.* amorem Mr. *seclud.*
 et Mr.

⁹⁶⁰ nil quem amet M nilque amat Mr. nihilque
 amaret *cdd.* signabat nihil quem amaret Leo

^a When drawn on a white surface. Cp. Soph., fr. 307 N
 οὐ μᾶλλον ἢ λευκῶ λίθῳ λευκῆ στάθμη.

BOOK XXIX

957-8

Socrates and friendship :

Nonius : ' Discrimen ' (distinction) again means separation . . . —

and he used to love all men; for just as a white line^a draws no distinction and makes no mark, . . .

959-60

Nonius : ' Signare ' (to mark) means to designate, show . . . —

so Socrates in his affections, in the matter of the young men of rather better looks; no mark distinguishes the object of his affection.^b

961

Catching cold :

Nonius : ' Urgere ' means to press, force . . . —

More often than not it's your own fault that a cold in the head troubles you.^c

^b Taken from Plato, *Charmides*, 154 B ἐμοὶ μὲν οὖν, ὦ ἑταῖρε, οὐδὲν σταθμητόν· ἀτεχνῶς γὰρ λευκὴ στάθμη εἰμὶ πρὸς τοὺς καλοὺς. σχεδὸν γάρ τί μοι πάντες οἱ ἐν τῇ ἡλικίᾳ καλοὶ φαίνονται. I have kept lines 957-60 in their usual order. But it is possible to take them in the order (959-60, 957-8) in which Nonius, 405, quotes them, especially if we accept Lindsay's reading *ncmut* for *nam ut*, and put a full stop after *alba*.

^c Perhaps *gravedo* here means the after-effects of drunkenness (Pliny, XX, 136).

LUCILIUS

Sat. V.

962

Nonius, 436, 32 : ‘ Cupiditas ’ et ‘ cupido ’ diversa sunt, nam ‘ cupiditas ’ levior est . . . —

Cupiditas ex homine cupido ex stulto numquam tollitur.

963

Nonius, 330, 22 : ‘ Interficere,’ occidere . . . —

Prius non tollas quam animum ex homine atque hominem ipsum interfeceris.

964

Nonius, 172, 5 : ‘ Satiast ’ pro satietas . . . —

“ Quid mihi proderit quam satias iam omnium rerum tenet ? ”

965

Nonius, 300, 12 : ‘ Exui ’ . . . —

unde domum vix redeat vixque hoc exuat se.

966-7

Nonius, 311, 23 : ‘ Fovere,’ est nutrire, provehere . . . —

. . . Ventrem alienum maestum fovere ex molito hordeo,
uti cataplasma.

Cp. Non., 350, 35.

Non. 436, 32 : lib. XXVIII Mr. XVIII *cdd.* (*XVIII *Par.* 7667, m. 1)

⁹⁶² cupiditas | ex homine cupido cupido *coni.* Linds. et stulto Duebner *lacunum post homine statuit M*

⁹⁶³ prius non tollas quam Tulli animum *cdd.* *seclud.* Tulli Ribbeck (*post interfeceris sequitur in Non. M. Tullius*) non prius | tollas Mr. non tollas prius | quam sustuleris M homine Passerat nomine *cdd.*

⁹⁶⁴ quem Iun. quom *coni.* Mr. satias iam *Flor.* 3 satias iam *vel sim. rell.*

⁹⁷⁷ fortasse ut cataplasmo cataplasmo *cdd.* 311 cataplasma *cdd.* 350

BOOK XXIX

Sat. V. On cupidity and other imperfections.^a

962

Nonius: 'Cupiditas' and 'cupido' are different things; for 'cupiditas' is the lighter feeling . . . —

Longing can be put out of a [lustful] man, but lust is never put out from a fool.^b

963

Nonius: 'Interficere,' to kill . . . —

You could not put out (lust) from the fellow before you have put out his intelligence, yes, even killed him.

964

Nonius: 'Sativas' for 'satietas' . . . —

"How will it profit me, a woman who already has her fill of all things?"

965

Nonius: 'Exui' . . . —

whence he could hardly come home again, and hardly divest himself of this.

966-7

Nonius: 'Fovere' means to nourish, promote . . . —

They comforted their raging hunger-sick bellies with ground barley and used a poultice.^c

^a The satire sets forth several Cynic-stoic ideas; cf. Fiske, 301 ff.

^b If the Latin is really one complete line, then Nonius has probably mistaken *cupido* for *cupido*. But there may be a *lacuna* between *homine* and *cupido*; and I translate as though it were *cupido*.

^c The fragment may be from a context in hexameters. With Marx I take *uti* as a verb, in the historic infinitive; *cataplasma* seems to be used as an ablative like *schema* in line 972. Translate perhaps 'with barley like a poultice.'

LUCILIUS

968

Nonius, 186, 28 : ' Vomica,' concava loca vetustate exesa
 . . . —

Chironeo et non mortifero adfectus vomicae vulnere.

969

Nonius, 527, 23 : ' Vel' pro etiam est . . . —

hoc invenisse unum ad morbum illum, homini vel
 bellissimum.

970

Nonius, 291, 17 : ' Exigere' . . . —

Cum cognoris, vitam sine cura exigas.

971

Nonius, 248, 8 : ' Bellum,' elegans . . . —

aetatem istuc tibi laturam, et bellum, si hoc bellum
 putas.

972

Nonius, 224, 37 : ' Schema' . . . neutro . . . —

in gymnasio ut schema antiquo spectatores retineas.

⁹⁶⁸ Chironeo D (I.) tyroneo *cdd. prob.* M (tironeo
 et <hoc>) vomicae Quich. vomica et *cdd.*

⁹⁶⁹ invenisse Vahlen invenisset *cdd.*

⁹⁷⁰ <vilis esse> cum Schmitt

⁹⁷¹ *seclud.* et Mr.

⁹⁷² schemate D (F.) antiquum Gulielmus retineas L
 detinet Onions tetinerit Quich. retineres *cdd.*

^a Marx accepts *tyroneo* (*tironeo*) of the *mss.*, and thinks that the allusion is to Jason of Pherae, who, incurably sick of an ulcer, sought death in battle, but by a sword-thrust his ulcer

BOOK XXIX

968

Nonius : 'Vomica,' hollow spots eaten out by age . . .
ill with the sore of a Chironian^a and no mortal
ulcer.

969

Nonius : 'Vel' stands for 'even' . . . —
to have found this one and only (cure) for that
disease, the very finest for the man.

970

Nonius : 'Exigere' . . . —
When you have learnt this, live out your life
without a care.

971

Nonius : 'Bellum,' elegant . . . —
that the passing of time will bring that to you,
and a fine thing, if you think this is fine.^b

972

Nonius : 'Schema' . . . in the neuter . . . —
that you may hold the spectators with a good
old-time star-turn^c in the gymnasium.

was cured. 'Chironian' ulcer or wound would suit here—
the so-called 'Chironian' ulcer (named from the Centaur
Chiron, who, because he had an incurable sore, gave up his
immortality) was often incurable, but Jason cured his; thus
his was Chironian yet not death-dealing.

^b Meaning uncertain.

^c *schema* (figure, posture) was used as a feminine, or as a
neuter according to the proper inflexion in Greek; it may be
that *schema* is really nominative here ('that you as a special
turn may hold . . .') and *antiquo* goes with *gymnasio*. To
express Lucilius' meaning here, our phrase 'good old fashion'
is not definite enough.

LUCILIUS

973

Nonius, 298, 1 : 'Efferre,' extollere . . . —
omnia alia, in quibus eferimur rebus, ne ego multis
loquar.

EX LIBRO XXVIII AUT XXIX

974-5

Priscianus, ap. *G.L.*, II, 381, 4 K : Lucilius—
Quin amplexetur qui velit ; ego non sinam
me amplectier.

976-7

Nonius, 406, 22 : 'Tollere,' occidere. Lucilius lib. XXVI—
Anxit quem febris una atque una ἀπειψία,
vini inquam cyathus unus potuit tollere.

978

Auctor, ap. *G.L.*, V, 584, 24 K : Nasum generis neutri, ut
Lucilius—
nasum hoc corpusque scutum.

979-80

Probus, ap. *G.L.*, IV, 212, 10 K : 'Nasus hic' an 'hoc
nasum' ? Antiqui neutraliter dicebant. Itaque *Lucretius*—
nasum deductius
quam pandius si paulo vellem.

⁹⁷⁴ velit *cdd.* volt Mr. (*septenar.*) *lacun. post sinam*
pon. M

Non., 406 : XXVIII L, Mr.

⁹⁷⁶ anxit (*vel* angit) W at cui *cdd.*

⁹⁷⁸ scutum Haupt *fortasse acutum*

⁹⁸⁰ <si> paulo M

^a Which did not contain *senarii* such as are the following.

^b I suggest *anxit* or *angit*, but the fragment is doubtful.
Potuit here means probably 'could have.'

BOOK XXVIII OR BOOK XXIX

973

Nonius : ' Efferre ' (raise up, puff up), to lift up . . . —

If I may cut a long story short, all the rest of it—
I mean the things in which we are puffed up.

FROM BOOK XXVIII OR BOOK XXIX

974-5

On women :

Priscianus : Lucilius writes—

Rather let him who may wish, embrace her. I
won't let him embrace me.

976-7

Feeble health :

Nonius : ' Tollere ' (carry off), to kill. Lucilius in book
XXVI^a—

A man whom one fever, one attack of indigestion
did choke,—one ladle of wine, I tell you, was enough
to have carried him off.^b

978

A grammarian : ' Nasum ' of the neuter gender, for example
Lucilius—

This nose here and this body are a shield.

979-80

The following is doubtful :

Probus : ' Nasus ' masculine or ' nasum ' neuter? The
archaic writers used to employ the neuter form. Thus
Lucretius—

if I wanted my nose to be a little more hooked^c
than crooked.

^c or, if we retain *diductius*, more cleft. And *pandius*
may mean wider, flatter. *Lucretius* (in whom the fragment
does not occur) is a common mistake for *Lucilius*.

LUCILIUS

EX LIBRIS XXVI-XXIX

981

Servius (auctus), ad *Aen.*, VI, 1: Vallum . . . dicebant calam; sicut Lucilius—

Scinde calam ut caleas.

id est, 'O puer, frange fustes et fac focum.'

982

Donatus, ad Ter., *Adelph.*, III, 1, 8: 'E re nata.' Sic proprie dicimus de his quae contra voluntatem nostram acciderunt . . . Lucilius—

Puer hic e re nata sic eius dedit haud malus:

983-4

Festus, 372, 7: 'Redarguisse' per *e* litteram Scipio Africanus Pauli filius dicitur enuntiasse ut idem etiam 'pertisum'; cuius meminit Lucilius cum ait—

Quo facetior videare et scire plus quam ceteri
'pertisum' hominem non 'pertaesum' dicere
† ferum nam † genus.

Gellius, I, 3, 18: 'Contra patriam' inquit Cicero "arma pro amico sumenda non sunt." Hoc profecto nemo ignoravit et priusquam Theognis, quomodo Lucilius ait, nasceretur.

⁹⁸⁴ hominem *cd.* hominum Mr. humanum genus M
aerumnamst opus L dices erumnam genus Mr. *fortasse*
ἀνθρώπων γένος die e re ferum nam genus Stowasser
Gell.: hoc priusquam nasceretur Theognis omnes noverant
constit. M

^a That is, warm yourself. This looks like a proverb alluding to the soldier's life.

^b This seems to be the sense of *dedit* but *eius dedit* may be corrupt.

^c That is, by claiming to speak very pure and correct Latin. Scipio is of course Aemilianus. The end of the second line in

BOOKS XXVI-XXIX

FROM BOOKS XXVI-XXIX

The following must belong to one of the books XXVI, XXVII, XXVIII, and XXIX.

981

(i) *Philosophy and the like* :

Servius (supplemented) : For 'vallus' they used the term 'cala,' like Lucilius' example—

Split a stake, that you may bake.^a

That is, 'Boy, break some sticks and make up a hearth.'

982

Donatus, on 'e re nata' in Terence : This is a term we use properly of events which have happened against our will . . . Lucilius—

As matters were, this slave-boy of his (and a good one too) thus spoke : ^b

983-4

Festus : Scipio Africanus, son of Paulus, is said to have pronounced 'redarguisse' with a vowel *e*, just as he even used a form 'pertisum' also; of this Lucilius makes mention in these words—

Whereby you may seem smarter ^c and to know more than the rest of them, namely that mankind says of a man that he 'was teired of' not was 'tired of . . .'

Gellius : "Against one's country," says Cicero, "one must not take up arms even for a friend." To be sure as Lucilius says, 'all men knew this even before Theognis was born.'^d

Festus is corrupt. Read perhaps *hominum . . . humanum genus* 'the human race is teired of men.' Scipio keeping the rule pronounced 'redarguisse' as 'rederguisse,' as it were in a 'refeined' manner, changing the vowel after a prefix.

^d This sentiment is taken from the Greek saying: *τουτὶ μὲν ἴδειν πρὶν Θεόγνιν γεγονέναι.*

BOOKS XXVI-XXIX

985

(ii) *Friendship*:

Priseianus : Lucilius writes—

he may be helped by me.

'auxiliatus' passively, in Greek *βοηθηθείς*.

986

(iii) *Eating and drinking* :

Nonius : 'Cima' in the neuter, for example Lucilius—
soft asparagus and green cabbage-sprouts.

987

Priscianus : Lucilius . . . in—

oil of Casinum pressed from green olives

used 'Casinas' (nom. sing. neut.) instead of 'Casinātē.

988

Nonius : 'Mandonēs,' gluttons . . . Lucilius—

and the crunchers' gullets ^a one and all.

989

Probus (on the forms *austerus*, *austeris*) : When Lucilius says—

He was squeezing out the juices of the sourest herbs,^b

then undoubtedly it is shown^c that he uses the form 'austeris' nom. sing. masc. or fem.

^a or, 'all the gluttonies of the crunchers.'

^b This describes perhaps the preparation of a drug.

^c no, it is not.

LUCILIUS

990

Paulus, ex Fest., 381, 13 : ‘ Remelignes ’ et ‘ remorae ’ a morando dictae. . . . Lucilius—

Quaenam vox ex tuo ore resonans meo gradu remoram facit ?

Cp. Fest., 380, 29.

991-2

Servius, ad *Aen.*, I, 181 : ‘ Anthea si quem ’ . . . ‘ quem ’ vacat, ut superius diximus istas frequenter vacare particulas . . . in Lucilio—

“ Ecquem Pamphilum quaeris ? ”

ecquem vacat, nam de uno loquebatur.

993

Ausonius, 216 (344) : Lucili vatis—

subpilo pullo premo.

994

Paulus, ex Fest., 449, 4 : ‘ Sub vitem ’ proeliari dicuntur milites cum sub vinea militari pignant. Lucilius—

neque prodire in altum, proeliari sub vitem procul.

Cp. Fest., 448, 4.

⁹⁹⁰ quaenam *cdl.* quoianam M ex tuo ore resonans
 Hardie, *C.Q.*, V, 104 extemplo r. L ex tete r. Mr.
 ex tecto Bergk ex aede Ribbeck ex te resonans *cdl.*
⁹⁹⁴ sub vitem procul S procul sub vito *Paul.*,
Fest.

(iv) *Tragedy and Comedy* :

Paulus : ‘Remelignes’ (female delayers, hinderers) and ‘remorae’ (delays) are terms derived from ‘morari.’ . . . Lucilius—

What sound, pray, is that which, booming out of your mouth, makes delay for my steps ? ^a

991-2

Servius on ‘Anthea si quem’ in Virgil : “Quem” has no real meaning, according to my statement above that particles of that kind often have no real meaning . . . in Lucilius—

“Are you looking for any Pamphilus ?” ^b

‘ecquem’ has no real meaning ; ^c for he was speaking of one only.

993

Ausonius : In the words of Lucilius the poet—
an under-plucker, a catch-boy, a presser. ^d

994

(v) *Military service* :

Paulus : Soldiers are said to battle ‘under the vine’ when they are fighting under a military ‘vinea’ (penthouse). Lucilius—

nor to go up on high, to battle at a distance under the vine.

^a Probably a mocking allusion to a scene from a tragedy.

^b If the words really came from Lucilius, then the poet took them from Terence, *Hecyra*, 804 hospitem ecquem Pamphilum hic habes ? (cp. Ter., *Andr.*, 344 O Pamphile, te ipsum quaero), or from Terence’s model.

^c It is here a way of saying ‘Are you by any chance . . .’

^d From the context where this fr. occurs in Ausonius it appears that *subpilo*, etc. are nouns in the nominative ; but they may be verbs used in an obscene sense.

LUCILIUS

995-6

Nonius, 66, 27 : ' Praeficae ' dicebantur apud veteres quae adhiberi solent funeri, mercede conductae. . . . Lucilius lib. *XXII*—

. . . mercede quae conductae flent alieno in funere
praeficae, multo et capillos scindunt et clamant magis.

997-8

Nonius, 94, 4 : ' Coxendices,' coxas. Lucilius—

Caput collo sustentatur, truncus autem coxendicibus.

999

Nonius, 274, 23 : ' Conducere,' utile esse * * * —

solus vero soli quid re et quaestu conducat suo.

Non. 66 : *XXVII* Mr.

⁹⁹⁷⁻⁸ caput . . . coxendicibus H, *C.Q.*, *I.* 155 collo caput | sustentatur truncus sustinetur coxendicibus G. Hermann, *praef. ad Plaut., Bacch., V prob.* M caput ut collo sustentatur truncus coxendicibus Mr. caput colos tentatur (temptatur G) truncus sustinetur a coxendicibus *cdd.* (collo sustentatur *Flor.* 2)

⁹⁹⁹ *trib. Luc.* Mr. scio quid re atque Mr. quaestu *ed. pr. prob.* M quaesti *cdd.* suo *cdd.* scio Onions

BOOKS XXVI-XXIX

995-6

(vi) *Simile of a funeral* :

Nonius : ' Praeficae ' is a term which the ancients used to apply to women who are wont to be hired on pay to be present at a funeral. . . . Lucilius in book XXII—

keeners, who, hired on pay, weep in another's funeral-crowd, tear their hair and cry out much more than others do.^a

997-8

(vii) *The human body* :

Nonius : ' Coxendices,' hip-bones.^b Lucilius—

The head is upheld by the neck, but the trunk by the hips.

999

(viii) *Doubtful* :

Nonius : ' Conducere,' to be useful * * * —

but he alone (will tell) . . . him alone what is to the advantage of his stock and profit.^c

^a *sc.* because they are paid to do it. The fragment probably belongs to book XXVII or XXVI. Cf. Marx; also Fiske, 168, 463; Cichor., 118-9.

^b *Coxendices*, hips : *coxae*, hip-bones. But in Pliny X, 168, XXVIII, 179, *coxendices* are hip-bones; so perhaps here.

^c The fragment looks like Lucilian poetry, but attribution to Lucilius is guesswork. Perhaps *quaesti* . . . *scio* are right readings.

LUCILIUS

LIBER XXX

Sat. I.

1000-1

Nonius, 33, 32: 'Involare' est inruere, insilire. . . .
Lucilius lib. XXX—

Inde canino ricto oculisque
involem.

1002

Nonius, 478, 13: 'Nutritur' et 'nutricatur' pro nutrit et
nutricat . . . —

Se nutricatum sane caput opprimit ipse.

1003

Nonius, 343, 6: 'Mitis' est tranquillus et lenis . . . —
Est illud quoque mite malum, blandum atque
dolosum.

1004

Nonius, 34, 21: 'Praestringere' dictum est non valde
stringere et claudere . . . —

[praestringat oculorum aciem] splendore micanti.

¹⁰⁰⁰ ricto Linds. ritu *ed. pr.* ori si ritu Mr. rito
cdd.

¹⁰⁰² se nutricatum Linds. sensus nutricatum asini *coni.*
M nutricatus L sensu (*supra u et infra ras. Lu.*)
nitricatum *Lu., G., Harl., al.* sensi nutricatum *Par. 7666,*
Lugd., Bamb. sane vel sine *cdd.* insane Vollmer sei
nutricatum sibi nunc Mr.

¹⁰⁰³ est D (I.) et *cdd.*

¹⁰⁰⁴ p. o. a. *ex Plauto prius citato videntur esse sumpta*

BOOK XXX

BOOK XXX ^a

Sat. I. Roman affair

1000-1

Nonius: 'Involare' means to rush a to leap on. . . .
Lucilius in book XXX . . . —

Then let me fly at him with a dog's grin and glare.

1002

Nonius: 'Nutritur' and 'nutricatur' instead of 'nutrit' and 'nutricat' . . . —

Itself indeed doth overwhelm the head
That nourished it's own self.^b

1003

Nonius: 'Mitis' means calm and gentle . . . —

That thing too is gentle, a charming nuisance
and a treacherous one.

1004

Nonius: 'Praestringere' is a term used for to draw together gently and to close . . . —

that it dazzles the eyesight with glittering brightness.^c

^a In this book, finished probably before B.C. 123, Lucilius established as his permanent metre the hexameter. Marx distinguishes five satires, but it seems likely that there were six. Terzaghi distinguishes four only.

^b This may be right, but the meaning is unknown.

^c Perhaps imitated from Plautus, *Mil. Glor.*, 4 (*praestringat oculorum aciem in acie hostibus*) which Nonius quotes just before this passage. But in copying the Lucilius passage a scribe seems to have copied part of Plautus instead by mistake.

LUCILIUS

1005

Nonius, 35, 10: 'Angina,' genus morbi, eo quod angat; et Graece *συνάγχη* appellatur . . . —

Inesperato abiit; quem una angina sustulit hora.

1006

Nonius, 180, 2: 'Temnere,' contemnere . . . —

"quodque adeo fuerint qui te temsere superbum."

1007

Nonius, 35, 10: 'Arquatus morbus' dictus qui regius dicitur, quod arcus sit concolor, de virore, vel quod ita stringat corpora ut in arcum ducat. quod †—

Nos esse arquatos! Surgamus eamus agamus.

1008

Nonius, 323, 30: 'Invadere' est adpetenterincipere . . . —

Ut semel in Caeli pugnas te invadere vidi,

1009–10

Nonius, 287, 28: 'Dicare,' indicare, nuntiare . . . —

sicubi ad aures

fama tuam pugnam clarans adlata dicasset.

¹⁰⁰⁶ te temsere D (I.) qui te temnere *Flor.* 3 qui temnere *Lu.* 1 qui temnere *rell.* qui temnere . . . superbum (*post* temnere *lac.*) M, qui posse *addend. coni.* superbi D (I.)

Non. 35 (1007): Lucilius lib. XXX *suppl.* Kettner quod *natum ex priore* quod

¹⁰⁰⁸ caeli pugnas *edd.* pugnas, Caeli, M

¹⁰¹⁰ clarans Lips claram mi B praeclaram M
claram *edd.* alata Lips

^a The name of the author of this quotation has fallen out, but it was certainly Lucilius book XXX, because this part of Nonius has several quotations all of which come from that book. Jaundice does not distort the body.

BOOK XXX

1005

Nonius: 'Angina,' a certain kind of disease, so called because it strangles; its Greek name too is *συνάγχη* . . . —

He passed away against all expectation—he whom quinsy carried off in one hour.

1006

Nonius: 'Temnere,' to despise . . . —

"and because there were indeed some who scorned you as haughty."

1007

Nonius: 'Arquatus morbus' is a term which was used for the disease called 'royal' (jaundice); it is so-called because a rainbow ('arcus') is of like colour owing to the greenish tint, or because it so draws the body that it bends it into a bow^a . . . —

The idea that we are rainbowed! Let us rise, let us go, let us act!

1008

On the question of celebrating in verse the exploits of a Roman:^b

Nonius: 'Invadere' (rush at) means to begin eagerly . . . —

When once I saw you make a rush for battles of Caelius,^c

1009–10

Nonius: 'Dicare,' to point out, to tell news . . . —

wheresoever rumour was brought to my ears and told me^d with praise of your fight.

^b Perhaps C. Sempronius Tuditanus, who in 129 B.C. fared ill against the Iapydes but was in the end victorious (Livy, *Epit.*, LIX). The poet feels unable to write a worthy epic. Cichor., 183 ff.

^c The allusion is unknown. Marx transposes *Caeli* and *pugnas*, and makes *Caeli* a vocative.

^d Elsewhere *dicare* always means to dedicate.

LUCILIUS

1011-2

Nonius, 292, 7 : ' Exanclare ' etiam significat perpeti . . . —
quantas quoque modo aerumnas quantosque labores
exanclaris.

1013

Nonius, 274, 21 : ' Conducere, ' convenire . . . —
et virtute tua, et claris conducere cartis.

1014

Nonius, 340, 21 : ' Locare, ' constituere . . . —
Haec virtutis tuae cartis monumenta locantur.

1015

Nonius, 263, 24 : ' Contentus ' dicitur cui res etiam parva
abunde est . . . —
et te his versibus interea contentus teneto.

1016

Nonius, 344, 21 : ' Meret, ' meretur . . . —
Publicitus lege ut mereas praesto est tibi quaestor.

¹⁰¹¹ quotque D (I.) *fortasse recte*

¹⁰¹³ e virtute *cd. Bern. S3 prob.* Onions et virtute tuae
Mr. *fortasse* et virtute tua claris

¹⁰¹⁴ haec virtutis Corpet virtutis haec *cdl.* chartis
L *prob.* M artis *cdl.* tuai artis *coni.* Linds. vir-
tutisque tuae atque artis Iun.

¹⁰¹⁵ et te his Quich. his Gulielmus heis Mr.
et | his te M et is te *cdl.*

¹⁰¹⁶ publicitus Mr. publico equo lege C, 214-5 lege
ut tu L publicu lege bene M publica lege *cdl.*

BOOK XXX

1011-2

Nonius: 'Exanclare' (serve out, drain) even means to bear steadfastly . . . —

how great were the hardships and labours which you have drained to the dregs, and in what manner too.

1013

Achievements worthy of description:

Nonius: 'Conducere,' to suit . . . —

that [it is worthy of] your prowess and befits illustrious pages.^a

1014

My poetry must satisfy you:

Nonius: 'Locare,' to establish . . . —

These memorials of your prowess are set out on these pages.

1015

Nonius: 'Contentus' is a term applied to a man to whom even small possessions are more than plenty . . . —

and meanwhile, content with these verses, keep hold on yourself.

1016

Affairs of state.

Military service:

Nonius: 'Meret' for 'meretur' . . . —

That you may serve lawfully at the state's cost,^b a treasurer is ready for you.

^a This seems to be the meaning (cf. also Cichor., 185) unless *e virtute tua* is the right reading.

^b or 'on the state's business.' Cichor., 214-15 restores: '*publico equo lege,*' and takes the line to refer to legal cavalry service of Scipio.

LUCILIUS

1017

Nonius, 10, 10 : ' Inlex ' et ' exlex ' est qui sine lege vivat . . . —

Accipiunt leges, populus quibus legibus exlex.

1018

Nonius, 370, 25 : ' Parcere ' est veniam dare . . . —
quanti vos faciant socii quom parcere possint.

Sat. II.

1019

Nonius, 269, 16 : ' Conficere, ' consumere, finire . . . —
Conficit ipse comestque.

Cp. Non., 81, 30.

1020

Nonius, 157, 12 : ' Potus ' a bibendo . . . —
serus cum e medio ludo bene potus recessit.

1021

Nonius, 81, 34 : ' Cuius ' for ' cuius ' . . . —
cuius opera Troginus ' calix ' per castra cluebat.

Cp. Non., 87, 29.

¹⁰¹⁸ socii *cdl.* sociis D (I.) *fortasse recte* compar-
cere (*vel* comparcere) *cdl.* (cum parcere *Bern.* 83) quom
parcere M (com- L)

¹⁰²⁰ serus D (I.) secus *cdl.* e D (I.) eo *cdl.*
medio ac ludo *cdl. seclud.* ac Gerlach a L hac *Linds.*
ludo ac *quid. ap. Mr.*

¹⁰²¹ Troianus Onions

BOOK XXX

1017

Anti-aliens act of Iun. Pennus^a (126 B.C.)? :

Nonius : 'Inlex' and 'exlex' are terms used of a man who lives without the law . . . —

They agree to laws by which the people are outlaws.

1018

Destruction of Fregellae^b (125 B.C.)? :

Nonius : 'Parcere' (show forbearance) means to grant a favour . . . —

<you see,> allies, the value they set upon you, since they are able to show forbearance.

Sat. II. On a dinner-party given^c *in camp by one Troginus.*

1019

His greed and drunkenness :

Nonius : 'Conficere,' to consume, make an end of . . . —

He consumes it and gobbles it up himself.

1020

Nonius 'Potus' drunken from drinking . . . —

when at a late hour he withdrew pretty drunk from the midst of the fun.

1021

Nonius : 'Cuia' for 'cuius' . . . —

through whose doings Troginus was called 'Pint-pot' throughout the camp.

^a Thus Cichor., 211-12.

^b Cichor., 208-210. Fregellae had revolted after Pennus' law of 126 B.C. Scipio had in the past championed the Italians and his friend Lucilius too doubtless had sympathy for them.

^c in Spain? (At least so the Celtic Troginus suggests.) This may be a continuation of Sat. I. My construction is quite conjectural, but certainly some sort of carouse in camp is indicated.

LUCILIUS

1022-3

Nonius, 321, 17: 'Invitare' significat replere . . . —
 "Scito etenim bene longincum mortalibus morbum
 in vino esse ubi qui invitavit dapsilius se."

1024

Nonius, 347, 32: 'Micare,' per vices sine ordine moveri
 . . . —
 Omnia tum endo muco videas fervente micare.

1025

Nonius, 234, 37: 'Aptum' rursus conexum et conligatum
 significat . . . (235, 17)—
 unus consterni nobis vetus restibus aptus.

1026

Nonius, 35, 17: 'Privum' est proprium uniuscuiusque;
 unde et 'res privata' . . . —
 Culcitulae accedunt privae eentonibus binis.

1027

Nonius, 83, 7: 'Caries' est vetustas . . . —
 Clauda una est pedibus cariosis mensula vino.

¹⁰²² scito etenim bene Muret scibo ego enim bene M
 cibo *vel* cito bene enim *cdd.*

¹⁰²⁵ unus *cdd.* elinas Mr. consterni L consternit *cdd.*
 aptus *cdd.* aptas Mr.

¹⁰²⁷ elauda Guietus plancla Onions plauta *cdd. rec.*
 mensula vino *ignot. in exempl. Boll.* nobis M mensa
 Liboni S Libonis Gerlach mensa Sabino Mr. (*ed. Non.*
mers Libiteinae ed. Luc.) mens elephantanti T mensu libano
cdd. mensu iabino *Flor. 3*

^a endo muco = in mucho, ἐν μύχῳ. Probably a reminiscence or parody of a passage in Ennius.

BOOK XXX

1022-3

He excuses a poor dinner :

Nonius : 'Invitare' (invite, entertain, regale) means to fill . . . —

"For know you well that in wine there lies a lingering illness for mortal men, when someone has entertained himself too richly."

1024

Preparations :

Nonius : 'Micare,' to be moved to and fro aimlessly. . . . —

Then you could see everything flickering in the seething depths [of the house].^a

1025

The mess-tent :

Nonius : 'Aptum' again means fastened and tied together. . . . —

one couch^b to be spread for us, an old one tied with cords.

1026

Nonius : 'Privum' (single, one for each, one's own) means the personal property of any single individual; whence is derived 'res privata' . . . —

There were added little mattresses, our very own,^c to two patchwork coverlets for each.

1027

Nonius : 'Caries' means old age . . . —

For the wine there was one rickety little table on rotten legs.

^b Supply *lectus* or *grabatus*, 'camp-bed.'

^c or 'one for each of us.'

LUCILIUS

1028-9

Nonius, 117, 29 : ' Gumiae,' gulosi . . . —

“ Illo quid fiat Lamia et Bitto oxyodontes
quod veniunt, illae gumiae evetulae improbae in-
eptae? ”

1030

Priscianus, ap. *G.L.*, II, 488, 21 K : Lucilius in XXX—

“ quis totum scis iam corpus perolesse bisulcis.”
pro perolevisse.

1031

Nonius, 320, 35 : ' Invitare ' apertam habet significantiam
. . . —

“ Contra haec invitasse aut instigasse videntur.”

1032-3

Nonius, 137, 26 : ' Mictilis ' paupercula pulmentaria . . . —
pulmentaria ut intibus aut aliqua id genus herba
et ius maenarum, bene habet ; sed mictilis haec est.

Cp. Non., 209, 4.

¹⁰²⁸ Bitto M Pytho S pitto *cdd.* oxyodontes
S ixiodontes *cdd.*

¹⁰²⁹ gumiae illi evetulae *Flor.* 3 g. illiae vetulae *rell.*
g. mille e. *vel* illi g. v. *coni.* Linds. illae gumiae S gomiae
Mr.

¹⁰³⁰ iam corpus L corpus iam *cdd.*

¹⁰³² aliqua et id genus *cdd.* 209 aliquod genus *cdd.* 137
aliquae id Onions

¹⁰³³ sed S sei Mr. se *cdd.* (137) mictilis *G*²
137 (*in marg.*) mictyris *cdd.* (mictiris *G*¹) *prob.* M

^a So this line is usually taken with *bisulcis* as an acc. pl.
(cf. *C.G.L.*, V, 271, 39 *bisulcis*, *divisis unguis porcus.*). But
perhaps we should translate : ' the bodies of which cloven-

BOOK XXX

1028-9

Some ill-famed guests :

Nonius : 'Gumiae,' gluttons . . . —

"What may come of it that the sharp-toothed Lamia and Bitto are turning up there, those wretched little gluttonous villainous stupid old hags?"

1030

Priscian : Lucilius in book XXX—

"whose bodies, as you know already stank of cloven-footed cattle all over." ^a

writes 'perolesse' instead of perolevisse.

1031

Nonius : 'Invitare' has an obvious meaning . . . —

"On the contrary all this seems to have invited them or spurred them on." ^b

1032-3

Poor food :

Nonius : 'Mictilis,' a kind of poor and inferior relishes . . . —

relishes such as succory or some herb of that kind, and anchovy-sauce—that's all right; but this is piddling stuff. ^c

footed beasts you know are already fully grown up,' taking *bisulcis* as dat. pl. of *bisulcus*. However, Priscian has just mentioned *redoleo*, perf. *redolui* or *redolevi*, 'to emit a smell.'

^b Or perhaps spurred Troginus on to invite them.

^c or 'makes you want to piddle.' Perhaps the sense is :—when once the patient is well, this diet is as nasty medicine to him. Cf. Marx *ad* 1076; Cichor., 217-18; Fiske, *T.A.P.*, XL, 136. *mictilis* could hardly be the Greek *μυστίλη*. In Nonius the fr. is attributed to both XXX and XX; if the latter is right, it belongs to Granius' feast (pp. 141, 186 ff.).

LUCILIUS

1034

Nonius, 96, 9 : ' Deblaterare,' obloqui, confingere . . . —
Deblaterant, blennus bonus rusticus concinit una.

1035-6

Nonius, 277, 28 : ' Delica ' est aperi et explana . . . —
" Nemo istum ventrem pertundet." " Delicet,
ecquae
intus via, atque videbis."

1037

Nonius, 298, 28 : ' Excutere,' excludere . . . —
" Ipso cum domino calce omnes excutiamus."

Sat. III.

1038

Nonius, 348, 26 : ' Mittere,' omittere . . . —
Hoc missum facies, illo me utere libente.

¹⁰³⁵⁻⁶ *sub lemm.* ' delicere ' *traieci.* Mr. (*Non.*, 277, 17-22)
delicet ecquae H, *C.Q.*, I, 157 delicietque *cdd.* intus
via H, *C.Q.*, I, 157 utere vi Gerlach ut veniatque
Mr. uti Mr. uti (*vel ut*) via atque *cdd.* videbit
Linds. videbis *cdd.* " delica." atque : | ' uti perge via
atque videbis' M (*secund. cdd. sub lemm.* ' delica ') de-
licet : aude L delicat < ipsa. | Fac veniat > liceatque uti via
Leo

¹⁰³⁸ lubente Iun. ibenter *cdd.*

BOOK XXX

1034

Progress of the meal :

Nonius : ‘*Deblaterare*,’ to talk at, make up talk (?) . . .

They babble away, and a dear old blockhead yokel chimes in with them.^a

1035-6

Nonius : ‘*Delica*’ (make clear) means lay open and explain . . . —

“ No one will poke through yonder belly.” “ Let her make clear if there is any way in, and you’ll see.”^b

1037

Nonius : ‘*Excudere*,’ to shut out . . . —

“ Let’s kick out the whole crowd, host and all! ”

Sat. III. On social life in Rome.

1038

Take my advice :

Nonius : ‘*Mittere*,’ the same as ‘*omittere*’ . . . —

The one you will send packing, the other you will use with my good will.^c

^a We might take *deblaterare* as : strike up or babble a silly tune; *obloqui* : join in singing; *confingere* : improvise; *concinīt* : sings in harmony, in tune.

^b I adopt the reading of Housman, *C.Q.*, I, 156-7 and refer the fragment to one of the two guests mentioned in lines 1028-9.

^c He seems to mean : you must have done with the evils I describe and profit from my advice about them.

LUCILIUS

1039-40

Nonius, 320, 25: 'Honor,' praemium . . . —

Cuius vultu ac facie ludo ac sermonibus nostris
virginis hoc pretium atque hunc reddebamus
honorem.

Cp. Nonius, 366, 10.

1041-2

Nonius, 401, 3: 'Subigere,' mollire vel exercere . . . —

“Ante ego te vacuum atque animosam
Tessalam ut indomitam frenis subigamque do-
memque.”

Cp. Non., 233, 39-40.

1043-4

Nonius, 401, 13: 'Subigere,' cogere . . . —

“Tunc iugo iungas me autem et succedere aratro
invitam et glebas subigas proscindere ferro?”

1045

Nonius, 350, 5: 'Maculosum,' sordidum, immundum
. . . —

Hanc vestimentis maculosis tu aspice, siste.

¹⁰⁴¹ ante H, *C.Q.*, I, 155 anne ego te vacuum L *prob.* M
an equam te aerem T an ego te equam Linds. an ego
te acuam *cdd.*

¹⁰⁴² subigam ante domemque *cdd.* 401 subigantque
domentque *cdd.* 233 subigamque domemque Bentin.

¹⁰⁴³ autem *coni.* H anne M apte Mr. ante *cdd.*

¹⁰⁴⁴ invitam Gulielmus invitum *cdd.*

¹⁰⁴⁵ hanc W nec L ec Mr. haec *cdd.* tu
aspice siste W tum aspiciere iste Quich. tum aspicietis
coni. Linds. tum aspiciet iste Iun. cum aspicias te L
tu aspice sis te Mr. tum aspice sis te M tum aspice iste
cdd.

BOOK XXX

1039-40

(A) *Mainly about women.*

A pretty girl :

Nonius : ' Honor ' (mark of respect), a reward . . . —

To this maiden's pretty face and looks this was the price, this the mark of respect we offered—through our sport, our discourses.^a

1041-2

A high-spirited girl :

Nonius : ' Subigere ' (force under, break in), to make tame or to exercise . . . —

“ You who have been till now unmated and spirited like an untamed filly of Thessaly—let me break you in and tame you with bit and bridle.”

1043-4

Nonius : ' Subigere,' to force . . . —

“ What! *You* yoke *me* to a yoke! And force me against my will^b to be made fast to a plough and cleave clods with the share? ”

1045

A slattern :

Nonius : ' Maculosum,' dirty, unclean . . . —

Do stop and look at her in her stained clothes!

^a Fiske, *T.A.P.*, XL, 141. Lucilius wanted to do justice to her looks in a satire; notice that he apparently calls his satires ' ludus ' and, like Horace after him, ' sermones.'

^b I take it we must read *invitam* with Gulielmus and so make the woman answer back in like metaphor. Marx says this does not *convenire videtur mulierum ingenio*.

LUCILIUS

1046

Nonius, 250, 38 : 'Cedere' significat secundum consuetudinem abire superatum et locum victori dare . . . —

quandoque pudor ex pectore cessit,

1047

Nonius, 385, 21 : 'Sublatum' dicimus remotum . . . —
Sublatus pudor omnis, licentia fenus refertur.

1048

Nonius, 493, 22 : 'Inberbi' pro inberbes . . . —
inberbi androgyni, barbati moechocinaedi.

1049-51

Nonius, 493, 26 : 'Sescentum' pro sescentorum . . . —
Maximus si argenti sescentum ac mille reliquit.

Idem . . . —

Quid vero est, centum ac ducentum possideas si milia?

1052

Nonius, 484, 24 : 'Sumpti' pro 'sumptus' . . . —
quid dare quid sumti facere ac praebere potisset.

¹⁰¹⁷ fenus referuntur *Gen. Bern.* 83 fenore fervit Mr.

¹⁰⁵¹ ac *cdl.* atque Bouterwek aut *coni.* Mr.

¹⁰⁵² potesset Linds.

^a or, 'hundreds, even a thousand.' *Sescentum*, accusative.
Maximus is Q. Fab. Max. Aemilianus (consul in 145 B.C.), brother

BOOK XXX

1046

Shamelessness of modern times :

Nonius : 'Cedere' means, according to habitual usage, to move away when one has had the worst of it, and to give place to the winner . . . —

and since shame has yielded place and gone from their hearts,

1047

Nonius : 'Sublatum' is a term which we use in the sense of 'remotum' . . . —

All sense of shame is erased from the account, licence is recorded on the credit side.

1048

Nonius : 'Inberbi' for 'inberbes' . . . —

beardless she-males, bearded sodom-adulterers.

1049-51

(B) *Household economy.*

Great men and small estates :

Nonius : 'Sescentum' for 'sescentorum' . . . —

if Maximus has bequeathed a six hundred and a thousand of silver.^a

The same poet . . . —

But what does it matter if you possess one or two hundred thousand?

1052

Estimating one's resources :

Nonius : 'Sumpti' for 'sumptus' . . . —

what he would be able to give, and how much he could afford to offer and spend.

of Scipio, unless we read *maximus*. Notice the irregularity in *dūcentum*, to be avoided perhaps by reading *atque* for *ac*.

LUCILIUS

1053-4

Nonius, 118, 6: 'Gerdius' . . . —

curare domi sint
gerdius ancillae pueri zonarius textor.

1055-6

Festus, 122, 1: 'Mamphula' appellatur panis Syriaci
genus . . . cuius meminit Lucilius—

Pistricem validam, si nummi suppeditabunt,
addas empleuron mamphulas quae sciat omnes.

1057

Nonius, 399, 19: 'Subducere' est surripere . . . —
neu qui te ignaro famuli subducere

1058

Schol. Vat., ad Verg., *G.*, II, 159: Lucilius in tricesimo—
Non numquam dabit ipsa aetas quod possit habendo.

1059-60

Nonius, 140, 8: 'Mansum,' mandendum aut mansatum
. . . —

“sperans aetatem eadem me
haec proferre potesse et mansum ex ore daturum.”

¹⁰⁵³ curate Passerat

¹⁰⁵⁴ textor Iun. tector *cdd.*

¹⁰⁵⁵⁻⁶ *trib. lib. XXX W*

¹⁰⁵⁷ ignaro Gerlach ignoro *cdd.*

¹⁰⁵⁸ prosit L

¹⁰⁵⁹ eadem *Par.* 7667 eandem *rell.* me *suppl.* Quich.
aetatem item eandem M aetatem in eandem Mr.

¹⁰⁶⁰ posset *cdd.* posset et *Flor.* 3 potesse et Gulielmus

BOOK XXX

1053-4

Necessities of a household :

Nonius : 'Gerdius' . . . —

to take care that there are at home a linen-webster, some handmaidens and slave-boys, a belt-maker, and a wool-weaver.

1055-6

Festus : 'Mamphula' is the name given to a kind of bread from Syria . . . Lucilius mentions this—

If you will have enough cash you should get also a hefty broadsided bakeress who knows about all kinds of Syrian burnt cakes.

1057

Nonius : 'Subducere' (filch, steal) means to tear away secretly . . . —

and lest any of your house-slaves can do some sly filching without your knowing.

1058

Trusting to chance :

A scholiast on a passage in Virgil : Lucilius in the thirtieth book—

Now and again time itself will give what it can for keeping.

1059-60

Hard times in the household ? :

Nonius : 'Mansum,' to be chewed, or, bitten up . . . —

"hoping that I can provide all these very needs for a lifetime and will give a chewed piece from the mouth." ^a

^a Fiske *T.A.P.*, XL, 135-6. The readings and the meaning are not certain, but the reference seems to be to parent and child.

LUCILIUS

Sat. IV.

An argument between Lucilius and at least one other literary man, apparently a writer of comedies (see Marx, *ad* 1029; Cichor 193 ff. argues for Afranius); there may have been other opponents, including Accius. The satire was

1061

Nonius, 317, 7 : ' Gestire ' est cupere . . . —
quantum haurire animus Musarum e fontibus gestit.
Cp. Non. 319, 16.

1062

Nonius, 143, 14 : ' Neminis ' positum pro nullius . . . —
Neminis ingenio tantum confidere oportet.
Cp. Priscian., ap. *G.L.*, II, 207, 5 K.

1063

Nonius, 296, 1 : ' Experiri, ' temptare . . . —
Summatim tamen experiar rescribere paucis.

1064

Nonius, 249, 8 : ' Committere, ' credere, permittere . . . —
cui sua committunt mortali claustra Camenac.

1065

Nonius, 373, 5 : ' Producere, ' foras ducere . . . —
Producunt me ad te, tibi me haec ostendere cogunt.

1066

Nonius, 278, 33 : ' Da, ' die . . . —
si liceat facere et iam hoc versibus reddere quod do.

¹⁰⁶¹ quantum *cdd.* 319 quanto *cdd.* 317
¹⁰⁶² ingenio *cdd.* *Prisc.* ingenium *cdd.* *Non.*
¹⁰⁶⁴ quoi *Mr.* quia *cdd.* (*qui Escorial.* 1)

BOOK XXX

Sat. IV.

addressed to some Roman (perhaps Tuditanus—Cichor., 183) of poetic taste to whom Lucilius was introducing himself as a new friend. Cf. Bolisani, *Lucil.*, pp. 337 ff.

1061

Introduction. Lucilius' ambition or tastes :

Nonius : ' Gestire ' (to long) means to desire . . . —

as much as my mind longs to drink from the springs of the Muses.

1062

His reasons for telling his friend about his dispute :

Nonius : ' Neminis ' put for ' nullius ' . . . —

One ought to trust no man's talents so much [as yours].

1063

Nonius : ' Experiri,' to try . . . —

Still I will try to write a short reply in a few words.

1064

Nonius : ' Committere,' to entrust, surrender . . . —

me to whom, mortal as I am, the Goddesses of Song entrust their bolts and bars.^a

1065

Nonius : ' Producere,' to bring into the open . . . —

They bring me out to you, they force me to shew you all this.

1066

Nonius : ' Da,' tell . . . —

if I may be allowed to do this, and to put now into verses^b this which I have to give.

^a or, ' closed strongholds,' ^b or, ' deliver in verses.'

LUCILIUS

1067

Nonius, 408, 31 : 'Tangere' etiam circumvenire. . . .
Lucilius lib. XXX—

et Musconis manum perscribere posse tagacem.

Cp. Fest., 359, 13; Paul., 358.

1068

Nonius, 240, 1 : 'Accipere,' audire . . . —

Hoc etiam accipe quod dico, nam pertinet ad rem.

1069

Nonius, 505, 25 : 'Nolito' pro 'noli' . . . —

Nolito tibi me male dicere posse putare,

1070

Nonius, 350, 9 : 'Macula,' turpitude . . . —

quem scis scire tuas omnes maculasque notasque.

Cp. Non., 354, 19.

1071

Nonius, 335, 37 : 'Lustrare' dicimus et scortari, a lustris
. . . —

quem sumptum facis in lustris circum oppida
lustrans.

¹⁰⁶⁷ musconis Non. mustonis Fest. (apogr. Polit.
mutonis rell.) muttonis Cichorius manum Fest., Paul.
manu Non.

¹⁰⁷¹ circum cdd. fortasse circi

BOOK XXX

1067

Nonius : 'Tangere' means even to 'get round' (cheat).
. . . Lucilius in book XXX has 'tagax'—

and to be able to write fully about Muscon^a and his thievish hand.

1068

Lucilius addresses his opponents? :

Nonius : 'Accipere' (take, receive), to hear . . . —

Take also this which I have to say, for it is to the point.

1069

Nonius : 'Nolito' for 'noli' . . . —

You must not think that I can slander you,

1070

Nonius : 'Macula' (blot, stain), disgrace . . . —

who, as you know, knows all your blots and black marks.

1071

Harlotry :

Nonius : 'Lustrare' is a term which we use also in the sense of 'scortari,' go whoring, from 'lustra' (brothels) . . . —

what expense you incur in leaping-houses, leaping round the circus and its barriers.^b

^a This is the reading in Nonius. Cichor., 206–8 points to one Q. Mutto.

^b This is probably the meaning. For *oppida* (barriers) see Varro, *L.L.*, V, 153; Hor., *S.*, I, 6, 113 *ad circum iussas prostare puellas*; cf. also Juv., III, 65; I take it that Lucilius puns on *lustrare* and *lustrari*. Perhaps we ought to read *circi* which a scribe misunderstanding *oppida* as 'towns' perhaps altered to *circum*. But cf. Fiske, *Lucilius and Horace*, 323. *Circum* a preposition or an adverb?

LUCILIUS

1072-3

Nonius, 327, 7: 'Improbum,' saevum . . . —

Improbior multo quam de quo diximus ante;
quanto blandior haec, tanto vehementius mordet.

1074

Nonius, 173, 18: 'Speciem,' specimen vel exemplar . . . —
sicuti te quem aequae speciem vitae esse putamus.

1075

Nonius, 124, 36: 'Ineilare' est increpare vel inprobare
. . . —
Nunc, Gai, quoniam ineilans nos laedis vicissim,

1076

Festus, 156, 6: 'Me' pro 'mihi' dicebant antiqui, ut. . . .
Lucilius—
nunc ad te redeo ut, quae res me impendit, agatur.

1077

Nonius, 306, 16: 'Fortis' etiam dives . . . —
Omnes formosi, fortes tibi, ego improbus; esto.
Cp. Non., 327, 17.

¹⁰⁷⁴ sicut L quem aequae D (I.) qui ea quae *cdd.*
prob. M esse putamus *edd.* putamus esse *cdd.*
¹⁰⁷⁶ *ex libro XXX?*

BOOK XXX

1072-3

Nonius : ' *Improbum*, ' cruel . . . —

She is much wickeder than he about whom we spoke before; the more she fawns^a the harder does she bite.

1074

Nonius : ' *Speciem*, ' a sample or a pattern . . . —

just as you, whom we believe to be the very likeness of the righteous life.

1075

The following fragments are probably to be assigned to the poet's adversary or adversaries.

Lucilius' adversary? now it is my turn :

Nonius : ' *Incilare* ' (cut or lash with words) means to blame or to disapprove of . . . —

Now, Gaius,^b since you in your turn lash us by your fault-finding,

1076

Festus : The archaic writers used to say ' me ' for ' *mihi*, ' for example. . . . Lucilius—

now I come back to you, so that we may deal with the business that hangs over me.

1077

Nonius : ' *Fortis* ' means even rich . . . —

In your view, all are well off in looks, well off in purse, but I am a villain. Granted.

^a Marx takes *haec* as a neuter pl. (sc. *dicit*); this seems unnecessary. Lucilius probably refers to a prostitute.

^b sc. Lucilius. Take possibly *vicissim* as leading on to the next fr. ' in my turn . . . '

LUCILIUS

1078

Nonius, 420, 27 : ' Volutare,' cogitatione perquirere . . . —
Hacc tu me insimulas ? Nonne ante in corde volutas ?

1079–80

Nonius, 181, 22 : ' Tenta ' dictum pro ' extensa ' . . . —
Hic, ut muscipulae tentae atque ut scorpios cauda
sublata,

Cp. Non., 264, 13 ; 385, 34.

1081

Nonius, 175, 14 : ' Sucerdae ' . . . —
Hic in stercore humi stabulique fimo atque
sucerdis,

1082

Nonius, 420, 25 : ' Volutari ' dicitur ' volvi ' . . . —
Quid tu istuc curas ubi ego oblinar atque voluter ?

1083

Nonius, 387, 33 : ' Servare,' sollicite et suspiciose observare
. . . —
Quid servas quo cam quid agam ? Quid id attinet
ad te ?

1084

Nonius, 388, 27 : ' Saevum ' . . . —
idque tuis factis saevis et tristibus dictis.
Cp. Non. 409, 10.

¹⁰⁷⁹ tenta eaque scorpios *cdd.* 181 (tenta atque *Flor.* 3)
muscipulae tantae atque ut s. *cdd.* 385 muscipula contenta
atque (*om.* ut) *cdd.* 264

¹⁰⁸¹ stabulique Passerat fabulisque *cdd.*

BOOK XXX

1078

Nonius: 'Volutare' (turn about, turn over), to inquire into with care by thinking over . . . —

What, are these the charges you lay against me falsely? Do you not first turn them over and over in your heart?

1079–80

Nonius: 'Tenta,' a term used for 'extensa' . . . —

This fellow, like set mouse-traps,^a like a scorpion with his tail upraised,

1081

Nonius: 'Sucerdae' . . . —

This fellow on the ground amidst muck and dirt and swine-dung of the sty.^b

1082

Nonius: 'Volutari' is a term used for 'volvi' . . . —

You there, what business of yours is *that*—where I bedaub myself and wallow?

1083

Nonius: 'Servare' (keep close watch), to observe with anxiety and suspicion . . . —

Why do you keep close watch whither I go, what I do? What has that to do with you?

1084

Nonius: 'Saevum' . . . —

and this . . . with your dire doings and dismal sayings.

^a It is just possible that *tentae muscipulae* are here sundews (fly-catching plants) with leaves open (*musci-pula*, cp. *manipulus* [-pleo, plenus]).

^b But *fābulis* of the *cdd.* may be right:—'little beans,' 'pellets' of goat's dung.

LUCILIUS

1085

Nonius, 284, 13 : 'Differre,' diffamare, divulgare . . . --
Gaudes eum de me ista foris sermonibus differs.

1086

Nonius, 284, 17 : 'Differre,' dividere vel seindere . . . --
et maledicendo in multis sermonibus differs.

1087

Nonius, 121, 2 : 'Hilum,' breve quoddam . . . --
quod tua tu laudes culpes non proficis hilum.

1088-9

Nonius, 300, 31 : 'Exultare' est gestu vel dictu iniuriam
facere . . . --

Quin totum purges devellas me atque deuras
exultes [adequites] et sollicites.

1090

Nonius, 326, 37 : 'Iacet,' sordet, neglectus est . . . --
et sua perciperet retro relicta iacere,

1091

Nonius, 303, 21 : 'Ferre' . . . --
et sola ex multis nunc nostra poemata ferri.

¹⁰⁸⁵ fori Mr.

¹⁰⁸⁶ multis *cdd.* vulgi Mr.

¹⁰⁸⁷ quo Mr. tua <tu> Mr. tu nunc M tu alium

B tu alios Leo tu autem Schmitt tu si L tu
nunc laedes C 194 tua lades *cdd.* laudes *cdd.*

¹⁰⁸⁹ adequites *Escorial. mg. Gen. 3 mg.; om. rell.* et *add.*
Gerlach exultes si sollicites Quich. exultes [ad]equites.
Exultans (*nov. lemm.*), sollicitus Linds, *q.v.*

BOOK XXX

1085

Nonius : 'Differre,' to spread a bad report of, to publish abroad . . . —

It gives you joy to publish abroad in your discourses ^a those bad reports about me.

1086

Nonius : 'Differre,' to divide or cleave . . . —

and you split me by libelling me in many a discourse.^b

1087

Nonius : 'Hilum,' something slight . . . —

Because you praise this and blame that in what you yourself have done, you make not a bit of progress.

1088-9

Nonius : 'Exultare' (jump up; exult) means to do harm by physical act or word . . . —

Why, you may clean me out altogether, pluck me bare, singe me smooth, exult, and worry me.^c

1090

Conclusion : cause of the quarrel—Jealousy :

Nonius : 'Iacet,' lies dusty, is neglected . . . —

and noticed ^d that his own works were left behind and lay unused.

1091

Nonius : 'Ferre' . . . —

and that now our poems alone out of many go the round.

^a *i.e.* satires.

^b again, probably, satires.

^c *sc.* in your satires. If *exultes* is not transitive, then 'jump up, jump around.'

^d The subjunctive may be after *ut* or *cum*.

LUCILIUS

1092

Nonius, 175, 16 : 'Simitu,' simul . . . —

Gratia habetur utrisque, illisque tibi que simitu.

Sat. V.

1093

Nonius, 273, 28 : 'Colligere,' auferre . . . —

"Ruis hoc et colligis omnia furtim."

Cp. Non., 380, 9.

1094

Nonius, 35, 23 : 'Nugator' . . . —

"quam me hoc tempore, nugator, cognoscere non vis."

1095

Nonius, 35, 29 : 'Discerniculum,' acus quae capillos mulierum ante frontem dividit . . . —

euplocamo digitis discerniculumque capillo.

1096-7

Nonius, 522, 17 : 'Apud,' ad . . . —

aut cum iter est aliquo et causam commenta viai
aut apud aurificem, ad matrem, cognatam, ad amicam,

¹⁰⁹² tibi que Iun. sibi que *cdd.*

¹⁰⁹⁴ quam *cdd.* quom M quo *vel* qui Mr.

¹⁰⁹⁵ *fortasse* euplocamu (= εὐπλοκάμου) *vel* ἐν πλόκιον

¹⁰⁹⁶⁻⁷ causam *e. g. s.* Lips con(m)mentavi aut (ut
Escorial. 1, Par. 7667) apud *cdd.*

BOOK XXX

1092

Lucilius thanks his friend :

Nonius : ‘ Simitu,’ the same as ‘ simul ’ . . . —

Thanks to both, to them ^a and to you also.

Sat. V. A lonely wife and her temptations.

1093

Nonius : ‘ Colligere ’ (gather, scoop up), to filch . . . —

“ You rush hither and scoop up the whole lot on the sly.”

1094

Nonius : ‘ Nugator ’ . . . —

“ which you don’t want me to recognise just now, you driveller.” ^b

1095

Wife’s excuses to go out :

Nonius : ‘ Discerniculum,’ a pin which parts women’s hair in front of the forehead . . . —

for the fingers of the woman with lovely tresses,^c and a parting-pin for her hair.

1096–7

Nonius : ‘ Apud,’ to . . . —

or when she has thought over a journey somewhere and an excuse for the outing, say for a visit to the goldsmith’s, to her mother, a kinswoman, or a woman-friend,

^a Probably the friends mentioned in fr. 1065.

^b quam seems to be right (Housman, *C.Q.*, I, 57). Cp. also Süss, *H.*, LXII, 344.

^c Nonius gives a complete line but not a complete sense. *Euplocamo* is probably dative; but doubtless it would be too harsh to take it with *capillo* (‘ for a head of hair with lovely tresses ’). I suggest *euplocamu* (εὐπλοκάμου), genitive.

LUCILIUS

1098

Nonius, 523, 8: 'Operari' est deos religiose et cum summa veneratione sacrificiis litare vel convivari . . . —

aut operatum aliquo in celebri cum aequalibus fano.

1099

Nonius, 287, 24: 'Dicare,' tradere . . . —

iuratam se uni cui sit data deque dicata . . .

1100

Nonius, 408, 6: 'Trepidare,' metuere . . . —

"Sed quid ego haec animo trepidantei dicta profundo?"

1101

Nonius, 350, 16: 'Metiri' est transmeare . . . —

Vir mare metitur magnum et se fluctibus tradit.

1102-3

Nonius, 297, 29: 'Eferre,' erigere, levare . . . —

Continuo, simul ac paulo vehementius aura inflarit, fluctus erexerit extuleritque,

¹⁰⁹⁸ operatum L operata Gulielmus *fortasse recte*
operat aliquo *cdd.*

¹⁰⁹⁹ deque Carrio adaequae *cdd.*

¹¹⁰⁰ trepidante *cdd.* trepidanti *Harl. 2*

^a *deque dicata* is a tmesis of *dedicataque*.

^b That this and other fragments give us Ulysses as a Cynic-Stoic hero (see Fiske, 154) I cannot believe; the frs. remind one of the temptation of a wife during her husband's

BOOK XXX

1098

Nonius : ' Operari ' means to bring good offering to or to feast the gods with awe and with the deepest veneration . . . —

or in order to serve the gods in sacrifices with her equals in some oft crowded sanctuary.

1099

The husband goes away. Farewells :

Nonius : ' Dicare ' (dedicate, set apart, bespeak), to hand over . . . —

she swore that to the one and only man to whom she was given and bespoken . . .^a

1100

Fears :

Nonius : ' Trepidare,' to be afraid . . . —

" But why do I pour forth such words as these with a fearful mind ? "

1101

The husband journeys by sea :

Nonius : ' Metiri ' (measure, travel across) means to pass across . . . —

Her husband travels over the mighty main and entrusts himself to the billows.^b

1102-3

Behaviour of the wife ; her anxieties ? :

Nonius : ' Efferre,' to raise up, to lift up . . . —

At once, so soon as the breeze blows up a little stronger, and lifts aloft and brings high the billows,

absence as given in Herondas, I; or perhaps Lucilius adapts the story of Diomedes' faithless wife Aegialea (see after fr. 1109-10).

LUCILIUS

1104

Nonius, 272, 17: 'Caedere,' commiscere . . . —
Lana, opus omne perit; pallor tiniae omnia caedunt.
Cp. Non., 462, 25.

1105

Nonius, 283, 16: 'Ducere,' existimare, iudicare . . . —
Non datur; admittit nemo; nec vivere ducunt.

1106

Nonius, 278, 4: 'Delenitus,' delectatus . . . —
Praeservit, labra delingit, delenit amore.

1107

Nonius, 350, 22: 'Manicae,' quibus manus vinciuntur
. . . —
Sic laqueis manicis pedicis mens inretita est.

1108

Nonius, 330, 3: 'Inmittere,' demittere ad prolixitatem
. . . —
"neque barbam inmiseris istam."

1109-10

Nonius, 274, 9: 'Curatum,' cum dilectu apparatus . . . —
et circumvolitant ficedulae . . . turdi
curati cocti.

¹¹⁰⁶ delingit T delicit et Quich. delicit *cdl.*
¹¹⁰⁹⁻¹⁰ *vide* p. 360.

BOOK XXX

1104

She neglects her tasks :

Nonius : 'Caedere' (cut, cut up), to make confusion of
. . . —

Her wool, all her work goes to ruin; mustiness
and clothes-moths make rags of everything.

1105

The house is shut up :

Nonius : 'Ducere,' to believe, to judge . . . —

No admittance; no one lets them in; and they
do not take her to be alive.

1106

Return of the husband. Greetings of the wife :

Nonius : 'Delenitus' (softened down, soothed), delighted
. . . —

She plays the slave to him, she licks his lips, she
soothes him with love.

1107

Nonius : 'Manicae,' bonds with which the hands (manus)
are fastened . . . —

Thus was his mind tangled in snares, handcuffs,
foot-shackles (of love).

1108

Nonius : 'Inmittere,' to let down to a great length . . . —

"and do not let that beard grow long."^a

1109-10

Home-coming feast :

Nonius : 'Curatum,' furnished with choiceness . . . —

and there went fluttering round (*on dishes*) fig-
peckers and thrushes, dressed and done to a turn.

^a of a Stoic philosopher thinks Fiske, 157.

LUCILIUS

Servius auctus, ad *Aen.*, VIII, 9: Diomedes postquam repperit ira Veneris a se vulneratae revertens de Troia uxorem apud Argos cum Cyllarabo ut Lucilius vel Cometa ut plerique tradunt turpiter vivere noluit reverti ad patriam.

Sat. VI.?

1111-2

Nonius, 341, 4: 'Lassum' dicitur fatigatum . . . —
leonem

aegrotum et lassum

1113-4

Nonius, 125, 27: 'Inluvies,' sordes . . . —
inluvies scabies oculos huic deque petigo
conscendere.

Cp. Non., 160, 19.

1115

Nonius, 160, 21: 'Porrigo,' morbi genus . . . —
tristem et corruptum scabie et porriginis plenum.

1116-7

Nonius, 289, 14: 'Deductum,' deminutum, suppressum
. . . —

Deducta tunc voce leo "cur tu ipsa venire
non vis huc?"

¹¹⁰⁹⁻¹⁰ ficetulae turdi *cdd.* ficedulae et undique Munro
ficedula turdi L *prob.* M ficellae Mr. curati cocti
Stowasser, *W. St.*, V, 256 curati os cocti M curatis
coci *cdd.* fortasse recte (*prob.* Linds. *sed in septenar.* curati
cocis Mr. *qui ut septenar. trib. lib. XXX*)

¹¹¹³ deque petigo Fruter. denique spei *cdd.* 125
deinque *coni.* lun. denique petigo *cdd.* 160

¹¹¹⁶ tritum Mr.

BOOK XXX

The following perhaps comes here as a contrast or an illustration :

Servius (supplemented): When Diomedes, on returning home from Troy found that, because Venus was angry at being wounded by him, his wife was living a life of shame at Argos with Cyllarabus, according to Lucilius, or with Cometes according to the traditions told by most writers, he no longer wished to return to his fatherland.^a

Sat. VI.?

1111-2

Fable of the fox and the sick lion :^b

Nonius : 'Lassum' is a term used for tired . . . —
a sick and weary lion

1113-4

Nonius : 'Inluvies,' filth . . . —
. . . filth and mange and leprosy^c spread up to his eyes.

1115

Nonius : 'Porrigo,' a certain kind of disease . . . —
moping, decayed with the mange, and full of scurf.

1116-7

Nonius : 'Deductum' (lowered), made small, kept down . . . —

Then the lion with lowered voice : "Why don't you want to come hither by yourself?"

^a No other writer states that Cyllarabes (or Cyllarabus) was one of Aegialea's lovers.

^b A Cynic-stoic topic, which Lucilius must have given at some length.

^c Fruterius' correction *deque petigo* is a tmesis of *depetigoque*.

LUCILIUS

1118

Nonius, 143, 31 : 'Noenum' pro 'non' . . . —

“ Sed tamen hoc dicas quid sit, si noenu molestum est.”

1119-20

Nonius, 303, 16 : 'Ferre,' dirigere, ducere . . . —

“ Quid sibi vult, quare fit ut introvorsus et ad te spectent atque ferant vestigia se omnia prosus? ”

Cp. Non., 402, 7 ; Porphy., ad Hor., *Epist.*, I, 1, 74.

1121

Nonius, 275, 1 : 'Concelebrare,' diffamare, dictum a celebritate . . . —

Multis indu locis sermonibus concelebrarunt

1122

Nonius, 382, 24 : 'Rumpere,' defetigare . . . —

quae quondam populo risu res pectora rumpit.

1123

Nonius, 462, 26 : 'Bonus' et fortis et pius dici potest . . . —

Calvus Palantino quidam vir non bonus bello,

¹¹¹⁸ quid sit Santen. quid rest L quid esti Lu. 1
quid est si *Flor.* 3, *G.* noenu Iun. noenum *cdd. prob.*
Stowasser

¹¹¹⁹ et ad te Iun. ut ad te *cdd.* 303 aetate *cdd.* 402

¹¹²² populo risu res Madvig populis ora aures *olim* Mr.
populi oris aures (*vel* auris) *cdd.*

¹¹²³ Palantino Mercier Palantina Fruter. (-lat-) pal-
lantino *cdd.* non bonus Guietus nobilis bonus *cdd.*

BOOK XXX

1118

Nonius : 'Noenum' for 'non' . . . —

“ Still, tell me what this is if it is no trouble.”

1119–20

Nonius : 'Ferre,' to guide, lead . . . —

“ What does it mean, why does it happen that the tracks look inwards and betake themselves all straight on up to you? ”

1121

A popular joke :

Nonius : 'Concelebrare,' to spread report of, a term derived from 'celebritas' . . . —

In many places they spread abroad in conversation^a

1122

Nonius : 'Rumpere' (burst), to tire out . . . —

an affair which sometimes makes the folk split their sides with laughter.

1123

Incidents in Spain :

Nonius : 'Bonus' is a term which can be used also of a brave and loyal man . . . —

In the Palantine war,^b some baldpate or other, no good warrior he,

^a This looks like the beginning of a satire.

^b Carried on by M. Aemilius Lepidus, 137 B.C. Cichor., 36, 215. Calvus is perhaps a proper name.

LUCILIUS

1124

Nonius, 285, 5 : ‘Durus,’ nocens . . . —
 et saevo ac duro in bello multo optimus hostis.

Cp. Non., 388, 19.

1125-6

Nonius, 413, 7 : ‘Taetrum’ dicitur inluviosum, factidum
 . . . —

quae non spectandi studio sed ab ominis tactri
 impulsu ingressus,

1127-8

Nonius, 330, 15 : ‘Induci’ est aliquibus fallaciis decipi
 . . . —

Quid quaerimus? Acri
 inductum cantu stolidum . . .

1129-30

Nonius, 371, 23 : ‘Praestat,’ utile est . . . —

uti pecudem te asinumque ut denique nasci
 praestiterit.

¹¹²⁵ spectans spectandi *cdd.* *seclud.* spectans Gulielmus
 studio sed ab ominis L studiosa abdominis B studio
 sed ābdominis Stowasser studio sed numinis M studiose
 sed hominibus *vel sim. cdd.*

¹¹²⁶ ingressast Mr.

¹¹²⁷ acre *cdd.* Argon Mr.

¹¹²⁸ cantu stolidum Roth cantustōtidum *vel* cantu
 custoditum *cdd.* cantustoditum *Lu. I fortasse* cantu
 consopitum

¹¹²⁹ te Iun. tu *cdd.* tum B denique *Ald.* den-
 tique *cdd.*

BOOK XXX

1124

Viriathus ? :

Nonius : 'Durus,' doing harm . . . —

by far the noblest enemy in a cruel and hard war.

1125-6

Other fragments :

Nonius : 'Taeter' is a term used for dirty, smelly . . . —

which places he having entered not through eagerness to see the sights but by the impulse of a foul omen,

1127-8

Nonius : 'Induci' means to be deceived by some trickery or other . . . —

Why worry further? A blockhead beguiled by a shrill song . . .^a

1129-30

Nonius : 'Praestat' (is better, surpasses), is useful . . . —

that it were better for you to be born a cattle-beast or even an ass.^b

^a Very obscure. There is perhaps an allusion to some catchy or taking tune or to the Sirens' song, with an application to backsliding from true philosophic beliefs.

^b This is from Menander, *Theoporumena*, pp. 358-9 *L.C.L.*, where a man, given a choice of living creatures as one of which he may be reincarnated after death, says he would choose any creature, even an ass, rather than a human being.

LUCILIUS

EX LIBRIS INCERTIS

1131

Festus, 496, 10 : *cum* Paul., 497, 7 : <'Schedi>a genus navigii <inconditum> . . . <Lucili>us quoque poemata *** is perfectis qui essent **** cum dixit—

qui schedium fa<cio.>

Cp. Apuleius, *de deo Socr.* init. (ut ait Lucilius, schedio . . . incondito).

Cp. Petron., 4.

Horatius, *S.*, II, 1, 69–71 :

Atqui
primores populi arripuit populumque tributim,
scilicet uni aequus virtuti atque eius amicis.

Persius, I, 114–5 : Secuit Lucilius urbem
te Lupe, te Muci, et genuinum fregit in illis.

Schol., ad Pers., I, 114 : 'Urbem' . . . adeo dixit 'secuit'
quia tribus omnes XXXV laeceravit ex quibus urbs tota
constat.

1132

Schol. Bob., ad Cic., *pro Planc.*, 254, 15: Tuseulani plurimum
livoris naturaliter etiam circa municipes suos habuisse viden-
tur; sic et M. Cato ille Censorius pro maligno et invidio
habitus est; nec aliter etiam Lucilius de eorundem moribus
sentit hoc dicens—

Prima Papiria Tusculidarum

¹¹³¹ fa<ciam tantum non carmina vera> *coni. M alii*
alia fortasse tribuend. lib. XXX vel XXVI
¹¹³² Tusculidarum Mai Tuscol- Wunder tu stolidarum
L tu solidarum *edd.*

^a Here we have another term used by Lucilius to describe his satires. Cf. Ingersoll, *C.P.*, VII, 59 ff.; Fiske, *T.A.P.*, XL, 123. From the remains of the passage in Festus, it

UNASSIGNED FRAGMENTS

UNASSIGNED FRAGMENTS

1131

Lucilius on his satire :

Festus with Paulus : ' Schedia ' is a kind of rough-made boat. . . . Lucilius also . . . his poems . . . when he said :

I who make ramshackle poetry.^a

Politics. (a) *From a satire attacking the Roman tribes :*

Horace : ' But yet Lucilius picked out the faults of the people tribe by tribe and of their leaders, kind to be sure to virtue alone and to her friends.'^b

Persius : Lucilius lashed the city—yes, you,^c Lupus, and you, Mucius—and broke his jaw upon them.

A scholiast on this passage : Persius spoke of lashing the city simply because Lucilius tore with satire all the thirty-five tribes out of which the whole city is composed.^d

1132

A scholiast on Cicero : The Tusculans seem to have shewn by nature much spite even towards their fellow townsmen. Thus, even the great Marcus Cato the Censor was held to be a man of ill will and envy. Nor again does Lucilius feel otherwise about their manners by saying—

First the tribe Papiria of the Tusculids^e

appears Lucilius contrasted his rough satires with more polished work.

^b Was Horace thinking particularly of the extant passage on virtue addressed to Albinus (lines 1196–1208) ?

^c Lupus in book I, Q. Mucius Scaevola in books II and V.

^d Cf. Bolisani, *Lucil.*, pp. 386 ff.

^e Cichor., 337 has a theory : if Lucilius had followed the official order, then the tribe Romulia would have come first. He probably satirised a definite meeting of the *comitia tributa* voting in tribes by lot ; in this case Papiria voted first as *principium*. *Tusculidarum* is used, for metre's sake, instead of *Tusculanorum*.

LUCILIUS

1133

Festus, 226, 2 : Oufentinae tribus initio causa fuit nomen fluminis Oufens quod est in agro Privernate mare inter et Tarracinam. Lucilius—

Priverno Oufentina venit fluvioque Oufente.

1134

Festus, 258, 27 : Pedarium senatorem significat Lucilius quom ait—

Gai pes vocem mittere coepit.

Cic., *de Or.*, I, 72 : C. Lucilius . . . homo tibi subiratus.

1135

Cic., *de Or.*, II, 253 : ‘ Ambigua ’ sunt in primis acuta, atque in verbo posita, non in re . . . ut illud Africani quod est apud Lucilium—

“ Quid Decius? Nuculam an confixum vis facere? ”
inquit.

1136-7

Porphyrio, ad Hor., *S.*, I, 3, 21 : Hic fertur domo sua, quam ad forum spectantem habuerat, divendita unam columnam

¹¹³⁴ Gai pes L agi pes M acipes (acupes, aquipes)
Mueller (O.) agipes <ut> Mr. agipes *cd.*

^a *pedarii senatores* were those senators who, not having held curule office, could seldom do more than concur with any vote by ‘ walking over.’ The reading of this fragment is not certain; it may be that Lucilius recorded the voting of the individual Romans in a meeting of the senate.

^b *sc.* Aemilianus.

^c The point of the jest is unknown. Praeneste was apparently famous for nuts and Praenestines were nicknamed

UNASSIGNED FRAGMENTS

1133

Festus : The tribe Ufentina was originally so-called because of the river named Ufens which is in the domain of Privernum between the sea and Tarracina. Lucilius—

From Privernum and the river Ufens comes the Ufentine tribe.

1134

(b) *Various citizens mentioned by name.*

Festus : When Lucilius says—

Gaius' foot began to give voice.

he means a 'foot-vote' senator.^a

Q. *Mucius Scaevola* :

Cicero : Gaius Lucilius, a man rather annoyed with you (Scaevola).

1135

P. *Decius*, tribune in 120 B.C. ? :

Cicero : Ambiguous expressions have peculiar point, and are expressed in the word, not in the subject . . . like that famous *mot* of Africanus^b which is to be found in Lucilius—

“What does Decius?” says he. “Do you want rather to make him a Littlenut on a skewer?”

1136-7

Maenius :

Porphyrio : This man (Maenius), it is said, when his house, which he had possessed overlooking the forum, was sold^d piecemeal, excepted one pillar from the sale for himself, from

‘little nuts’ or ‘nutlings’; and in Cicero’s *Philippics* we find an obscure person surnamed Nucula. Perhaps Decius had a quarrel with a Praenestine of small stature. Cf. Marx, *ad* 1280; Cichor., 311-2; Fiske, 102-3.

^d In 184 B.C.—[Ascon.], *ad* Cic., *Div. in Caecil.*, 16, 50. Maenius’ pillar was originally set up in honour of C. Maenius, consul in 338 B.C. His family had the right of watching games from it.

369

UNASSIGNED FRAGMENTS

which he could look at the gladiator-shows; it was from this fact named 'Maenius' Pillar.' Moreover Lucilius mentions it thus—

When Maenius was making for his pillar.

1138-41

Tubulus and others :

Cicero : What shall we say about the sacrilegious, what about the impious and the oath-breakers?—

If ever Lucius Tubulus, if Lupus or Carbo—or Neptune's son,^a

as Lucilius says—

had thought that there are gods, would he have been such an oath-breaker,

or—

a man so foul?

Vettius Philocomus ? :^b

Quintilian : I say nothing of Tuscan and Sabine words, nor of Praenestine ; . . . Lucilius attacks Vettius as one who used words of those dialects.

1142-3

One Decimus Sura ? :

A scholiast on a passage in Persius : This period is to be found in Lucilius—

in 127; see pp. 4 ff.), C. Papirius Carbo (alleged murderer of Scipio; or Marcus an extortioner—Cic., *ad Fam.*, IX, 21, 3), and the Cyclops who scorned the gods (Homer, *Od.*, IX, 273 ff.). Whether the words *putasset* e. q. s. are likewise from Lucilius is not certain.

^b A friend of Lucilius—Suet., *de Gramm.*, 2. Cp. *Introd.*, xvii. But Vettius was a common name among the Marsi and Vestini. Cichor. suggests Vettius who was a friend of C. Gracchus (Plut., *C. Gr.*, 1).

LUCILIUS

Sit me scire volo Decimus mihi conscius Sura
ne damnum faciam.

Scire hoc se nescit nisi alios id scire scierit.

1144

Festus, 574, 16: 'Vindiciae' appellantur res eae de quibus
controversia est. . . . Lucilius—

Nemo hic vindicias neque sacramenta veretur.

1145-51

Lactant., *Div. Institut.*, V, 9, 20: Lucilius tenebrosam istam
vitam circumscripse breviterque depinxit his versibus—

Nunc vero a mani ad noctem festo atque profesto
totus item pariterque die populusque patresque
iactare indu foro se omnes, decedere nusquam;
uni se atque eidem studio omnes dedere et arti—
verba dare ut caute possint, pugnare dolose,
blanditia certare, bonum simulare virum se,
insidias facere ut si hostes sint omnibus omnes.

1152

Charisius, ap. *G.L.*, I, 71, 27 K: Forum 'neutro genere
dicimus locum rebus agendis destinatum. Lucilius—

cum illi fora † irant †

¹¹⁴² sit me H, *C.Q.*, I, 158-9 VI me B moechum Mr.
ut me *edd.* (ut mecum *Monac.*) Decimus mihi H *l.c.* dum
mimi M dicemus Mr. dici mihi Buecheler mimi
vel dicimus mimi *edd.* Sura H si sum Buecheler
sumum M sum mi; at Mr. sum *edd.* scire hoc
se nescit *fortasse Lucilio tribuenda* (M)

¹¹⁴⁴ sacramenta Huschke sacra omenve Mr. sacra*
(*sign. hiat.?*) veretur *Polit.* sacra etiam *Par. sched.*
s. et *Vat. Lat.* 1549, 27, 31 sacra . . . en *vel* sacra
neque numen veretur *rell.* sacra veretur M *trib. lib. I B*

¹¹⁵² mirant L tunc illi fora erant D (I.) transierant
coni. M cum illic Mr. cum illi fora irant *Neapolit.*
erat *cd. Colon. Dousae*

UNASSIGNED FRAGMENTS

I want Decimus Sura to know with me that I know, lest I be a loser.^a

He does not know that he knows this unless he knows that others know it.

1144

(c) *Degeneration of political life* :

Festus : 'Vindiciae' is a name given to those things about which there is a controversy. . . . Lucilius—

No one here has respect for legal claims or for sums deposited.^b

1145-51

Bustle of the fora :

Lactantius : Lucilius portrayed that dark way of life summarily and shortly in the following lines—

But, as it is, from morning till night, on holiday and workday, the whole commons and the senators too, all alike go bustling about in the Forum and nowhere leave it; all give themselves over to one and the same interest and artifices—those of being able to swindle with impunity,^c to fight cunningly, to strive, using soft words as weapons,^d to act the 'fine fellow,' to lie in wait, as though all men were enemies of all men.

1152

Charisius : 'Forum' in the neuter gender is a term we use for a place destined for conducting business. Lucilius—
when they . . . the fora.

^a In the absence of any better reading and interpretation I have followed Housman, *C.Q.*, I, 158.

^b *i.e.* with the *tresviri capitales* by the parties in a suit; the loser forfeited his deposit. On this and *vindiciae*, see below, *Laws of the Twelve Tables*, pp. 432, 438, 508-9.

^c 'within the letter of the law.' 'if it's safe.'

^d or, 'to vie with each other in flattery.'

LUCILIUS

1153

Charis., ap. *G.L.*, I, 217, 25 K: 'Satis' diverse accipitur;
ἀντὶ τοῦ 'par' Lucilius Saturarum ***—

cui si coniuret populus vix totus satis sit.

1154

Schol., ad Iuv., X, 66 (Duc in Capitolia magnum cretat-
tumque bovem . . .): Candidum, ut Lucilius—

cretatumque bovem duc ad Capitolia magna.

1155–6

Porphyrio ad Hor., *S.* I, 6, 117: 'Echinum' Lucilius sic
dixit quasi scortea ampulla sit ut cum ait—

echinus

cinnabari infectus.

1157

Paulus, ex Fest., 500, 24: 'Sicyonia,' genus calciamenti.
Lucilius—

et pedibus laeva Sicyonia demit honesta.

¹¹⁵³ fortasse saturarum XI (vel XII vel XVI) trib. lib. I
D (F.)

¹¹⁵⁴ due Mr. duci Pithoeus ducit cdd. fortasse
magnum

¹¹⁵⁶ cinnabari S chinnaba Mon. chimabam P in-
fectus S infectas cdd. fortasse scrips. Luc. ἐχίνους vel
echinus cinnabari infectos

^a This is after Charisius' own explanation; the man is so powerful that not all the people acting together could be equal to resisting him: there is an allusion probably to the political clubs which were important in the first century at

UNASSIGNED FRAGMENTS

1153

Charisius: 'Satis' is taken in different ways. Lucilius has it in place of 'par' in . . . of the *Satires* * * *—

for whom, should he go plotting, the whole people would hardly be a match.^a

1154

Public rejoicing:

A scholiast on 'Lead a mighty chalked bull to the Capitol' in Juvenal: 'Cretatum,' white, as for example Lucilius—

and lead a chalked bull to the mighty Capitol.^b

1155-6

Roman manners. Luxury of women:

Porphyrio: Lucilius used the term 'echinus' as though it were a leathern bottle, for example when he says—

a toilet-flask stained with dragon's-blood.^c

1157

Paulus: 'Sicyonia,' a certain kind of footwear. Lucilius—
and with her left hand she takes the fine^d
Sicyonian shoes off her feet.

any rate. I would suggest that *cui* caused the number of the book to drop out. It may have been XVI or XII, but the quotation suggests an anecdote in book XI.

^b This was done on occasions of public rejoicing.

^c So I take *cinnabari* in the meaning of oriental dragon's-blood (obtained from a species of *Dracaena* growing in Socotra and Somaliland) which was used as a medicine, as a dye, and as a paint. But the staining of the flask might be due to its containing either this or the mineral red-lead or vermilion (also called *cinnabari*).

^d cp. Lucret., IV, 1125 (*pulchra in pedibus Sicyonia*); but here perhaps it is her hand that is fine or pretty.

LUCILIUS

1158

Donatus, ad Ter., *Andr.*, IV, 2, 16: 'Stetisse' . . .
Lucilius—

Stat sentibus fundus.

1159

Iulius Capitolinus, *vita Pertinacis*, 9, 4: Avaritiae suspicione privatus non caruit, cum apud vada Sabatia oppressis fenore possessoribus latius suos tenderet fines; denique ex versu Luciliano—

agrarius mergus

est appellatus.

1160

Charisius, ap. *G.L.*, I, 211, 27 K: 'Plure.' . . . Lucilius—
Plure foras vendunt quod † pro minore emptum †
antique.

Cp. Charis., ap. I, 109, 10.

1161

Festus, 342, 17: <Quin>tanam classem. . . . <Lu>-
cilius sic meminit—

quod ∪ ∪ - <classem quintanam> - ∪ adeptus,

¹¹⁵⁹ agrarius *edd. rett.* aerarius Saumaise grarius *cdd.*
¹¹⁶⁰ proinde minore erat emptum M pro re est forte
minore | emptum L minore coemptum *in fine v. pon.*
Lindemann quod pro minore emptum *cd.* 211 *om. cd.*
109 *in pro latet fortasse pretio*
¹¹⁶¹ *suppl. W*

^a Nonius, 392, 2 gives from bk. V of Lucilius—*interea stat sentibus pectus* (fr. 239, ep. Gell., VIII, 5), so that *fundus* may be wrong here; if so, this is the same as fr. 239; if

UNASSIGNED FRAGMENTS

1158

A neglected estate :

Donatus : ' Stetisse ' . . . Lucilius—

The farm stands massed with thornbushes.^a

1159

A grasping landlord :

Iulius Capitolinus : Pertinax as a private citizen was not unsuspected of being miserly, when, his tenants being hard pressed by accumulated interest on debts, he pushed forward his boundaries along the waters of the lake of Sabate. In fact he was dubbed—

a diving-bird ^b of the fields

from a line of Lucilius.

1160

Business :

Charisius : ' Plure ' . . . Lucilius—

They go and sell out of doors at a greater price that which they bought at a lesser . . .

said in archaic fashion.

1161

Political rank :

Festus : ' Quintana classis ' . . . Lucilius mentions it in these words—

because having attained the fifth-rate rank,^c

not, then we could include it in book XXX, as part of the satire about the lonely wife (pp. 355 ff.). Compare Caecilius, *Remains*, I, 540; and Virgil, *Aen.*, XII, 407-8 (*pulvere caelum stare*).

^b probably a cormorant.

^c Cichor., 17-18. Originally the fifth was the lowest rank of those citizens who paid imposts.

LUCILIUS

1162

Varro, *L.L.*, V, 44: 'Velabrum' a vehendo. Velaturam facere etiam nunc dicuntur qui id mercede faciunt. Merces huic vecturae, qui ratibus transibant, quadrans. Ab eo Lucilius scripsit—

quadrantis ratiti.

Cp. Fest., 376, 16: Paul., ex F., 377, 4.

1163-4

Isidorus, *Orig.*, XIX, 4, 10: 'Catapirates' linea cum massa plumbea qua maris altitudo temptatur. Lucilius—

Hunc catapiratem puer eodem devoret unctum plumbi pauxillum rodus linique metaxam.

Cp. Fest., 356, 13.

1165

Paulus, ex Fest., 49, 19: 'Depuvire,' caedere. Lucilius—
palmisque misellam depuviit me;
id est verberavit me.

1166-7

Donatus, ad Ter., *Eun.*, IV, 4, 20: Vere pulchra est cuius forma nec odium nec convicium commeruit. Lucilius—

et Hymnidis ac si
ex facie florem delegeris.

¹¹⁶³ devoret Gaueker, Linds., *C.Q.V.*, 97 deferat *Areval.* deforet *Guelf. Sangerm. m.* 2 defore *m.* 1 *trib. lib. III* Varges devorat u. *op. musiv. Mus. Tun.*; v. p. 421

¹¹⁶⁶ et Hymnidis ac si W at Hymnidis *editt.* in satyrarum I Hymnidis Mr. *sec. cd. Lindenbrogii* (in satyra athymnidis) athymnidi V athyonidi, atimidi, atinididi *al.* satin C satri T sacri *rell.* (Hymnidis acri M)

UNASSIGNED FRAGMENTS

1162

Ferry-toll :

Varro : 'Velabrum' is derived from 'vehere.' Those who practise this (*i.e.* transport-service) for a fee are even now said to practise 'velatura.' The fee for this conveyance, in the case of those who habitually used a ferry-service of rafts, was a threepenny piece. From this comes the passage in Lucilius—

of a raft-stamped ^a threepenny piece.

1163-4

Slaves :

Isidore : 'Catapirates,' a line having a lump of lead with which the depth of the sea is tested. Lucilius—

Let the slave-boy swallow down this sounding-line greased with that same syrup—even a little lump of lead and a spun rope of flax.^b

1165

Paulus : 'Depuvire,' to beat. Lucilius—

and pounded poor little me with open hands ;
that is, 'flogged me.'

1166-7

Hymnis :^c

Donatus : A truly beautiful woman is one whose figure has earned neither loathing nor reproach. Lucilius—

as if too you shall have picked from Hymnis' face
its bloom.

^a in fact this stamp was that of the head of a trireme.

^b This is the interpretation of Lindsay, *C.Q.*, V, 97, based on Gauckler's reading *devoret*. The second verse neatly describes the sounding-line. 'Metaxa' could not mean raw silk at so early a date, unless we take it for the false Coan 'silk.'

^c apparently Lucilius' mistress—see p. 287.

LUCILIUS

1168

Sergius, ap. *G.L.*, IV, 564, 14 K: Per praepositiones sic fiunt soloecismi cum alia pro alia aut supervacua ponitur aut necessaria subtrahitur, ut apud Lucilium—

Hymnis cantando quae me adseruisse ait ad se,
pro ' apud se.'

1169

Varro, *L.L.*, VII, 94: Apud Lucilium—

atque aliquas ibi si ab rebus clepsere foro qui,
' clepsere ' dixit unde etiam alii clepere, id est corripere.

1170-1

Gellius, III, 14, 8-9: ' Dimidium ' . . . est non quod ipsum dimidiatum est, sed quae ex dimidiato pars altera est . . . Lucilius—

Quidni? Et scruta quidem ut vendat scrutarius laudat praefractam strigilem soleam improbus dimidiatam.

Cp. Charis., ap. *G.L.* I, 126, 4 (strigilim).

1172-3

Festus, 346, 28: ' Quartarios ' appellabant antiqui muliones mercenarios quod quartam partem quaestus capiebant. Lucilius—

Porro homines nequam malus ut quartarius cippus collisere omnes.

¹¹⁶⁹ aliquas ibi si ab rebus W aliquot sibi si Kent
aliquo sibi *coni.* Goetz-Schoell, *ed. Varr.* (sibus *adiectiv.*)
aliquo se illi . . . foroque Spengel ibus S ibi si abreptos
M aliquos ibi ab rebus clepsere foro qui *edd.*

¹¹⁷³ collisere S collegere *edd.* colligere *ed.*

UNASSIGNED FRAGMENTS

1168

Sergius: Solecisms in prepositions come about in this way: when one is put instead of another; or is put redundantly; or is omitted, though necessary; for example in Lucilius—

Hymnis, who says that by chanting she claimed me to herself as a slave,

‘ad se’ instead of ‘apud se.’

1169

Villainy and vice. Various ill-doers:

Varro: In a passage of Lucilius—

and if any persons have stolen any articles from the stores there in the market,

the poet used ‘clepsere’ deriving it from the same source as others do in using ‘clepere’ which means ‘to grab.’

1170-1

Gellius: ‘Dimidium’ is not that which has been itself halved, but that which is either part of what has been halved. . . . Lucilius—

Why not? Besides, the lumber-man cries up his old lumber that he may sell it—a scraper broken off short, a halved sandal, the rascal!

1172-3

Festus: The archaic writers used to employ the term ‘quartarii’ for hired muleteers because they used to take a fourth part of any profit made. Lucilius—

And more than this the knavish fellows, like a villainous fourth-parter muleteer, knocked against all the gravestones.^a

^a The allusion, it seems, is to careless driving of loaded pack-animals or carts along a road lined with gravestones.

LUCILIUS

1174

Iul. Rufinianus, ap. *R.L.*, 62, 16 H: 'Antiphrasis' est figura sententiae cum quaedam negamus nos dicere et tamen dicimus; ut apud Lucilium—

Non tango quod avarus homo est, quodque improbus mitto.

1175

Varro, *L.L.*, VII, 32: Dicta . . . apud veteres 'una canes.' . . . Lucilius—

Nequam et magnus homo laniorum immanis canes ut.

1176

Donatus, ad Ter., *Andr.*, I, 2, 12: 'Carnifex' aut excarnificans dominum, aut ipse dignus carnifice, ut caro fiat, id est lanietur. Lucilius—

carcer vix carcere dignus.

Cp. id., ad Ter., *Adelph.* III, 2, 12; *Eun.*, III, 2, 19; IV, 3, 3; *Phorm.*, II, 3, 26.

1177

Donatus, ad Ter., *Adelph.*, II, 1, 22: 'Ex tuis virtutibus.' Sic veteres per ironiam virtutes pro flagitiis dicebant. Lucilius—

animo ac virtutibus

Cic., *ad Att.*, XVI, 11, 1: Perstringam sine ulla contumelia Siccac aut Septimiae, tantum ut sciant *παῖδες παίδων* sine vallo Luciliano eum ex C. Fadi filia liberos habuisse.

¹¹⁷⁴ *trib. lib. I* Becker, *II L* homo est quodque R. Stephanus modo est neque quod *cdl.* mitto D (F.) omitto *cdl.*

¹¹⁷⁶ *sic Donat. ad Eun. III, 2, 19; IV, 3, 3; Adelph., III, 2, 12; Phorm., II, 3, 26; ad Andr., I, 2, 12*: carcer eis vix A carcere vix *CT* cris vix M *fortasse* carcer et is W

¹¹⁷⁷ *Cic.: φάλλω* Gurlitt, *Philol.*, LVII, 403 *sqq.* *alii alia fortasse exitus senar. vel septenar.*

^a Lucilius mocks at what is an oratorical device.

^b The context was ironical, as Donatus shows.

UNASSIGNED FRAGMENTS

1174

Iulius Rufinianus: 'Antiphrasis' is a figure of uttered thought, when we deny that we are saying certain things but nevertheless say them; for example in Lucilius—

That he is stingy,—I won't touch upon that;
and that he is a villain,—I pass it over.^a

1175

Varro: The archaic writers used 'canes' as a nominative singular feminine . . . Lucilius—

A big rascal of a man, like an awful butchers' dog.

1176

Donatus, on 'carnifex' in Terence: Tearing the flesh off his master, or himself worthy of a 'carnifex' so as to become mere 'caro,' flesh; that is, be torn to rags. Lucilius writes (using 'carcer' in two senses)—

a jailbird hardly worthy of a jail.

1177

Donatus, on 'because of your brave deeds' in Terence: Thus the old writers in irony used to speak of deeds of virtue for deeds of shame. Lucilius—

with spirit and deeds of virtue^b

Wanton ways; and the like:

Cicero: Without any insulting word for Sicca or Septimia I will lightly touch on it (*sc.* Antony's lust), and no more than enough to let the childrens' children know without what-you-may-call-it—(the Lucilian word) that he (Antony) has begotten children out of the daughter of Gaius Fadius.^c

^c It is not known who Sicca and Septimia were, but the latter was perhaps the daughter of the freedman C. Fadius. By *vallo* (φαλλῶ?,) *Luciliano* Cicero meant perhaps simply 'Lucilian licence'; it does not matter whether we read *vallo* (stake—cp. *palus* in Hor., *S.*, I, 8, 5) or *φαλλῶ*. Some think *vallo* = 'barrier,' 'guardedness.' By *παῖδες παίδων* Cicero means the Romans, descendants of Aeneas (Homer, *Il.*, XX, 308-9).

UNASSIGNED FRAGMENTS

1178

Servius (supplemented) on 'ancient Pyrgi' in Virgil: Lucilius—

whores of Pyrgi.

1179

Paulus: When Lucilius has used the word 'noctipuga' he means something which is obscene—

the midwife ^a the nightly-poked slut

1180

Porphyrio on 'Cups born for jollity to use' in Horace: 'Natis' instead of 'made,' as we find in Lucilius—

"It is the rump, my dear Hortensius, that provides physical jerks ^b born for that purpose."

1181

Donatus, on 'This fellow will do some doughty deeds' in Terence: 'Pugnam' instead of 'stuprum' (defilement) . . . for example Lucilius—

"Allies, we have won! We have fought a doughty fight!" ^c

1182

Paulus: 'Bubinare' means to defile with the blood from women's monthly flow. Lucilius says—

She stains you, but on the other hand he soils you.^d

'Inbulbitare' means to defile with a boy's dung.

^a *medica* is rightly added from Festus, 184, 8; we might also add *obscaena* or *obscaenam* from the same imperfect passage. Festus never adds the relevant book, so Lachmann rightly decides that in Festus lib. II is corrupt.

^b or, 'a wrestling school.'

^c Perhaps a line or an adaptation from Ennius.

^d cf. Marx, *ad* 1186.

LUCILIUS

1183

Porphyrio, ad Hor., *S.*, I, 6, 22: 'Quoniam in propria non pelle quiessem' . . . Hoc scilicet inde sumptum est quod veteres in pellibus dormirent; cuius rei et Lucilius testis est cum dicit—

Perminxi lectum, inposui † pedem † pellibus labes.

1184

Festus, 486, 28: 'Squarrosos' <ab eadem squamarum> . . . similitudine ait dic<tos quorum cutis exsur>gat ob adsiduam inlu<viem. Lucilius—

baro>num ac rupicum squarr<osa incondita>rostra.

Cp. Paul., ex F., 487, 7.

1185-6

Nonius, 214, 2: 'Mendum.' . . . feminino Lucilius—

Nam in quibus mendae
omnibus in rebus fiunt fierique potissunt,

1187

Macrobius, ap. *G.L.*, V, 618, 14 K: Apud Latinos imperativus nascitur ab infinito abiecta ultima . . . 'ades' et 'prodes.' Lucilius—

Prodes amicis.

¹¹⁸³ lectum perminxi D (I.) permixi Holder per mihi lectum *cdd.* pede Petschenig imposuique pudendam D (I.) pellibus labes Holder *prob.* M labem D (I.) pedem pellibus habreis Sto., *W. St.*, XXVII, 215 pedem pellibus habes *cdd.* *trib. lib. III* Francken

¹¹⁸⁴ *suppl. ex Paul.*

¹¹⁸⁵ in *sectul.* Mr. ut D (I.) inquitimus L

¹¹⁸⁶ fierique *cdd.* fierive Mr. (*recte?*)

UNASSIGNED FRAGMENTS

1183

Porphyrion, on 'Since I did not rest upon my own skin' in Horace: . . . Of course this phrase is chosen on the ground that the ancients used to sleep on skins. Of this fact Lucilius is a witness when he says—

I wetted all the bed and made messes on the skins.^a

1184

Festus: He says 'suarrosi' is a term . . . used for those whose skin stands out from constant uncleanness, derived from the same resemblance to scales. Lucilius—

scurfy uncouth mugs ^b of blockheads and clowns.

1185-6

Life in general. Faults:

Nonius: 'Mendum' . . . in the feminine Lucilius—

For in the case of all those people where faults are or can be found in their lives.^c

1187

Friendship:

Macrobius: Among the Latins the imperative takes its rise from the infinitive, the last syllable being dropped away . . . 'ades' and 'prodes.' Lucilius—

Help your friends.

^a For *pedem* read *pede* = *membro virili*? It has been thought that here we have the origin of Horace's '*tum immundo somnia visu nocturnam vestem maculant ventremque supinum*' (*Sat.*, I, 5, 84-5); if so then this fr. probably belongs to the satire on Lucilius' journey (book III). But Marx thinks that Lucilius gives an example of over-drinking (cp. Hor., *S.*, I, 3, 90 *comminxit lectum potus.*) In the passage here cited by Porphyrio, Horace may really mean 'since I did not rest content in my own condition' (*pellis* my own skin).

^b *rostrum*, soldiers' slang for face; cp. Spanish *rostro*, face.

^c Marx completes the sense:—there one can generally find some means of correction.

LUCILIUS

1188

Nonius, 449, 19: 'Interfici' et 'occidi' et inanimalia posse veteres vehementi auctoritate posuerunt. . . . Lucilius—

Intereunt labuntur eunt rursus omnia vorsum.

1189-90

Porphyrio, ad Hor., *S.*, I, 3, 124: Porro autem Stoici existimant perfectae sapientiae virum omnia habere; in quo sensu et Lucilius versatus sic ait—

Nondum etiam <qui> haec omnia habebit,
formosus dives liber rex solus feretur.

Qui tamen poeta non simpliciter hoc sed per derisum Stoicorum dicit.

1191

Interpres Veron., ad *Aen.*, IX, 373: 'Sub' pro 'parum' ponitur. Lucil.—

Facti subpudet † ut di †

1192

Varro, *L.L.*, VII, 30: Apud Lucilium—

Quid tibi ego ambages † ambui † scribere coner?

profectum a verbo 'ambe' quod inest in 'ambitu' et 'ambitioso.'

¹¹⁸⁸ eunt rursus D (I.) e. vestra Linds. euntur *cdd.*

¹¹⁸⁹ <qui> L <hic> M etiam haec *cdd.*

¹¹⁹⁰ feretur Mr. vocetur *cdd. rett.* ut extet qui tamen
M testeturque tamen *cdd.* (testatur *Par.*) *trib. lib.*
XV M

¹¹⁹¹ ut dico *coni.* M tu di *post* subpudet *leg.* Mai errore
ut videtur.

¹¹⁹² ambui, ambui *cdd.* Ambivi *editt.* amborum *coni.*
M *sed natum esse ex* ambages *videtur.*

UNASSIGNED FRAGMENTS

1188

Bad times :

Nonius : The old writers have established with strong authority that 'interfici' and 'occidi' can be used even of lifeless things. . . . Lucilius—

Meanwhile everything goes to ruin and goes slipping back again.

1189-90

Stoic ideas :

Porphyrion : But further the Stoics believe that a man of perfect wisdom has all things. Lucilius also, dealing with the same idea, speaks as follows—

But not even he who has all this will alone be called a handsome fellow, a rich one, a gentleman, a king amongst us.^a

But that poet does not state this without a purpose, but in derision of the Stoics.

1191

Repentance :

A commentator, on Virgil : 'Sub' is put for 'parum.' Lucilius—

He feels rather ashamed for what he did . . .

1192

Disgust of Lucilius :

Varro : In a passage of Lucilius—

Why should I try to write you roundabout ramblings?

'ambages' comes from the word 'ambe,' which is contained in 'ambitus' and 'ambitiosus.'

^a Plut., *de adul. et am.*, 16, 58 E εἶτα τῶν μὲν Στωικῶν οὐδὲ ἀκούειν ἔτιοι ὑπομένουσι τὸν σοφὸν ὁμοῦ πλούσιον καλὸν εὐγενῆ βασιλέα προσαγορεύοντων.

LUCILIUS

1193

Festus, 164, 11 (cp. Paul., 165, 3):—

Nequam aurum est; auris quovis vehementius
ambit.

Hoc versu Lucili significari ait Sinius Capito nequam esse aurum quod auris laedat, vel pondere inaurium, cum mollissima pars auris inciditur; vel ex auro intellegi pecuniam, cuius respectu et nimia cupiditate homines ad peccandum adduci.

1194-5

Scholiasta ad Iuv., III, 143: Lucilius—

Aurum atque ambitio specimen virtutis virique est.
Tantum habeas quantum ipse sies tantique habearis.

1196-1208

Lactant., *Div. Instit.*, VI, 5, 2: Quaecunque autem in definitionem virtutis solent dicere, paucis versibus colligit et enarrat Lucilius . . . —

Virtus, Albine, est pretium persolvere verum
quis in versamur quis vivimus rebus potesse;
virtus est homini scire id quod quaeque habeat res;
virtus scire homini rectum utile quid sit honestum,
1200 quae bona quae mala item, quid inutile turpe in-
honestum;

¹¹⁹³ quovis B quodvis M quovis L quod vi
D (F.) nequam est aurum aures quovis S quod vis *edd.*

¹¹⁹⁴ virique Bergk, *Philol.*, XIV, 390 utrimque L
utrumque D (I.) ubique Schurzfleisch utriusque *edd.*
trib. lib. XIX Fiske

¹¹⁹⁵ quantum habeas D (F.) quantum ipse W tan-
tum ipse *edd.*

¹¹⁹⁶⁻¹²⁰⁸ *trib. lib. XVII Corpet XXX Fiske*

UNASSIGNED FRAGMENTS

1193

The value of gold :

Festus :—

Gold is a rascal; it goes the rounds of our ears,^a demanding our votes more earnestly than anything.

Sinnius Capito says that in this line of Lucilius the meaning is that gold is a rascal because it hurts the ears, for example, by weight of ear-rings, when the softest part of the ear is cut into; or it may be that by 'gold' we are to understand 'money' with a view to which, and with undue lust for it, men are led to do wrong.

1194-5

A Scholiast : Lucilius—

Gold and going the rounds for votes are a token of a man and his manliness.^b See that you hold and are held to be worth as much as you represent.

1196-1208

Virtue :

Lactantius : But whatever men are wont to say towards making a definition of virtue Lucilius brings together and tells in a few verses . . . —

Manliness or virtue, my dear Albinus, is being able to pay in full a fair price in our business dealings and in the affairs which life brings us; virtue is knowing what each affair has within it for a man; virtue is knowing what is right and useful and honourable for a man and what things are good and again what are bad, what is shameful, useless,

^a There is a pun on *aurum* and *auris*, *ambit*, 'canvasses.' Notice the assonances in this and the next fr.

^b 'ambitio,' canvassing. Those who read *utrique est* see an allusion to the brothers Postumii (see next fr.)—cf. Marx, and Cichor., 333 ff. The readings of both lines are disputed.

LUCILIUS

virtus quaerendae finem re scire modumque;
 virtus divitiis pretium persolvere posse;
 virtus id dare quod re ipsa debetur honori,
 hostem esse atque inimicum hominum morumque
 malorum

1205 contra defensorem hominum morumque bonorum,
 hos magni facere, his bene velle, his vivere amicum,
 commoda praeterea patriai prima putare,
 deinde parentum, tertia iam postremaque nostra.

Cp. *Div. Instit.*, VI, 6, 7 (v. 1201); 6, 10 (v. 1202); 6, 18 (v. 1207).

1209

Festus, ap. *C.G.L.*, IV, XVIII: 'Pipatio' est clamor
 plorantis acerba voce. Lucilius—

“ Petis pipas? Da.” “ Libet ” <inquit.>

Id est, “ petis clamas? Da.” “ Iuvat,” inquit.

Cp. Paul., ex F., 263, 4 (pipatio clamor plorantis lingua
 Oseorum).

1210

Donatus, ad Ter., *Eun.*, II, 3, 11 ('senium'): 'Senex' ad
 aetatem refertur, 'senium' ad convicium; sic Lucilius—

† aes † ait quidam “ senium atque insulse sophista.”

¹²⁰¹ re L rei *cdd.*

¹²⁰⁷ patriai Burmann patriae *cdd.*

¹²⁰⁹ <quare me insidiis petis> *coni.* M curve palam
 nunc me pētīt pipans *coni.* Sto., *W. St.* XXVII, 224-6 petit
 pipas *cl. cd.*

¹²¹⁰ es ait M ast ait Schoell atqui dei male te Mr.
 aes ait *cl. V* at sait *cl. B* at ait *cl. T* quidam M
 quid iam Schoell quidam (*vel* quidem) the (*vel* te) *cdd.*
trib. lib. XV Mr.

UNASSIGNED FRAGMENTS

dishonourable; virtue is knowing the means and the end of seeking a thing, virtue is being able to pay in full the price from our store; virtue is giving that which in all truth is due to honour, being an enemy and no friend of bad men and manners, and on the other hand being a defender of good men and manners; prizing greatly the latter, wishing them well and being a life-long friend to them; and besides all this, thinking our country's interests to be foremost of all, our parents' next, and then thirdly and lastly our own.^a

1209

Invective :

Festus : ' *Pipatio* ' ^b is the noise of one bewailing in a shrill voice. Lucilius—

“ Do you ask it, do you cheep? Out with it! ”
“ With pleasure, ” said he.

That is, “ do you ask it, do you cry? Out with it. ” “ That suits me ” said he.

1210

Donatus : ' *Senex* ' is used with reference to age, ' *senium* ' with reference to a sneer; thus Lucilius—

Says someone, “ you old dotard, you fool of a quibbler. ”

^a These awkward Latin sentences give the Stoic idea adapted to human needs. Albinus may be Spurius Postumius, consul in 110, or more likely his brother Aulus who was defeated by Jugurtha in the same year. But see Cichor., 350—4.

^b *Pipatio* was an Oscan word (Paul., ex F., 263, 4).

LUCILIUS

1211

Festus, 260, 2 : Piscinae publicae hodieque nomen manet, ipsa non extat; ad quam et natatum et exercitationis alioqui causa veniebat populus; unde Lucilius ait—

pro obtuso ore pugil pisciniensis reses.

1212

Nonius, 231, 36 : ' Utres ' . . . neutri Lucilius—
Andronis flaei teget utria.

1213

Charisius, ap. *G.L.*, I, 85, 6 K : ' Gibber ' . . . ipsum vitium dicitur. . . Lucilius loquitur—

gibbere magno.

1214

Nonius, 43, 11 : Habebatur nomen hoc (*verna*) pro vitabili maledicto. . . Lucilius—

vernam ae cercupithecon.

1215

Varro, *L.L.*, V, 80 : ' Praetor ' dictus qui praeiret iure et exercitu; a quo ait Lucilius—

Ergo praetorum est ante et praeire.

¹²¹¹ piscinensis T (cf. *Dessau 6339 piscinensium*) pisciniensis vel sim. *Fest.* (prob. Souter, *Arch. f. lat. Lex.*, XI, 130-31; *Class. Rev.*, XXXIII, 153) reses <hic est> conī. M

¹²¹² Andronis Mr. <ὄνος> ἀνδρόνομος C 328-333 (*qui trib. lib. XXVI vel XXIX quasi senar.*) andronius *cdl.* teget *cdl.* leget *Scriverius.*

^a This was on the Appian Way outside the Porta Capena. Lucilius seems to compare a battered person with a retired boxer.

UNASSIGNED FRAGMENTS

1211

Festus : There still remains to this very day the name of the 'Public Swimming Pool,' but the pool itself has gone. It was a place to which people used to come to swim and otherwise for the purpose of taking exercise. Hence the words of Lucilius—

to judge from his battered face, a retired boxer, haunter of the Swimming Pool.^a

1212

Nonius : 'Utres' . . . Lucilius has it in the neuter—

It will cover the skin-bags of Andron the flapped.^b

1213

Charisius : 'Gibber' . . . is used of the actual deformity . . . Lucilius says—

with a big hump.

1214

Nonius : This name 'verna' was held to be a jibe which ought to be avoided. . . . Lucilius—

a home-slave and a long-tailed monkey.

1215

War :

Varro : 'Praetor' is a term applied to him who was to 'go before' (prairet) in a court of justice and in an army. Whence Lucilius says—

Therefore it is the duty of leaders to go in front and lead.

^b I accept Müller's correction and refer the fragment to something which will cover someone's large flabby ears, here called *utria*. Cichorius (who tries to restore bits of two senarii) believes that Lucilius here uses the Greek proverb ὄρος 'Ανδρώνιος in mockery of M. Fulvius Flaccus a man of drunken habits (Plut., *C. Gracch.*, 14-15), and that he changed *ossa* to *utria* (Cichor., *Untersuch.*, 328-333).

LUCILIUS

1216

Isidorus, *Orig.*, XVII, 7, 27: 'Suberies' arbor ex qua validissimus cortex natatorius extrahitur . . .

Festus, 416, 16: <'Suberies'> **** ex qua cortex **** Lucilius—

<suberiem>****ti hibernacula — ∪

1217

Paulus, ex Festo, 3, 28:—

<decumana> Albesia scuta

dicebantur quibus Albenses, qui sunt Marsi generis, uti sunt. Haec eadem 'decumana' vocabantur quod essent amplissima, ut 'decumani fluctus.'

1218-9

Festus, 538, 3: suppl. ex Paulo: <'Thomices' Graeco> nomine appellantur <ex cannabi inpolita> et sparto leviter tortae <restes, ex quibus funes> fiunt. Lucilius—

Vidimus <vinctum

thomice . . . can>abina.

1220

Festus, 474, 20: 'Sargus,' piscis genus qui in Aegypto mari fere nascitur. Lucilius—

quem praeclarus helops, quem Aegypto sargus movebit.

¹²¹⁶ fortasse sen. vel. septen. suberiem largam nacti hibernacula ponunt coni. M

¹²¹⁷ trib. Lucil. Mr.

¹²¹⁸⁻⁹ suppl. Ursin.

UNASSIGNED FRAGMENTS

1216

Isidore: 'Suberies' is a tree from which is pulled a very strong cork which can float . . . Festus: 'Suberies' . . . from which cork. . . . Lucilius—

the cork-tree . . . winter-quarters . . .^a

1217

Paulus: The name 'Albesian'—

Albesian shields, number tens

was given to shields which were used by the Albenses, who are a part of the Marsian tribe. They were also called 'decumana' (huge) on the ground that they were very large, as waves were called 'decumani.'^b

1218-9

Festus (with Paulus): 'Thomices' is a Greek name used as a term for ropes lightly twisted out of rough hemp and broom,^c out of which cords are made. Lucilius—

We have seen him bound with hempen string.

1220

Eating and drinking:

Festus: 'Sargus,' a kind of fish which is produced mostly in the Egyptian sea. Lucilius—

whose taste the renowned sword-fish or the sarge from Egypt will move.

^a In view of the abundance of the cork-tree in parts of Spain, Marx may be right in seeing a reference to military service in that region.

^b See above, pp. 186-7. On the attribution to Lucilius, see note on fr. 597. Marx suggests that the shields were gifts from a Marsian client—see book IV, lines 159-60. The Albenses were the people of Alba Fucens or Fucentia.

^c the Spanish 'esparto.' The fragment may deal with the handing over of Mancinus to the Numantines in 136 B.C. (Cichor., 37-9), or with Viriathus. *thomix* = θώμιξ, θώμιγξ.

LUCILIUS

1221

Varro, *L.L.*, VII, 47: Apud Lucilium . . . —
sumere te atque amian.

Piscium nomina sunt eorumque in Graecia origo.
Cp. Paul., ex Fest., 21, 9.

1222-3

Gellius, XX, 8, 4: Cum quaereremus quae alia item senescente luna tabescerent, nonne Lucilium, inquit, nostrum meministis dicere—

Luna alit ostrea et implet echinos, muribus fibras et iecur addit.

1224

Cledonius, ap. *G.L.*, V, 40, 20 K: 'Haec pampinus' Lucilius—

purpureamque uvam facit albam pampinum habere.

1225

Paulus, ex Fest., 103, 1: 'Mantisa' additamentum dicitur lingua Tusca quod ponderi adicitur, sed deterius et quod sine ullo usu est. Lucilius—

mantisa obsonia vincit.

1226-7

Cicero, *de Fin.*, II, 8, 23: Mundos, elegantis, optimis cocis pistoribus piscatu aucupio venatione, his omnibus exquisitis, vitantes cruditatem, quibus—

defusum e pleno *χρυσίζον* . . . vinum,

¹²²¹ fortasse sume rete (*init. septenar.*)

¹²²³ iecur Keller pecu *vel sim. cdd.*

¹²²⁶ *χρυσίζον* Munro, *A.J.P.*, 1879, 219 siet (Orell.)
hir siphoneve Mr. hrysizon (*vel* hysizon, hirsizon) *cdd.*
(hirsyphon *cd. Morel.*) fortasse scripsit Luc. est *χρυσίζον*
(sit *Cic.*)

UNASSIGNED FRAGMENTS

1221

Varro : In a passage of Lucilius . . . —
that you take this and a tunny.

They are the names of fish, and their origin is in Greece.

1222-3

Gellius : When we proceeded to ask what other things besides pined away when the moon is on the wane, do you not remember, said he, that our Lucilius says—

The moon nourishes oysters and fills out sea-urchins and to sea-mice she adds guts and a liver.

1224

Cledonius : Lucilius has ' pampinus ' as a feminine—
and it (*the sun*) causes the pale ^a vine-shoot to have purple grapes.

1225

Festus : ' Mantisā,' a term used in the Tuscan language for something additional which is thrown in as a makeweight, but which is of less worth and of no use at all. Lucilius—

the makeweight overtops ^b the viands.

1226-7

Cicero : Neat and elegant persons enjoying the best chefs, confectioners, bakers, the best products of fishing, fowling and hunting, all these of the very choicest, avoiding over-eating; persons who have—

vin d'or poured out from a full cask,

^a *i.e.* not yet decorated by the ripe colour of grapes. There is no connexion with the foregoing fr.

^b in price or in the opinion of the eaters. cf. Marx *ad* 1208.

LUCILIUS

ut ait Lucilius—

cui nil dum fit vas et sacculus abstulit . . .

adhibentibus ludos et quae sequuntur . . . hos ergo asotos bene quidem vivere aut beate numquam dixerim.

Cp. *Grammat.*, ap. *G.L.*, V, 590, 9 K (vinum cui nihil sacculus abstulit).

1228-9

Diomedes, ap. *G.L.*, I, 365, 9 K: 'Praefoco praefocavi.' Probus quasi novam vocem miratur. . . . Lucilius . . . ait—

et suffocare lagunas

conatur.

1230

Schol. *Vatic.*, ad *Verg.*, *G.*, IV, 376: . . . Lucilius 'mantela' dicit mappas—

mantela merumque.

1231

Nonius, 212, 2: 'Lympha' . . . masculino Lucilius—
impermixtum lymphorem.

1232

Schol. ad *Iuv.*, IX, 5: 'Crustula,' species operis pistorii. Lucilius—

Gustavi crustula solus.

Cp. *Porphyr.*, ad *Hor.*, *S. I.*, 1, 25.

1233

Nonius, 207, 14: 'Guttur . . . masculino. . . . Lucilius—
et ventrem et gutturem eundem.

¹²²⁷ dum fit vas M dempsit nix Lambin. dum situs B
nil dum situs [et] Dziatzko, *Rh. Mus.*, XLIV, 635 dum sit
vis *edd.* abstulit *Gramm. de dub. nom.* abstulerit *Cic.*
trib. lib. XXII B, Mr., Dziatzko (*pentamet.*); *lib. IV D (I.)*;
lib. V M

¹²²⁸ lagunas *Monac. m. 2* lacunas *m. 1, Par. A* laguna
Par. B lacuna M lagoenas *Loewe*

UNASSIGNED FRAGMENTS

as Lucilius says—

wine from which, in the making,^a neither the press nor the straining-cloth has taken anything,

throwing in dramatic plays and all that follows . . .—well, that abandoned men of this sort live a really good or a happy life I would never admit.

1228-9

Diomedes: 'Praefoco, praefocavi.' Probus wonders at this word as though it were a novelty. . . . Lucilius . . . says—

and he tries to stop tight the flagons.^b

1230

A scholiast, on 'mantelia' in Virgil: Lucilius used 'mantela' for 'mappae'—

cloths and neat wine.

1231

Nonius: 'Lympha' . . . in the masculine in Lucilius—unmixed fluid.

1232

(c) *Habits of eating. A parasite:*

A scholiast on Juvenal: 'Crustula,' a species of pastry. Lucilius—

All alone I got a taste of little pastries.

1233

Gluttony?

Nonius: 'Guttur' . . . in the masculine. . . . Lucilius—both belly and gullet the same.

^a The reading is doubtful.

^b or, if *lacuna* is right, 'to stifle in a pool.'

LUCILIUS

1234

Gellius, IV, 16, 6: Lucilius in eodem casu 'victu' et 'anu' dicit, non 'victui' nec 'anui,' in hisce versibus—

quod sumptum atque epulas victu praeponis honesto.

Cp. Non., 501, 23.

1235

Nonius, 219, 30: 'Penus' generis feminini. Lucilius—
Magna penus parvo spatio consumpta peribit.

Cp. Priscian., ap. *G.L.*, II, 170, 18: 261, 1 K.

1236

Servius, ad *Aen.*, I, 726: 'Laquearibus.' Principaliter 'lacus' dicitur; ut Lucilius—

Resultabant aedesque lacusque.

Cp. Isid., *Orig.*, XV, 8, 6: XIX, 12.

1237

Festus, 426, 6: 'Sollo' Osce dicitur id quod nos 'totum' vocamus. Lucilius—

vasa quoque omnino redimit non sollo dupundi;

id est non tota.

¹²³⁴ *trib. lib. IV* D (F.)

¹²³⁶ resultabant L resultantes *edd. vet.* aedesque
lacusque resultant B resultant *edd.*

¹²³⁷ redimit D (F.) dirimit *cd.* *trib. lib. XI* Corpet

^a Gellius goes on to give another example which we know from Nonius to come from book VII (see lines 303-5); this fr. therefore probably belongs to books I-VII.

UNASSIGNED FRAGMENTS

1234

Revelries :

Gellius : Lucilius in this same (dative) case uses the form 'victu' and 'anu,' not 'victui' and 'anui,' in these lines—

because you put spending and feastings before honest living.^a

1235

Nonius : 'Penus' of the feminine gender. Lucilius—

A great foodstore will be gobbled away in a short space of time and will cease to exist.

1236

Servius on 'laquear' in Virgil : The original form used is 'lacus' ; for example Lucilius—

The room, the panels of its ceiling leaped again with the sound.

1237

A poor host :

Festus : In Oscan 'sollo' is a term for what we call whole. Lucilius—

And to be sure ^b he buys up unsound utensils each valued at a two-copper piece ;

'non sollo,' that is, not whole.

^b or, 'He hires . . . valued two *asses* in all.' Or possibly '2 lb. vessels.' But *dirimit* (sets apart) may be right ; Corpet assigned this fr. to the satire describing Scipio's purging of the Roman camp at Numantia—see book XI, frs. 430 ff. ; Marx quotes Plut., *apophth. Scip. Min.*, 16, 201 C τῶν δ' ἀργυρέων ἔκπωμα οὐ μείζον δύο λιτρῶν συνεχώρησε ; cf. also Cichor., 304–5. This gives the *capacity*, or the *weight* of the vessels. Note that *sollus-a-um* (cf. ὅλος, *salvus*, *solidus*, *sollers*) is here indeclinable ; or read *solla*.

LUCILIUS

1238

Porphyrio, ad Hor., *S.*, II, 4, 81 : 'Mappas' antiqui dicebant quae nunc mantelia. Lucilius ait—
et velli mappas.

1239

Festus, 550, 18 : Tappulam legem convivalem ficto nomine conscripsit iocoso carmine Valerius Valentinus cuius meminit Lucilius hoc modo—

Tappulam rident legem concenae opimi.

1240

Porphyrio, ad Hor., *S.* I, 6, 12 : 'contra Laevinum Valeri genus.' Id est Valerius Laevinus . . . periphrasin autem necessario fecit, sicut Lucilius cum dicit—

Valeri sententia dia

quia scilicet nomen hoc quattuor brevium syllabarum est, et ob id non potest in hexametrum versum recipi.

1241

Gellius, II, 24, 3 : Sed post id senatus consultum lex Fannia lata est. . . . Hanc Lucilius poeta legem significat cum dicit—

Fanni centussis misellus.

Cp. Macrob., III, 17, 5.

¹²³⁸ *trib. lib. V* Mr.

¹²³⁹ concenae D (I.) concerae (congerrae) S canterii
coni. M concere Ursin. conterere *vel* committere *vel*
confer, conter *edd.* optimi O. Mueller.

^a Marx takes 'velli' as perfect indicative. But this form is very rare. I take it that there is a reference to attempts to steal napkins at a dinner; cf. Catull. XII, 1-3.

^b Cf. Bruns, *Fontes*, ed. 7, p. 119, and in *C.I.L.*, V, *Suppl. Ital.*, 898 (lex Tappula of Tappo). The fr. of Lucilius is corrupt; cf. Cichor., 341-5.

UNASSIGNED FRAGMENTS

1238

Thieving guests :

Porphyrio : The ancients called ' mappae ' what are now called ' mantelia ' (cloths). Lucilius says—

and that the napkins were grabbed.^a

1239

Laws fictitious and real about eating and drinking :

Festus : Valerius Valentinus composed as a humorous poem under an invented name a Tappulan law about banquets. Lucilius mentions it in this manner—

Fat fellow-feeders laugh at Tappo's ^b law.

1240

Porphyrio, on ' contra Laevinum Valeri genus ' in Horace : That is Valerius Laevinus . . . but the periphrasis he made of necessity, just as Lucilius when he says—

the godly pronouncement of Valerius ^c

for the reason, of course, that this name (*in the nominative*) is of four short syllables and because of that cannot be taken into a hexameter line.

1241

Gellius : But after that decree of the Senate, the Fannian law was passed.^d . . . This is the law meant by Lucilius when he says—

Fannius' wretched little hundred.

^c I accept Cichorius 348 in referring this to the same context as the last fr. But see Fiske, 257, 272. cp. Hor., *S.*, I, 2, 31 . . . *sententia dia Catonis*.

^d in 161 B.C.; it tried to check expense except upon *olus et far et vinum* (cp. Athenae., VI, 274, c-f.). Gellius says it allowed to be spent at the Roman games, and also at the plebeian games and at the Saturnalia and on certain other days, a hundred *as-pieces* by each person for every day and on ten other days in every month a total of three hundred, but on all other days ten for each day.

LUCILIUS

1242-3

Varro, *L.L.*, IX, 81 : Etiam illud putant esse causae cur non sit analogia, quod Lucilius scribit—

decussis

(sive decussibus est).

Qui errant quod Lucilius non debuit dubitare, quod utrumque.

1244

Paulus, ex Fest., 561, 25 : ‘ Vtiligo ’ in corpore hominis macula alba quam Graeci ἀλφὸν vocant . . . Lucilius—

“ Haece odiosa mihi vitiligo est.” “ Num dolet ? ”
inquit.

1245

Paulus, 343, 5 : ‘ Querqueram ’ frigidam cum tremore a Graeco κάρκαρα certum est dici, unde et carcer. Lucilius—

iaetans me ut febris querquera.

Cp. Fest., 342, 32.

1246

Festus, 548, 16 : ‘ Tama ’ dicitur cum labore viae sanguis in erura descendit et tumorem facit. Lucilius—

inguen ne existat, papulae, tama, ne boa noxhit.

Cp. Paul., ex F., 549, 5.

1247

Charis., ap. *G.L.*, I, 214, 8 K : ‘ Pedetemptim. ’ Lucilius—

pedetemptim huc ire salutem.

¹²¹⁵ querquera terror *coni.* M *trib. lib. III* M

¹²¹⁷ huc ire L hunc ferre salutem M pedetemptimne
hunc D (I.) pedetemptim nunc B cur Mr. pede-
temptim hunc resalutem *edd.*

^a *decussis* was a piece of ten *asses* ; the word could be treated as indeclinable in the singular. Lucilius was perhaps

UNASSIGNED FRAGMENTS

1242-3

Varro: They think that a further reason why there is no analogy is that Lucilius writes—

They are priced a ten-*as*, or perhaps the right expression is ‘at ten-*asses*.’^a

They are wrong because Lucilius ought not to have doubted; for both forms are right.

1244

Ills and diseases:

Paulus: ‘Vitiligo’ a white spot on the human body, which the Greeks call ἀλφός . . . Lucilius—

“This white spot disgusts me.” “It doesn’t hurt, does it?” said he.

1245

Paulus: It is certain that the term cold ‘querquera’ with shiverings is derived from the Greek κάρκαρα, whence also ‘carcer.’ Lucilius—

tossing me about like a feverish ague.

1246

Festus: ‘Tama’ is a term used when from the toil of travel the blood moves down into the legs and makes a swelling. Lucilius—

lest a groin-swelling appear, lest pimples, a lump,^b a blister should give pain.

1247

Charisius: ‘Pedetemptim.’ Lucilius—

safety to come hither step by step.^c

referring again to the Lex Fannia which allowed the expense of ten asses on a dinner.

^b in medical language, a varicose vein. (Linds., *C.Q.*, XX, 103.) The line perhaps belongs to book III and gave a reason for not making the journey on foot. Some (Fiske, *T.A.P.*, XL, 146) take *inguen* here as ‘*membrum virile*.’

^c The true reading and the meaning are unknown.

LUCILIUS

Porphyrio, ad Hor., S. II, 3, 41 : ' Primum nam inquiram quid sit furere.' Ostendit quid sit furor ut Lucilius.

1248

Varro, *L.L.*, VII, 103 : Multa ab animalium vocibus tralata in homines. . . . Lucilii . . . —

quantum hinnitum atque equitatum.

1249

Cicero, *ad Att.*, XIII, 21, 3 : Nec est melius quicquam quam ut Lucilius—

Sustineas currum ut bonus saepe agitator equosque.

Cp. id., *Acad. Priora*, II, 29, 94; *Lael.*, 17, 63.

1250-2

Gellius, XVIII, 5, 8 : Lucilius . . . vir adprime linguae Latinae sciens, equum equitare dicit his versibus—

Quis hunc currere ecum nos atque equitare videmus,
his equitat curritque; oculis equitare videmus;
ergo oculis equitat.

Cp. Non., 107, 1; Macrobian., VI, 9, 11.

1253

Festus, 428, 6 : ' Solox ' lana crassa et pecus quod passim pascitur non tectum. . . . Lucilius—

pascali pecore ac montano, hirto atque soloece.

Cp. Paul., ex Fest., 429, 4.

¹²¹⁸ quiritatum Mr.

¹²⁵³ *trib. lib. III* Mr. pascali Aug. pastali *Fest.*,
Paul.

UNASSIGNED FRAGMENTS

Porphyrio, on ' For I will first inquire what it is to be mad ' in Horace : Like Lucilius he shows what madness is.

1248

References to animals :

Varro : Many sounds made by animals have been transferred to apply to human beings. Of Lucilius we have . . . — what great neighing and horse-riding.^a

1249

Cicero : And you cannot improve at all on the advice Lucilius gives—

Hold back your chariot and horses as oft a good driver does.

1250-2

Gellius : Lucilius, foremost in knowledge of the Latin tongue, says ' equum equitare ' ^b in these verses—

What we see this horse run and go with, with that he runs and goes. With eyes we see him go ; therefore he goes with eyes.

1253

Festus : ' Solox ' is thick (unwrought) wool ; and also sheep which are pastured at random without cover. . . . Lucilius—

a pasturing mountain-flock having wool shaggy and coarse.

^a This seems to be the meaning here, *i.e.* a galloping sound, ' noise of cavalry.' Cf. lines 1250-2. But *equitatus* may well be a vocal sound. Some connect it with *equire*, ' to be in heat ' (of mares).

^b or, uses the term *equitare* as applied to a horse. The quotation illustrates faulty syllogism.

LUCILIUS

1254

Charisius, ap. *G.L.*, I, 98, 9 K: 'Acceptor' quoque et accipiter'. . . Lucilius . . . —

exta acceptoris et unguis.

1255-6

Consentius, ap. *G.L.*, V, 400, 4 K: Poetae faciunt metaplasmos cum ipsi iam scripturam relinquunt corruptam . . . sicut Lucilius—

ore

corupto

dempsit unam litteram per metaplasmmum 'r.'

1257-8

Charisius, ap. *G.L.*, I, 78, 10 (VII, 206, 26) K: Lucilius tamen et per unum 'i' genetivum scribi posse existimat; ait enim—

Servandi numeri et versus faciendi
nos Caeli Numeri numerum ut servemus modumque.

Numquam enim hoc intulisset, nisi et Caelii et Numeri per ii . . . faciendum crederet.

Porphyrio, ad Hor., *S.*, I, 1, 101: 'Quid me igitur suades ut vivam Naevius aut sic ut Nomentanus?' Naevius autem fuit in tantum parcus ut sordidus merito haberetur ut Lucilius ait.

Cp. Hor., *S.*, II, 2, 68.

¹²⁵⁵⁻⁶ <inque vicem duro qui me petit>ore κορύπτω
Heracus, *Rh. Mus.*, LXX, 41

¹²⁵⁷⁻⁸ cf. Marx, ad 362, 1294 (*trib. lib. XXX*); Mr. pp. 278-9.
Servandi . . . faciendi D (I.) *ex vet. cd.*; fortasse *reicienda*

Porphyr.: ut Lucilius ait Petschenig. Lucilio auctore
M haberetur Lucilius aut *cdl.*

^a either the sparrow-hawk or the kestrel. Perhaps some magic brew is referred to.

UNASSIGNED FRAGMENTS

1254

Charisius: 'Acceptor' occurs beside 'accipiter' . . .
Lucilius—

the vitals and claws of a hawk.^a

1255-6

Literary matters. Word formations :

Consentius: The poets make metaplasms (grammatical changes) when they actually and purposely leave a spelling wrong and unaltered . . . like Lucilius—

with corrupt ^b mouth.

For he has taken away one letter 'r' by metaplasma.

1257-8

Charisius: Still Lucilius is of opinion that the genitive can be written even with one 'i.' For he says—

The metre must be preserved and our lines must be composed so that we preserve the metre and the rhythm by writing 'Caeli Numeri.'^c

For he would never have inserted this remark unless he believed that both the genitives 'Caelii' and Numerii' should really be spelt thus: with 'ii.'

Porphyrion, on 'Why do you advise me to live a very Naevius or like Nomentanus'? in Horace. As a matter of fact Naevius was stingy to such a degree that he was deservedly held to be a mean fellow, as Lucilius says.

^b Heraeus, *Rh. Mus.*, LXX, 41, suggests κορύπτω ('I butt'); ep. Diels, *Sitz.-Ber. Berlin*, 1922, 57; on the other hand cf. Marx, *Abh. Sächs., Ak. d. W., Phil.-Hist. Kl.*, XXXVII, 33. But in view of Consentius' remarks, this cannot be right.

^c *i.e.* genitive or vocative instead of other cases of Numerius which could not fit into a hexameter. Charisius' source falsely believed that Lucilius sanctioned here a genitive with ii. This genitive began in a later period.

LUCILIUS

1259

Donatus ad Ter., *Phorm.*, I, 2, 3: (. . . lectum . . .): Absolute; nam non dicit quid, utrum debitum an argentum lectum. Lucilius—

Lecti omnes; Atticon hoc est.

1260

Gellius, VI, 3, 28: Recte . . . inquit Tiro hoc vitio dat Lucilius poetae Euripidae quod cum Polyphontes rex propterea se interfecisse fratrem diceret quod ipse ante de nece eius consilium cepisset, Meropa fratris uxor hisce adeo eum verbis eluserit *εὶ γὰρ σ' ἔμελλεν ὡς σὺ φῆς κτείνειν πόσις, χρῆν καὶ σὲ μέλλειν, ὡς χρόνος παρήλυθεν*. At hoc enim, inquit—

Plane stultitiae plenum est

eo consilio atque ea fini facere velle aliquid—

uti numquam id facias quod velis.

1261

Nonius, 223, 27: 'Sibilum' . . . masculino. . . . Lucilius—

saxei et stridor ubi atque rudentum sibilus infit.

¹²⁶⁰ plane e. q. s. *constit.* W hoc enim *trib. Luc. Stow., W. St., III, 280 trib. lib. XXIX L, Mr.*

¹²⁶¹ saxa et *cdd.* saxei et Ribbeck, *Rh. Mus., XXIX, 128* rudentum Ribb. ruentum Mr. (furentum *vel* ruentum *id. ed. Non.* furentum *prob.* M) atquierunt tum Lips at quiverunt Stow., *W. St., XXVII, 221* atque erunt dum *cdd.* instat *vel* infit Lips institis *cdd.* isti M *trib. lib. III* Varges

UNASSIGNED FRAGMENTS

1259

Literary criticism ? ; comedy :

Donatus, on 'lectum est' in Terence: 'Leetum' used without adjunct; for he does not say what is 'lectum,' the debt or the money. Lucilius—

They're all picked mintage—this is Attic coin.

1260

Tragedy ; Euripides :

Gellius: Rightly, says Tiro, does Lucilius impute a blemish to the poet Euripides, that when King Polyphontes said he had killed his brother because that brother had himself before made a plan to slay him, Merope his brother's wife parried the King with these very words:—'if, as you say, my husband had in mind to kill you, you also ought to have had in mind to kill him in order that that time^a might have passed by.' But you will say (he went on)—

It is downright full of foolishness

to have the wish to do anything with that view and to that end—

that you should never do what you want.^b

1261

Pacuvius ?

Nonius: 'Sibilum' . . . in the masculine. . . . Lucilius—

When the whizzing and the hissing of the hawsers and the noise of stone begin.^c

^a during which the brother had murder in his mind.

^b The attribution of even so much of the passage of Gellius to Lucilius is quite conjectural (see Stowasser, *W.St.*, III, 380).

^c I adopt Ribbeck *Rh. Mus.*, XXIX, 128; Lucilius imitates Pacuvius' (see *Remains of Old Latin*, II, pp. 296-7) 'armamentum stridor . . . rulentum sibilus.'

LUCILIUS

1262

Explanat. in Donat., ap. *G.L.*, IV, 542, 12 K : Sal masculini generis est. Lucilius—

Ore salem expiravit amarum.

1263

Paulus, ex Fest., 449, 1 : ‘Sub vitem’ hastas iacere dicitur veles cum eas sub vinea manu sursum mittit. Lucilius—

ut veles bonus sub vitem qui subicit hastas.

Cp. Fest., 446, fin.

1264

Festus, 250, 26 : ‘Petauristas’ Lucilius a petauro appellatos existimare videtur quando ait—

sicuti mechanici cum alto exiluere petauro.

1265-6

Isidorus, *Orig.*, XIX, 7, 2 : ‘Marculus’ malleus pusillus. Lucilius—

Et velut in fabrica fervens cum marculus ferrum
 <mugitu> multo cum magnis ictibus tundit,

¹²⁶³ subicit Aug. subsit *cd.* Fest. submitit Paul.
 (quibus misit *Leid. Voss.* 37)

¹²⁶⁶ <mugitu> W <tinnitu> M multo cum M
 multorum *cdl.* magnis <tuditantium> S <incumbentum> Mr. <instantibus> B *trib. lib. III* Varges

^a either translated direct from Homer, *Od.*, V, 322 στόματος δ' ἐξέπτυσεν ἄλμην|πικρήν or taken from a Latin tragedy and put back into an hexameter. Lucilius may here parody Ennius' *Andromeda* (Ennius, *Remains*, I, pp. 256-259).

^b Here *veles*, singular, appears to stand collectively for the plural *velites*.

UNASSIGNED FRAGMENTS

1262

Ennius?

A commentator on Donatus: 'Sal' is of the masculine gender. Lucilius—

From his mouth he spat forth bitter brine.^a

1263

Similes. War:

Paulus: Skirmishers are said to throw their spears 'under the vine' when they thrust them upward by hand under a 'vinea' (penthouse) Lucilius—

like good skirmishers^b who thrust their spears under the vine.

1264

Acrobatics:

Festus: Lucilius seems to believe that 'petauristae' (rope-dancers) are so-called from 'petaurum' since he says—

just as acrobats when they have jumped off the spring-board on high.^c

1265-6

Forging:

Isidore: 'Marculus' a little mallet. Lucilius—

And just as when in a workshop a hammer hits the red-hot iron with much bellowing of big blows,^d

^c Some think that Lucilius referred here to persons on the look-out from some observation-post. Festus' remark implies that Lucilius used the word *petauristae*; we might read *petauristae* ∪ ∪ - - | *sicuti mechanici, cum alto e. q. s.*

^d a word has dropped out; *mugitu*, which I suggest, may be too strong an expression to apply to *marculus* (a little hammer); we can add the fr. to the description of Aetna in book III as Varges does, if *marculus* is here used (as I believe) of a large hammer; *magnis ictibus* suggests this.

LUCILIUS

1267-8

Servius (auctus), ad *Aen.*, XII, 5: 'Saucius ille.' *κατ' ἐξοχήν* ille leo, id est princeps ferarum; . . . interdum nobilitatem significat . . . aut rem similem designat. Lucilius—

velut olim

auceps ille facit clam inproviso insidiisque.

1269

Nonius, 72, 7: 'Algu' pro algore. . . . Lucilius—
† nantam † algu atque nigrore † maius †

1270

Nonius, 229, 2: 'Torpor' generis masculini. Lucilius—
Tantus conduxerat omnia torpor.

1271

Varro, *L.L.*, V, 63: Poetae de caelo quod semen igneum cecidisse dicunt in mare ac natam e spumis Venerem conjunctione ignis et humoris, quam habent vim, significant esse Veneris; a qua vi natis dicta vita, et illud a Lucilio—

'Vis' est 'vita' vides, 'vis' nos facere omnia cogit.

1272

Donatus, ad Ter., *Hec.*, III, 4, 26: Imperite Terentium Myconium 'crispum' dixisse aiunt. . . . Lucilius—

Myconi calva omnis iuventus.

¹²⁶⁸ clam M cum *cd.* fortasse recte

¹²⁶⁹ nantam (*Lu.* 1 *G* 2 natam *G* 1 non tam *Harl.* 1) algu
atque nigrore maius *cdl.* nautam Iun. narcam *coni.*
Linds. noctem *coni.* M manca Mr. (*ed. Non.*)
maneam Mr. (*ed. Lucil.*) rigore Gerlach ac frigore *coni.*
Linds. manus Iun. malam *coni.* M

Non., 229: Lucilius Roth Lucretius *cdl.*

¹²⁷⁰ concusserat *ed. princ.*

UNASSIGNED FRAGMENTS

1267-8

Fowling :

Servius (supplemented), on 'That wounded' (*sc. lion*) in Virgil: That, *sc. lion, par excellence*, that is, the king of beasts. . . . now and again the word 'ille' points to the well-known . . . or it marks a simile.^a Lucilius—

as oft your fowler does with stealth, surprise and snares.

1269

Miscellaneous topics :

Nonius: 'Algu' for 'algore' . . . Lucilius—

. . . with cold and blackness . . .

1270

Nonius: 'Torpor' is of the masculine gender. Lucilius—

Such numbness had cramped everything.

1271

Varro: When the poets say that the seed of fire fell from the sky into the sea and that Venus was born from the foam by a union of fire and water, they indicate that the 'vis' which these elements have is of Venus. 'Vita' is the name used for a quality of the things which are produced from this 'vis'; and there is that passage from Lucilius—

'Vita' is 'vis,'—force is life—you see; it is 'vis' which forces on us all our acts.

1272

Donatus: They say that it was unlearned on the part of Terence to call a Myconian 'curly-haired.' Lucilius has—

all the young men of Myconos are bald.^b

^a As a matter of fact, *ille* simply marks a simile in Virgil's passages, as well as Lucilius'.

^b cf. Pliny, XI, 130; Strabo, X, 487—bald folk sometimes called Myconians.

WORDS AND PHRASES OF LUCILIUS NOT INCLUDED IN THE TEXT OR NOTES OF THIS VOLUME

From Book III : ‘Utpote’ (inasmuch as). Julius Romanus in Charisius, *G.L.*, I, 223, 21 K.

From Book VII : ‘calx’ (end); properly lime or chalk; also the turning point of a race-course, at one time marked with chalk; thus also the conclusion of anything; cf. below, Book XIV. Given by Nonius, 257, 49–50 : ‘Calx’ est finis. Lucilius Satyrarum lib. VII : hoc est cum ad . . .’ *There follows a quotation from Virgil, Aen., V, 324* (‘calcemque terit iam calce Dioces’) *which has ousted the full quotation of Lucilius. We may claim the words hoc est cum ad <calcem> for Lucilius, but only cd. Gen. 84 and cdd. copied from it have hoc est cum ad.*

From Book VIII : ‘vinibuae’ (wine-bibbing women). Nonius, 81, 4; Nonius shows that ‘bua’ (used as a feminine noun) is a natural sound made by small children when they ask for a drink.

From Book XIV : ‘calx’ ((i) heel; (ii) lime or chalk—see just above under *Book VII*). Used by Lucilius in the masculine gender. Charisius, *G.L.*, I, 92, 31 K.

Not assigned to any book :

‘muttonium’ (penis). Glossar., *C.G.L.*, II, 131, where the authority says Lucilius means *προβασκάνιον*—an emblem hung by artisans outside their shops as a mascot against witchcraft or the evil eye. Probably from Books XXVI–

WORDS NOT INCLUDED IN THE TEXT

XXIX, but authenticity not quite certain (*προβοσκαντων. λουκιος*, which editors emend).

'cordipugis versibus' (in heart-punching lines). Placidus, *C.G.L.*, V, 58, 39, where no author's name is given. If Baehrens was right in concluding that the author was Lucilius (cf. Paul. and Fest. on 'noctipuga,' given on pp. 384-5), then this fr. belongs to Books XXVI-XXIX.

'conque tubernalem' (fellow-also-tenthholder). Tmesis for 'contubernalemque,' fellow-tenthholder also. Consentius, *G.L.*, V, 390, 33 K. Cp. Auson., *Ep.*, XVI, 37-8.

'lactentes ficos' (milky figs). Caper, *G.L.*, VII, 98, 2 K.

'gutulliocae' (walnuts). Glossar., *C.G.L.*, II, 36, 34. (*κντυλλιοχή*, 'nut-shell' Stowasser, *Wien. Stud.*, XXVIII-226-7; but the gloss. here says that 'gutulliocae' means nuts.)

'murexque marinus' (and purple-mollusc of the sea). pseudo-Acro, ad Hor., *S.*, II, 4, 32.

'viscus aprinum' (boar's flesh). Charisius, *G.L.* I, 83, 13 K.

'<vinum> crucium' (pang-wine). Paulus, from Festus, 53, 5, where he says "'Crucium,' so called because 'cruciat' it tortures. Whence Lucilius calls nasty wine 'crucium.'"

'Campanā Capuā' (from Campanian Capua). Porphyrio, ad Hor., *S.*, I, 6, 68. Probably from Lucilius' account of his journey in Book III.

'carissam' (trickster or bawd?). Paulus, from Festus, 44, p. 38, l. 18 Linds., where he says *carissam* (*acc. masc.*) means *vafrum*. But *C.G.L.*, II, 97, 43 has: *earisa μανλιστής, προβοσκοός*.

'disertim' (eloquently). Nonius, 509, 20: 'Disertim' dicere plane palam Lucilio (lucilio or lucio *the cdd.*) auctore possumus in Veliterna: 'Habui.' 'Recte disertim!' Here we must read either palam Titinio auctore (*after Bentin.*) or palam Lucilio <et Titinio> auctore *with Marx*.

LUCILIUS

‘ ravi ’ (hoarse men). Festus, 392, 15–6, *where all that is left of the quotation from Lucilius is * * * t ravi.*

‘ ponere ’ (to cause). Serv. auct., ad *Aen.*, X, 623 ‘ ponere ’ facere, sicut Lucilius Homerum secutus qui ait ἄλγε’ ἔθηκε.

‘ transennae ’ (pieces of lattice-work). Gloss. Vat., *C.G.L.*, IV, 186, 43. Doubtful because the *ed.* has *luê* (Lucilius Goetz).

‘ <lacuarque> arcusque ’ (fretted ceilings, and arches). Interpres Verg. Veron. ad *Aen.*, VIII, 25 Lacuar * * * pluribus * * * quae n * * * Lucilius * * * arcusque. <lacuarque> = laquear Baehrens <laeusque> Mr.

‘ canalicula ’ (little channel). Nonius, 198, 7.

‘ camphippi elephantocamelos ’ (writhehorses, an elephantcamel). Nonius, 120, 13 (camphippelephantocamelos I. Dousa camphippi et pardocamelos Onions camphippi et panthercamelos Mr. hippocampi elefanto camillos *edd.*) Lucilius wrote ‘ camphippi ’ because ‘ hippocampi ’ would not go into an hexameter.

‘ cactus ’ (artichoke). Glossar., *C.G.L.*, II, 12, 52 cactum (*sic* Vulcanius; *acactum ed.*) ἄκαρθα ὡς Λουκίλιος (λουκίλιανῶς *ed.*). This thorny plant would be the Spanish artichoke, a variety of *Cynara*.

‘ corolla ’ (little garland). Isidorus, *Orig.*, XIX, 30, 1.

‘ aquilum ’ (swarthy). Glossar., *C.G.L.*, II, 20, 37.

‘ <togae> crebrae papaveratae ’ (gowns with the nap on, and poppy-whitened). Pliny *N.H.*, VIII, 195, where he says that, according to Fenestella, ‘ togae rasae,’ in which the nap was cut close for summer-wear, first came into fashion in the last years of Augustus’ principate; then: ‘ crebrae papaveratae antiquiorem habent originem iam sub Lucilio poeta in Torquato notatae ’; this apparently means that togae which had been whitened with a preparation made from poppies and had the nap neither worn off nor cut close were

WORDS NOT INCLUDED IN THE TEXT

an object of censure or satire in Lucilius' judgment when the poet was attacking one Manlius Torquatus.

'pistrina' (bakery or pounding-mill) and 'pistrix' (bakeress). Varro, *L.L.*, V, 138. We have had 'pistrina' already in Lucilius (line 556); likewise 'pistrix' (line 1055). But Varro says 'in urbe Lucili pistrina et pistrix' which makes it possible that these two words occurred apart from the two fragments cited, and in a satire entitled *Urbs, The City*. 'Pistrix' as a female baker must be distinguished from the word given next.

'pistrices' (sea beasts; whales or sharks?). *C.G.L.*, V, 234, 1. This word (in Greek *πίστρις, πρίστρις*) appears also as 'pristix,' 'pristis,' 'pistris.' *In the gloss.* Lucilius (*thus* Loewe) *for lucius is probable*; but cf. Niedermann, *Rev. de Phil.*, XLI, 231-3 ('lucius' = fresh-water pike?).

'naterum' (of buttocks) instead of 'natum.' Charisius, *G.L.*, I, 54, 21 K dixit Lucilius (*cd. Neapol. Caecilius cd. Colon.*) naterum (*cd. Colon. naverum cd. Neapol.*). Author and fragment uncertain.

'hos vappones' (these moths). Mar. Plot. = Prob. *Cath.*, ap. *G.L.* IV, 10, 30 ff. K where the text attributes the expression to Lucretius. But it is not to be found in Lucretius. I. Dousa attributes the words to Lucilius.

'pergit capulare cadaver' (the coffined corpse moves on). Fulgentius, *Exposit. Serm. Antiqu.*, 23, 118, 14 (Helm), who attributes the phrase to Lucilius but goes on to quote . . . 'capularis senex' from the comedy *Melene* of Flaccus Tibullus, an author apparently fictitious. Thus the fr. of Lucilius also is probably invented.

'hypereticōsque celetes' (and a service-boat). Inscription on a mosaic at Tunis (*Musée Alaoui*, 166, p. 32; Buecheler, *Rhein. Mus.*, LIX, 1904, 322), which shows a ship called there *κέλητες* also. Cf. Xen., *Hellen.*, I, 6. 36 *ὁ ὑπηρετικὸς κέλης*. The mosaic gives also two undoubted

LUCILIUS

lines of Lucilius (see pp. 166–7, 378–9), to whom Vahlen attributed this fr. also. But the name Lucilius is not mentioned.

‘panaceam ubique salem’ (salt everywhere an all-heal). Servius, ad *Aen.*, XII, 419, where ‘panacea’ is the plant all-heal. Servius quotes these words from *Lucretius* to support his idea (a false one) that in Virgil’s passage also ‘panacea’ may mean salt. Our extant *Lucretius*, however, uses only ‘panaces’ (IV, 124), without the words ‘ubique salem,’ and without any reference to salt. Hence Pius’ attribution to Lucilius may be right. Marx would correct to ‘panacean.’

‘Luciliades’ (son-o’-Lucilius’ house). Explanat. in Donat., *G.L.*, IV, 527, 10 ff. K, where ‘Memmiades’ and ‘Scipiades’ also are given as examples of this form. We have certainly ‘Scipiadas’ in Lucilius (see pp. 80, 134), and so, if not ‘Memmiades’ or Memmiadas,’ at least ‘Luciliades’ or ‘Luciliadas’ may have come in the satires of Lucilius, who in them seems to have mentioned himself by name several times. The attribution of Luciliades to Lucilius is Mueller’s.

Jerome, *Ep. ad Chrom. Iov. Euseb.*, I, p. 340 M shows that Lucilius said M. Crassus laughed once only in his life, namely at the application of some proverb—‘similem habent labra lactueam asino carduos comedente.’—‘His lips hold a lettuce like when an ass is devouring thistles.’ Cicero, *de Fin.*, V, 92 (cp. *Tusc. Disp.*, III, 31; Pliny, *N.H.*, VII, 79) says that Crassus was still called ‘Agelastus,’ ‘Unsmiling,’ as Lucilius said. Restorations of this fr. as quoted by Jerome are uncertain.

Cicero, *de Or.*, I, 72 says Lucilius often used to say (*in Satires?*) ‘Neminem esse in oratorum numero habendum qui non sit omnibus iis artibus quae sunt libero dignae perpolitus.’—‘No one is to be counted amongst orators who has not been

WORDS NOT INCLUDED IN THE TEXT

thoroughly finished in those arts which are worthy of a free man.'

Nonius, 463, 5: 'Propitios' et homines placatos dici vetustas voluit <Lucilius lib.> *added by ed. Atl. with probability XXVII*:—'In bonis porro est viris, si irati seu eui propitii | sunt, ut diutius eadem una maneant in sententia.'—'Further it is in the nature of honourable men, whether they are angry or on good terms with someone, to remain for a long long time in the grip of one and the same feeling.'

Porphyrio on Hor., *Ep.*, II, 2, 94-5 shows that Lucilius sometimes divided a word between two lines. We have one example of this in lines 78-9.

There are other expressions, even whole lines of Latin, attributed to Lucilius by modern scholars on slender or no evidence. They will be found in Marx, pp. 92-5, and Terzaghi, pp. 74-6.

XII TABULAE
SIVE
LEX XII TABULARUM

Tabula I

1

Porphyrio, ad Hor., *S.*, I, 9, 76: 'Et licet antestari?' Adversarius molesti illius Horatium consulit, an permittat se antestari, iniecta manu extracturus ad praetorem, quod vadimonio non paruerit. De hoc . . . Lege XII Tabularum his verbis cautum est—

¹ Si in ius vocat, <ito>. Ni it, antestamino.
Igitur em capito.

'Antestari' est ergo 'antetestari,' scilicet ante quam manum iniciat.

Cp. Cic., *de Leg.*, II, 4, 9; Gell., XX, 1, 25; *Ad Herenn.*, II, 13, 19; Paul., ex F., 54, 19.

¹ ius vocationi tantestaminigitur en *cd.*, *corr.* Godefroy
(J.) <ito> *add.* Heindorf antestator Carrio

^a Cicero, *de Leg.*, II, 49 shows that the following rules stood at the beginning of the code. Therefore they belong with certainty to Table I. Note in the first three tables the detail in which the code dealt with procedure.

^b That is, into the presence of a magistrate (at the time of the *Tables* a consul) on one of the *dies fasti* (or on one of the *dies comitiales* if no *comitia* were being held) by way of preliminary to a decisive trial before a *iudex* agreed on by both parties. The plaintiff summoned defendant not by writ of summons, nor through any officer of the law, but by word

THE TWELVE TABLES

OR

THE LAW OF THE TWELVE TABLES

Table I

Preliminaries to a trial. Rules for a trial

1

Rights and duties of plaintiff :

Porphyrrio, on 'And may I call you to witness?' in Horace: The adversary of the bore in this satire asks Horace if he will allow him to call the poet to witness, his intention being to lay hands on the bore and haul him away to the praetor's court on the ground that he has not answered a recognisance. On this matter . . . there was a provision made in the *Law of the Twelve Tables* in the following words :—^a

- ¹ If plaintiff summons defendant to court,^b he shall go. If he does not go, plaintiff shall call witness thereto. Then only shall he take defendant by force.

Thus 'antestari'^c means 'ante-testari'; that is to say, 'antequam manus iniciat,' before he lays hand on him.

of mouth, wherever he might find him; there were no police yet in Rome. For *dies fasti*, see below, pp. 505-6.

^c This word perhaps means 'to call as witness to or in front of something.' The plaintiff asked *licet antestari?* and at the same time touched the witness' ear. Some scholars refer this enactment to 'keeping house' in order to avoid *vocatio in ius*, and connect it with the last fr. of Table II, pp. 436-7.

THE TWELVE TABLES

2-3

Festus, 450, fin. : 'Struere' antiqui dicebant pro adicere, augere . . . at in XII quod est—

² Si calvitur pedemve struit, manum endo iacito; alii putant significare retrorsus ire.

Gellius, XX, 1, 24 : Cur tibi esse visa est inhumana lex omnium mea quidem sententia humanissima, quae iumentum dari iubet aegro aut seni in ius vocato? Verba sunt haec de lege 'si in ius vocat'—

³ Si morbus aevitasve vitium escit, [qui in ius vocabit] iumentum dato; si nolet, arceram ne sternito.

Cp. Fest., 258, 29; Non., 7, 2; *Dig.*, L, 16, 233 pr.; Gell., XX, 1, 11; Varr., *L.L.*, V, 140; Non., 55, 3; Paul., ex F., 54, s.v. 'escit.'

4

Gellius, XVI, 10, 5 : Quintus Ennius verbum hoc ex XII Tabulis vestris accepit, in quibus si recte commemorari ita scriptum est—

⁴ Adsiduo vindex adsiduus esto. Proletario [iam civi cui] quis volet vindex esto.

Cp. Gai., *Dig.*, II, 4, 22, 1; *Dig.*, L, 16, 234, 1; Cic., *Top.*, II, 10; Non., 67, 18; 155, 19; Paul., ex F., 7, 11.

³ qui in ius vocabit *seclud.* Schoell, *recte ut videtur* Si nolet *seclud* Bréal

⁴ iam civi *om. cdd. Gell. famil. alt.* cui *del.* Schoell cui quivis Scioppius quiqui Rittershus

^a The idea was perhaps like our 'make tracks.' Anyhow the meaning is 'to try to run away' (as it were 'heap up footsteps,' from *strues*, heap).

^b Elsewhere *iumentum* is a yoked beast of draught or burden. But note that Gellius explains the word here as a

TABLE I

2-3

Festus: 'Struere,' a term used by archaic writers for 'to add to,' 'to increase' . . . But in the expression used in the *Twelve*—

² If defendant shirks or takes to heels, plaintiff shall lay hand on him;

some think 'struere a pedem' means 'to go back,' move back.

Gellius: Why did you think that the law which ordains that a sick or an old man, when he is summoned to court, be granted a team^b—a law which, in my opinion at any rate, is the humanest of all—is an inhuman one? Here are the exact words, taken from the enactment which begins 'If plaintiff summons defendant to court'—

³ If disease or age shall be impediment, he [who shall summon defendant to court] shall grant him team; he should not spread with cushions covered carriage if he shall not so desire.

4

Right of defendant to a representative :

Gellius: Quintus Ennius got this word 'proletarius' from your *Twelve Tables*, in which, if I remember rightly, occurs the following passage—

⁴ For landowner,^c landowner shall be protector^d; but for proletarian person let any one who shall be willing be protector.

vectabulum, 'carrier' or 'conveyance,' as it were perhaps 'horse and cart.'

^c *assiduus* means a wealthy freeholder (*al + sed* 'constant settler'), while *proletarius* is, from the city's point of view, merely a breeder of *proles*, progeny, children; a 'studman.'

^d The *vindex* was a voluntary 'asserter of rights'—here a representative who could appear, in place of defendant, *in iure* at the preliminary trial before a magistrate (see above, p. 424). Some put this law in Table III. Cp. pp. 436 ff.

THE TWELVE TABLES

5

Festus, 470, 18: <'Sanates' quasi sana>ti appellat<i>
 . . . in XII—

⁵ Nex<i mancipique cum p. R. idem> foreti sanati-
 <que ius esto>.

Festus, 524, 14: In XII cautum est ut idem iuris esset sanatis quod foretibus, id est bonis et qui nunquam defecerant a populo Romano.

Cp. *Gell.*, XVI, 10, 8; Paul., ex F., 59, 24; cf. 73, 8.

6-9

auctor, *ad Herenn.*, II, 13, 20: Pacta sunt quae legibus observanda sunt, hoc modo—

⁶ Rem ubi pacunt, orato. ⁷ Ni pacunt, in comitio aut in foro ante meridiem causam coniciunto.

⁵ *suppl.* Schoell nexum mancipiumque foreti (*vel* foretis) sanatisque idem esto *coni.* Muirhead nexi solutive ac forti O. Mr. nexi mancipique forti sanatique idem ius esto Huschke nexo mancipatoque ac forti sanatique idem iuris esto Hoffmann. *Vide Bruns, pars poster., Fest. 35.*

⁶ pagunt orato. Ni pagunt, in comitio Bosius pangunt aut pagunt (*paciscuntur edd. Par.*) oratione pangunt (*aut* pagunt) in comitio *vel sim. edd. ad Herenn.* pagunt orationi p. *vel sim. edd. Prisc.* pacunt *scribend. demonstrat Scaur. rei Rutgers ratom esto T ni ita pagunt Quintil.*

⁷ coniciunto S conscito Huschke coniciunt *aut* conitiunt *edd. Gell. XVII* euicito, conicito, conitito *vel sim. edd. ad Herenn.* *pro* in comitio aut in foro *ponere vult* in iure Nikolsky

^a cf. J. Muirhead, *Hist. Introd. to the Private Law of Rome*, 3rd ed., 102. This restoration of the enactment is probable. It laid down, apparently, that Italian allies who had revolted from Rome but returned to allegiance should have the same rights, in making contracts, as those who had not rebelled at all. *Nexum* is here apparently any legal obligation; for a special meaning (not as here?) see below, pp. 456-7. *Mancipium* was formal or symbolical conveyance (not necessarily, in

TABLE I

5

Rights of Rome's Italian allies :

Festus: 'Sanates' is a term which was applied to persons in the sense of 'sanati' . . . in the *Twelve*—

⁵ There shall be same right, for staunch person and for person restored to allegiance, of bond and conveyance with the Roman people.^a

Festus: In the *Twelve* there was provision made that the same rights shall hold good for the 'sanates' as for the 'foetes,' that is for those who were loyal and who had never revolted from the Roman people.

6-9

If no agreement is reached, trial must follow :

The author of *To Herennius*: There are 'pacta' which must be executed according to laws, for example—

When parties compromise the matter, official^b shall announce it. ⁷ If they do not compromise, they shall state outline of case in Meeting-Place or Market before noon.

later times, by sale-and-purchase, though in the time of the *Tables* the ceremony was apparently confined to sale and purchase) by *mancipatio*, thus: in the presence of 5 adult Roman citizens the transferee, grasping the thing being conveyed, or a piece of it, asserted his claim, and struck with a lump of bronze or copper (*aes, raudusculum*) a copper scales (*libra*) held by a scales-balanceer or *libripens*, and gave the copper to transferor to represent the price. Thus the conveyance was one of the transactions done *per aes et libram*, by copper and scales. See also pp. 514-5.

^b a *iudex* (not necessarily on one of the *dies fasti* or *comitiales*) agreed on by the parties at the preliminary trial. But see p. 431, n. b. If the cause was complicated, with apparent rights and wrongs on both sides, there might be appointed one or more *arbitri* or umpires, who had wider discretion than a *iudex* or judge. On *causae coniectio* or *collectio* before judge or arbiter, cf. Gaius, *Inst.*, IV, 15. Some, translating *Rem ubi pacunt*. . . . 'When parties have contract on the matter,

THE TWELVE TABLES

Gellius, XVII, 2, 10: 'Sole occaso' non tam insuavi vetustate est, si quis aurem habeat non sordidam nec proculcatam. In XII autem Tabulis verbum hoc ita scriptum est: 'Ante meridiem causam coniciunto.'—

Com peroranto ambo praesentes. ⁸ Post meridiem praesenti litem addicito. ⁹ Si ambo praesentes, sol occasus suprema tempestas esto.

(Cp. Varr., *L.L.*, VII, 5; VII, 51; Priscian., ap. *G.L.*, II, 524, 1 K; Gell., XVII, 2, 10; Quintil., I, 6, 11. *al. Vide* Bruns.)

10

Gellius, XVI, 10, 6: Petimus . . . ne Annalem nunc Q. Enni, sed XII Tabulas legi arbitrere et quid sit in ea Lege 'proletarius civis' interpretere. "Ego vero" inquit ille 'dicere atque interpretari deberem si ius Faunorum et Aboriginum didicissem. Sed enim cum 'proletarii' et 'ad-sidui' et 'sanates,' et—

10 vades

et—

subvades,

⁷ com peroranto *vel* coram peroranto Schoell comque Buecheler tum Mommsen cum perorant *cdd.* (*recte?*) quam perorant Cosman

⁸ praesenti *seclud.* Raevard.

⁹ si ambo praesentes *seclud.* S sol *cdd.* Gell., Hosius (*solis Par.* 8664) solis *rell. testes*

each party shall simply plead . . .,' hold that these two enactments mean that where there exists a written contract concerning a thing now in dispute, no *causae coniectio* is required before the case proper is tried.

^a *sc.* as a separate proceeding after the *causae coniectio*

^b that is, if one party fails to appear until the afternoon, he shall lose his case by default. At this early date sunrise, noon and sunset were the only divisions of the astronomical day; cp. Pliny quoted below, pp. 512-13. Note that judges or

TABLE I

Gellius: 'Occasus,' as a past participle with 'sol,' shows archaism not so very unpleasant to any one whose ear may not be poor or commonplace. Thus in the *Twelve Tables* this expression is used as follows:—'They shall state outline of case before noon.'—

They shall^a plead it out together in person.

⁸ After noon, judge shall adjudge case to party present.^b ⁹ If both be present, sun set shall be the time-limit (of proceedings).

10

Provision of sureties for appearance:

Gellius: We beg you to believe that we are reading at the moment not a book of Quintus Ennius' *Annals* but the *Twelve Tables*; and to explain the meaning of 'proletarius civis' in that *Law*. "For my part" said he "it certainly would be my duty to interpret and explain this point if I had learnt the jurisprudence of your Fauni and Aborigines.^c But indeed since the terms^d 'proletarii' and 'adsidui' and 'sanates,' and 'vades' and 'subvades,' that is—

¹⁰ sureties

and—

subsureties,^e

arbiters could only declare, not enforce, what was right. If plaintiff obtained judgment in his favour, but failed to get satisfaction from defendant, he himself had to institute further proceedings by *mannus iniectio* under supervision of the magistrate, not of the judge, after apparently an interval of 30 days—see Table III, 1–2. Some think *litem addicito* means 'let praetor grant action before iudex.' If so, laws 6–9 refer to proceedings before a praetor.

^c that is, of Faunus the mythical father of King Latinus; of Fauni, sylvan deities; and of the early inhabitants of Latium and Rome.

^d on these, see above, pp. 426–9.

^e that is, subsureties on behalf of the sureties, *sc.* for appearance in court.

THE TWELVE TABLES

et 'viginti quinque asses' et 'taliones' furtorumque quaestio cum 'lance et licio' evanuerint, omnisque illa XII Tabularum antiquitas nisi in legis actionibus centumviralium causarum lege Aebutia lata consopita sit, studium scientiamque ego praestare debeo iuris et legum vocumque earum quibus utimur."

Tabula II

1

Gaius, *Inst.*, IV, 13-14: Sacramenti actio generalis erat; de quibus enim rebus ut aliter ageretur lege cautum non erat de his sacramento agebatur . . . (14) Poena autem sacramenti aut quingenaria erat aut quinquagenaria. Nam de rebus mille aeris plurisque quingentis assibus, de minoris vero quinquaginta assibus sacramento contendebatur; nam ita Lege XII Tabularum cautum erat. Sed si de libertate hominis controversia erat, etsi pretiosissimus homo esset, tamen ut quinquaginta assibus

^a on these, see pp. 476-7, 482-7.

^b The 100 judges were in fact a bench of 105 chosen annually for civil suits; the lex Aebutia was a law which was passed probably about 150 B.C.

^c The oldest and normal procedure in civil cases, where plaintiff seeks by an *actio* to enforce a right. The *sacramentum* was a sum (of goods, later of money) deposited (later on, promised with security) as a kind of stake by both parties and forfeited to the State by the loser probably because he was deemed to have broken some oath (*sacramentum*, perhaps affirming the justice of his cause) by committing apparent perjury. Muirhead, 166 ff.; Strachan-Davidson, *Problems of the Roman Criminal Law*, I, pp. 44 ff. The *Tables* regulated, but probably did not create this *actio*. There were four other normal methods of instituting *actio*, not necessarily by process at law: of these four, *manus iniectio* and *pignoris capio*, which were really methods of execution, certainly existed at the time of the *Tables* (see pp. 426, 436, 506); *iudicis arbitrive postulatio* may have been instituted later (but see Table VII, 8a-b, pp. 470-1), while *condictio* certainly was later.

TABLE II

'25 *as*-pieces' 'retaliations' and 'investigation with platter and loincloth'^a have disappeared, and all that archaic lore of the *Twelve Tables* was, save in procedure of law-suits before the Bench of One Hundred Judges, put to sleep by the passing of the Aebutian law,^b the interest and knowledge which it is *my* duty to show must be concerned only with the jurisprudence and laws and such phraseology of lawsuits as we use now."

Table II

Trial; further enactments thereon

1

Actio 'per sacramentum' or '*legis actio sacramento*' (in presence of a magistrate, then of a *iudex*—pp. 424 ff.):

Gaius: Action 'under solemn deposit'^c was the general form of action; for legal procedure, on all matters in which any other method of procedure had not been provided by law, was conducted 'under solemn deposit'. . . And the penal sum in a suit under solemn deposit was either five hundred pieces or fifty pieces; that is to say, five hundred *as*-pieces was the sum when the object of dispute under solemn deposit was valued at one thousand in bronze or more, but fifty pieces when less. For such is the purport of a provision^d which had been made in the *Law of the Twelve Tables*. But where the controversy concerned the liberty of a human being, a provision of the same *Law*, even though the slave might be very highly valued, nevertheless ordained that fifty pieces be the solemn deposit under which the dispute should be under-

^d The *Tables* substituted *as*-pieces for the same number of pounds weight of raw metal; these latter had themselves, only a few years before, by a *Lex Aternia* (*Tarpeia*) of 454 B.C., been made a substitute for a sum of live beasts, 5 bullocks being valued by that law at 500 lbs., 5 sheep at 50 lbs. of copper or bronze. Whether the *as* was as yet stamped coin is uncertain.

THE TWELVE TABLES

sacramento contenderetur eadem Lege cautum est favore scilicet libertatis, ne onerarentur adsertores.

2

Gellius, XX, 1, 27: Morbum vehementiorem vim graviter nocendi habentem legum istarum scriptores alio in loco non per se morbum, sed 'morbum sonticum' appellant.

Cicero, *de Off.*, I, 12, 37: 'Hostis' . . . apud maiores nostros is dicebatur quem nunc peregrinum dicimus. Indicant XII Tabulae ut—

² <Morbus sonticus> aut status dies cum hoste.

Festus, 372, 13: 'Reus' . . . in secunda tabula secunda lege . . . —

<Si> quid horum fuerit vitium iudici arbitrove reove, eo dies diffensus esto.

Cp. Fest., 410, 24; 458, 12; Ulp., *Dig.*, II, 11, 2, 3; XLII, 1, 60; *al.*

3

Festus, 292, 28: 'Portum' in XII pro domo positum omnes fere consentiunt—

² <morbus sonticus> *add. ex Gell.*, XX, 1; *Fest.*, 410, 24. siquid horum fuerit S quid horum fuerit *cd.* vitium Cuiacius unum *cd.* dies T die *cd.* diffensus *cd.* diffensus Momms. dies Cuiac. die *cd.* *Farn. L. XVII Fest.*, 372: *seclud.* secunda lege Schoell

^a This is the original sense of *assertor*; the word was also used of any advocate; and see above, p. 427.

^b This and appointment made for trial of some matter with a foreigner (as indicated by Cicero who is quoted next) were two of the excuses which were accepted for non-appearance in court.

TABIE II

taken; and this for the sake of showing partiality towards liberty, so that the assertors of freedom^a should not be overburdened by the magnitude of their duty.

2

Conditions for postponing proceedings :

Gellius: A more violent illness,^b which is powerful enough to do serious harm is, by the writers of the laws mentioned above, called in another passage not simply 'disease' but 'serious disease.'

Cicero: 'Hostis . . . was, amongst our ancestors, the term applied to the person whom we now call 'peregrinus.' This is shown by the *Twelve Tables*, thus—

² <Serious disease> or else day appointed^c with stranger.

Festus: 'Reus' . . . in the second Table, second law . . .—

If any of these be impediment for judge, referee, or party,^d on that account day of trial shall be broken off.^e

3

Provision of evidence :

Festus: 'Portus' (entrance, doorway) is used in the *Twelve* for house, according to the general agreement of nearly all experts—

^c That is, in a matter of law before a commission of *recuperatores*. For these see below, p. 509.

^d For *iudex* (judge) and *arbiter* (referee or umpire, not 'witness') see above, pp. 424, 429. The *arbitri* may have been actually first instituted by the Tables. *Reus* is here either of the contending parties. *Quid horum fuit* in Festus' text may be right; if so, *quid* = *quidquid*.

^e or 'deferred.'

THE TWELVE TABLES

³ Cui testimonium defuerit, is tertiis diebus obportum obvagulatum ito.

Cp. Fest., 570, 12.

Tabula III

1-6

Gellius, XX, 1, 42 : Confessi igitur aeris ac debiti iudicatis triginta dies sunt dati conquirendae pecuniae causa, quam dissolverent, eosque dies decemviri 'iustos' appellaverunt, velut quoddam iustitium, id est iuris inter eos quasi interstitutionem quandam et cessationem, quibus nihil eum his agi iure posset. Post deinde, nisi dissolverant, ad [praetorem] vocabantur et ab eo, quibus erant iudicati, addicebantur, nervo quoque aut compedibus vinciebantur. Sic enim sunt, opinor, verba Legis—

¹ Aeris confessi rebusque iure iudicatis XXX dies iusti sunt. ² Post deinde manus iniectio esto.

rebusque iure *secl.* Schoell reis Conti reobus Nikolsky

^a that is, after the summons; or perhaps it is on 'every other day,' according to the Roman way of counting; or 'on three market-days.' Every eighth day was a market-day. This enactment may refer to 'latitation' or keeping house in order to avoid a summons (see p. 425).

^b This means doubtless that the person requiring evidence must proclaim his need by shouting certain legal words or calls at witness' house.

^c who drew up the code of the *Twelve Tables* in 451 B.C.

^d In the time of the *Twelve Tables* the consul's court, not the later praetor's, unless in the Tables (cf. Table XII, 3) the consul was called by his original but soon altered name praitor = praetor.

^e This translation retains *rebusque iure* and takes *rebus . . . iudicatis* as dative, and *aeris confessi* as genitive, connected with *dies*: "Of debt acknowledged and for matters judged in legal process. . . ." It seems reasonable to take the delay of thirty days as applying, by the laws of the *Tables*, to all kinds of litigants who had been found liable for something, and that in this enactment the *Tables* apply the rule to the particular circumstances of debtors. Thus the thirty days'

TABLE III

³ Whoever is in need of evidence, he shall go on every third ^a day to waul ^b out before witness' doorway.

Table III

Debt

1-6

Rights of creditors :

Gellius: Those who have been judged liable for an acknowledged and unpaid debt were granted thirty days in which to find the money for discharging the obligation; and these days the Board of Ten ^c called 'iusti,' legitimate, as perhaps you might say a kind of 'iustitium' (vacation in legal activity); that is, a certain interval and cessation in judicial proceedings between parties; during those days no legal action could be taken amongst any of them. Then, after the limit, if the debtors had not discharged the debt, they were summoned to the [praetor's] ^d court and by him were made over to the persons to whom they were condemned to be adjudged, and they were bound in stocks or fetters. For this, I think, is the meaning of the words of the *Law*—

¹ When debt has been acknowledged, or judgment about matter has been pronounced in court, ^e 30 days must be the legitimate time of grace.

² After that, then arrest of debtor may be made by laying on hands. ^f Bring him into

grace are to date from the time when debtor or any other kind of defendant was dealt with legally in civic suit, when debtor or other defendant may have either confessed his debt or other fault, in a magistrates' court, whereupon no trial before a *iudex* was necessary, or been found later by the *iudex* to be liable for his fault. But some scholars omit *rebusque iure* because Gellius (see above) clearly takes *confessi aeris iudicati* as 'persons judged liable for acknowledged debt.' Even if this view is right, it does not disprove the probability that the thirty days applied to various kinds of cases. For proceedings *in iure* and *apud iudicem*, see above, pp. 424 ff., 431.

^f The position of the debtor was now one of an *adiudicatus*.

THE TWELVE TABLES

In ius ducito. ³ Ni iudicatum facit, aut quis endo eo in iure vindicet, secum ducito. Vincito aut nervo aut compedibus. XV pondo ne minore, aut si volet maiore vincito. ⁴ Si volet suo vivito. Ni suo vivit [qui eum vinctum habebit] libras farris endo dies dato; si volet, plus dato.

⁵ Erat autem ius interea paciscendi, ac nisi pacti forent habebantur in vinculis dies sexaginta. Inter eos dies trinis nundinis continuis ad [praetorem] in comitium producebantur, quantaque pecuniae iudicati essent praedicabatur. Tertiis autem nundinis capite poenas dabant aut trans Tiberim peregre venum ibant. Sed eam capitis poenam sanciendae . . . fidei gratia horrificam atrocitatis ostentu novisque terroribus metuendam reddiderunt. Nam si plures forent quibus reus esset iudicatus, secare, si vellent, atque partiri corpus addicti sibi hominis permiserunt. Et quidem ipsa verba Legis dicam, ne existimes invidiam me istam forte formidare—

³ *legendum fortasse endo eom (vel im vel em) iure in iure secludend. putat Momms. XV cdd. CL Voigt maiore aut si volet minore cd. Cuiacii, Schoell seclud. aut si volet minore Bréal, Journ. des Sav., 1902, 607*

⁴ *qui eum vinctum hebebit seclud. Schoell farris endo Gronov ferri e. Christ fer(r)iendo cdd.*

^a or perhaps rather 'protector' or 'claimant' who might dispute the validity of the judgment or confession about the debt, or of the *manus iniectio* based on the judgment or confession. Cf. pp. 427, 434. *Endo eo* may mean 'on the spot.'

TABLE III

court. ³ If he does not satisfy the judgment, or no one in court offers himself as surety ^a on his behalf, creditor may take defaulter with him. He may bind him either in stocks or in fetters; he may bind him with weight not less ^b than 15 pounds, or with more if he shall so desire. ⁴ Debtor if he shall wish may live on his own. If he does not live on his own, person [who shall hold him in bonds] shall give him one pound of grits for each day. He may give more if he shall so desire.

⁵ Moreover there was meanwhile the right of compromising, and unless they made a compromise debtors were held in bonds for sixty days. During that time they were brought before the [praetor's] court in the Meeting-Place on three successive market-days,^c and the amount for which they were judged liable was announced; and on the third market-day they suffered capital punishment or were delivered up for sale abroad, across the Tiber. But it was in order to make good faith sacred . . . that they made that capital punishment dreadful by a display of cruelty and fearful by unheard of terrors. For in cases where there were several creditors to whom the debtor had been adjudged, the Board allowed them the privilege of cutting up in pieces and sharing out the body—the body of a man—of him who had been made over to them; and listen, I will quote the actual words of the *Law*, lest you believe that maybe I shrink from their odium—

^b Possibly however *minore* and *maiore* should be interchanged.

^c Presumably the last three market days during the period of sixty days, and certainly at the consul's not the praetor's court (cf. p. 436 above). Market-days were eight days apart.

THE TWELVE TABLES

⁶ Tertiis nundinis partis secanto. Si plus minusve secuerunt, se fraude esto.

Cp. Gai., *Inst.*, IV, 21; III, 78; *Dig.*, XLII, 1, 4, 5; L, 16, 234, 2; Gell., XX, 1, 19; XV, 13, 11; Quintil., III, 6, 84; Tertull., *Apol.*, 4; Dio Cass., fr. 12.

7

Cicero, *de Off.*, I, 12, 37: 'Hostis' . . . apud maiores nostros is dicebatur quem nunc peregrinum dicimus. Indicant XII Tabulae . . . —

⁷ Adversus hostem aeterna auctoritas <esto>.

Tabula IV

1

Cicero, *de Leg.*, III, 8, 19: Cito necatus tamquam ex XII Tabulis insignis ad deformitatem puer.

2

Ulpianus, *Tit.*, 10, 1: Liberi parentum potestate liberantur emancipatione, id est si posteaquam mancipati fuerint manu-

⁶ secunto Schulin

⁷ esto Schoell

^a The expression *partes secanto* is variously explained: 'let them divide debtor's functions or capabilities' (Taylor); 'claim shares (*secare* = *sequi*) in his property' (Nettleship); 'divide price obtained for him' (Muirhead); 'divide his family and goods' (Voigt); 'announce (to magistrate; *secunto* from *sec̄re*) their shares' (Schulin). The old Roman writers took it to mean 'cut up debtor's body.' The division may well have been not of the debtor's person but of his property; or rather the enactment may have laid down division of debtor's body, while custom ordained division of his estate. For the problems, cf. Muirhead, 143 ff., 182 ff., 403-5. Note that the *Tables* still looked on debt as a delict. For delicts, see Table VIII, pp. 474 ff. *se* = *sine*.

TABLE IV

⁶ On third market-day creditors shall cut pieces.^a
Should they have cut more or less than their due, it shall be with impunity.

7

'*Usucapio*' by foreigner not allowed :

Cicero: 'Hostis' . . . was, amongst our ancestors, the term applied to the person whom we now call 'peregrinus.' This is shown by the *Twelve Tables* . . . —

⁷ Against stranger, title of ownership shall hold good for ever.^b

Table IV

Rights of Fathers

1

Destruction of deformed infants :

Cicero: Quickly killed, as the *Twelve Tables* ordain that a dreadfully deformed child shall be killed.

2

Emancipation of children from father's 'potestas' :

Ulpian: Descendants are freed from the authority of ascendants by 'emancipation,'^c that is, if after they have been 'mancipati,' 'transferred as property,' they have been

^b This apparently means that a foreigner in Roman territory can never obtain rights over any property simply by *usucapio* or long possession thereof; but the meaning of *auctoritas* here is disputed. At any rate *usucapio* (see p. 460) was peculiar to Roman citizens. For various views, see authorities in Jolowicz, *Historical Introduction to the Study of Roman Law*, 149, n. 2. Cp. Table VI, 3.

^c On *mancipatio* see pp. 428-9.

THE TWELVE TABLES

missi sint. Sed filius quidem ter mancipatus ter manumissus sui iuris fit. Id enim Lex XII Tabularum iubet his verbis—

² Si pater filium ter venunduit, filius a patre liber esto.

Cp. Gai., *Inst.*, I, 132; IV, 79; Dionys. Halic., *Antiqu.*, II, 27 (ἐν τῇ τετάρτῃ τῶν λεγομένων Δώδεκα Δέλτων).

3

Cicero, *Philipp.*, II, 28, 69: Illam mimam suas res sibi habere iussit, ex XII Tabulis, claves ademittit exegit. Quam porro spectatus civis, quam probatus, cuius ex omni vita nihil est honestius quam quod cum mima fecit divortium!

Cp. Gai., *Dig.*, XLVIII, 5, 44 (43).

4

Gellius, III, 16, 12: Decemviri (*scripserunt*) in decem mensibus gigni hominem, non in undecimo.

Ulpianus, ap. *Dig.*, XXXVIII, 16, 3, 9, II: Ex Lege XII Tabularum ad legitimam hereditatem is qui in utero fuit admittitur, si fuerit editus . . . Post decem menses mortis natus non admittetur ad legitimam hereditatem.

² d(uit?) a patre filius liber *Gaius* davit *Ulp.* duuit,
Cuiacius venundabit T

^a Originally a father could sell his son into slavery; and if the buyer freed the son, the son came into his father's *potestas* again. The full implications of this enactment are not known, but here apparently we have an old formula surviving in a sham triple-sale whereby a son was *emancipatus* or freed from his father's *potestas*. That this enactment was in the fourth Table we learn from Dionys. Hal., *Antiqu.*, II, 27.

^b The forms of words for a *repulium* (compulsory divorce of either party by the other) included *tuas res tibi habeto* or *tuas res tibi agito*. See next note.

TABLE IV

manumitted. But a son stands in his own right only when he has been thrice transferred and thrice manumitted. For that is what the *Law of the Twelve Tables* ordains in the following terms—

² If father thrice surrender son for sale,^a son shall be free from father.

3

Repudiation of wife :

Cicero : He has given orders for that actress of his to ‘mind her own affairs,’^b and, under the statutes of the *Twelve Tables*, he has taken away her keys^c and turned her out. What a worthy and excellent citizen in the eyes of posterity ! The most respectable thing he did in all his life was to divorce an actress !^d

4

Children born in adultery :

Gellius : The Board of Ten recorded^e that the birth of a human being be held to occur within ten months, not in the eleventh.

Ulpian : By the *Law of the Twelve Tables* a child who has been in the womb is admitted into a legal inheritance if he has been born . . .^f A child born after ten months since the father’s death will not be admitted into a legal inheritance.

^e This together with *tuas res tibi habeto* or *agito* constituted *repudium*.

^d Strictly speaking *divortium* was separation by consent, and therefore different from *repudium* or compulsory divorce by either party. This law probably referred to plebeian marriages—Muirhead, 107.

^e in an enactment concerning disputed rights of posthumous children—see the next quotation.

^f The following words, like Gellius’ above, may be an interpretation, not a paraphrase, of actual words of the code.

THE TWELVE TABLES

Tabula V

Succession

With regard to Roman wills and guardianship, the following points should here be noted. (i) At one time a father had no power over the disposal of his property after death; it passed to those who had been in his *patria potestas*; all the children had equal rights; the grandchildren, if their father was dead, counted as testator's children. In the earliest times all these inheritors held the property in common, being called *consortes*, and they were testator's *sui heredes* ('his own heirs'; 'family heirs'; 'self-successors'—a *suus heres*, mention of whom was necessary in a legal will, even when disinherited therein, was a person whom testator has named in his will as *meus heres*) a term used later of first successors to an intestate. But in quite early times any of the *consortes* could ask for a division of the inheritance, being then said *erctum ciere*, 'to summon to a fencing off' (see below, item 10 of this Table). Note the difference between *heres* and *legatarius*: after legal disposal of property by will was instituted, every valid will had to mention the *heres* or the *heredes*, who were beneficiaries and executors; a *legatarius* was a person to whom a *heres* must deliver something conferred by the testator. (ii) The kinds of will or *testamentum* referred to below in the *Twelve Tables* would be the two oldest forms of public will, one sanctioned in

1

Gaius, *Inst.*, I, 144-5: *Veteres . . . voluerunt feminas, etsi perfectae aetatis sint, propter animi levitatem in tutela esse . . . (145) exceptis virginibus Vestalibus, quas etiam veteres in honorem sacerdotii liberas esse voluerunt. Itaque etiam Lege XII Tabularum cautum est.*

Cp. *op. cit.*, 155, 157.

^a *sc.* of their agnates (Gai., *Inst.*, I, 157), for which see below, if not of a testamentary guardian (*id.*, I, 155). This, according to the *Twelve Tables*, applied to immature males also. Thus

TABLE V

Table V Guardianship

the *comitia calata* (part of the *c. curiata*) at one of its two meetings every year, the other, *testamentum in procinctu*, made by soldiers in military array (*procinctus* is 'a girding up'). The third form of will (a private one *per aes et libram* or mancipatory will—cf. pp. 428-9, 446 by which testator mancipated his estate at a nominal sum to a friend for disposal after testator's death) was apparently instituted later than the *Twelve Tables*. In the first form of will the *comitia* at least witnessed the will if it did not also ratify it by vote. It is doubtful whether in this form of will a *heres* was appointed or whether merely particular legacies were dealt with; if a *heres* was appointed, then it probably meant that there was no natural descendant who would be the successor in any case. For these problems see Jolowicz, *Historical Introduction*, 125-134. With regard to the order of fragments of the *Twelve Tables*, note here one clue: from *Dig.*, XXXVIII, 6, 1, pr. we learn that testamentary succession preceded intestacy in the code. (iii) Guardianship and guardians were *tutela* and *tutores* respectively where the incapacity was due to youth or to female sex, *cura* or *curatio*, and *curatores* respectively when the wards were lunatics or spendthrifts. *Tutela* and *cura* existed only over people who were (except for the *tutela* or *cura*) *sui iuris*, their own masters.

1

Status of women ; their property :

Gaius: Our ancestors have seen fit that females, by reason of levity in disposition, should remain in guardianship^a even when they have attained their majority. . . . We except the Vestal Virgins; even our ancestors saw fit, out of respect for the Virgins' priesthood, that these should be free from control; and so there was also a provision made to this effect in the *Law of the Twelve Tables*.

women could not be *sui iuris*. This system had lost much of its effect by the time of the Roman Empire.

THE TWELVE TABLES

2

Gaius, *Inst.*, II, 47: Item olim mulieris quae in agnatorum tutela erat res mancipi usucapi non poterant praeterquam si ab ipsa tutore auctore traditae essent; idque ita Lege XII Tabularum cautum erat.

Cp. Gai., I, 157.

3

Ulpianus, *Tit.*, XI, 14: Testamento . . . nominatim tutores dati confirmantur eadem Lege XII Tabularum his verbis—

³ Uti legassit super [familia] pecunia tutelave suae rei, ita ius esto.

Cp. Gai., *Inst.*, II, 224; Justinian., *Inst.*, II, 22, pr.; *Nov.*, XX, 2, pr.; Ulp., fr. XI, 14; Cic., *de Invent.*, II, 50, 148; *ad Herenn.*, I, 13, 23; Pompon., *Dig.*, L, 16, 120; Paul., *Dig.*, I, 16, 53, pr.; XXVI, 2, 20, 1; Gai., *ap. Dig.*; XXVI, 2, 1.

³ uti legassit suae rei ita ius esto *Gai., Inst.*; *Pomp., Dig.*; *Justinian., Inst.* uti legassit quisque de sua re ita ius esto *Justinian., Nov.* uti legassit super pecunia tutelave suae rei ita ius esto *Ulp.* paterfamilias uti super familia pecuniaque sua legaverit (*aut legassit*) ita ius esto *Cic.*; *auct. ad Herenn.* super pecuniae tutelave suae *Paul. (Dig.)*

^a *i.e.* directions given to the heir about legatees (see notice, p. 444). The much discussed law cited next from Ulpian, although the later Romans interpreted the words *uti legassit* very widely, should probably not be taken as giving unrestricted freedom in making a will. Normally a testator having a family would use words and formulas under advice of a legal expert; these as stated by *testator* were to be respected. The enactment may refer to the third form of will indicated in the notice to Table V, given above, pp. 444-5,

TABLE V

2

Gaius: Again, the conveyable possessions of a woman who was under the guardianship of agnates at one time could not rightfully be acquired by 'usucapio' or long usage save such possessions as had been delivered up by her with a guardian's sanction; and there had been a provision made to this effect by the *Law of the Twelve Tables*.

3

Directions given by testator: ^a

Ulpian: The status of guardians provided by name in a will is confirmed by the same *Law of the Twelve Tables* in these words—

³ According as person shall bid ^b regarding his [household,] chattels ^c or guardianship of his estate, so shall right be.

but the view is generally taken that that form was instituted later than the *Tables*. This enactment shows well how great was the need felt for interpretation of the *Tables'* wording.

^b *lēgo* in its old sense 'give direction' or 'order.'

^c *Pecunia* may, if we omit *familia* here, mean all the objects possessed. But the inferior tradition of this enactment adds here *familia*, which meant especially household property, and, above all, slaves. Thus *pecunia* may be the non-working animals such as sheep and goats, and also pastured oxen. At any rate, at one time *pecunia* and *familia* were surely distinct though often taken by the Romans (even by the *Tables*—V, 7a; V, 10; V, 5) as synonymous. Some have thought that here *familia* is all *res mancipi* (but not including land), while *pecunia* is all *res nec mancipi*; for some *pecus* or cattle such as pastured oxen, sheep and goats, was not *res mancipi*; on these, see pp. 460-1. *Ita ius esto*, 'so shall law hold good.'

THE TWELVE TABLES

4-5

Iustinianus, *Inst.*, III, 1, 1 : Intestatorum . . . hereditates ex Lege XII Tabularum primum ad suos heredes pertinent.

Iustinianus, *Inst.*, II, 13, 5 : Utraque persona in hominum procreatione similiter naturae officio fungitur, et Lege antiqua XII Tabularum omnes similiter ad successiones ab intestato vocabantur.

Ulpianus, *Pit.*, XXVI, 1 : Si sui heredes non sint, ad consanguineos (sc. *intestatorum ingenuorum hereditates pertinent*) . . . Si nec hi sint, ad reliquos agnatos proximos, id est cognatos virilis sexus, per mares descendentes eiusdem familiae; id enim cautum est lege XII Tabularum haec—

⁴ Si intestato moritur, cui suus heres nec escit, adgnatus proximus familiam habeto.

Cp. Cic., *de Invent.*, II, 50, 148; Ulp., *Dig.*, L, 16, 195, 1; Paul., *Dig.*, XXVIII, 2, 9, 2; Gai., *Inst.*, III, 11; Iustinian., III, 1, 1; 9; III, 2, 7; 15; III, 2, pr., 3; 5; III, 5, 1; 5.

Ulpianus, *Coll. Mos. et R.*, XVI, 4, 2 : Si agnatus defuncti non sit, eadem lex XII Tabularum gentiles ad hereditatem vocat his verbis—

⁵ Si adgnatus nec escit, gentiles familiam habeto.

Cp. Gai., *Inst.*, III, 17; Paul., *Coll.*, XVI, 3, 3; Cic., *l.c.*

⁴ escit Cuiac. *pro est*

⁵ nec e. Cuiac. nescit *Ulp.* habeto *add.* Momms.

^a A *suus heres* (heir who had been in paternal power of deceased until latter's death: see notice on pp. 444-5) was regarded not as a successor but as having held the father's property in common with him by dormant right which became active automatically on the father's death. The quotation here given is perhaps rightly taken as merely an interpretation of the statute about agnates given below from Ulpian. But the *Tables* may have expressly laid down the custom as law.

^b brothers and sisters begotten by the same father.

^c *agnati* were persons, male or female, related to one another through males naturally or by some form of adoption. Note

TABLE V

4-5

Intestacy ; self-successors ; agnates ; gentiles (clansmen) :

Justinian : Inheritances of persons who die intestate fall first, by the *Law of the Twelve Tables*, to self-successors.^a

Justinian : Both sexes perform equally the function of nature in perpetuating mankind, and by the ancient *Law of the Twelve Tables* all were called equally to succession by an ancestor intestate on decease.

Ulpian : If there be no self-successors, the inheritances of free-born persons who have died intestate belong to blood-relations ^b . . . if these likewise be lacking, to the nearest of the remaining agnate relations,^c that is, kinsmen by blood who are of the male sex and trace their descent through males of the same family ; for that is the provision laid down in the following law of the *Twelve Tables*—

⁴ If person dies intestate, and has no self-successor, nearest agnate male kinsman shall have possession of deceased's household.^d

Ulpian *also says* : Should there be no agnate of one deceased, the same law of the *Twelve Tables* calls the *gentiles*,^e clansmen, to the inheritance, in these words—

⁵ If there is no agnate male kinsman, deceased's clansmen shall have possession of his household.^f

that agnatic inheritance (and guardianship—see below) were instituted by the Tables (Ulp., fr. XXVII, 5 ; XI, 3), while testamentary inheritances were merely confirmed by them (*Dig.*, L. 16, 130). This succession by agnates was probably thus instituted to meet the case of plebeians whose possession of *gentes* was not yet recognised ; for the *gentiles*, see law 5 below.

^a or 'estate,' for here *familia* includes cattle—see above, p. 447, n. c.

^e *gentiles* were persons all belonging to the same *gens*. They of course included agnates when these existed.

see above, n. d, and p. 447.

THE TWELVE TABLES

Iustinian., *Inst.*, III, 3, pr.: Lex XII Tabularum . . . praeponebat masculorum progeniem et eos qui per feminini sexus necessitudinem sibi iunguntur adeo expellebat ut ne quidem inter matrem et filium filiamve ultro citroque hereditatis capiendae ius daret.

6

Gaius, *Inst.*, I, 155: Quibus testamento . . . tutor datus non sit, iis ex Lege XII Tabularum agnati sunt tutores.

Cp. Iustinian., *Inst.*, I, 15, pr.; ep. Ulp., fr. XI, 3.

7a-c

auct., *ad Herenn.*, I, 13, 23: Lex est—

^{7a} Si furiosus escit, adgnatum gentiliumque in co pecuniaque eius potestas esto.

Cp. Cic., *de Invent.*, II, 50, 148; *Tusc. Disp.*, III, 5, 11.

Festus, 162, 14: 'Nec' coniunctionem grammatici fere dicunt esse disiunctivam . . . cum si diligentius inspiciatur, ut fecit Sinius Capito, intellegi possit eam positam esse ab antiquis pro non, ut et in XII est—

^{7b} Ast ei custos nec escit,

Cp. Gai., *Inst.*, II, 64.

^{7a} Si furiosus escit <ast ei custos nec escit> Schoell, *ex Fest.* 162, 14 *sqq.*; *vide infra*

^{7b} ast ei custos nec escit *addit* Schoell *post* Si furiosus escit *in auct., ad Herenn.*, I, 13, 23; *Cic., de Invent.*, II, 50, 148; *vide supra*

^a except that if she was in the *manus* of her husband (see below, p. 462, n. a), she became her children's nearest agnate, and so entered in default of *sui heredes*—Gaius, *Inst.*, III, 24.

^b *sc.* pupil males or unmarried females.

^c Agnate guardianship was *instituted* by the *Tables*—see above, p. 448. Failing agnates, doubtless it was the *gentiles*

TABLE V

(*Interpretation of this enactment :*)

Justinian: The *Law of the Twelve Tables* . . . preferred the issue of males, and those who are related to each other through females it excluded so strictly that it granted reciprocal rights of taking an inheritance not even between a mother ^a and her son or daughter.

6

Guardianship :

Gaius: To persons ^b for whom a guardian has not been appointed by will, to them, by the *Law of the Twelve Tables*, agnates ^c are guardians.

7a-c

Guardianship of lunatics and prodigals :

The author of *To Herennius : A Law* says—

^{7a} If a man is raving mad, rightful authority over his person and chattels shall belong to his agnates or ^d to his clansmen.

Festus: 'Nec'; grammarians generally say that this word is a disjunctive conjunction . . . whereas if it is examined more carefully, as Sinnius Capito has done, one can see that it was used by archaic writers for 'non,' like moreover the following example, in the *Twelve Tables*—

^{7b} But if ^e there shall be not trustee for him,

who took guardianship of sane wards as they did in the case of lunatics and prodigals—see next quotations.

^d *i.e.* failing agnates. This held good even before the lunatic's death; for Gaius, *Inst.*, II, 54 refers to this enactment when he is not dealing with inheritances. *Pecunia* is here all effects, not merely the non-working farm-animals such as sheep and goats; for this, see above pp. 446-7. Note the word *furiosus*, stronger than *insanus*.

^e 'ast' means 'if,' or rather 'but if.' This fr. should perhaps be inserted in the preceding one, after *si furiosus escit*. Yet it seems to imply some kind of safe custody apart from agnates and clansmen.

THE TWELVE TABLES

Ulpianus, ap. *Dig.*, XXVII, 10, 1: *Lege XII Tabularum* ^{7c} *prodigo interdicitur bonorum suorum administratio*.
Ulpianus, *Tit.*, XII, 2: *Lex XII Tabularum furiosum itemque prodigum, cui bonis interdictum est, in curatione inbet esse agnatorum*.

(*p.* Justinian., *Inst.*, I, 23, 3; *Dig.*, XXVII, 10, 13.

8

Ulpianus, *Tit.*, XXIX, 1: *Civis Romani liberti hereditatem Lex XII Tabularum patrono defert, si intestato sine suo herede libertus decesserit*.

Gaius, *Inst.*, I, 165: *Ex eadem Lege XII Tabularum libertarum et impuberum libertorum tutela ad patronos liberosque eorum pertinet. Quae et ipsa tutela legitima vocatur, non quia nominatim ea Lege de hac tutela cavetur, sed quia proinde accepta est per interpretationem atque si verbis legis introducta esset. Eo enim ipso, quod hereditates libertorum libertarumque, si intestati decessissent, iusserat Lex ad patronos liberosve eorum pertinere, crediderunt veteres voluisse legem etiam tutelae ad eos pertinere, quia et agnatos, quos ad hereditatem vocavit, eosdem et tutores esse iusserat*.

(*p.* Justinian., *Inst.*, I, 17, *pr.*; Gai., *Inst.*, III, 40.

Gaius, *Inst.*, III, 49: *Patronae olim . . . hoc solum ius habebant in bonis libertorum, quod etiam patronis ex Lege XII Tabularum datum est*.

^a For the problem of the *prodigi* at the time of the *Twelve Tables*, cf. Jolowicz, *Historical Introduction*, 121. Note that guardianship over lunatics (including imbeciles) and prodigals is not *tutela* but *cura*.

^b The only words which actually survive of this enactment or group of enactments are given below, pp. 454-5.

^c who could have no agnates.

TABLE V

Ulpian: By the *Law of the Twelve Tables* a ^{7c} spendthrift is forbidden to exercise administration over his own goods. Ulpian also says: The *Law of the Twelve Tables* ordains that a person who, being insane or a spendthrift,^a is prohibited from administering his own goods, shall be under the trusteeship of agnates.

8

Freemen and patrons ; guardianship and intestacy ^b :

Ulpian: The inheritance of a Roman citizen-freedman is, by the *Law of the Twelve Tables*, made over to his patron, if the freedman has died intestate and having no self-successor.

Interpretations of this enactment :

Gaius: By the same *Law of the Twelve Tables* the guardianship of freedwomen, and of freedmen ^c below the age of puberty, belongs to the patron ^d and the patron's children. This guardianship also (*sc. besides that of agnates*) is called statutory, not because the provision in that *Law* expressly mentions this guardianship, but because it has by interpretation received as much acceptance as if its introduction had been made in express terms by the *Law*. For, since the *Law* had ordained that inheritances of freedmen or freedwomen, if they had died intestate,^e belonged to the patrons and the patrons' children, for that very reason the ancients ^f believed that the *Law* desired that the guardianships also should fall to them, because the *Law* had ordained ^g that the agnates whom it called to succeed to an inheritance should be guardians also.

Gaius: At one time, patronesses . . . had no more than the same rights in the goods of their freedmen as were granted by the *Law of the Twelve Tables* to patrons.

^d that is, the person who had manumitted them from slavery.

^e and had no *suus heres*—see Ulpian quoted just above.

^f *sc.* the lawyers of the Republic.

^g *cf.* fr. 7a–e above.

THE TWELVE TABLES

Gaius, *Inst.*, III, 51: Quod . . . ad libertinarum bona pertinet, si quidem intestatae decesserint . . . si neque ipsa patrona neque liberta capite deminuta sit, ex Lege XII Tabularum ad eam hereditas pertinet et excluduntur libertae liberi, quod iuris est etiam si liberis honorata non sit patrona. . . . Si vero vel huius vel illius capitis deminutio interveniat, rursus liberi libertae excludunt patronam.

Cp. Iustinian., *Inst.*, III, 7, 3.

Ulpianus, ap. *Dig.*, I, 16, 195, 1: De patrono et liberto . . . Lex—

⁸ ex ea familia in eam familiam

9

Gordianus, *C.*, III, 36, 6: Ea quae in nominibus sunt non recipiunt divisionem cum ipso iure in portiones hereditarias ex Lege XII Tabularum divisa sunt.

Diocletianus, *C.*, II, 3, 26: Ex Lege XII Tabularum aes alienum hereditarium pro portionibus quaesitis singulis ipso iure divisum.

Cp. *Dig.*, X, 2, 25, 9, 13; *C.* IV, 16, 7; 8, 35, 1.

10

Gaius, ap. *Dig.*, X, 2, 1: Haec actio (*sc.* 'familiae erescundae') proficiscitur e Lege XII Tabularum, namque

⁸ familia inquit *Ulp.* ex ea familia (*i.e. gente*) <qui liberatus erit, eius bona> in eam familiam <revertuntor> Momms. ea familia *i. e. f.* <ius habeto> Huschke pecunia ex ea familia in patroni familiam redito *coni.* Voigt

^a because a woman could not have a *suus heres*.

^b It is not known how these words apply to a *patronus* succeeding to an intestate *libertus*.

^c *sc.* of an estate amongst coheirs. See next note and item 10.

^d The passage from Gordian quoted before that from Diocletian implies that when there were several heirs, each coheir could proceed against a debtor of deceased only for so much of the debt as corresponded to coheir's share of the inheritance. The passage from Diocletian means that

TABLE V

Gaius : With regard to the goods of freedwomen, if they have died intestate . . . if neither the patroness herself nor the freedwoman has undergone any forfeiture of civil rights, by the *Law of the Twelve Tables* the inheritance falls to the patroness, and the children of the freedwoman are excluded,^a and this holds good in law even if the patroness has not been honoured with children . . . But if of either one or the other there has befallen any forfeiture of civil rights, conversely the children of the freedwoman exclude the patroness.

Ulpian : The *Law* . . . about patron and freedman says—

8 from said household into said household^b

9

Division of inheritance. Claims by heirs against debtors of deceased ; liability of heirs for debts owed by deceased :

Gordian : Items which are in the category of debts are not included in division when by the *Law of the Twelve Tables* they have with automatic right been divided into portions of an inheritance.^c

Diocletian : By the *Law of the Twelve Tables* debt bequeathed by inheritance was divided proportionally amongst each heir with automatic liability when the details had been investigated.^d

10

Division of inheritance ; withdrawal from coheirship :

Gaius, on apportionment of a family-estate^e : This procedure takes its departure from the *Law of the Twelve*

similarly each coheir is liable for a share of deceased's debts to others according to coheir's share of the inheritance. For division of inheritance, see the next passage from Gaius.

^e that is, on the judicial division of an estate, by a *iudex* exercising *adiudicatio*, amongst coheirs if these disagreed. *Familia* is here used apparently in its wide sense (see above, p. 447, n. c ; 449). A coheir asking for division was said *erctum ciere*, 'to summon to a fencing-off' (see above, notice to Table V, p. 444).

THE TWELVE TABLES

coheredibus volentibus a communione discedere necessarium videbatur aliquam actionem constitui qua inter eos res hereditariae distribuarentur.

Cp. Paul., ex Fest., 58, 12; Gell., I, 9, 12; Serv., ad *Aen.*, VII, 642.

Tabula VI

1a

Festus, 180, 9: 'Nuncupata pecunia' est, ut ait Cincius in lib. II de Officio Iuriconsulti, nominata, certa, nominibus propriis pronuntiata—

1a Cum nexum faciet mancipiumque, uti lingua nuncupassit, ita ius esto.

Id est, uti nominavit, locutusve erit, ita ius esto.

Cp. Cic., *de Or.*, I, 57, 245 (. . . in XII Tabulis . . .); *de Offic.*, III, 16, 65; Paul., *Vat. fr.*, 50; Gai., *Inst.*, I, 119; II, 104; Varr., *L.L.*, VI, 60.

1a = I Bruns

^a For *mancipium*, *mancipatio* see above, p. 428, n. a. *Nexum*: on the special meaning of this various opinions are held. Down to about 326 B.C. there were persons called *nexi* ('bound') who were debtors made (by the procedure *per aes et libram* 'by copper and scales' as in *mancipatio*) bondsmen to their creditors (Varro, *L.L.*, VII, 105; Gaius, *Inst.*, III, 173-5). Probably *nexum* was (i) any legal bond, to which the ceremony *per aes et libram* came in time to be attached; (ii) particularly the bond by which a debtor incurred a debt; (iii) self-mancipation of debtor by debtor to creditor to be the latter's bondsman (*nexus*) in order to escape judgment for unpaid debt and with prospect of release when the debt was paid (Mitteis, *Zeitschrift d. Savigny-Stiftung, Roman. Abt.*, XXII, 96 ff.; XXV, 282; *Röm. Privatrecht*, I, 136 ff.;

TABLE VI

Tables, for when coheirs expressed a wish to withdraw from common and equal participation, it seemed necessary that there should be established some sort of procedure by which such bequeathed effects could be divided amongst them.

A law touching on manumission by testament, mentioned by Ulpian, is given below, Table VI, 1d, among the laws about possession.

Table VI

Acquisition. Possession

1a

Transfer of property :

Festus: 'Nuncupata pecunia' is, according to Cincius in the second book of *On the Duties of a Lawyer*, effects or chattels named or specified, publicly proclaimed each under its own name—

1a When party shall make bond^a or conveyance, according as he has named by word of mouth,^b so shall right hold good.^c

That is, according as he shall have pronounced or spoken them by name, so shall the right hold good.

contrast the old view in Huschke, *Ueber das Recht des Nexum*, which is still widely accepted. Cf. De Zulueta. *L.Q.R.*, XXIX, 1913, 137 ff. Here again we have an enactment which especially invited interpretation. Cf. Riccobono, *Fontes*, XV.

^b More literally, 'according as he has named (or specified, spoken) with tongue.' That *lingua* is here ablative, not nominative, is indicated but not proved by a passage in Cic., *de Off.*, III, 16, 65, quoted below: *quae essent lingua nuncupata . . .*

^c or, 'so shall the law stand.' The enactment may have simply confirmed the purchaser's words at a *mancipatio*, or have sanctioned conveyance without immediate payment; or it may have served both purposes.

THE TWELVE TABLES

1b

Paul., *Vat.*, fr. 50: Et mancipationem et in iure cessionem Lex XII Tabularum confirmat.

1c

Iustinianus, *Inst.*, II, 1, 41: Venditae . . . (*res*) et traditae non aliter emptori acquiruntur quam si is venditori pretium solverit, vel alio modo ei satisfecerit veluti expromissore aut pignore dato. Quod cavetur quidem etiam Lege XII Tabularum, tamen recte dicitur et iure gentium, id est iure naturali, id effici.

Cp. Pompon., *Dig.*, XVIII, 1, 19.

1d

Ulpianus, *Tit.*, II, 4: Sub hac conditione liber esse iussus si CCCC milia heredi dederit, etsi ab herede abalienatus sit, emptori dando pecuniam ad libertatem perveniet; idque Lex XII Tabularum iubet.

Pomponius, ap. *Dig.*, XL, 7, 29, 1: Lex XII Tabularum emptionis verbo omnem alienationem complexa . . .

^{1b} = 5b Bruns

^{1c-d} = Tab. VII, 11-12 Bruns

^a See pp. 428-9, 463.

^b That is, by *traditio*, or mere formal delivery (as being *traditio* of *res nec mancipi*), not by *mancipatio*. But this explanation states a ruling which seems to have been made only in post-classical times. Perhaps the ruling after all refers to handing over of *res* conveyed by *mancipatio*, for which see pp. 428-9. At any rate the rule here given by Justinian must have been applied to *res mancipatae* at the time of the *Tables*. This enactment is usually placed near the end of Table VIII; cf. Muirhead, 122, 149.

^c In this case a *statuliber*, free on appointed condition, a slave ordered in a will to become free on some condition.

TABLE VI

1b

Paulus : Both mancipation and surrender in court ^a are procedures confirmed by the *Law of the Twelve Tables*.

1c

Establishment of right to an article :

Justinian : Articles which have been sold and handed over ^b are not acquired by a buyer otherwise than when he has paid the price to the seller or has satisfied him in some other way, that is, by providing a guarantor or a security. This is certainly laid down by a provision in the *Law of the Twelve Tables* ; yet it may be rightly said to be brought about by international law, that is, by natural law.

1d

Manumission by testament :

Ulpian : A person ^c who has been ordained a free man under this condition, namely, if he has bestowed a sum of 10,000 pieces on the heir, though he has been alienated by the heir, shall win his freedom by giving the money to the purchaser ; and this is ordained by the *Law of the Twelve Tables*.^d

Pomponius : The *Law of the Twelve Tables* embraced by the word *emptio* ' acquisition by exchange ' every kind of alienation.

^d This enactment of the *Tables* (which is usually put at end of Table VIII) probably confirmed rather than created the commonest form of manumission with enfranchisement—that by *testamentum* or will, witnessed or sanctioned by the *comitia calata*, the other two forms, sanctioned by the developed Roman law, being that by *vindicta* (wand) which was common, and that by *census* (enrolment in list of citizens) which was less frequent. If the story told by Livy, II, 5 can be believed, then manumission by *vindicta* also, confirmed by a magistrate, existed at the time of the *Tables*.

THE TWELVE TABLES

Modestinus, ap. *Dig.*, XL, 7, 25 : Statu liberos venum dari posse leges XII Tabularum putaverunt.

Cp. *Fest.*, 458, 7.

2

Cicero, *de Off.*, III, 16, 65 : Cum ex XII Tabulis satis esset ea praestari quae essent lingua nuncupata, quae qui infitatus esset dupli poenam subiret, a iuris consultis etiam reticentiae poena est constituta.

3

Gaius, *Iust.*, II, 42 : <Usucapio autem> mobilium rerum anno completur, fundi vero et aedium biennio ; et ita Lege XII Tabularum cautum est.

Cicero, *Top.*, IV, 23 : Usus auctoritas fundi biennium est . . . ceterarum rerum omnium . . . annuus est usus.

Cp. *Cic.*, *pro. Caec.*, 19, 54.

^a when asked about them.

^b *sc.* double the proportionate part of the price or of the things transferred. It is generally thought that this enactment refers to the mancipation of land and applies to a case where some area was found to be less than had been stated.

^c *Usucapio*, 'holding the use' or 'holding by use' (a method of acquiring ownership by civil law, the other two being *mancipatio* and *in iure cessio*—see above, pp. 428–9, 463) means the obtaining of ownership by *usus*, 'continued having and use' for a period of time. The *Tables* did not apparently create this, but only regulated it.

^d This shows that at the time of the *Tables* private property in land existed apart from the *heredium* (on this see below, p. 468); and it shows the natural distinction between 'real,' or immovable, and 'personal' property. But the Romans had another and entirely Roman distinction, namely between (i) *res mancipi* (land; larger farm-beasts such as beasts of draught and burden including draught-oxen; slaves; rustic servitudes; all being regarded as part of the *familia*, the real workers of an estate) which could be transferred by *mancipatio* or by *in iure cessio* (for which see pp. 428–9, 463); and (ii)

TABLE VI

Modestinus : The laws of the *Twelve Tables* were of the opinion that slaves who were free-on-condition could be given for sale.

2

Declaration of burdens or flaws :

Cicero : By the *Twelve Tables* it was sufficient to make good such faults as had been named by word of mouth, and that for any flaws which the vendor had expressly denied,^a he should undergo penalty of double damages ;^b but juriconsults have established a like penalty even for failure to make such declaration.

3

Usucapio of things :^c

Gaius : ' Usucapio ' of movable things requires one year's possession for its completion ; but usucapio of an estate and buildings, two years ' ; and to this effect provision^d was made in the *Law of the Twelve Tables*.

Cicero : The lapse of time in order to establish title to possession and enjoyment^e of an estate is a period of two years . . . of all other things enjoyment lasts one year only (in order to establish the right).

res nec Mancipi, which were all other things, including goats, sheep and swine and even pastured oxen, which were capable of transfer by mere *traditio*, delivery. But note that in early times, so long as uncoined copper was by *weight* the medium of exchange, conveyance of *all* things was probably *per aes et libram* ; when counting superseded weighing, then came the alteration by which conveyance *per aes et libram* was restricted to *res Mancipi*. See p. 515.

^e But *usus* like *auctoritas* may here be nominative : ' Since time for *usucapio* of an estate and time within which an *actio auctoritatis* can be brought is two years. . . ' *Actio auctoritatis* was an action by transferee against transferor where latter, not being owner of the property transferred, failed to support the title he had transferred when such title had been successfully won by real owner from transferee.

THE TWELVE TABLES

4

Gaius. *Inst.*, I, III : Usu in manum conveniebat, quae anno continuo nupta perseverabat; quia enim veluti annua possessione usucapiebatur, in familiam viri transibat filiaeque locum optinebat. Itaque Lege XII Tabularum cautum est ut siqua nollet eo modo in manum mariti convenire, ea quotannis trinoctio abesset atque eo modo usum cuiusque anni interrumpere. Sed hoc totum ius partim legibus sublatum est, partim ipsa desuetudine oblitteratum est.

Cp. Gell., III, 2, 12 *sqq.*

5a-b

Gellius, XX, 10, 6-8 : 'Manum conserere' . . . correptio (*an* consertio?) manus in re atque in loco praesenti apud [praectorem] ex XII Tabulis fiebat, in quibus ita scriptum est—

^{5a} Si [qui] in iure manum conserunt,

Paulus, *Uat. fr.*, 50 : ^{5b} Et mancipationem et in iure cessionem Lex XII Tabularum confirmat.

^{5a} qui *seclud.* Schoell

^a This describes not a woman's method of obtaining a divorce, but how a wife could remain married to her husband without passing into or remaining in his *manus* or 'rights of possession.' cf. O. Karlowa, *Römische Rechtsgeschichte*, II, 163. Jolowicz. *Historical Introduction*, pp. 115-6. Here we probably see the *Tables* recognising the varying views of marriage in Rome, and striking some sort of a blow at the *patria potestas*.

^b To make joint seizure, where the parties both at the same time laid their hands on the object of disputed claim. The origin of the procedure was probably a trial by fight or battle, 'to join hand to hand in combat.'

TABLE VI

4

Usucapio of a wife :

Gaius : A woman became subjected to her husband's ' hand by enjoyment ' when she had lived as his wedded wife without interruption for one year; for because she had been as it were ' held by enjoyment ' in one year's possession, she was transferred to the man's establishment and occupied the status of a daughter; and so there was made in the *Law of the Twelve Tables* a provision that any woman who did not wish to be subjected in this manner to the hand of her husband should be absent for three nights in succession every year, and so interrupt the usucapio of each year.^a But the whole of this legal enactment has been in part abolished by statute and in part obliterated simply by change of custom.

5a-b

Joint seizure :

Gellius : ' Manum conserere,'^b to join hand on, lay hands on . . . Seizure with the hand, according to the *Twelve Tables*, used to take place directly on the thing or on the place in question, in the presence of the [praetor]; there occur the following words in the *Tables*—

^{5a} If parties lay on hand together in law,^c

Paulus : ^{5b} Both mancipation and surrender in court are procedures confirmed by the *Law of the Twelve Tables*.

^c that is, in the presence of a magistrate (as though *in iure* in court), who went to the place where the disputed thing was. Transferee grasped and claimed the thing conveyed; transferor, asked by magistrate whether he makes counterclaim, said no or was silent. Magistrate then assigned thing to transferee. The whole ceremony was called *in iure cessio*, 'surrender in court.' In the time of the *Tables* the magistrate was a consul, not a praetor.

THE TWELVE TABLES

6

Livius, III, 44, 12: Postulant ut rem integram in patris adventum differat (sc. *Appius Claudius*), lege ab ipso lata vindicias det secundum libertatem.

Cp. Pompon., ap. *Dig.*, I, 2, 2, 24; et Liv., III, 562, 4, 6; Dionys. Hal., *Antiqu.*, XI, 30.

7-9

Festus, 556, 25 (p. 502 Linds.): 'Tignum' non solum in aedificiis quo utuntur appellatur, sed etiam in vineis, ut est in XII—

7 Tignum iunctum aedibus vineaeve e compage ne solvito.

Cp. Paul., *Dig.*, VI, 1, 23, 6; Iustinian., *Inst.*, II, 1, 29.

Ulpianus, ap. *Dig.*, XLVII, 3, 1: ⁸ Lex XII Tabularum neque solvere permittit tignum furtivum aedibus vel vineis iunctum neque vindicare; quod providenter Lex effecit, ne vel aedificia sub hoc praetextu diruantur vel vinearum cultura turbetur. Sed in eum qui convictus est iunxisse, in duplum dat actionem.

<p>7 vineaeve Cuiacius aque <i>cdd.</i> (<i>apogr.</i>) <i>Fest.</i> (= concipit) Huschke Mr. et concapit <i>cdd.</i> (<i>apogr.</i>)</p>	<p>vineaeque S e compage Bosius e concapi Schoell concapitum Cuiacius</p>	<p>vineave <i>vel</i> vineae sei concapit e concape O.</p>
---	---	--

^a more literally 'following' or 'on the side of liberty.' Appius was one of the decemvirs, and the law referred to was part of the *Twelve Tables*. Cp. Dionys. Halic., *Antiqu.* XI, 31. Appius, lusting after Virginia (in the absence of her father), caused a retainer of his to claim her as a slave born in retainer's household. Her legal representatives demanded postponement of the matter until the father's return, because Appius' own law had enacted that the person of no one claimed as a slave should be handed over to claimant until the

TABLE VI

6

Livy: They demanded that Appius Claudius should postpone the matter undecided until the father's arrival; by a law proposed by Appius himself, he should meanwhile grant right of claim to party demanding client's freedom.^a

7-9

Stolen materials from buildings and vineyards :

Festus: 'Tignum'^b is a term used not only of the material which men employ in buildings, but also that in vineyards, as for example, in the *Twelve*—

7 Person shall not dislodge from framework beam^c fixed in buildings or vineyard.^d

Ulpian: ⁸ *The Law of the Twelve Tables* does not permit a man to dislodge a stolen beam when fixed in buildings or vineyards or to lay claim to it. This the *Law* effected with an eye to preventing buildings from being demolished and also the culture of vineyards from being disturbed under this pretext. Nevertheless the *Law* grants action^e for double amount of damage against person who has been found guilty of fixing such beam.^f

question of claimant's right had been settled legally; and Virginia's case could not be so settled until her father had returned. So runs the story.

^b *tignum* 'beam' included every kind of material used in buildings.

^c apparently (though this is disputed, Cuq, *Inst. jurid. des Romains*, 278) one which he claims to be his—see quotation from Ulpian below.

^d The text of Festus is corrupt here. That *aedibus vineaere* (datives) are correct is indicated by Ulpian quoted next. In the vineyard, the beam would be inserted into a vine-trellis.

^e *actio de ligno iniuncto* or *iuncto*, as Justinian says.

^f that is, fixing in his own building some building-material which has been stolen from another person. On *furtum*, see p. 483, n. c.

THE TWELVE TABLES

Festus, 524, 3: 'Sarpuntur' vineae, id est putantur, ut in XII—

⁹ quandoque sarpta, donec dempta erunt.

Cp. Iulian., ap. *Dig.*, VI, 1, 59.

Tabula VII

1

Cicero, *de Leg.*, I, 21, 55: Usus capionem XII Tabulae intra quinque pedes esse noluerunt.

2

Varro, *L.L.*, V, 32: XII Tabularum interpretes ambitus parietis circuitum esse describunt.

Volusius Maecianus, *de Assis Distr.*, 46: 'Sestertius' duos asses et semissem (valet) . . . Lex . . . XII Tabularum argumento est, in qua duo pedes et semis sestertius pes vocatur.

Cp. Paul, ex. F., 5, 6; 12, 25.

3

Gaius, ap. *Dig.*, X, 1, 13: Sciendum est in actione finium regundorum illud observandum esse quod ad exemplum quodammodo eius legis scriptum est quam Athenis Solonem dicitur tulisse. Nam illic ita est: 'Ἐάν τις ἀίμασίαν παρ'

¹ = 4 Bruns

² = 1 Bruns

³ = 2 Bruns

^a called 'arbores' 'trees' in the Tables—see below, p. 483.

^b or 'whenever they (*sc.* vinea, that is vines) have been pruned. . . .' The context of the enactment is not known.

^c which was reserved as a path between any two estates belonging to different owners. The quotation from Volusius given below indicates that responsibility for keeping half this space free fell on either of two contiguous owners. Both owners could walk on the whole space of 5 feet. The *Tables* here enact that neither could claim possession of the strip through continued usage.

TABLE VII

Festus: 'Sarpuntur' is a verb applied to vines,^a and it means 'are pruned,' for example in the *Twelve*—

⁹ From time of first pruning^b until fruit shall have been gathered therefrom.

Table VII

Rights concerning Land

1

Boundaries between properties ; farm-buildings :

Cicero: The *Twelve Tables* ordained that ownership within a five-foot strip^c (*that is, of land along a boundary-space*) should not be acquired by long usage.

2

Varro: Interpreters of the *Twelve Tables* define 'ambitus,'^d way round, as the same as the 'circuitus' round each outer wall of a building.

Volusius: A 'sestertius' (*that is, semis-tertius, two and a half*) is equal to two and a half *as*-units . . . of this the *Law of the Twelve Tables* is evidence in which a length of two and a half feet is called a two and a half foot.^e

3

Gaius: We must remember, in an action for the marking of boundaries, that we must not overlook that old provision which was drawn up in a manner after the pattern of the law which Solon is said to have laid down at Athens. In that law occurs the following—'If any man throws up a rough wall alongside

^d an open space left all round a building.

^e Cf. Paul., ex F., 5, 6: *Ambitus proprie dicitur circuitus aedificiorum patens duos pedes et semissem*. It is clear from the quotations here given that the *Tables* ordained that every owner must leave a strip of 2½ feet round his estate, whether this was a building only or not.

THE TWELVE TABLES

ἀλλοτρίῳ χωρίῳ ὀρύττη, τὸν ὄρον μὴ παραβαίνειν· ἐὰν δὲ τειχίον, πόδα ἀπολείπειν· ἐὰν δὲ οἶκημα, δύο πόδας· ἐὰν δὲ τάφρον ἢ βόθρον ὀρύττη, ὅσον τὸ βάθος ἢ τοσοῦτον ἀπολείπειν· ἐὰν δὲ φρέαρ, ὀργυιάν· ἐλαίαν δὲ καὶ συκῆν ἐννέα πόδας ἀπὸ τοῦ ἀλλοτρίου φυτεύειν, τὰ δὲ ἄλλα δένδρα πέντε πόδας.

4a-b

Plinius, *N.H.*, XIX, 50: In XII Tabulis legum nostrarum nusquam nominatur villa, semper in significatione ea hortus, in horti vero heredium.

[Festus, 536, 4: <Tugu>ria a tecto appellantur . . .] tione XII ait etiam . . .]

Cp. Paul., ex F., 73, 7; 71, 9; Pompon., ap. *Dig.*, I, 16, 180.

5a-b

Cicero, *de Republ.*, IV, 8 (Non., 430, 26): Admiror nec rerum solum, sed verborum etiam elegantiam—

^{5a} Si iurgant,

inquit. Benevolorum concertatio, non lis inimicorum, iurgium dicitur. . . . Iurgare igitur Lex putat inter se vicinos, non litigare.

Cicero, *de Leg.*, I, 21, 55: ^{5b} Quoniam usus capionem XII Tabulae intra quinque pedes esse noluerunt, depasci veterem possessionem Academiae ab hoc acuto homine non sinemus, nec Mamilia lege singuli, sed e XII tres arbitri fines regemus.

^{4a-b} = ^{3a-b} Bruns

^a There is no evidence whatever that any enactment of the *Tables* reproduced in any form the terms of the Greek law here quoted. Still the *Tables* may have laid down some provisions of a like nature.

^b any enclosure, whereas an enclosure which was walled in was a *cohors*.

^c *heredium* was a plot of two *iugera*.

^d The text is defective and the enactment referred to is unknown.

^e a dispute between good friends or between relations, and much milder than a *lis*.

TABLE VII

another man's estate, he must not overstep the boundary; if he plants a massy wall, he must leave one foot to spare; if a building two feet; if he digs a trench or a hole, he must leave a space equal or about equal to the depth; if a well, a fathom; an olive-tree or a fig-tree he must plant nine feet from the other man's property, and any other fruit-trees five feet.' ^a

4a-b

Pliny: In the *Tables* of our laws the term 'villa' (country-seat, farm-house) is nowhere mentioned; in all instances the word used with that meaning is 'hortus,' ^b enclosure, while for 'hortus' in the modern sense of 'garden' the term 'heredium,' ^c inherited plot is used.

[Festus: 'Tuguria' cottages is a term derived from 'tectum' . . . The *Twelve* . . .] ^d

5a-b

Disputes between owners of conterminous properties:

Cicero: I admire the excellence not only of the purport of the *Law* but also its diction—

5a If parties disagree,

it says. By 'iurgium' ^e is meant a contest between friends, not a quarrel between enemies. . . . The *Law* then thinks of neighbours as disagreeing, not quarrelling.^f

Arbitration in such disputes:

Cicero: ^{5b} Since the *Twelve Tables* ordained (*see above*, pp. 466-7) that ownership within a five-foot strip should not be acquired by long usage, we will not allow the ancient estate of the Academy to be eaten away by this sharp person ^g; and the boundaries will be marked by us not as by one arbitrator apiece as by the Mamilian law ^h but as by three arbitrators, as required by the *Twelve Tables*.

^f Note that cases of dispute about boundary-spaces were tried in an *actio finium regundorum* by a *iudex* exercising *aliudicatio*.

^g the Stoic philosopher Zeno of Cyprus.

^h brought forward probably by the tribune Mamilius in 165 B.C.

THE TWELVE TABLES

6

Gaius, ap. *Dig.*, VIII, 3, 8: *Viae latitudo ex Lege XII Tabularum in porrectum octo pedes habet, in anfractum, id est ubi flexum est, sedecim.*

Cp. Varr., *L.L.*, VII, 15; Fest., 564, 5; *Dig.*, VIII, 3, 13, 2; 6, 6 *fin.*

7

Festus, 564, 1: 'Viae' . . . —

⁷ *Viam muniunto. Ni sam delapidassint, qua volet iumenta agito.*

Cp. Cic., *pro Caec.*, 19, 54 (. . . agere iumentum).

8a-b

Pomponius, ap. *Dig.*, XLIII, 8, 5: *Sic et verba Legis XII Tabularum veteres interpretati sunt—*

^{8a} *Si aqua pluvia nocet,*

id est nocere poterit.

Cicero, *Top.*, 9, 39: 'Aqua pluvia nocens' . . . *iubetur ab arbitro coerceri.*

⁷ *vias muniunto vel muniunt ead. (apogr.) alii alia ni sam delapidassint Momms. onisandi lapidassint Vat. Lat. 3368 onisandi lapidas Par. sched., Leid. Voss. Lat. 09, Vat. Lat. 2731 muniuntod; eo ni sani lapides sint Bergk alii alia Dig., XLIII, 8, 5: noxa domino sarciatur Momms. noxae domino caveatur Dig.*

^a The context of Gaius where this quotation occurs shows that the roads referred to here, and in Festus quoted next, are prepared roads running through a man's land over which another person had a *servitus* (roughly an 'easement'). The *Tables* probably provided also for the right of *iter* (by walking or riding), of *actus* (driving cattle) and of *aquae ductus* (taking water) over another's land. Most if not all of the old 'rustic praedial servitudes,' unlike later ones, could be created by

TABLE VII

6

Roads subject to servitude or easement :

Gaius : According to the *Law of the Twelve Tables* the width of a road ^a extends to eight feet where it runs straight ahead, sixteen 'in anfractum,' round a bend, that is, where it winds.

7

Festus : 'Roadways' . . . —

⁷ Persons shall mend roadway. If they keep it not laid with stones, holder of servitude may drive beasts where he shall wish.^b

8a-b

Damage caused by water :^c

Pomponius, on 'videbitur' in the sense of 'videri poterit': On this principal also were the following words of the *Law of the Twelve Tables* explained by the ancients—

^{8a} If rain-water does damage,
that is, if it may possibly do damage.

Cicero : 'Damaging rain-water' . . . must be restrained according to an arbitrator's order.^d

mancipation as well as by other means, being classed as *res Mancipi*. For the old Roman mind laid emphasis on, *e.g.*, the actual road or watercourse.

^b He may leave the road. Cf. note *a*.

^c The purport of the law was that an owner must not make such alterations on his land as will hinder drainage or any other natural flow of water from a neighbour's land to his.

^d Cicero gives the law of his own day, but the ruling by an *arbiter* seems to go back to the *Twelve Tables*. Cp. p. 435.

THE TWELVE TABLES

Paulus? ap. *Dig.*, XLIII, 8, 5: ^{8b} Si per publicum locum rivus aquae ductus privato nocebit, erit actio privato ex Lege XII Tabularum ut noxa domino sarciatur.

Cp. Ulp., *Dig.*, XXXIX, 3, 6, 5.

9a-b

Ulpianus, ap. *Dig.*, XLIII, 27, 1, 8: Quod ait praetor et Lex XII Tabularum efficere voluit, ut ^{9a}XV pedes altius-rami arboris circumcidantur, et hoc idcirco effectum est ne umbra arboris vicino praedio noceret.

Pomponius, ap. *Dig.*, XLIII, 27, 2: ^{9b} Si arbor ex vicini fundo vento inclinata in tuum fundum sit, ex Lege XII Tabularum de adimenda ea . . . agere potes.

Cp. Paul., *Sent.*, V, 6, 13; Fest., 524, 16.

10

Plinius, *N.H.*, XVI, 15: Glande opes nunc quoque multarum gentium etiam pace gaudentium constant . . . cautum est praeterea Lege XII Tabularum ut glandem in alienum fundum procidentem liceret colligere.

Tab. VII, 11-12 Bruus, vide s., pp. 458-9.

^a It will be seen that the rights, mentioned here and in the next quotations, concerning trees and fruits, were secured by the Tables through *actiones*; but later they were protected by praetors' edicts (interdicts). The praetor's edicts were the means whereby the body of Roman law constantly grew.

^b The purport of this is that a man may cause the owner of the tree to cut off the branches up to at least 15 feet from the ground. Some (Kübler, *Gesch. d. Röm. Rechts*, 42) think only branches over 15 feet above ground are meant.

TABLE VII

Paulus? : ^{8b} If a water-course directed through a public place shall do damage to a private person, the same shall have right of suit by the *Law of the Twelve Tables* to the effect that damage shall be repaired for owner.

9a-b

Damage caused by trees :

Ulpian: The praetor ^a states what the *Law of the Twelve Tables* also meant to effect, namely that the ^{9a} branches of a tree may be lopped off all round to a height of more than ^b 15 feet; and this was done in order that shade from the tree might not damage a neighbouring estate.

Pomponius: ^{9b} Should a tree on a neighbour's farm be bent crooked by the wind and lean over your farm, you may, by the *Law of the Twelve Tables*, take legal action for removal of that tree.^c

10

Fruits fallen outside a man's property :

Pliny: Fruit ^d is the substance of which the wealth of many tribes even now consists, although they enjoy the blessings of peace . . . moreover a provision of the *Law of the Twelve Tables* was made that a man might gather up fruit that was falling down on to another man's farm.

^c or at least of the offending part of it. The verbs used were, if part of the tree were removed, 'sublucare,' to let light in from below; if the whole tree were removed, 'conlucare,' 'to let full light in.'

^d *glans*, acorn, included all fruits, or at any rate fruits with some kind of stone or kernel.

THE TWELVE TABLES

Tabula VIII

1a

Cicero, *de Rep.*, IV, 12 (Aug. *de Civ. Dei*, 2, 9): *Nostrae . . . XII Tabulae cum perpauca res capite sanxissent, in his hanc quoque sancendam putaverunt: Si quis occentavisset sive carmen condidisset, quod infamiam faceret flagitiumve alteri . . .*

Cornutus, *ad Pers.*, S., I, 137: *Cautum est ut fustibus feriretur qui publice invehebatur.*

Festus, 196, 12: 'Occentassit' antiqui dicebant quod nunc convicium fecerit dicimus.

Cp. Cic., *Tusc. Disp.*, IV, 2, 4; Hor., *S.*, II, 1, 82 et Porphyr., *ad loc.*; Hor., *Ep.*, II, 1, 152; Paul., *Sent.*, V, 4, 6; Arnob., *Adv. Gentes*, IV, 34.

1b

Plinius, *N.H.*, XXVIII, 17: *Non . . . legum ipsarum in XII Tabulis verba sunt . . .?*—

1^b Qui malum carmen incantassit . . .

1^a = 1^b Bruns

1^b = 1^a Bruns *cum 25 coniunx.* Dirksen, Schoell

^a *Iniuriae* were contumelious wrongs which might cause loss of reputation; the word *iniuria* covers in Roman Law not only assault and battery, but also libel and similar wrongs, and also wrongs which in our laws are crimes.

^b The quotations from Festus and Pliny given below indicate that the actual wording of the enactment was 'Siquis occentassit . . . condidisset . . . faciat.' The severity of the penalty indicates that the Romans looked on this offence not as a private delict but a breach of the public peace. It may be that by *occentare* any slanderous utterance by word of mouth, in prose or verse, was meant (cp. Festus again), and by *carmen condere* the publishing of a written libel; or *occentare* may mean 'to practise witchcraft.' Cf. next notes.

TABLE VIII

Table VIII

Torts^a or Delicts

1a

Slanders and libellous songs :

Cicero: Our *Twelve Tables*, though they ordained a capital penalty for very few wrongs, among these capital crimes did see fit to include the following offence: If any person had sung or composed against another person a song such as was causing slander or insult to another . . .^b

Cornutus: It was laid down that, if anyone was found to be uttering in public a slander,^c he should be clubbed to death.

Festus: 'Occentassit' ('shall have sung against') is a term which was used by the ancients for our present expression 'convicium fecerit,' 'shall have committed insult.'

1b

Magical incantations against persons :

Pliny: Do not the following words belong even to our laws in the *Twelve Tables* . . .?—

^{1b} Person who shall have enchanted singing evil spell . . .^d

Slander and libel are not distinguished from each other in Roman law.

^c or, if the utterance was to be read, 'libel'; the method would be apparently by defamatory verses as indicated by Cicero quoted above, but from Cornutus' words we could deduce that the *Tables* included in their wording an enactment against any spoken slander, or written libel, in prose or verse. Cf. preceding note.

^d not the *famosum carmen* dealt with just above, though, from the magical meaning in *incantare* here and in *excantare* in fr. 8a, we might conclude that there is some magical idea in *occentare* also (fr. 1a). Pliny is speaking of the alleged power in incantations. Ermein, *Nouv. Rev. Hist.*, June, 1902, 352.

THE TWELVE TABLES

2-4

Festus, 550, 3: 'Talionis' mentionem fieri in XII ait Verrius hoc modo—

² Si membrum rupsit, ni cum eo pacit, talio esto.

Cp. Gell., XX, 1, 14; Fest., 356, 3?; Gai., *Inst.*, III, 223; Paul., *Sent.*, V, 4, 6; Prisc., ap. *G.L.*, VI, 254, 12 K. Justinian., *Inst.*, IV, 4, 7.

Paulus, *Coll. M. et R.*, II, 5, 5: Iniuriarum actio aut legitima est aut honoraria. Legitima ex lege XII Tabularum: Qui iniuriam alteri facit, V et XX [sestertiorum] poenam subit. Quae lex generalis fuit; fuerunt et speciales velut—

³ Manu fustive si os fregit <collisive> libero CCC, si servo CL poenam subito [sestertiorum].

Gellius, XX, 1, 12: Ita de iniuria poenienda (*in XII*) scriptum est—

⁴ Si iniuriam [alteri] faxsit, XXV [aeris] poenae sunt.

Cp. Gai., *Inst.*, III, 223; Justinian., *Inst.*, IV, 4, 7; Gell., XVI, 10, 8; Fest., 561, 24.

² rupsit T rasperit *vel sim.* Fest. *cdd.* (*apogr.*) rupit
Gell., Prisc. e pacto *cdd.* Gell. in eum e p. Conti

³ manu fustive si os L manifestos *cdd.* collisive *addidi*
coll. Gai., Inst., III, 223: *propter os vero fractum aut collisum*
trecentorum assium poena est poena sunt Huschke

⁴ alteri *seclud.* Schoell faxit, alteri Huschke aeris
seclud. Pithoeus poenas Bréal

^a any organ—arm, leg, eye, and so on, incurable maiming of which was worse than breaking a bone (see below); for a bone could be mended.

^b Thus the injured person or his next of kin (cf. Prisc., ap. *G.L.*, VI, 254, 13 K) may maim limb for limb.

TABLE VIII

2-4

Grievous bodily harm ; and other ' iniuriae ' :

Festus: ' Talio.' Mentioned, according to Verrius, in the *Twelve* in the following manner—

- ² If person has maimed another's limb,^a let there be retaliation in kind ^b unless he makes agreement for composition with him.

Paulus: Action for grievous harm may be either one created by law or one created out of magisterial edicts.^c The action by law is derived from a law of the *Twelve Tables*: the person who does harm to another undergoes a penalty of 25 pieces.^d This law dealt with ' iniuria ' in the general sense. There were also enactments providing for separate kinds of ' iniuria,' for example—

- ³ If he has broken or bruised freeman's bone with hand or club, he shall undergo penalty of 300 pieces ;^e if slave's, 150.

Gellius: The following are the words written (in the *Twelve Tables*) about punishment of ' iniuria '—

- ⁴ If he has done simple harm [to another], penalties shall be 25 pieces.^f

^c *ius honorarium* was law based on praetors' edicts.

^d *asses librales*, since *sestertiorum* in Paulus' paraphrase is a later misinterpretation or mistaken alteration of the wording, or an addition to the wording of this law of the *Tables*, from which actual words are quoted by Gellius as given below.

^e see note d. Cf. C. Appleton, *La Monnaie Rom. et l. XII T.*, 8.

^f These words come from the enactment by which, as Gaius says, the penalty for all other ' injuries ' (that is, other than breaking or bruising limb or bone which Gaius has just mentioned) was 25 *asses*. The word *iniuria* here means probably hurt done by mild blows. This enactment may have preceded the one dealing with the results of more serious blows.

THE TWELVE TABLES

5

Festus, 356, 3 : Rupsit in XII significat damnum dederit.
Cp. Ulp., *Dig.*, IX, 2, 1, pr.

6

Ulpianus, ap. *Dig.*, IX, 1, 1 : Si quadrupes pauperiem fecisse dicetur, actio ex Lege XII Tabularum descendit, quae lex voluit aut dari id quod nocuit, id est id animal quod noxiam commisit, aut aestimationem noxiae offerri.

Cp. Paul., ex Fest., 276, 16; 184, *fin.*; *Dig.*, IX, 1, 11; Justinian., *Inst.*, IV, 9, pr.

7

Ulpianus, ap. *Dig.*, XIX, 5, 14, 3 : Si glans ex arbore tua in fundum meum cadat, eamque ego immisso pecore depascam, . . . neque ex Lege XII Tabularum de pastu pecoris, quia non in tuo pascitur, neque de pauperie . . . agi posse.

8a-b

Plinius, *N.H.*, XXVIII, 17 : Non . . . et legarum ipsarum in XII Tabulis verba sunt?—

8a Qui fruges excantassit . . .

Fest., 356 : Rupsit as<sem (rupitias *cl.* rupsit S) dolo malo in *coni.* Havet rupitia *Paul.* rupitias *vel* ruptias <issit> in XII *coni.* Linds.

^a Not, apparently, quoted from law 2 given above; but the reading and meaning are uncertain. It seems best to connect the fr. with damage to property. Havet, in *Bibl. de l'Éc. des H. Études*, 274 (1914), p. 11, in suggesting here *rupsit as<sem malo>*, would apply the expression to a bankrupt, who 'breaks the unit' (*as*) or sum-total of his debts by paying part only. This may be right, but we must not attribute to the *Twelve Tables* any law of bankruptcy like Caesar's or the modern law.

^b a special term for damage done by an animal.

^c Note that the *Tables* contained various enactments for particular sorts of damage done to immovable property. If

TABLE VIII

5

Festus: 'Rupsit' shall have broken or maimed in the *Twelve Tables* means 'shall have caused loss.'^a

6

Harm done by an animal:

Ulpian: If a four-footed animal shall be said to have caused 'pauperies,'^b loss, legal action for the same is derived from the *Law of the Twelve Tables*.^c This *Law* sanctioned either the surrender of the thing^d which damaged, that is the animal which committed the damage, or else the offer of assessment for the damage.

7

Ulpian: If fruit should fall from your tree into my estate, and I cause feeding off such fruit by letting cattle onto it, . . . no legal action can be taken by the *Law of the Twelve Tables* either under the enactment on the pasturing of cattle, for it is not on your land that it is being pastured, or under the enactment on loss caused by an animal.^e

8a-b

Magical enchantment of another's crops:

Pliny: Do not the following words belong even to our laws in the *Twelve Tables*?

8a Person who has enchanted crops away . . .^f

there was any general enactment, it thus probably applied to movable property only.

^d The *Tables* perhaps here used the expression *noxam dedere* 'to surrender the guilty thing'; though *noxam* and *noxia* were both used for 'hurt, harm,' *noxam* was used also for 'harm-doer,' 'offender,' for instance, when the delinquent was a slave or a child; see below, pp. 508-9.

^e For this, see preceding fr.

^f not apparently into one's own fields, but to destroy them where they stood. *Fruges* here may mean hanging fruits.

THE TWELVE TABLES

Servius, ad Verg., *Ecl.*, VIII, 99: 'Traducere messes.'
Magiceis quibusdam artibus hoc fiebat, unde est in XII Tab.—

^{8b} neve alienam segetem pellexeris.

Cp. Sen., *N.Q.*, IV, 7; Apulei., *Apol.*, 47; Augustin., *de Civ. Dei*, VIII, 19.

9

Plinius, *N.H.*, XVIII, 12: Frugem quidem aratro quaesitam furtim noctu pavisse ac secuisse puberi XII Tabulis capital erat, suspensumque Cereri necari iuebant, gravius quam in homicidio convictum; impubem [praetoris] arbitrato verberari noxiamve duplione decidi.

Cp. Gell., XI, 18, 8.

10

Gaius (ad XII Tab.), ap. *Dig.*, XLVII, 9, 9: Qui aedes acervumve frumenti iuxta domum positum combusserit, vinctus verberatus igni necari iubetur, si modo sciens prudensque id commiserit; si vero casu id est negligentia, aut noxiam sarcire iubetur, aut si minus

^{8b} fortasse pellexerit

Plin.: duplione decidi Schoell noxaeve duplionem Lips noxiamque duplione *ed.* 1685 (Hardouin) duplionemve decerni *edd.* (duplione decerni *ed. Luc.*)

^a into one's own fields; read perhaps *pellexerit*, because in the *Twelve Tables* the commands and prohibitions are always in the 3rd person. The attempts at decoying were made by means of magical incantations.

^b that is, crucified on a tree. We do not know what the old penalty for homicide was.

^c The goddess of crops. The *Tables* probably used the term sacer (dedicated to, solemnly forfeited to) here. See below, pp. 490-1.

^d At the time of the *Tables*, a consul, who in the *Tables* may have been called praitor; on this, see pp. 436, 509.

TABLE VIII

Servius, on 'transfer harvests' in Virgil: This used to be done by certain magical arts; whence the enactment in the *Twelve Tables*—

^s^b or decoy ^a not another's corn.

9

Stealing crops :

Pliny: For pasturing on, or cutting secretly by night, another's crops acquired by tillage, a capital punishment was laid down in the *Twelve Tables* in the case of the adult malefactor, and their injunction was that he be hanged ^b and put to death as a sacrifice to Ceres,^c condemned to suffer a penalty heavier than the penalty imposed in the crime of murder; and that in the case of a person under the age of puberty, at the discretion of the [praetor,]^d either he should be scourged, or for the harm done, composition be made by paying double damages.

10

Arson :

Gaius: It is ordained that any person who destroys by burning any building or heap of corn deposited alongside a house shall be bound, scourged, and put to death by burning at the stake provided that he has committed the said misdeed with malice aforethought; but if he shall have committed it by accident, that is, by negligence, it is ordained that he repair the damage,^e or, if he be too poor to be competent for such punishment, he shall receive a lighter

^e Here is one of the enactments in which the word used by the *Tables* was 'sarcito.' Festus (quoted on p. 482); "'Sarcito' (he must repair) in the *Twelve*, according to Servius Sulpicius, means he shall pay, make good, the damage."

THE TWELVE TABLES

idoneus sit levius castigatur. Appellatione autem aedium omnes species aedificii continentur.

Cp. *Gloss. ed. Leid. Voss.* fol. 82—noxam sarcito damnus solvito; Fest., 474, 14. Sarcito in XII Ser. Sulpicius ait significare damnus solvito, praestato.

11

Plinius, *N.H.*, XVII, 7: Fuit et arborum cura legibus praeis, cautumque est XII Tabulis ut, qui iniuria cecidisset alienas, lucret in singulas aeris XXV.

Cp. Gai., *Inst.*, IV, 11; Paul., *Dig.*, XLVII, 7, 1; XII, 2, 28, 6 (si iuraverit se non succidisse, sive Lege XII Tab. de arboribus succisis . . .); Gell., XVI, 10, 8.

12

Macrobius, *S.*, I, 4, 19: Non esse ab re puto hoc in loco id quod admonere, quod decemviri in XII Tabulis inusitatisime 'nox' pro 'noctu' dixerunt. Verba haec sunt—

¹² Si nox furtum factum sit, si im occisit, iure caesus esto.

In quibus verbis id etiam notandum quod, ab eo quod est 'is,' non 'eum' easu accusativo, sed 'im' dixerunt.

Cp. Gell., VIII, 1; XX, 1, 7.

13

Cicero, *pro Tullio*, fr. 21, 50: Furem, hoc est praedonem et latronem, luci occidi vetant XII Tabulae. . . . Nisi se telo defendit, inquit; etiamsi cum telo venerit, nisi utetur telo eo ac repugnabit, non occides. Quod si

¹² faxit Cuiacius factum sit *edd.* esit *v.* escit *edd.*

TABLE VIII

chastisement. In the term 'acedes' is included every kind of buildings.

11

Felling another's trees :

Pliny : Trees also received care and attention in ancient law, and provision was made in the *Twelve Tables* that any person who had cut down^a another person's trees^b with harmful intent should pay 25 *as*-pieces for every tree.

12

Theft by night ; theft by day ; killing a thief :

Macrobius : It is not, I think, beside the argument at this point to inform you further that the Board of Ten employed in the *Twelve Tables* the very unusual term 'nox' for 'noctu' in the following clause—

12 If theft^c has been done by night, if owner kill thief, thief shall be held lawfully killed.

In this clause you must notice this also that as the accusative case masculine of 'is' they used not 'eum' but 'im.'

13

Cicero : The *Twelve Tables* forbid that a thief (that is, a robber or a footpad) be killed by day. . . . The *Law* says Unless he defend himself with weapon ; even though he has come with weapon, unless he shall use weapon and fight back, you shall not kill him. And even if

^a In the *Tables* the word used was *succidere*, 'undercut.'

^b that is to say, vines in particular, as Gaius tells us in *Inst.*, IV, 11 ; he speaks there of a man who lost his case because he called his vines 'vines' instead of 'trees.'

^c In the *Tables*, *furtum* is probably simply the removal of an article ; later on the term was extended to include misusing anyone's property in various ways. Read here perhaps *faxsit*. Note that besides *im* we find *em* also for *eum* (see above, p. 424).

THE TWELVE TABLES

repugnat, endo plorato, hoc est conclamato, ut aliqui audiant et convenient.

Cp. Cic., *pro Pull.*, 20, 47; Fest., 444, 30; Gai., ap. *Dig.*, IX, 2, 4, 1; XLVII, 2, 55 (54), 2; L, 16, 233, 2; Gell., XI, 18, 6; Ulp., *Coll.*, VII, 3, 2; Cic., *pro Milone*, 3, 9.

14

Gellius, XI, 18, 8: Ex ceteris autem manifestis furibus liberos verberari addicique iusserunt (sc. *decemviri*) ei cui furtum factum est, si modo id luci fecissent neque se telo defendissent; servos item furti manifesti prensos verberibus adfici et e saxo praecipitari; sed pueros impuberes [praetoris] arbitrato verberari voluerunt noxiamque ab his factam sarciri.

Cp. Plin., XVIII, 12; Gell., XX, 1, 7; Gai., *Inst.*, III, 189.

15a-b

Gellius, XVI, 10, 8: Petimus. . . XII Tabulas legi arbitrere. . . Cum 'proletarii' et 'adsidui' . . . furto-
rumque quaestio cum—

15a lance et licio

15a = 15b Bruns

^a That is the slayer must call out lest he be deemed a murderer trying to hide his own act. This applied to both day and night. Our sources leave it uncertain whether the law forbade killing of thief by day unless he defended himself with weapon, or permitted killing if he so defended himself.

^b Gaius, *Inst.*, III, 189 says it is not certain whether the thief became a slave or was in the position of an *adiudicatus*, who had been seized by a creditor by *manus iniectio*, and might be liable to death, or slavery abroad (cp. pp. 436, 441, above).

^c That is, the Tarpeian Rock on the Capitoline Hill.

^d At the time of the *Tables*, a consul's discretion.

TABLE VIII

he resists, first call out,^a that is, raise a shout, so that some persons may hear and come up.

14

Penalties for thieves caught in the act :

Gellius : But in the case of all other thieves caught in the act, the Board of Ten ordained that, if they were freemen, they should be flogged and adjudged^b to the person against whom the theft had been committed, provided that the malefactors had committed it by day and had not defended themselves with a weapon ; again, they ordained that slaves caught in the act of theft should be flogged and thrown from the Rock ;^c but as for boys under the age of puberty, they saw fit that these should, at the [praetor's]^d discretion, be flogged and that the damage done by them should be repaired.

15a-b

Search for stolen property :

Gellius : We beg . . . you to believe that . . . the *Twelve Tables* are being read . . . Since the terms 'proletarii' and 'assidui' (see above, pp. 426-7) . . . and investigation—

^{15a} with platter and loin-cloth^e

^e Any one who suspected that stolen goods of his were hidden in another's house could go alone and search, entering naked (lest he be deemed later to have brought, hidden in his clothing, any article which he might then pretend to have found in the house) except for a *licium* or narrow girdle, and holding before his face a perforated *lanx* or platter of any material, probably in order to put on it the stolen articles when found. Cf. Gai., *Inst.*, III, 192-3. (Festus says, less probably, in order not to be recognised by women.) Cf. Muirhead, Appendix, 413-416. In this passage of Gellius *quaestio* is always taken in the normal sense of official investigation or trial. But it appears to me that we can take it in the old and original sense of 'search' or in both senses united.

THE TWELVE TABLES

evanuerint . . . studium scientiamque ego praestare debeo iuris et legum vocumque earum quibus utimur.

Cp. Paul., ex F., 83, 24; Gell., XVI, 10, 8; Gai., *Inst.*, III, 192-3.

Gellius, XI, 18, 9: Ea quoque furta quae per lancem liciumque concepta essent. proinde ac si manifesta forent, vindicaverunt.

Gaius, *Inst.*, III, 191: ^{15b} Concepti et oblatis (*sc.* furti) poena ex Lege XII Tabularum tripli est eaque similiter a praetore servatur.

Cp. Gai., *Inst.*, III, 186-7.

16

Festus, 162, 14: 'Nec' . . . pro 'non,' ut et in XII est . . . —

¹⁶ Si adorat furto, quod nec manifestum erit,
<duplione damnum decidito.>

Cp. Paul., ex Fest., 19, 8; Gai., *Inst.*, III, 190; Gell., XI, 18, 15; Cato, *R.R.*, I, 1. Cf. *Dig.*, II, 14, 7, 14 et de furto pacisci lex (*sc.* XII Tab.?) permittit.

^{15b} = 15a Bruns

¹⁶ duplione damnum decidito *add. coll. Gai., Inst.*, III, 190 (. . . *poena dupli inrogatur*), Gell., XI, 18, 15 (. . . *poenam . . . dupli*), Cat., *R.R.*, I, 1. *esit* Raevard. *escit* Charondas

^a Penalty for prevention of search was not instituted until after the time of the *Tables*.

^b *i.e.* convicted culprit was found guilty of *furtum manifestum*. See law 14, pp. 484-5.

^c Instead of search *lance et licio*, a man could institute a search in normal dress, but only in the presence of witnesses; if in this case stolen goods were found, the thief, when con-

TABLE VIII

have disappeared . . . the only interest and knowledge which it is *my* duty to show must be concerned with the jurisprudence and laws and such phraseology of lawsuits as we use now.

Penalties^a in connexion with discovery of stolen goods :

Gellius : Those thefts also which had been discovered through use of platter and loin-cloth they punished just as if the culprits had been caught in the act.^b

Gaius : ^{15b} For cases of 'discovery' (*by other means than platter and loin-cloth—see p. 485*) or 'introduction^c of stolen goods' the penalty, by the *Law of the Twelve Tables*, is triple damages ; and that penalty is retained by the praetor likewise.

16

Thieves not caught in the act :

Festus : 'Nec' . . . for 'non,' as, *e.g.*, in the *Twelve Tables*—

¹⁶ If person pleads on case of theft in which thief shall be not caught in act, thief must compound for loss by paying double damages.^d

victed, was condemned to pay three times their amount for *furtum conceptum* (detected theft). But if the accused householder could prove, after either method of search, that a person other than himself had (from malice or any other reason) put the articles in his house, he obtained damages of three times their amount for *furtum oblatum* (as it were 'planted theft'). Search *lance et licio* became obsolete; search in presence of witnesses survived.

^d Apparently double in kind, not in value (for example, 2 cows for 1 cow stolen—Jolowicz, *Cambridge Legal Essays*, 1926, 203 ff.). The penalty is supplied in Festus' text from other sources. If the passage from the *Digest* (quoted here), saying that the law allows settlement by agreement in matters of theft, refers to the *Twelve Tables*, we might add, before *duplione, ni pacit*, 'unless he makes agreement,' or the like. *ulorat* may mean accuses here.

THE TWELVE TABLES

17

Gaius, *Inst.*, II, 45: Furtivam (*sc. rem*) Lex XII Tabularum usu capi prohibet.

Cp. Justinian., *Inst.*, II, 6, 2; Iulian., ap. *Dig.*, XLI, 3, 33, pr.

18

Tacitus, *Ann.*, VI, 16: Vetus urbi fenebre malum et seditionum discordiarumque creberrima causa, eoque cohibebatur antiquis quoque et minus corruptis moribus. Nam primo XII Tabulis sanctum ne quis unciario fenore amplius exerceret, cum antea ex libidine locupletium agitaretur.

Cato, *R.R.*, I, 1: Maiores nostri sic habuerunt et ita in legibus posiverunt furem dupli condemnari feneratorum quadrupli.

19

Paulus, *Sent.*, II, 12, 11: Ex causa depositi Lege XII Tabularum in duplum actio datur.

20a-b

Justinian., *Inst.*, I, 26, pr. ^{20a} (*de suspectis tutoribus et curatoribus*): Sciendum est suspecti crimen e Lege XII Tabularum descendere.

Tryphoninus, ap. *Dig.*, XXVI, 7, 55: ^{20b} Si ipsi tutores rem pupilli furati sunt, videamus an ea actione quae proponitur

^a by thief or receiver (through purchase or other method) of the stolen article; the law does not refer to the thief only.

^b At the time of the *Twelve Tables* the material lent was apparently not money, but goods or uncoined weighed copper.

^c The *uncia* was the unit of division in the *as*, and was used also as $\frac{1}{12}$ th of anything. Here *unciarium fenus* seems to be $\frac{1}{12}$ th of the principal paid yearly as interest—that is $8\frac{1}{3}\%$ per annum. Cf. Wordsworth, *Fragments and Specimens of Early Latin*, pp. 529-531. Perhaps $\frac{1}{12}\%$ per month = 1% per annum.

TABLE VIII

17

Usucapio of stolen property is disallowed :

Gaius : A stolen thing is debarred from usucapio ^a by the *Law of the Twelve Tables*.

18

Usury :

Tacitus : Of old standing was the trouble caused to the city by lending money ^b at interest ; it was a very frequent cause of civil strife and discord. For that reason attempts were made to check it even at the time when the good old morality was less corrupt than it is now ; for first the *Twelve Tables* ordained that no person should practise usury at a rate more than one twelfth,^c whereas, before that, the practice was carried on according to the free choice of the wealthy.

Cato : Our ancestors . . . followed this principle and embodied it in their laws : a thief is condemned for double, a usurer is condemned for quadruple amount.

19

Embezzlement of deposit ; malpractices of trustees and guardians :

Paulus : Arising out of a case concerning an article deposited,^d the *Law of the Twelve Tables* grants action for double damages.

20a-b

Justinian, ^{20a} on guardians and trustees who are suspected : We should be aware that the right to accuse these on suspicion ^e is derived from the *Law of the Twelve Tables*.

Tryphoninus : ^{20b} If guardians have themselves embezzled property of a ward, let us see if, in the action which is avail-

^d *sc.* with a person who has failed to return the article. The action granted was clearly delictual ; for deposit by independent contract was not known until much later than the *Tables*.

^e *sc.* of negligence or maladministration.

THE TWELVE TABLES

ex Lege XII Tabularum adversus tutores in duplum, singuli in solidum teneantur.

Cp. Ulp., ap. *Dig.*, XXVI, 10, 1, 2; Cic., *de Off.*, III, 15, 61; *de Or.*, I, 36, 166-7.

21

Servius, ad *Aen.*, VI, 609: 'Fraus innexa clienti.' Ex Lege XII Tabularum venit, in quibus scriptum est—

²¹ Patronus si clienti fraudem faxit, sacer esto.

Cp. Gell., XX, 1, 40; Plut., *Rom.*, 13.

22

Gellius, XV, 13, 11: Confessi autem aeris, de quo facta confessio est, in XII Tabulis scriptum est . . . ex isdem Tabulis id quoque est—

²² Qui se sierit testarier libripensve fuerit, ni testimonium fariatur, improbus intestabilisque esto.

Cp. Gell., VII, 7, 2, 3; Iustinian., *Inst.*, II, 10, 6.

23

Gellius, XX, 1, 53: An putas, Favorine, si non illa etiam ex XII Tabulis de testimoniis falsis poena abolevisset et si nunc quoque, ut antea, qui falsum testimonium dixisse convictus esset, e saxo Tarpeio deiceretur, mentituros fuisse pro testimonio tam multos quam videmus?

²¹ esto <Diti patri> Momms. faxit Merula fecerit

²² fariatur Schoell fateatur T

^a Originally a religious penalty (cf. *Cereri necari* above, pp. 480-1) where the man was sacrificed. But *sacer* came to mean a man disgraced, outlawed, and deprived of his goods.

^b in a *mancipatio* (see above, pp. 428-9) when the trans-

TABLE VIII

able by the *Law of the Twelve Tables* against guardians for double damages, each guardian is separately held liable for the whole sum of damages involved.

21

Frauds by patrons :

Servius, on 'fraud contrived against client' in Virgil: This comes from the *Law of the Twelve Tables*, in which are written the following words—

²¹ If patron shall have defrauded client, he must be solemnly forfeited.^a

22

Duties of witnesses :

Gellius: Moreover the expression 'confessi aeris' (that is, debt of which admission has been made) is in the *Twelve Tables* written in these words: (*see Table III above*, pp. 436-7) . . . Likewise from the same comes the following—

²² Whosoever shall have allowed himself to be called as witness or shall have been scales-balancer,^b if he do not as witness pronounce his testimony, he must be deemed dishonoured and incapable of acting as witness.^c

23

Penalty for false witness :

Gellius: Or do you think, Favorinus, that, if ever that memorable penalty derived from the *Twelve Tables* for false witness had not become obsolete, and if, now too as formerly, a person who had been found guilty of giving false witness, were hurled down from the Tarpeian Rock, liars in giving testimony would have been as many as we now see?

fere struck with a piece of copper a pair of scales held by a *libripens*, a scales-balancer, scales-holder.

^c or, 'detestable'? Later, unfit to make or witness to a will.

THE TWELVE TABLES

24

Cicero, *pro Tullio*, 22, 51: Lex est in XII Tabulis—

²⁴ Si telum manu fugit ma<gis quam iecit> . . .

Cicero, *Top.*, XVII, 64: Iacere telum voluntatis est, ferire quem nolueris, fortunae. Ex quo aries subicitur ille in vestris actionibus, 'si telum manu fugit magis quam iecit.'

(*cp.* Cic., *de Or.*, III, 39, 158; August., *de Lib. Arb.*, I, 4; Fest., 520, 2; 526, 8?; Justinian., *Inst.*, IV, 18, 5.

25

Gaius (ad XII Tab.), ap. *Dig.*, L, 16, 236: Qui venenum dicit, adicere debet utrum malum an bonum; nam et medicamenta venena sunt.

26

Poreius Latro, *Declam. in Catil.*, 19: XII Tabulis cautum esse cognoseimus ne quis in urbe coetus nocturnos agitaret.

27

Gaius (ad XII Tab.), ap. *Dig.*, XLVII, 22, 4: Sodales sunt qui eiusdem collegii sunt quam Graeci *ἐταπίαν* vocant. His autem potestatem facit lex (sc. *XII Tabularum*) pactionem quam velint sibi ferre dum ne quid ex publica lege corrumpant. Sed haec lex videtur ex lege Solonis translata esse.

²⁴ ma<gis quam iecit> *add.* Peyron *ex Cic., Top., XVII, 64; addas porro post iecit: arietem subicito*

^a Note that we do not know what the old penalty for homicide was; from Pliny, XVIII, 12 we know that it was less severe than the penalty for cutting another's corn by night (see above, pp. 480-1).

^b Originally a peace-offering in order to stop blood-revenge, the offering of a ram was intended, in the *Tables*, to stop

TABLE VIII

24

Accidental homicide by missile :

Cicero : There is a law in the *Twelve Tables*—

24 If missile has sped from hand, and holder has not aimed it ^a . . .

Cicero : To aim or throw a missile is an act of the will; to strike a person whom you did not wish to, an act of chance. Hence comes that well-known substitution of a ram ^b in your actions at law, 'if missile has sped from hand, and holder has not aimed it.'

25

Poisoning :

Gaius : Whoever uses the term 'venenum,' drug, should add some expression to show whether it be noxious or beneficial; for 'medicamenta,' medicines, also are included in 'venena.'

26

Nocturnal meetings not permitted :

Porcius Latro : We learn in the *Twelve Tables* that provision was made that no person shall hold meetings by night in the city.

27

Associations permitted :

Gaius : 'Associates' are persons who belong to the same 'collegium,' guild, for which the Greeks use the term *ἐταίρια*. These are granted by a law (*of the Twelve Tables*) the right to pass any binding rule they like for themselves, provided that they cause no violation of public law. But this law appears to have been taken over from a law of Solon.

prosecution for *murder*, which kinsmen of a murdered man were bound to institute. The ram was probably given to the agnates of the man killed.

THE TWELVE TABLES

Tabula IX

1-2

Cicero, *de Leg.*, III, 4, 11 : ¹ ' Privilegia ne irroganto. ² De capite civis nisi per maximum comitiatum ollosque quos [censores] in partibus populi locassint ne ferunto.'

Cicero, *de Leg.*, III, 19, 44 : Tum leges praeclarissimae de XII Tabulis tralatae duae, quarum altera privilegia tollit, altera de capite civis rogari nisi maximo comitiatu vetat . . . Ferri de singulis maiores . . . nisi centuriatis comitiis noluerunt.

Cp. Cic., *pro Sest.*, 30, 65; *De Domo*, 17, 43; *de Repub.*, II, 36, 61; Pompon., *Dig.*, I, 2, 2, 23.

3

Gellius, XX, 1, 7 : Dure . . . scriptum esse in istis legibus quid existimari potest? Ni duram esse legem putas quae iudicem arbitrumve iure datum, qui ob rem dicendam pecuniam accepisse convictus est, capite poenitur.

4

Pomponius, ap. *Dig.*, I, 2, 2, 23 : Quia ut diximus de capite civis Romani iniussu populi non erat lege permissum consulibus ius dicere, propterea quaestores constituebantur eo populo, qui de capitalibus rebus praessent; hi appellabantur

^a that is, all enactments, whether 'acts of parliament' or other, referring to a single citizen, whether in his favour or not, except decisions on appeals against capital sentences.

^b that is, his person or privileges of citizenship.

^c the *comitia centuriata* which included all citizens. To this assembly a man tried on a capital charge must have right of appeal, *ius provocationis*.

^d This did not apply to the time of the *Twelve Tables*, because the creation of the first censors took place in 443 B.C.

TABLE IX

Table IX

Public Law

1-2

'Privilegia' ; cases affecting 'caput' :

Cicero: ¹ Laws of personal exception ^a must not be proposed; ² cases in which the penalty affects the 'caput' ^b or person of a citizen must not be decided except through the greatest assembly ^c and through those whom the [censors] ^d have placed upon the register of citizens.

Cicero: Then come two most excellent laws taken over from the *Twelve Tables*. Of these one abolishes laws of personal exception, the other forbids the introduction of proposals which concern the person of a citizen except at the greatest assembly. . . . Our ancestors . . . did not desire that decisions affecting the fate of individuals should be made except at the assembly of the centuries.

3

Acceptance, by judge or arbiter, of a bribe :

Gellius: What can be regarded as cruel among the enactments of those laws? Unless you think a law is cruel which inflicts capital punishment on a judge or arbiter legally appointed, who has been found guilty of receiving a bribe for giving a decision.

4

Quaestores parricidii :

Pomponius: Because, as we said, it had not been by law permitted to the consuls to deliver justice affecting the person of a Roman citizen without the sanction of the whole people, therefore were established 'quaestors,' chosen from the people, to have charge over capital cases; these were called 'quaes-

Before that time the lists of citizens were superintended by the consuls.

THE TWELVE TABLES

quaestores parricidii quorum etiam meminit Lex XII Tabularum.

Cp. Fest., 344, 31.

5

Marcianus, ap. *Dig.*, XLVIII, 4, 3 : Lex XII Tabularum iubet eum qui hostem concitaverit quive civem hosti tradiderit capite puniri.

6

Salvianus Massil., de *Gubern. Dei*, VIII, 5, 24 : Interfici . . . indemnatum quemcumque hominem etiam XII Tabularum decreta vetuerunt.

Tabula X

1

Cicero, *de Leg.*, II, 23, 58 :—

¹ Hominem mortuum

inquit lex in XII—

in urbe ne sepelito neve urito ;

eredo vel propter ignis periculum. Quod autem addit ‘neve urito’ indicat non qui uratur sepeliri sed qui humetur.

^a these were in fact the original *quaestors* (created under the Kings), who later ceased to try criminal cases. From the first, cases of *parricidium* were only a part of their duties.

^b cf. Huschke, *Zeitschrift f. Rechtsgeschichte*, XI, 1872,

TABLE X

tores parricidii,' investigators of murder,^a who are mentioned even by the *Law of the Twelve Tables*.

5

Treason :

Marcianus: The *Law of the Twelve Tables* ordains that he who shall have roused up a public enemy, or handed over a citizen to a public enemy, must suffer capital punishment.

6

Death-sentence on uncondemned is disallowed :

Salvianus: Putting to death . . . of any man, who-soever he might be, unconvicted was forbidden by the decrees even of the *Twelve Tables*.

Table X^b

Sacred Law

1

No burial or cremation allowed in the city :

Cicero :—

¹ A dead man

says a law in the *Twelve*—

shall not be buried or burned within the city ;

I suppose the latter surely was because of the danger of fire. But this addition, by the law, of the word ' burned ' shows that being buried applies not to the man whose body is burned but only to the man who is interred.

1138-42. As will be seen we can get from a Cicero the general outline of part if not of the whole of this Table.

THE TWELVE TABLES

2-6c

Cicero, *de Leg.*, II, 23, 59: *Iam cetera in XII minuendi sumptus sunt lamentationisque funebris, translata de Solonis fere legibus—*

² Hoc plus ne facito. Rogum ascea ne polito.

Nostis quae sequuntur; disceramus enim pueri XII ut carmen necessarium, quas iam nemo discit. Extenuato igitur sumptu—

³ tribus riciniis et tuniela purpurea et decem tibicinibus,

tollit etiam lamentationem—

⁴ Mulieres genas ne radunto, neve lessum funeris ergo habento.

Hoc veteres interpretes Sex. Aelius L. Acilius non satis se intellegere dixerunt sed suspicari vestimenti aliquod genus funebris, L. Aelius 'lessum' quasi lugubrem eiulationem, ut vox ipsa significat . . . (24) Cetera item funebria quibus luctus augetur XII sustulerunt:—

^{5a} Homini mortuo ne ossa legito quo post funus faciat.

³ *vel* riciniis

^{5a} homini inquit *Cic.*

^a *carmen* is often taken to imply, if not poetry, yet rhythmic formulas, but Cicero seems to mean chanted prose. The extant fragments of the *Tables* are apparently in prose, though efforts have been made to find metric rhythms in them.

^b It is quite uncertain whether these words occurred in the *Tables* exactly as they stand here.

TABLE X

2-6c

Elaborate and costly funerals forbidden ; regulations about burial and tombs :

Cicero: There are also the other enactments in the *Twelve* which demand the limitation of expense and wailing at funerals, and were taken over for the most part from the laws of Solon—

² One must not do more than this; one must not smooth pyre with axe.

You know what follows, for when we were boys we used to learn the *Twelve* as a ditty^a ordained by fate; no one learns them now. Anyhow, having limited the expense to—

³ three veils, one small purple tunic, and ten flute-players,^b

it does away with wailing also—

⁴ Women must not tear cheeks or hold chorus of 'Alas!' on account of funeral.

The old interpreters Sextus Aelius and Lucius Acilius confessed that they did not fully understand this word 'lessum' but suspected that some kind of mourning-garment was referred to, Lucius Aelius taking 'lessum' to mean a sort of sorrowful outcry which indeed this word seems to express . . . Again, the other funeral customs, by which sorrow is intensified, were abolished by the *Twelve* :—

^{5a} When man is dead one must not gather bones whereby to make funeral after.^c

^c This enactment forbids not the natural custom of collecting in an urn bones and ashes for or after burial or burning, nor re-collection for a second funeral (for this see below), but the common custom of prolonging mourning by gathering up and preserving unburied some part (*os resectum*) of the dead body. This part was later buried, and then only did mourning cease. Some Romans may have thought that burning might be wrong, or its ceremony inadequate.

THE TWELVE TABLES

^{5b} Excipit bellicam peregrinamque mortem. Haec praeterea sunt in legibus de unctura. . . . ^{6a} Servilis unctura tollitur omnisque circumpotatio; quae et recto tolluntur neque tollerentur nisi fuissent—

Ne sumptuosa respersio . . . ^{6b} <Ne murrata potio> . . . ^{6c} Ne longae coronae . . . Ne acerrae . . .

Praetereantur. Illa iam significatio est laudis ornamenta ad mortuos pertinere, quod coronam virtute partam *e. q. s.* (*vide p.* 502).

Cp. Cic., *de Leg.*, II, 25, 64; *Tusc. Disp.*, II, 23, 55; Plin., *N.H.*, XI, 157; Serv., ad *Aen.*, XII, 606; Fest., 374, 29; 352, 14.

7

Plinius, *N.H.*, XXI, 7: Ad certamina in circum per ludos et ipsi descendebant et servos suos equosque mittebant. Inde illa XII Tabularum lex—

7 Qui coronam parit ipse pecuniave eius virtutisve ergo arduitur ei . . . ;

Cic., de Leg., II, 24, 60: circumportatio *add. dett.*

^{6a} nec sumptuosa . . . nec longae c. . . . praetereuntur Bakius fortasse <vini> respersio r. <sit> ne Manutius

^{6b} <ne murrata potio> *addidi coll. Fest.*, 154, 22, 'murrata potione usos antiquos indicio est quod . . . XII Tabulis carctur ne mortuo indatur'

^{6c} nec acerrae *cdd.* acerrae praeferantur Manutius

⁷ virtutis suae ergo *Pintianus* honoris virtutisve ergo, si arduitur (ergo arguitur *vel* ergo duitur *vel sim. cdd.*) ei parentique eius, se fraude esto Schoell pecuniave eius virtutisve ergo duuitur ei, <ast ei parentive eius mortuo domi forisve imponetur, se fraude esto> Momms. duitur Gron.

^a That is to say, if the dead person had died in war or in a foreign land, then a limb could be brought home and buried.

^b *unctura* included also other attentions (like the sprinkling and so on quoted by Cicero below) besides anointing.

TABLE X

^{5b} An exception is made by the *Law* in case of death in war or in a foreign land.^a The following provisions also are to be found in the *Laws*, referring to anointing . . .

^{6a} Anointing^b by slaves is abolished, and every kind of drinking-bout also; and rightly too are these abolished, and they would not stand abolished unless they had really existed—

Let there be no costly sprinkling,^c . . . ^{6b} <No myrrh-spiced drink> . . . ^{6c} No long garlands . . . No incense-boxes . . .

Let us pass these by. Clearly the point of all this is that it is only decorations bestowed as marks of honour that belong to the dead, for a garland won by valour *is allowed* . . . (see next item, especially pp. 502–3, at top).

7

Pliny: During the games men used to go down themselves into the circus to take part in the contests, and they used also to send their slaves and horses. Hence that law of the *Twelve Tables*—

⁷ When man wins crown himself or through chattel^d or by dint of valour crown is bestowed on him . . . ;^e

^c Even sprinkling with wine was probably forbidden by the Tables: cf. Festus 352, 14 (*vini respersio*) and the law attributed to Numa—*vino rogum ne respargito* (Pliny, *N.H.*, XIV, 88). *ne murrata potio* I have added here from Festus; he says that there was a provision in the *Twelve Tables* that this must not be thrown on a dead man. I take it that Cicero gives the first words only of several separate prohibitions. But he may be altering objects in the accusative case to subjects in the nominative, if not more than that. *Longae coronae* were almost what we call ‘festoons.’

^d not money or wealth here, but a chattel—a slave or horse who wins a crown for the owner.

^e That is, when he is burnt or buried, as Pliny goes on to describe, it shall be with impunity. Skeletons crowned with gold have in fact been found in old Italian tombs.

THE TWELVE TABLES

quam servi equive meruissent pecunia partam lege dici nemo dubitavit.

Cicero, *de Leg.*, II, 24, 60: Coronam virtute partam et ei qui peperisset, et eius parenti, sine fraude esse lex impositam iubet.

8-11

Cicero, *de Leg.*, II, 24, 60: Credoque, quod erat factitatum⁸ ut uni plura (*sc.* funera) fierent lectique plures sternerentur id quoque ne fieret lege sanctum est. Qua in lege cum esset—

neve aurum addito,

quam humane excipit altera lex—

⁹ At cui auro dentes vineti escunt, ast im cum illo sepeliet uretve, se fraude esto.

. . . Duæ sunt præterea leges de sepulcris, quarum altera privatorum aedificiis, altera ipsis sepulcris cavet.¹⁰ Nam quod rogam bustumve novum vetat propius LX pedes adigi aedes alienas invito domino, incendium veretur acerbum.¹¹ Quod autem forum, id est vestibulum sepulcri, bustumve usu capi vetat, tuetur ius sepulcrorum.

Haec habemus in XII, sane secundum naturam, quae norma legis est. Reliqua sunt in more.

⁸⁻¹¹ = 8-10 Bruns.

⁹ iuncti *vel* vineti *cdd.* escunt Lambinus essent *cdd.*

^a Yet we may well doubt this as applied merely to games. If it has any foundation it could apply only to the old *ludi Romani*, held in a *circus*, or to the earlier races (in connexion with a deity) such as the *Consualia*, held at the *ara Consi*, or the *Equirria*, held in the Campus Martius.

^b another exception appears to be crowns of or containing gold—see above.

^c the area in front of a tomb, the fore-court.

^d where also the ashes were buried.

TABLE X

that it was a crown earned by the slaves or the horses which is said by the law to be won through his chattel has been doubted by no one.^a

Cicero: A garland won by valour may, by an ordinance of the *Law (of the Twelve Tables)* be deemed to have been laid with impunity on the man who won it and on his father.

8-11

Cicero: Further, it was because it had become a common practice, I suppose, ⁸ to make more than one funeral for one man and to make and spread more than one bier for him that it was sanctioned by a law that this also should not occur. And although in this law stands the prohibition—

and person must not add gold,

nevertheless see what kindly feeling is shown by the exception ^b made by another law—

⁹ But him whose teeth shall have been fastened together with gold, if person shall bury or burn him along with that gold, it shall be with impunity.

. . . Besides this there are two laws about tombs, of which one makes protection for buildings which belong to private owners, the other for the tombs themselves. ¹⁰ For the provision which says: No new pyre or personal burning-mound must be erected nearer than 60 feet to another person's buildings without consent of owner—seems to suggest fear of disastrous fire. ¹¹ But the provision which says: 'the forum ^c (that is, the entrance-chamber of a tomb) and burning-place ^d must not be acquired by usucapio or long usage'—protects the rights of tombs.

These are the provisions which we find in the *Twelve Tables*, and they are certainly in accordance with nature, which is the standard of law. All our other rules rest on custom.

Other enactments of Sacred Law are included by modern scholars in Table XII.

THE TWELVE TABLES

Tabula XI

1

Cicero, *de Rep.*, II, 36, 61-37, 63: Decemviri . . . cum X Tabulas summa [legum] aequitate prudentiaque conscripsissent, in annum posterum decemviros alios subrogaverunt, quorum non similiter fides nec iustitia laudata . . . (63) qui duabus tabulis iniquarum legum additis . . . , etiam quae diiunctis populis tribui solent conubia, haec illi ut ne plebei cum patribus essent, inhumanissima lege sanxerunt.

Cp. Liv., IV, 4, 5; Dionys., X, 60, 5; Gai., *Dig.*, L, 16, 238.

2

Macrobius, *S.*, I, 13, 21: Tuditanus refert libro III magistratum decemviros, qui X Tabulis duas addiderunt, de intercalando populum rogasse.

Cp. Macrobius, *S.*, I, 13, 12, 15; Censorinus, *de Die Nat.*, 20, 6; Celsus, *Dig.*, L, 16, 98, 1.

3

Cicero, *ad Att.*, VI, 1, 8: E quibus unum *ἱστορικόν* requiris de Cn. Flavio, Anni filio. Ille vero ante decemviros non fuit . . . Quid ergo profecit quod protulit fastos? Occultatam putant quodam tempore istam tabulam, ut dies agendi peterentur a paucis.

Cp. Liv., IX, 46, 5; Cicero, *pro Murena*, 11, 25; Plinius, *N.H.*, XXXIII, 17; Macrobius, *S.*, I, 15, 9.

^a This suggests that the second Board of Ten by law instituted a new or revised the old method of maintaining the year at an average length of 365 $\frac{1}{4}$ days, according to the sun, by having a year of 355 days only and intercalating an additional month every other year. After each regular intercalation, the matter was entrusted to the pontifices, who tended to intercalate further at will. Thus there was a tendency for the calendar to fall into disorder; and the *Tables* may have tried to put this right. Besides this tradition of some step taken by the *Twelve Tables*, we have a tradition

TABLE XI

Table XI

Supplementary Laws (i)

1

Intermarriage of patricians and plebeians :

Cicero : When the Board of Ten had put into writing, using the greatest fairness and wisdom, ten tables of laws, they caused to be elected in their stead, for the next year, another Board of Ten, whose good faith and justice have not been praised to a like extent. . . . When they had added two tables of unfair laws, they ordained, by a very inhuman law, that intermarriage, which is usually permitted even between peoples of separate States, should not take place between our plebeians and our patricians.

2

Intercalation of the Calendar :

Macrobius : Tuditanus in his third book of *Magistracies* records that that Board of Ten, who added two tables to the existing ten, brought before the people a bill concerning intercalating into the calendar.^a

3

Cicero : In these books (sc. *on the 'Republic'*) there is one point of history which you call in question, about Gnaeus Flavius, son of Annius. He did not flourish before the Boards of Ten . . . What good then did he do by publishing the calendar ?^b It is thought that this table was kept hidden at one time in order that the days deemed favourable for official legal business might be available at the request of a few people only.

about a previous effort made by a *lex Pinaria* of 472, which dealt with *intercalatio*. Cf. also next note.

^b This statement of Cicero implies that in some fashion at least the *Twelve Tables* published *dies fasti* (that is to say, a list of days on which the magistrate's court would be open) which had been until their time in the hands of the pontifices ;

THE TWELVE TABLES

Tabula XII

1

Gaius, *Inst.*, IV, 28 : Lege introducta est pignoris capio veluti Lege XII Tabularum adversus eum qui hostiam emisset nec pretium redderet; item adversus eum qui mercedem non redderet pro eo iumento quod quis ideo locasset, ut inde pecuniam acceptam in dapem, id est in sacrificium, impenderet.

Cp. Paul., ex Fest., 48, 1; Gai., *Dig.*, L., 16, 238, 2.

2a-b

Ulpianus, ap. *Dig.*, IX, 4, 2, 1 : Celsus . . . differentiam facit inter Legem Aquilliam et Legem XII Tabularum. Nam in Lege antiqua, si servus sciente domino furtum fecit . . . servi nomine actio est noxalis . . . —

^{2a} Si servus furtum faxsit noxiamve noxit . . .

^{2a} noxit Pithoeus nocuit Ulp.

but tradition maintains also that it was Flavius, about the year 304 B.C., much later than the Twelve Tables, who published the fasti. (Cic., *pro Mur.*, 11, 25; Liv., IX, 46, 5; Maerob., S., I, 15, 9; Plin., *N.H.*, XXXIII, 17; Val. Max., II, 5, 2; Diod. Sic., XX, 36.) The *tabula* which Cic. here says had been kept hidden would not it seems be a Table of the *Twelve*, but a table of *dies fasti*. But note that Livy (VI, 1) tells us that when, after the invasion of the Gauls in 390 (387?) B.C., the *Twelve Tables* were looked up, the pontifices suppressed the enactments which referred to *sacra*, being desirous of keeping a hold on the populace. Schoell's attribution of actual fixtures of *dies fasti* (restored from the extant 'Julian Fasti') to the *Twelve Tables*, Table XI (which he believed to consist wholly of *dies fasti*) is, however, not acceptable. All we can say is that the *Twelve Tables* seem to have contained, possibly in connexion with intercalation as indicated above, a statute concerning *dies fasti*, whatever may have been the fate of this statute afterwards.

^a *pignoris capio*, 'taking of a pledge,' was seizure of an article of a debtor's property to induce him to pay the debt

506

TABLE XII

Table XII

Supplementary Laws (ii)

1

'Distress' against defaulters in sacred matters :

Gaius: By statute, as for instance by the *Law of the Twelve Tables*, was introduced levying of distress ^a against a person who had bought an animal for sacrifice and was a defaulter by non-payment; likewise against a person who was a defaulter by non-payment of fee for yoke-beast which any one had hired out for the purpose of raising therefrom money to spend on a sacred banquet, ^b that is, on a sacrifice.

2a-b

Delicts by slaves or children : ^c

Ulpian: Celsus . . . concludes that there is a difference between the Aquilian Law and the *Law of the Twelve Tables*. For, in the ancient *Law*, if a slave has committed theft with his master's knowledge, . . . the action for damages is in the slave's name . . . —

^{2a} If slave shall have committed theft or done damage . . .

before any other legal action was taken; not to be confused with *pignoris captio*, which meant the act of any executive after a legal decision. The two cases of *p. capio* here laid down by the Tables concern religion; other known cases concern the state. *P. capio* was thus probably a privilege of the State allowed to individuals when their claims were deemed to have public importance.

^b consecrated to Jupiter Dapalis, 'Jupiter of Sacred Feast'; the banquet was probably that held before tilling or sowing. The enactment of this special case indicates that at the time of the *Twelve Tables* a seller who allowed credit, and later received no payment, could take no legal action for the price.

^c I keep this enactment in its usual place; but it belongs to the fragments about delicts, which are put in Table VIII.

THE TWELVE TABLES

Gaius, *Inst.*, IV, 75: ^{2b} Ex maleficiis filiorum familias servorumque . . . noxales actiones proditae sunt, ut liceret patri dominove aut litis aestimationem sufferre, aut noxae dedere . . . (76) Constitutae sunt . . . aut legibus aut edicto praetoris: legibus velut furti Lege XII Tabularum.

Cp. *Dig.*, XLVII, 6, 5; L, 16, 238, 3; Paul., *Sent.*, II, 31, 7; Fest., 184, *fn.*; Justinian., *Inst.*, IV, 8, 4.

3

Festus, 574, 16: 'Vindiciae' . . . singulariter <in>XII—

³ Si vindiciam falsam tulit, si velit is . . . tor arbitros tris dato; eorum arbitrio . . . fructus duplione damnum decidito.

4

Gaius, ap. *Dig.*, XLIV, 6, 3: Rem de qua controversia est prohibemur (sc. *Lege XII Tabularum*) in sacrum

³ si v. i. praetor	edd.	rei sive litis Cuiacius	stlitis
et vindiciarum praetor	O. Mr.	si velit is qui vicit praetor	
Wetzell	si velit is . . . tor	cl.	fortasse < . . . recupera > tor
Schoell	<reus> fructus	O. Mr.	rei Huschke
	neglecti Wetzell	decidito	<i>Par. sched.</i> , <i>Vat Lat.</i>
1549, 2731	decidet	<i>Vat. Lat.</i> 3368	decideto 3369

^a *litis aestimatio* was assessment of damages, in this case based on what a free or independent person would have to pay if he was found guilty of the same delict. In the other alternative the *Tables* perhaps used the expression *noxam dedere* 'to surrender the offending person'; for this see note on Table VIII, 6, p. 479.

^b From the accumulation of praetors' edicts arose *ius honorarium* or magisterial law which supplemented such law as had been made by statute and interpretation.

^c That is, apparently, if a person, with or without fraudulent intent, had held and claimed as his a thing which a judicial court now decided belonged to another party. But the fr. is uncertain.

TABLE XII

Gaius: ^{2b} Arising from delicts committed by children and slaves of a household establishment . . . actions for damages were appointed whereby the father or master could be allowed either to undergo 'assessment of suit,'^a or hand over the delinquent to punishment. . . . These actions were instituted . . . partly by legal enactments, partly by the praetor's edict^b; by legal enactments as for instance by that for theft in the *Law of the Twelve Tables*.

3

False claims :

Festus: 'Vindiciae,' legal claim . . . in the singular . . . in the *Twelve Tables*—

³ If person has taken thing by false claim,^c if he should wish . . . official^d must grant three arbitrators; by their arbitration . . . defendant must compound, for loss caused, by paying double damages from enjoyment of article.^e

4

Dedication of articles which are in dispute :

Gaius: We are prohibited (*sc.* by the *Law of the Twelve Tables*) from dedicating for consecrated use anything

^d The missing word ending in *tor* seems to be an official; *praetor* would not apply to the time of the *Tables*, unless the consuls were, in the *Tables*, denoted by the old name *praitor* (see above, pp. 436, 480, in several sources for enactments of the *Tables*). Perhaps *quaestor* (but he would probably deal with more serious misdeeds) or *recuperator*. Boards of *recuperatores* or 'recoverers' were originally appointed to deal with cases between Romans and foreigners, but later on they could be appointed to deal with disputes (especially about *possessio*) between citizens.

^e Retention of the article was deemed to have brought defendant some profit; he must pay double this profit.

THE TWELVE TABLES

dedicare; alioquin dupli poenam patimur. . . . Sed duplum utrum aerario an adversario praestandum sit, nihil exprimitur.

5

Livius, VII, 17, 12: Interrex Fabius aiebat in XII Tabulis legem esse ut quodcumque postremum populus iussisset id ius ratumque esset.

Cp. Liv., IX, 34, 6, 7.

RELIQUA FRAGMENTA

1

Festus, 170, 24: 'Nancitor' in XII naetus erit, praenderit.

2

Festus, 344, *fin.*: 'Quando . . . in XII . . . cum c littera ultima scribitur (*i.e.* quandoc).

Cp. Gai., *Inst.*, IV, 21 (. . . quandoc . . .)

3

Festus, 444, 30: Sub vos placo in precibus fere cum dicitur, significat id quod supplico, ut in legibus transque dato et endoque plorato.

[3a]

Philoxenus, *Gloss.*: Duicensus διταβ (*i.e.* XII Tabulis) δεύτερον ἀπογεγραμμένος.

Paul., ex F., 47, 5: 'Duicensus' dicebatur cum altero id est filio census.

Fest., 170: nancitur (nancitur) *edd.* nanesitor Corsen
nanxitor *vel* nanxsitor Mr.

Fest., 344: cum d littera O. Mr. e Ursin.

^a that is, it stands (by 'tmesis') for *vos sublaco* = *vos supplico*, just as *transque dato* stands for *transdatoque* and

UNPLACED FRAGMENTS

about which there is a controversy; otherwise we suffer penalty of double the amount involved. . . . But as to whether this double amount must be paid to the treasury or to one's opponent there is no express ruling.

5

The people's latest ordinance on any matter is valid :

Livy : The interrex Fabius stated that in the *Twelve Tables* there was a law which enacted that whatsoever the people had last ordained should be held as binding by law.

UNPLACED FRAGMENTS

1

Festus : 'Nancitor' in the *Twelve Tables* means 'nactus erit' (shall have obtained) or 'prenderit' (shall have got hold of).

2

Festus : 'Quando' (since, when) . . . in the *Twelve Tables* is written with the letter c (*that is, 'quandoc'*).

3

Festus : 'Sub vos placo.' I entreat you. When this expression is used in prayers it generally means 'supplico,' and is like the expressions 'transque dato' and he must hand over and 'endoque plorato' ^a and he must call out in the laws.

[3a]

Philoxenus : 'Duicensus,' assessed with a second, in the *Twelve Tables*, registered in the second place.

Paulus : 'Duicensus' was the term applied to a man who was assessed with another, that is, with his son.^b

endoque plorato for *endoploratoque* = *imploratoque*. *Endoplorato* occurs in Table VIII; see above, pp. 484-5.

^b Cf. Cohn, *Zeitschr. f. Sav.-Stift.*, 2 (1881), 113.

THE TWELVE TABLES

4

Donatus, ad Ter., *Eun.*, III, 3, 9: Dolo malo. Quod . . . addidit 'malo' . . . ἀρχαῖσμός est, quia sic in XII a veteribus scriptum est.

5

Cicero, *de Rep.*, II, 31, 54: Ab omni iudicio poenaque provocari licere indicant XII Tabulae conpluribus legibus.

6

Cicero, *de Off.*, III, 31, 111: Nullum . . . vinculum ad adstringendam fidem iureiurando maiores arctius esse voluerunt. Id indicant leges in XII Tabulis.

[6a]

[Augustinus, *de Civ. Dei*, XXI, 11: Octo genera poenarum in legibus esse scribit Tullius damnum, vincula, verbera, talionem, ignominiam, exilium, mortem, servitatem.]

7

Plinius, *N.H.*, VII, 212: XII Tabulis <sol> ortus tantum et occasus nominatur, post aliquot annos adiectus est et meridies.

8

Gaius (ad XII Tab.), ap. *Dig.*, L., 16, 237: Duobus negativis verbis quasi permittit Lex magis quam prohibuit.

9

Gaius (ad XII Tab.), ap. *Dig.*, L., 16, 238, 1: Detestatum est testatione denuntiatum.

^a of the Twelve Tables?

^b But we have 'noon' or 'midday' as well as 'sunset' ('sun set') in one law of Table I—see above, pp. 430–1 (where 'noon' or 'midday' occurs twice). By *ortus* and *occasus* Pliny here means the nouns, 'the rising' and 'the

UNPLACED FRAGMENTS

4

Donatus, on 'dolo malo' (by wilful fraud) in Terence: The addition of the word 'malo' . . . is an archaism, for this was an expression used by the ancients in the *Twelve Tables*.

5

Cicero: That appeal from any judgment or sentence was allowed is shown by the *Twelve Tables* in many laws.

6

Cicero: No bond, by the wish of our ancestors, was to be closer in guaranteeing good faith than a sworn oath. This is shown by the *Laws of the Twelve Tables*.

[6a]

[Augustinus: Eight kinds of penalty, writes Tullius, are to be found in the laws,^a namely fine, fetters, flogging, retaliation in kind, civil disgrace, banishment, death and slavery.]

7

Pliny: In the *Twelve Tables* only sun risen and 'set' are mentioned as such; only after a number of years was the term 'midday,' or 'noon,' also added.^b

8

Gaius: By the use of the double negatives the *Law* really permits and did not prohibit.

9

Gaius: 'Detestatum,'^c having renounced under oath, means 'having renounced by solemn attestation.'

setting'; but, in analogy with 'sol occasus' (see pp. 430-1), I conclude that the *Tables* used the expression 'sol ortus,' and translate 'ortus' and 'occasus' here as participles.

^c *detestari* is to make a solemn declaration, generally a renunciation.

THE TWELVE TABLES

10

[Sidonius Apollinaris, *Ep.*, VIII, 6, 7: Per ipsum fere tempus, ut decemviraliter loquar, lex de praescriptione tricennii fuerat proquiritata.]

11

Gaius, *Inst.*, I, 122: Ideo . . . aes et libra adhibetur, quia olim aereis tantum nummis utebantur, et erant asses, dupondii, semisses, et quadrantes, nec ullus aureus vel argenteus nummus in usu erat, sicut ex Lege XII Tabularum intellegere possumus. Eorumque nummorum vis et potestas non in numero erat sed in pondere*** asses librales erant, et dupondii***; unde etiam dupondius dictus est quasi duo pondo, quod nomen adhuc in usu retinetur. Semisses quoque et quadrantes pro rata scilicet portione ad pondus examinati erant***. Qui dabat olim pecuniam, non numerabat eam, sed appendebat; unde servi quibus permittitur administratio pecuniae 'dispensatores' appellati sunt.

⁸⁻¹⁰ = 9-11 Bruns

¹¹ = 8 Bruns

^a This may mean 'like the *decemviri stlitibus iudicandis*' (who tried civil cases), not the *decemvirs* who drew up the *Tables*. We have a 30 *days*' limit in Table III, above, pp. 436-7.

^b all that follows is explanatory. There is no other evidence that words for multiples or fractions of the *as*-piece were mentioned in the *Tables*. We have, however, the whole *as*-piece mentioned several times therein.

UNPLACED FRAGMENTS

10

[Sidonius: During that very time almost, if I may speak Board-of-Ten-wise,^a a law about thirty years' limitation of time had been proclaimed.]

11

Gaius: The reason for employing (in *mancipatio*) copper (or bronze) and a scales is the customary use at one time of a currency of copper pieces only, these being called 'asses' 'bars' (or 'units'), 'two-pound bars,' 'half-bars,' 'quarters,' no gold or silver piece being in use at all, as we can understand from the *Law of the Twelve Tables*^b; and the force and power of these pieces rested not in their number but in their weight. *** The 'asses' were each a pound of copper;^c and 'two-pound asses' (were each two pounds), which is the reason why the 'double as' was called 'dupondius' so to speak 'two in weight' or 'two-pound bar,' a name which is still retained in use. Again, the 'half-as' and the 'quarter-as' were of course defined by weighing in the balance according to their fractional part of a pound ***. At one time a person paying money did not count this but weighed it. That is why slaves to whom administration of money is entrusted have been given the name 'dispensatores,' 'outweighers.'

^c The *as*-unit, as a concrete thing, was originally a bar (one foot long) of *aes* (copper alloyed mostly with tin; bronze), then a weight and a coin weighing one pound. But from the first Punic War onwards it was reduced in weight. Whether the stamping of copper pieces as coins had its origin in the *Tables* is uncertain. Probably this official action began later.

CONCORDANCES

FOR LUCILIUS

IN the following concordances, M stands for Marx's edition of Lucilius, W for this. By *catal.* is meant the list of words and phrases which is to be found on pages 418-423 of this book. Useful though Terzaghi's edition is, neither his nor Bolisani's is meant to supersede Marx's. Terzaghi provides a handy text and commentary; Bolisani writes for Italians mainly. Hence no concordance between this work and theirs has been thought necessary.

Concordance I

M	W	M	W
1	1	17	14
2	3-4	18	18
3	<i>after 4</i>	19-22	24-7
4	5	23	<i>part of 28-9</i>
5-6	6-7	24-5	28-9
7	8	26	19
8	9	27-9	20-2
9	2	30	23
10	10	31	35
11	11	32	33
12	12	33-5	30-2
13	13	36	34
14	17	37-9	39-41
15-6	15-6	40-2	42-5

CONCORDANCE I

M	W	M	W
43	36	109	98
44	37	110-3	102-5
45	—	114	106
46	38	115-6	107-8
47	—	117-8	109-10
48	47	119	111
49-50	50-1	120	114
51-2	48-9	121-2	115-6
53	52	123	118
54	46	124	120
55	53	125	119
56	82	126	121
57-8	54-5	127	122
59	56	128	123
60-1	73-4	129	124
62-3	78-9	130	99-100
64	75	131	125
65	76	132	126
66	57	133	127
67-8	58-9	134-5	128-9
69-70	80-1	136	130
71	60	137	131
72	62	138	135
73	61	139	132
74	63	140-1	136-7
75	70	142-3	138-9
76-7	71-2	144-5	146-7
78-80	67-9	146	148
81	66	147	<i>catal.</i>
82-3	64-5	148	<i>after</i> 148
84-6	84-6	149-52	172-5
87	77	153-8	176-81
88-94	87-93	159	184
95	—	160	149
96	<i>after</i> 93	161-2	150-1
97-8	94-5	163	153
99-100	96-7	164	155
101	117	165	(p. 49)
102-4	143-5	166-7	159-60
105-6	133-4	168	161
107-8	140-1	169-70	162-3

LUCILIUS

M	W	M	W
171	165	238-9	275-6
172	164	240-1	285-8
173	166	242	259
174-6	167-9	243-6	278-81
177-8	170-1	247-8	262-3
179-80	157-8	249-50	282
181-8	186-93	251	284
189-90	194-5	252	277
191-2	198-9	253	283
193	218	254-5	287-8
194	216	256	289
195	217	257	269
196-7	220	258-9	270-1
198-9	221-2	260	272
200	214	261-2	273-4
201	223	263	290
202	213	264-5	296-7
203-5	208-10	266	298
206-7	249-50	267	299
208-9	247-8	268	315-6
210-11	233-4	269-70	294-5
212	235	271	291
213	239	272	<i>part of</i> 308-9
214	238	273-4	308-9
215	240	275	310
216-7	241-2	276-7	311-2
218	246	278	302
219	243	279-81	303-5
220	244	282-3	306-7
221	236	284	301
222	237	285	300
223-4	226-7	286	319
225	245	287	320
226-7	230-1	288-9	321-2
228-9	252-3	290	323
230	261	291	318
231-2	267-8	292	317
233	265	293	313
234	260	294	314
235	264	295	<i>catal.</i>
236-7	266	296-7	324-5

CONCORDANCE I

M	W	M	W
298	327	372	388
299	330	373	<i>after</i> 392
300-1	328-9	374	393
302	<i>catal.</i>	375-6	394-5
303-4	331-2	377-80	389-92
305	333	381	396
306	334	382	<i>after</i> 388
307	335	383	<i>after</i> 410
308	336	384	<i>after</i> 410
309-10	337-8	385	418 a
311	339	386-7	417-8
312	326	388	412
313-4	343-4	389	419
315-6	345-6	390	420
317	340	391	422
318	341-2	392	421
319	347	393	423
320	348	394-5	424-5
321	349	396	(p. 134)
322-3	350-1	397	428
324-5	352-3	398-9	430-1
326	364	400	429
327	365	401-4	432-5
328-9	357-8	405-6	426-7
330	361	407-8	436-7
331-2	354-5	409-10	438-9
333	356	411-2	448-9
334-5	359-60	413-5	440-2
336-7	362-3	416	443
338-47	401-10	417	444
348	<i>after</i> 148	418-20	450-2
349-50	366-7	421	<i>after</i> 453
351, 352-5	368-72	422-4	445-7
356	373	425	453
357	374	426	454
358-61	384-7	427	455
362-3	375-6	428-9	456-7
364-6	377-9	430	460
367-8	380-1	431	463
369-70	382-3	432	464
371	<i>part of</i> 388	433-4	458-9

LUCILIUS

M	W	M	W
435-6	461-2	503	543
437	<i>after</i> 464	504-5	534-5
438-9	472	506-8	511-3
440-1	465-6	509	514
442-3	470-1	510	515
444	469	511	518
445	467	512-3	516-7
446	468	514	519
447	473	515-6	507-8
448	475	517	<i>after</i> 622
449	476	518	<i>after</i> 563
450-1	477-8	519-20	552-3
452	474	521	556
453	479	522-4	549-51
454-5	481	525-6	547-8
456	482	527-9	544-6
457-8	489-90	530	555
459-60	493-4	531	562
461	483	532-3	557-8
462-3	491-2	534-6	559-61
464-5	495-6	537	563
466	497	538-9	565-6
467-8	499-500	540-6	567-73
469-70	501-2	547-8	575-6
471	504	549	564
472	503	550-1	577-8
473	484	552-3	579-80
474-5	485-6	554	583
476	505	555-6	581-2
477	<i>catal.</i>	557	590
478-9	487-8	558	591
480-3	520-3	559-60	588-9
484-9	524-9	561-2	586-7
490-1	509-10	563	584
492	530	564	585
493-4	531-2	565-6	592-3
495	542	567	594
496	533	568	598
497-8	540-1	569	604
499-500	538-9	570-2	612-4
501-2	536-7	573-4	607-8

CONCORDANCE I

M	W	M	W
575-6	605-6	628	702
577	611	629	701
578	622	630	703
579-80	624-5	631	705
581	623	632	699
582	627	633-4	715-6
583	628	635-6	676-7
584	626	637	681
585	629	638	678
586	630	639	679
587	723	640	687
588-9	720-1	641	688
590-1	670-1	642	680
592-3	635	643	686
594	<i>after 635</i>	644	719
595-6	632-4	645-6	684-5
597-8	729-30	647-8	682-3
599-600	727-8	649	674
601	731	650	675
602	722	651-2	672-3
603-4	724-5	653	665
605	732	654	666
606	733	655	669
607	734	656-7	667-8
608	726	658	664
609	712	659	662
610	690	660-1	660-1
611	694	662	663
612	700	663	659
613-4	708-9	664	657
615-6	710-1	665	658
617	689	666	654
618-9	692-3	667	655
620	713	668	656
621	714	669-70	652-3
622	691	671-2	650-1
623	704	673-4	648-9
624	706	675	647
625	707	676	637
626	717	677	636
627	718	678-9	644-5

LUCILIUS

M	W	M	W
680	639	732	744
681	638	733	748
682-3	640-1	734	741
684-5	642-3	735	742
686	646	736	747
687	735	737	740
688-9	791-2	738	749
690	772-3	739	739
691	790	740	783
692	771	741	743
693	770	742	835
694	774	743	837
695	775	744	843
696	769	745-6	838-9
697	784	747	841
698	786	748	840
699	779	749	836
700	781	750	842
701	777	751	815
702	785	752	816
703	780	753	820
704-5	766-7	754	821
706	776	755-6	822-3
707	759	757	819
708	758	758	833
709-10	788-9	759	834
711	768	760	829
712-4	763-5	761	830
715	787	762-3	824-5
716-7	761-2	764	827
718	760	765	826
719	750	766-7	831-2
720-1	751-2	768	828
722-3	753-4	769-70	817-8
724	782	771-2	796-7
725	746	773	795
726-7	755-7	774	814
728	745	775	798
729	737	776	799
730	738	777	801
731	778	778	800

CONCORDANCE I

M	W	M	W
779	802	837-8	939-40
780	793	839	942
781	794	840	941
782	803	841-2	943-4
783	804	843	946
784-90	805-11	844	947
791	812	845	945
792	813	846-7	936-7
793	736	848-50	931-3
794	844	851-2	910-1
795	845	853	912
796-7	846-7	854-5	917-8
798	851	856	916
799	848	857-8	919-20
800-1	849-50	859-60	923-4
802	968	861-2	925
803	969	863-5	913-5
804	972	866-7	927-8
805	971	868-9	921-2
806-7	962	870-1	882-3
808-9	963	872-3	885
810	964	874	886
811	970	875	879
812	973	876	880
813-4	966-7	877	881
815	965	878	900
816	948	879-80	901-2
817	897	881	903
818-9	890-1	882-3	904-5
820	961	884-5	906
821-2	929-30	886	907
823	949	887	908
824	950	888-9	887-8
825	951	890	892
826-7	952-3	891-3	893-5
828-9	954-5	894	889
830-1	957-8	895-6	852-3
832-3	959-60	897	866
834	956	898	854
835	935	899	858
836	934	900-1	855-6

LUCILIUS

M	W	M	W
902	874	963-4	983-4
903-4	875-6	965	990
905	877	966	981
906-7	867-8	967	993
908	869	968	<i>catal.</i>
909-10	870-1	969	999
911	862	970	1121
912	872	971	1122
913	873	972	1123
914	865	973	1124
915	859	974-5	1129-30
916	857	976-7	1125-6
917	878	978-9	1109-10
918-9	860-1	980-1	1111-2
920-1	863-4	982	1115
922	909	983-4	1113-4
923-4	976-7	985-6	1116-7
925-7	<i>after 817</i>	987	1118
928-32	<i>catal.</i>	988-9	1119-20
933-4	898-9	990	1107
935	978	991	1095
936-7	974-5	992	1098
938	938	993-4	1096-7
939	884	995	1104
940-1	896	996	1101
942-3	979-80	997	1099
944	985	998-9	1102-3
945	986	1000	1100
946	988	1001	1093
947	989	1002	1094
948-9	997-8	1003	1105
950-1	991-2	1004	1106
952	<i>after 963-4</i>	1005-6	1127-8
953	695	1007	1108
954-5	995-6	1008	1061
956	698	1009	1065
957-8	696-7	1010	1062
959	<i>catal.</i>	1011	1092
960	994	1012	1090
961	987	1013	1091
962	982	1014	1084

CONCORDANCE I

M	W	M	W
1015	1085	1064	1037
1016	1086	1065-6	1028-9
1017	1078	1067	1030
1018	1081	1068	1031
1019	1082	1069	1021
1020	1083	1070	1020
1021	1087	1071-2	1035-6
1022-3	1079-80	1073-4	1022-3
1024-5	1072-3	1075	1024
1026	1077	1076-7	1032-3
1027	1063	1078	1016
1028	1064	1079	1008
1029	1074	1080-1	1009-10
1030	1069	1082-3	1011-2
1031	1067	1084	1014
1032	1068	1085	1013
1033	1070	1086-7	1015
1034	1071	1088	1017
1035	1075	1089	1018
1036	1066	1090	1002
1037-8	1088-9	1091	1019
1039-40	1039-40	1092	1007
1041-2	1041-2	1093	1005
1043-4	1043-4	1094	1004
1045-6	1059-60	1095-6	1000-1
1047	1045	1097	1003
1048	1047	1098	1006
1049	1046	1099	<i>catal.</i>
1050	1052	1100	397
1051	1049	1101	225
1052	1050	1102	1134
1053	1049	1103	1159
1054	1058	1104	1212
1055	1057	1105	1177
1056-7	1053-4	1106	480
1058	1048	1107-8	228-9
1059	1038	1109	154
1060	1025	1110	<i>catal.</i>
1061	1026	1111	411
1062	1027	1112	<i>catal.</i>
1063	1034	1113-4	617-8

LUCILIUS

M	W	M	W
1115-6	1166-7	1169	1260
1117	1210	1170	1254
1118	1169	1171	1191
1119-20	1194-5	1172	1241
1121	1184	1173	224
1122-3	206-7	1174-6	601-3
1124	142	1177	<i>after</i> 909
1125	<i>catal.</i>	1178	<i>after</i> 1247
1126	<i>catal.</i>	1179	1213
1127	<i>catal.</i>	1180	<i>after</i> 594
1128	1176	1181-2	609-10
1129	<i>catal.</i>	1183	1232
1130	232	1184	<i>catal.</i>
1131	596	1185	1244
1132	—	1186	1182
1133	416	1187	185
1134-6	211-2	1188	215
1137	<i>catal.</i>	1189	<i>after</i> 413
1138-42	254-8	1190	413
1143	<i>catal.</i>	1191-2	1163-4
1144	<i>catal.</i>	1193	1168
1145	1154	1194	1245
1146	<i>catal.</i>	1195	1246
1147	1153	1196	1231
1148	1152	1197	1188
1149	<i>after</i> 1110	1198	<i>catal.</i>
1150	1217	1199	1259
1151	597	1200	599
1152	616	1201-2	1222-3
1153-4	1242-3	1203-4	1136-7
1155-1155 a	1226-7	1205	1235
1156	<i>catal.</i>	1206	1230
1157	219	1207	101
1158-9	1155-6	1208	1225
1160	1215	1209	<i>after</i> 412
1161	1157	1210	<i>catal.</i>
1162-3	1228-9	1211	1272
1164	1238	1212	<i>after</i> 1257-8
1165-6	1265-6	1213-4	1185-6
1167	1233	1215-7	398-400
1168	<i>after</i> 418	1218	1269

CONCORDANCE I

M	W	M	W
1219	1144	1277	196
1220	1193	1278	506
1221	1175	1279	1131
1222	1179	1280	1135
1223	251	1281	1192
1224	1174	1282-3	1170-1
1225-6	1189-90	1284-6	1250-2
1227	1076	1287	1161
1228-34	1145-51	1288	1234
1235-40	200-5	1289	<i>catalog.</i>
1241	<i>after 1134, and</i>	1290	1236
	<i>catalog.</i>	1291	498
1242-3	1255-6	1292	197
1244	1262	1293	1261
1245	1165	1294-5	1257-8
1246	1253	1296	574
1247	1247	1297	926
1248	1183	1298	1264
1249	1269	1299	<i>catalog.</i>
1250-1	1055-7	1300	<i>catalog.</i>
1252	<i>catalog.</i>	1301	1158
1253	1160	1302	1216
1254	<i>catalog.</i>	1303	621
1255-6	1172-3	1304	1221
1257-8	292-3	1305	1249
1259	1132	1306	1270
1260	1133	1307	1239
1261	<i>after 1131</i>	1308	615
1262	<i>after 1131</i>	1309	619-20
1263	<i>after 1131</i>	1310	631
1264-5	414-5	1311	<i>catalog.</i>
1266	1211	1312-3	1138-41
1267	1180	1314	—
1268	1187	1315	156
1269	595	1316	1240
1270	1224	1317	<i>after 1177</i>
1271	1178	1318	1237
1272	1162	1319-20	1267-8
1273-4	182-3	1321	1214
1275	1248	1322	<i>after 1141</i>
1276	1220	1323	1181

LUCILIUS

M	W	M	W
1324-5	1218-9	1356	—
1326-38	1196-1208	1357	—
1339	<i>after</i> 352-3	1358	<i>catal.</i>
1340	1271	1359	<i>catal.</i>
1341	<i>catal.</i>	1360	—
1342-3	112-3	1361	<i>catal.</i>
1344-6	1142-3	1362	—
1347	152	1363	<i>catal.</i>
1348	83	1364-5	—
1349	1263	1366	—
1350	554	1367	<i>catal.</i>
1351	—	1368	—
1352	—	1369	<i>catal.</i>
1353	600	1370-78	—
1354-5	—		

LUCILIUS

Concordance II

W	M	W	M
1	1	24-7	19-22
2	9	28-9	24-5
3-4	2	30-2	33-5
5	4	33	32
6-7	5-6	34	36
8	7	35	31
9	8	36	43
10	10	37	44
11	11	38	46
12	12	39-41	37-9
13	13	42-5	40-2
14	17	46	54
15-6	15-6	47	48
17	14	48-9	51-2
18	18	50-1	49-50
19	26	52	53
20-2	27-9	53	55
23	30	54-5	57-8

CONCORDANCE II

W	M	W	M
56	59	123	128
57	66	124	129
58-9	67-8	125	131
60	71	126	132
61	73	127	133
62	72	128-9	134-5
63	74	130	136
64-5	82-3	131	137
66	81	132	139
67-9	78-80	133-4	105-6
70	75	135	138
71-2	76-7	136-7	140-1
73-4	60-1	138-9	142-3
75	64	140-1	107-8
76	65	142	1124
77	87	143-5	102-4
78-9	62-3	146-7	144-5
80-1	69-70	148	146
82	56	149	160
83	1348	150-1	161-2
84-6	84-6	152	1347
87-93	88-94	153	163
94-5	97-8	154	1109
96-7	99-100	155	164
98	109	156	1315
99-100	130	157-8	179-80
101	1207	159-60	166-7
102-5	110-3	161	168
106	114	162-3	169-70
107-8	115-6	164	172
109-10	117-8	165	171
111	119	166	173
112-3	1342-3	167-9	174-6
114	120	170-1	177-8
115-6	121-2	172-5	149-52
117	101	176-81	153-8
118	123	182-3	1273-4
119	125	184	159
120	124	185	1187
121	126	186-93	181-8
122	127	194-5	189-90

LUCILIUS

W	M	W	M
196	1277	262-3	247-8
197	1292	264	235
198-9	191-2	265	233
200-7	1235-40, 1122-3	266	236-7
208-10	203-5	267-8	231-2
211-2	1134-6	269	257
213	202	270-1	258-9
214	200	272	260
215	1188	273-4	261-2
216	194	275-6	238-9
217	195	277	252
218	193	278-81	243-6
219	1157	282	249-50
220	196-7	283	253
221-2	198-9	284	251
223	201	285-6	240-1
224-5	1173, 1101	287-8	254-5
226-7	223-4	289	256
228-9	1107-8	290	263
230-1	226-7	291	271
232	1130	292-5	1257-8, 269-70
233-4	210-1	296-7	264-5
235	212	298	266
236	221	299	267
237	222	300	285
238	214	301	284
239	213	302	278
240	215	303-5	279-81
241-2	216-7	306-7	282-3
243	219	308-9	273-4
244	220	310	275
245	225	311-2	276-7
246	218	313	293
247-8	208-9	314	294
249-50	206-7	315-6	268
251	1223	317	292
252-3	228-9	318	291
254-8	1138-42	319	286
259	242	320	287
260	234	321-2	288-9
261	230	323	290

CONCORDANCE II

W	M	W	M
324-5	296-7	394-5	375-6
326	312	396	381
327	298	397	1100
328-9	300-1	398-400	1215-7
330	299	401-10	338-47
331-2	303-4	411	1111
333	305	412	388
334	306	413	1190
335	307	414-5	1264-5
336	308	416	1133
337-8	309-10	417-8	386-7
339	311	418 a	385
340	317	419	389
341-2	318	420	390
343-4	313-4	421	392
345-6	315-6	422	391
347	319	423	393
348	320	424-5	394-5
349	321	426-7	405-6
350-1	322-3	428	397
352-3	324-5	429	400
354-5	331-2	430-1	398-9
356	333	432-5	401-4
357-8	328-9	436-7	407-8
359-60	334-5	438-9	409-10
361	330	440-2	413-5
362-3	336-7	443	416
364	326	444	417
365	327	445-7	422-4
366-7	349-50	448-9	411-2
368-72	351, 352-5	450-2	418-20
373	356	453	425
374	357	454	426
375-6	362-3	455	427
377-9	364-6	456-7	428-9
380-1	367-8	458-9	433-4
382-3	369-70	460	430
384-7	358-61	461-2	435-6
388	372	463	431
389-92	377-80	464	432
393	374	465-6	440-1

LUCILIUS

W	M	W	M
467	445	531-2	493-4
468	446	533	496
469	444	534-5	504-5
470-1	442-3	536-7	501-2
472	438-9	538-9	499-500
473	447	540-1	497-8
474	452	542	495
475	448	543	503
476	449	544-6	527-9
477-8	450-1	547-8	525-6
479	453	549-51	522-4
480	1106	552-3	519-20
481	454-5	554	1350
482	456	555	530
483	461	556	521
484	473	557-8	532-3
485-6	474-5	559-61	534-6
487-8	478-9	562	531
489-90	457-8	563	537
491-2	462-3	564	549
493-4	459-60	565-6	538
495-6	464-5	567-73	540-6
497	466	574	1296
498	1291	575-6	547-8
499-500	467-8	577-8	550-1
501-2	469-70	579-80	552-3
503	472	581-2	555-6
504	471	583	554
505	476	584	563
506	1278	585	564
507-8	515-6	586-7	561-2
509-10	490-1	588-9	559-60
511-3	506-8	590	557
514	509	591	558
515	510	592-3	565-6
516-7	512-3	594	567
518	511	595	1269
519	514	596	1131
520-3	480-3	597	1151
524-9	484-9	598	568
530	492	599	1200

CONCORDANCE II

W	M	W	M
600	1353	660-1	660-1
601-3	1174-6	662	659
604	569	663	662
605-6	575-6	664	658
607-8	573-4	665	653
609-10	1181-2	666	654
611	577	667-8	656-7
612-4	570-2	669	655
615	1308	670-1	590-1
616	1152	672-3	651-2
617-8	113-4	674	649
619-20	1309	675	650
621	1303	676-7	635-6
622	578	678	638
623	581	679	639
624-5	579-80	680	642
626	584	681	637
627	582	682-3	647-8
628	583	684-5	645-6
629	585	686	643
630	586	687	640
631	1310	688	641
632-4	595-6	689	617
635	592-3	690	610
636-7	677, 676	691	622
638	681	692-3	618-9
639	680	694	611
640-1	682-3	695	953
642-3	684-5	696-7	957-8
644-5	678-9	698	956
646	686	699	632
647	675	700	612
648-9	673-4	701	629
650-1	671-2	702	628
652-3	669-70	703	630
654	666	704	623
655	667	705	631
656	668	706	624
657	664	707	625
658	665	708-9	613-4
659	663	710-1	615-6

LUCILIUS

W	M	W	M
712	609	763-5	712-4
713	620	766-7	704-5
714	621	768	711
715-6	633-4	769	696
717	626	770	693
718	627	771	692
719	644	772-3	690
720-1	588-9	774	694
722	602	775	695
723	587	776	706
724-5	603-4	777	701
726	608	778	731
727-8	599-600	779	699
729-30	597-8	780	703
731	601	781	700
732	605	782	724
733	606	783	740
734	607	784	697
735	687	785	702
736	793	786	698
737	729	787	715
738	730	788-9	709-10
739	739	790	691
740	737	791-2	688-9
741	734	793	780
742	735	794	781
743	741	795	773
744	732	796-7	771-2
745	728	798	775
746	725	799	776
747	736	800	778
748	733	801	777
749	738	802	779
750	719	803	782
751-2	720-1	804	783
753-4	722-3	805-11	784-90
755-7	726-7	812	791
758	708	813	792
759	707	814	774
760	718	815	751
761-2	716-7	816	752

CONCORDANCE II

W	M	W	M
817-8	769-770	870-1	909-10
819	757	872	912
820	753	873	913
821	754	874	902
822-3	755-6	875-6	903-4
824-5	762-3	877	905
826	765	878	917
827	764	879	875
828	768	880	876
829	760	881	877
830	761	882-3	870-1
831-2	766-7	884	939
833	758	885	872-3
834	759	886	874
835	742	887-8	888-9
836	749	889	894
837	743	890-1	818-9
838-9	745-6	892	890
840	748	893-5	891-3
841	747	896	940-1
842	750	897	817
843	744	898-9	933-4
844	794	900	878
845	795	901-2	879-80
846-7	796-7	903	881
848	799	904-5	882-3
849-50	800-1	906	884-5
851	798	907	886
852-3	895-6	908	887
854	898	909	922
855-6	900-1	910-1	851-2
857	916	912	853
858	899	913-5	863-5
859	915	916	856
860-1	918-9	917-8	854-5
862	911	919-20	857-8
863-4	920-1	921-2	868-9
865	914	923-4	859-60
866	897	925	861-2
867-8	906-7	926	1297
869	908	927-8	866-7

LUCILIUS

W	M	W	M
929-30	821-2	985	944
931-3	848-50	986	945
934	836	987	961
935	835	988	946
936-7	846-7	989	947
938	938	990	965
939-40	837-8	991-2	950-1
941	840	993	967
942	839	994	960
943-4	841-2	995-6	954-5
945	845	997-8	948-9
946	843	999	969
947	844	1000-1	1095-6
948	816	1002	1090
949	823	1003	1097
950	824	1004	1094
951	825	1005	1093
952-3	826-7	1006	1098
954-5	828-9	1007	1092
956	834	1008	1079
957-8	830-1	1009-10	1080-1
959-60	832-3	1011-2	1082-3
961	820	1013	1085
962	806-7	1014	1084
963	808-9	1015	1086-7
964	810	1016	1078
965	815	1017	1088
966-7	813-4	1018	1089
968	802	1019	1091
969	803	1020	1070
970	811	1021	1069
971	805	1022-3	1073-4
972	804	1024	1075
973	812	1025	1060
974-5	936-7	1026	1061
976-7	923-4	1027	1062
978	935	1028-9	1065-6
979-80	942-3	1030	1067
981	966	1031	1068
982	962	1032-3	1076-7
983-4	963-4	1034	1063

CONCORDANCE II

W	M	W	M
1035-6	1071-2	1087	1021
1037	1064	1088-9	1037-8
1038	1059	1090	1012
1039-40	1039-40	1091	1013
1041-2	1041-2	1092	1011
1043-4	1043-4	1093	1001
1045	1047	1094	1002
1046	1049	1095	991
1047	1048	1096-7	993-4
1048	1058	1098	992
1049-51	1053, 1051-2	1099	997
1052	1050	1100	1000
1053-4	1056-7	1101	996
1055-6	1250-1	1102-3	998-9
1057	1055	1104	995
1058	1054	1105	1003
1059-60	1045-6	1106	1004
1061	1008	1107	990
1062	1010	1108	1007
1063	1027	1109-10	978-9
1064	1028	1111-2	980-1
1065	1009	1113-4	983-4
1066	1036	1115	982
1067	1031	1116-7	985-6
1068	1032	1118	987
1069	1030	1119-20	988-9
1070	1033	1121	970
1771	1034	1122	971
1072-3	1024-5	1123	972
1074	1029	1124	973
1075	1035	1125-6	976-7
1076	1227	1127-8	1005-6
1077	1026	1129-30	974-5
1078	1017	1131	1279
1079-80	1022-3	1132	1259
1081	1018	1133	1260
1082	1019	1134	1102
1083	1020	1135	1280
1084	1014	1136-7	1203-4
1085	1015	1138-41	1312-3
1086	1016	1142-3	1344-6

LUCILIUS

W	M	W	M
1144	1219	1211	1266
1145-51	1228-34	1212	1104
1152	1148	1213	1179
1153	1147	1214	1321
1154	1145	1215	1160
1155-6	1158-9	1216	1302
1157	1161	1217	1150
1158	1301	1218-9	1324-5
1159	1103	1220	1276
1160	1253	1221	1304
1161	1287	1222-3	1201-2
1162	1272	1224	1270
1163-4	1191-2	1225	1208
1165	1245	1226-7	1155-1155 a
1166-7	1115-6	1228-9	1162-3
1168	1193	1230	1206
1169	1118	1231	1196
1170-1	1282-3	1232	1183
1172-3	1255-6	1233	1167
1174	1224	1234	1288
1175	1221	1235	1205
1176	1128	1236	1290
1177	1105	1237	1318
1178	1271	1238	1164
1179	1222	1239	1307
1180	1267	1240	1316
1181	1323	1241	1172
1182	1186	1242-3	1153-4
1183	1248	1244	1185
1184	1121	1245	1194
1185-6	1213-4	1246	1195
1187	1268	1247	1247
1188	1197	1248	1275
1189-90	1225-6	1249	1305
1191	1171	1250-2	1284-6
1192	1281	1253	1246
1193	1220	1254	1170
1194-5	1119-20	1255-6	1242-3
1196-1208	1326-38	1257-8	1294-5
1209	1249	1259	1199
1210	1117	1260	1169

CONCORDANCE II

W	M	W	M
1261	1293	1267-8	1319-20
1262	1244	1269	1218
1263	1349	1270	1306
1264	1298	1271	1340
1265-6	1165-6	1272	1211

INDEX

(The numbers refer to pages)

A

- aa 114
 Aborigines 430-1
 abzet 196-7
 Academy xi, 265
 acarnae 18
 acceptoris 410
 Accius xvii. 48-9, 107, 111-5, 127-9,
 236, 272-3, 344
 aceratum 110
 aceroso 168
 Achaeans 236
 Achilles 215, 237
 acoetin (ἄκοιτιν) 178-9
 adorat 486
 adoritur 36
 Aebutia Lex 432-3
 Aegialea 357, 369
 Aemilianus *see* Scipio
 Aemilius 26-7
 Aemilius Lepidus 363
 Aemilius, Paulus 72-7
 Aemilius, Pons 188-9
 aera 292-3
 Aesernia 57
 Aeserninus 56-7, 59
 Aethiopus 58
 Aetnae 34
 aevitas 426
 αἰγιόχοι 34
 Afranius 344
 Africa 247
 Agamemnon, 214-5, 237, 283-4
 Agelastus (ἀγέλαστος) 422
 Agrion 94-5
 Ajax (son of Oileus) 215; (son of
 Telamon), 235, 237
 Alba, Alban 205, 230-1
 Alba Fucens 397
 Albesia 396
 Albinus, Aulus Postumius xviii, 393
 Albinus, Spur. Postumius 300-1, 390-3
 Albucius 18 ff.
 Alburnus 38-9
 Alcmena 178-9
 alga 416
 alochoeo (ἀλόχοιο) 10
 aluta 148-9
 ambages 388
 ambitus 466-7
 amian 398
 amphitapi (ἀμφίταποι) 6; amphita-
 poe 86
 Amphitryo 178-9
 amplectier 314
 amplexetur 314
 ampliter 148
 amptruet 108
 Amyclae 224-5
 Ancarius? 84-5
 Ancharius, Q. 85
 Androgyni (ἀνδρόγυνοι) 340
 Andron? 395
 anfractum 470
 angina 326
 anquina 192
 antestamino 424-5
 Antiochus III xxiv-v; Antiochus IV
 xxiv
 Antiopa 233, 235
 Anxur 204-5
 Apelles 306-7; Apelli 306
 ἀπερία 314
 Apollo 10-11, 13, 82-3, 276-7
 Appian Way 35
 Appius Claudius (decemvir) xxvii,
 464; Pulcher xv
 Apulia 306-7
 Apulidae, Apulian 50-1
 apulum 420
 Arab(us) 198-9
 arceram 426-7

INDEX

archaeotera? (ἀρχαιότερα) 128

ἀρχαῖς 260-1

Archelaus, Q. Lael. xvii

Archilochus 249, 252-3

arduitur? 500

ardum 242

* Ἀρες Ἄρες 114

Argos 360-1

Aristippus 265, 268-9

Aristocrates x, 164-5

arquatos 326

Artemo 198-9

ἀρθρικός 110

arutaenae (ἀρρυταῖναι) 8

Asellus, Claudius 134-5

Asia xii, 18, 25, 208-9, 211

asparagi 42

ast 450-1, 502

Astynome, 282, 284

atechnon (ἄτεχνον) 60-1

Atellanae 131

Aternia Tarpeia, Lex 433

Athene 215

Athens xxvii, xxviii, 30-1, 262, 269

Athones 34-5

atomús (ἀτόμους) 264

Atreus 285

Attic 413; Attica 109, 147

Atticon 412

Aurunca *see* Suessea

auxiliatus 318

averruncassint 214

B

Babylon 158-9

ballistas 258-9

bisuleis 334-5

Bitto 334-5

blennus 336

boa 406

bolo 290-1

Bovillae, Bovillanus 34-5

bovinator 140

broneus 34

Brunlisium 30

Bruttace, Bruttian 46-7

Bruttium 306

bulga 22, 86, 226

C

eucosyntheton (κακοσύνθετον) 122

Caccilius, C. xv

Caccilius, C. (Metellus Caprarius)
xiv, xviii, 72-3

Caccilius, Q. (Metellus Macedonicus)
xvii, 72, 203, 205, 206

Caccilius (poet) 287

Caelius 326-7, 410-1

cala 316

caldia 96; caldum 98

calliplocamon (καλλιπλόκαμον) 178

callisphyron (καλλίσφυρον) 178

Calpurnia Lex 191

Calpurnius Piso, L. 190

calvitur 180, 426

calx 418

Camena 314

Campana 419

Campania ix, 163

Campanus 162

camphippi 420

canes (*fem.*) 2, 382

canicas 246

Cannae 305

Caper, Flavius xxiii

capidas 106

Capitolia 374, 484

Caprarius *see* Caccilius

capronae 98

Capua 30-1, 33-5, 39, 46-7, 419

capulare 421

Carbo, C. Papirius xviii, 370-1

carcer 382

Carchesius 194

carissa 419

Carneades xi, 12-13

Carpathian Sea 158-9

Carpathus 159

Carthage xvi

carti 251

Casinas 318

Casinum 319

Cassandra 214-5

Cassius (Sabaco?) 140-1

catapiratem 378

cataplasma 310-1

catapultas 76

catax (Catax?) 24-5

catillo 188

Cato 154-5; Valerius xxiv

Cecilius, 72-3

Celetes (κέλης, κέλητες?) 421

Celtiberi 139, Celtiberic 163

centenariae 188

cepa 68; cepa 66, 176

cephalaea (κεφάλαια) 18

Cephalo 140-1

INDEX

- Cerco 110-1
 cercyrum 106, 158-9
 Ceres 480-1
 cernui 250-1; cernuus 40-1
 chaere (χαίρε) 30
 chauno meno (χαῦνο' μένω) 86-7
 Chian (Χίος) 186-7
 chirōdŷti (χειριδωτοί) 20
 Chiron 313
 Chiron(eo) 312-313
 chresin (χρησιν) 250
 Chryseis 283-4, 215
 Chryses 282-4, 214-5
 χρυσίζον 398
 cibicidas 244
 cima 318
 Cimbric xvi
 cinnabari 374-5
 Cippius 78-9
 clamides (χλαμύδες) 108
 clanculum 244
 Claudius Nero 306; *see also* Appius
 clepsere 380
 clinopodas (κλινόποδας) 8
 Clitomachus xi, xvii
 cobium 302-3
 Coelius 66-7
 collarei 296
 collus 96, 250
 Collyra 172, 194-5
 com 430
 Cometa, Cometes 360-1
 comitiatus 494
 commodum 290
 compace? compage? 464
 conbibonum 210
 condissit? 474
 Congus xvii 200-1, 220
coniectio (collectio) causae 429-30
 coniugat 280
 conlucare 473
 conmanducatur 52
 conpernem 178
 conque tubernalem 419
 Consentia 203
 consortionem 286
 Consualia 502
 contrā 294
 corazo (χοραζω) 144
 corbita 166
 cordipugis 419
 Cornelius 80-1; *see* Lupus *and* Scipio
 Aemilianus
 cortinipotentis 96
 corrupto 410
 Cotta, L. Aurelius 138-9
 Cotus, Cotys 172-3
 coxendicibus 322-3
 Crassus 88-9
 Crassus, L. Licinius xviii, 28-9, 88-9,
 187, 191
 Crassus, M. 422
 Crates 265
 crepera 62
 Cretaea 288-9
 Cretan 289
 Crisis 132
 Critolaus xi
 crucium 419
 cubita 172
 Cyclops 166-7, 371
 Cyllarabus, Cyllarabes 360-1
 Cynic (-s) xvi, 162, 213, 217, 245, 311,
 361
- D
- dapsilius 332
 deargentassere 204
 deblaterant 336
 decalauticare 204
 decimano 64; decumana 186-7,
 396-7; decumanis 192; decu-
 mano 168
 Decius 368-9
 decollavi? 144-5
 decussis 406
 degrunavisti 32
 delapidassint 470
 deletionem 304
 deliket 336
 delirare 206
 Delos 38-9
 demagis 172
 depetigo 360-1
 depilati 304-5
 depoc(u)lassere 204
 depostus 44
 depuviit 378
 deque dicata 356
 deque petigo 360-1
 despeculassere 204
 desubito 134
 Deucalio 88
 devorrere 238
 Dia II
 diallaxon (διαλλάξων?) 102-3
 Diana 46-7
 Δικαρχία? 38-9
 Dicarchitum, Δικαιαρχία
 dicasset 326

INDEX

diffensus 434
 dimidiatus 36
 Diogenes xi
 Diomeles 357, 360-1
 Diouysia 147
 Dionysius I 269
 Dirce 235
 discerniculum 354
 disertim 419
 dissociata 286-7
 disyllabon (δισύλλαβον) 178
 dominia 148
 domitionis 236
 duicensis 510
 (duit 442)
 duplione decidi 480-1; d. decidito
 486, 508

E

Ecbatana 158-9
 echinus 374, 398
 Egilius? 142-3
 Egypt 396-7
 εἶδωλα 264
 Eisocratio 60
 elephantocamelos 420
 elevit 218
 em 424 (im 482, 502)
 Emathian 16-7
 emblemate (ἐμβλήματι) 28
 Empedocles 177
 empleuron, ἐμπλευρον 342
 emungi 290-1
 endo 180? 332, 426, 438, endoplorato
 484; endoque plorato 510-11
 Ennius xvi, 126-7, 129-31, 275, 285,
 332, 385, 411-5
 entymema 126
 ephebum 262
 Epicurean xvi, 221, 223, 226
 Epicurus 264-5
 ἐπιφώνει 280
 ἐπίτευγμα 306-7
 ἔπος 126
 epulai 148
 epulo 148
 Equirria 502
 equitare 408
 equitatum 408-9
 erciscundae 454
 erectum ciere 444, 455
 ergastilus 170-1
 ergo 498, 509

Erinyes 54
 escit 426, 448, 450; escunt 502
 Etruscan *see* Tuscan
 Euclides 176
 Eufemia, S. 47
 eugio 288
 Eumenidum 54
 eupatereiam (εὐπατέρειαν) 178-9
 euphona 132
 euplocamo (εὐπλοκάμῳ) 354
 Euripides 412-3
 exactorem 230
 exanclaris 328
 excautavit 478
 exlex 22, 330
 exodium 130-1
 expergitus 44
 exterminare 284

F

Fabius Maximus Aemilianus 275, 340
 face 288
 Facelina 46-7
 facie 90, 178-9
 facul 84
 fami 144
 fandam 18
 Fannia Lex 63, 404-6
 Fannius xiii, 362-3?, 404-5
 fariatur 490
 Fauni 166, 430-1. Faunus 431
 favitorem 280
 faxit 490; faxsit 476, 506
 ferai 50
 fervere 116
 fici 70; ficos 68, 70, 419
 firmiter 132, 146
 Flacci 56-7; Fulvius Flaccus 395
 Flavius 504-6; Flavius Caper xxiii
 foreti 428-9
 forum 502
 forus 48
 Fregellae 331
 frumiscor 182
 fuat 434
 Fucentia 397
 fulgit 98
 fulguritarum 230
 fulmentas 48, 258
 Fulvius Flaccus 395
 furei 118
 Furies 55

INDEX

G

Gaius 348, 368
 Gallia Narbonensis 209
 Gallonius 62-7
 gangraena 18
 gannis 92
 Gauls xxx, 506
 gausape 188
 γῆ 260
 Gellius xxi, xxiv
 Geminus, M. Servilius 73 ff.
 Gentius 94-5
 genus 48
 gerdius 342
 gigeria (gizeria?) 104-5
 gladium (*nom.*) 58
 Gnatho 304-5
 Gracchan age 201, 231
 Gracchus, C. xii, xiii, 12, 85, 371
 Gracchus, Tib. xi, xviii, 249, 255
 gracila 190
 gradarius 160
 Granus xviii, 140-1, 186-7, 190-1
 Greece, Greek xvi, xix, xxviii, xxix, 9,
 16-7, 29-31, 38-9, 114-5, 237, 239,
 254-5, 257, 276-7
 gubernā 194
 gumiae 334
 gutturem 400
 guttuliocae 419

H

Halicarius 168
 Hannibal 228-9, 305-7
 Helen 178-9
 helops 396
 herbilis 152
 Heredium 468
 Hermodorus xxvii-xxix
 herpestica 18
 Hibera 136, 158, 162
 hilo 156; hilum 352
 Homer 126-8, 130-1, 166-7, 177
 Horace x, xx
 Hortensius 24-5, 384-5
 hortus 468
 Hostilius xviii, 24-5
 Hyacinthus 96-7
 Hymnis 286-9, 378-81
 hypereticos (ὑπερηρετικός) 421

I

Ianus 10
 Iapydes 327

Iadion 62
 icterus 14
 idiotam 216
 igitur 424-5
 ignaviter 176
 Ilias (*Iliad*) 126
 illel 118-9
 im 482, 502
 impuno 20-1
 inbaluitie 234
 inherbi 340
 inbubinat 384
 inbulbitat 384
 incantassit 474-5
 incerniculum? 204-5
 incilans 348
 incita 36, 164
 indu 362, 372
 iuers 150
 inperfunditie 234
 inrigarier 222
 interneconem 36
 intestabilis 490
 irascier 212
 Irus 181
 Isocrates 61
 Italians 331
 Italy, Italian x, xii, xiii, xiv, xvi,
 xxix, 30, 203, 306-7, 428, 501
 Iugurtini 142
 iumentum 426-7
 Iunius Congus xvii, 200-1, 220
 Iunius Pennus, xiii, xiv, 331
 Iuppiter 66, 88
 iusti 436
 Ixion II
 Ixionies (Ἰξιονίης) 10

J

Jason 312-3
 Jugurtha, xv, xvi, xviii, 143, 393
 Junius *see* Iunius
 Jupiter 67, 89, 148-9, 172-3, 507
 Juvenal xix, xx

K

κούρη? 178

L

labeas 196
 lacuar 429
 lacus 492
 Laelius, C. xvii, 63-5, 202

INDEX

- Laelius, Decimus xvii, 202-3
 Laelius, Q. Archelaus xvii
 Laevius 66-7
 lamberat 198-9
 Lamia 334-5
 Lamias 166
 lance et licio 484-7
 lapathi 64
 laterem 205
 Latins ix, 130-1
 Latinus 431
 Latium 431
 Latona 55
 latrina (*pl.*) 88; (*sing.*) 136
 Laverna 176
 lavit 86
 Leda 10-1
 legassit 446-7
 lentet 102
 Lentulus *see* Lupus
 Leonidas? 200-1
 Leontiada? 200-1
 lerodes (Ἀηρώδες) 60
 lessum 497-8
 lexis (λεξις) 28
 Liber 10
 Liberalia 146
 Licinian law 188-9
 Licinius? 120-1; *see* Crassus
 Ligurians 73
 Liparae 46-7
 Livy xxviii, xxx
 locassint 494
 Lucani, Lucanian 82-3
 Luciliades 422
 Lucilius, C. vii ff., 246, 254-5, 262-3,
 300-1, 349, *etc.*
 Lucilius, Manius 144
 luparis 78
 Lupus, L. Cornelius Lentulus xiii,
 xvii-viii, 3-5, 15-7, 260-1, 366-7,
 370-1
 lurcaretur 24
 lurcones 24
 Lusitanians 99
 lychnos 8
 Lycus 235
 Lydians 6-7
 lymphorem 400
 Lysippus 172-3
- M
- Macedo 94-5
 Macedonia 16
 macellus 80
 Maenius 368-71
 Mago 246-7
 malt(h)am 240-1
 Manilia Lex 468-9
 mamphulas 342
 Mancinus 397
 mandonum 318
 manducamur 152
 mango 290-1
 Manilius 200-1
 Manlius 24-5
 mantica 32
 mantisa 398
 Marius 67
 Mars 10
 Marsian(s) 53, 190-1
 Maticus 77
 Maximus Aemilianus 274-5, 340
 mechanicus 414
 meiraciodes (μειρακιώδες) 60
 meille, meillia 120
 Memmius 85
 mercedimerae 6
 Meropa 412-3
 Messana 46-7
 Metaurus 307
 metaxa 378
 Metelli 204-5
 Metellus *see* Caecilius
 Metrophanes, x, 196-7
 mictilis 334-5
 Minerva 214-5
 minutim 76
 miserinum 242
 moechocinaedi 340
 moestino 24
 monerint 214
 monogrammi 240 monogrammo 20-1
 monstrificabile 234
 mu 142
 Mucius Scaevola xiv, xviii, 18 ff., 88,
 366-7, 369
 mucro (μυχρό) 332
 muginamur 96
 Mummius 135
 mundum (*neut.*) 174
 Musco 346-7
 Muses 176, 273, 344-5
 musinonem 88-9
 muttires 216
 Mutto, Q. 347
 muttoni 192
 muttonium 418
 Myconos 416-7

INDEX

Mylae 47
mysteria 216

N

Naevius 410-1
nancitor 510
Naples xv, xvi
nasum (*neut.*) 193, 314
natricem 22
naumachiam 156
ne (*interjection*) 123
nefantia 41, 286
nemini 344
Neptunus 10, 12-3, 370-1
Nereus 72-3
next 76
noctipugam 384-5
noenu 362
Nomentanus 26-9
Nonius viii, xxi ff.; *passim*.
Nostius 28-9
nox 482
Nucula 368-9
Numa 166-7
Numantia 137, 275, 403
Numantine (s) x, xi, xii, 139, 229, 397
Numerius 410-1
nuncupassit 456-7
nupturum 178
nutricatum 324

O

obtursi 54
obvagulatam 436-7
ocaso 29; occasus 430-1
occentare 474-5; **occentassit** 474
occisit 482
Ocrisia 80-1
oenophori 42
olit 152
ollos 494
ὀμοτριβές 318
Opimius, L. xv, xviii, 143
Opimius, Q. 142-3
Orbilius 120-1
Orcus 12, 210
Orestes 184-5
Oscan ix, 197, 393, 403
ostrea (*fem. sing.*) 40; (*neut. pl.*) 110, 146, 398
Oufente 368
Oufentina 368
oxyodontes (ὀξυόδοντες) 334

P

Paceniuss xvii, 138-9
Pacideianus 56-9, 114-5
Pacilius, x, 196-7
pacit 476; pacunt 428-9
Pacuvius xvii, 73, 214-5, 233 ff.; 282-4, 413
Paetus, Aelius xxix, xxx
Palantine War 362-3
Palinurus, Cape Palinuro 35, 40-1, 47
palpatur 292
palumbes 152
Pamphilus 320-1
Papiria 366-7
Papirius Carbo xviii, 370-1
parentactoe (παρεντάκτοι) 103-9; parentacton 262
pascali 408
paseolum 148
pathicam 294
patriai 392
pedes (*from pedis*) 292-3
pedicum (παίδικόν) 22
peila 129
Penelope 179
peniculamentum 184
Pennus, Iunius xiii, xiv, 331
pensi 266
percrepa 228
Pergamum 159
permitie 294
Persius, C. 200-3; *the satirist* xix
pertisum 316
petauristae 414
petilis 196
petimen 59-1
Philocomus *see* Vettius
Phryne 90-1
physici 216
pigror 134
Pitaria Lex, 505
pistrices 421
pistrina (*fem.*) 174
pistrix 342, 421
πρεῦμα 269
poema 126; poemata 352; poesis 126
poenitur 494
Polemon 264-5
Polyphemus 166-7
Polyphontes 412-3
polypus 298-9
Pompeius Strabo x
Pompey the Great x
Pontius 30-1

INDEX

Popillius Laenas 99, 228-9
 porcent 80
 portus 435-7
 posticum 100
 Postumius 4-5; *see* Albinus
 pote 288
 potesse 390; potisse 64; potisset
 (potissit?) 4, 8, 64, 340
 potissunt 386
 potitur 66
 praeceidit 94
 praeciso 190
 praecoca 32
 Praeneste, Praenestines 368-71
 premo (*noun*) 320
 pretor 72-3
 primitus 68
 priva 18
 Privernum 368-9
 prodigitas 84
 roseciam 154
 prostomis? 164-5
 protelo (*noun*) 82, 146
 psilae 6
 ψωλοκοποῦμαι 102
 publiceis 206
 publicitus 144, 174, 328
 Publius 80-1 *see* Scipio Aemilianus
 Publius Gallonius 64-5
 Publius Tuditanus 158
 puellus 54, 142
 puerei 118
 pullo 320
 Punic War, First 515
 Puteoli 38-9
 Pyrgensia, Pyrgi 384-5

Q

quandoc 510
 quartarius 380
 queis 92
 queruera 62, 406
 quintana 376-7
 Quirinus 10
 quiritanus 84

R

ramite 110
 rapinator (? rapister) 20
 ratiti 378-9
 rausuro 184-5
 ravi 420
 redamptruet 108
 Regina 46

Regium xiv, 46-7
 remillum 194
 remoram 320
 repedabam 204; repedasse 202
 repostor? 62
 ῥήσεις? 254
 reus 434-5
 Rhegium *see* Regium
 rhetoricoterus (ῥητορικώτερος) 28
 rhinoceros 34; rinoceros 58
 Rhodes 158-9
 Rhodens 62-3
 ricae 20
 rodus 378
 Roman, Rome x-xiii, xvi, xviii,
 xxvi-xxxi, 4-5, 30-1, 48-9, 62, 79,
 85, 106, 111, 113, 142-3, 153, 155,
 163, 177, 181, 202-3, 221, 228-9,
 236, 256-7, 274, 305, 325, 345,
 375, 383, 403, 405, 428-9, 431, 441,
 445, 452-3, 462, 494
 Romulia 367
 rupsit 476, 478
 rutai 42
 rutellum 108
 Rutilius Rufus, Publius 202-3

S

Sabine 30-1, 370-1
 sacramentum 432-3
 saga 90
 Salerno, Salernum 38-9
 Sallii 107-9
 sam 470
 Samian 94-5, 148-9
 Samnis, Samnite 56-9
 Sannium 306
 sanates, sanati 428-9
 saperda 16
 sarcinator 270
 Sardinia(n) x, xiv, 88-9
 sargus 396
 sarpta 466
 sartas tectas ditias 208
 satias 310
 satura xii
 Saturnalia 405
 Saturnus 10
 saxei 412
 scaberat 110
 Scaevola, Mucius *see* Mucius
 seclerosus 14
 schedium 366-7

INDEX

schema 130, 312-3
 Scipiadae 134; Scipiadas 80
 Scipio Aemilianus xi, xii, xvii, xviii, 12
 30, 79-81, 134-5, 137, 159, 202-3,
 228-9, 255, 316-7, 329, 331, 368-9,
 403
 Scipio Africanus 307
 Scipio Nasica 159
 scripturarius 208
 scutam 70
 se (= sine) 440, 502
 secundo? 440
 seis 28; siem 226; sies 390; siet 10
 semnos (σεμνός) 8
 senectam 270
 Servilius C. 275
 Servilius, M. 73 ff.
 Servius Tullius 79-81
 sestertius pes 466
 Setia, Setinum 34-5
 Sicily, Sicilian, Siculi x, xiv, xxix,
 30-1, 88-9, 202-3, 211, 213
 Sicyonia 374
 siem 226; sies 390; siet 10
 Sigillaria 79
 signatam 282-3
 Silarus 38-9
 silurus 16
 simat 92
 simeitu 96; simitu 354
 singilatim 182
 Socrates 307-9
 Socratic 254-5, 268-9
 sollo 402-3
 soloce 408
 soloecismos (σολοικισμῶν) 124
 Solon xxvii, xxviii
 sophista 392
 sophōs 64
 Spain, Spanish xi, xvi, 99, 107, 137,
 153, 159, 161-3, 275, 363, 397
 statuliber 458-61
 status 434
 stlembi 50
 Stoic(s) xvi, 162, 207, 209, 217, 311,
 359, 361, 389, 393
 stoechia (στοιχεῖα) 260-1
 stomis? 164-5
 Stromboli 47
 struere pedem 426-7
 Sublicius pons 188-9
 subluere 473
 subpilo (noun?) 320
 subplantare 276-7
 subsiciva 264

sub vos placo 510
 succidere 483
 succusato is 59
 successor 162
 Suessa Aurunca ix, xi
 sumti 340
 suppus 298
 Sura? 372
 Symmac(h)us x, 44-5
 Syra 40-1
 Syracuse 148-9
 Syrophenix 170-1
 Syrus 208-9

T

Tables, Twelve xxvi ff., 181, 424 ff.
 tagax 346-7
 tama 406-7
 Tantalus 44-5
 Tappo 404-5
 Tappula Lex 404-5
 Tarentines 202-3
 Tarentum 172-3
 Tarpeian Rock 484, 490-1
 Terence 239
 Terentia 120-1
 Terentilius xxvii
 tesorophylax (θησαυροφύλαξ) 196
 testarier 490
 Teutonic xvi
 Theognis 316-7
 Thermopylae 200-1
 Thersites 236-7
 θέσις 126
 Thessalian 338-9
 Thestiadios 10
 Thestius 11
 Thoria Lex xv
 Thyestes 285, 287
 Tiber 188-9, 438-9
 Tiberinus 188
 Tiresia, Tiresiai 70; Tiresias 71
 Tisiphone 54-5
 Tityos 54-5
 tocoglyphos (τοκογλύφος) 170
 tolitim 106
 tonsillas 132
 toracia (θωράκια) 20
 transque dato 510
 Trebellius 168-9
 trepidantei 356
 trico 138
 tricornius 208-9
 tricosus 140

INDEX

Tritanus 36-1
 Trozinus 330-1
 Troy 236-7, 360-1
 Tubulus, L. xviii, 370-1
 Tuditanus, C. Sempronius 327
 Tullius, Q. 140-1
 Tullius, Servius 79-81
 Τυρῶ 179
 Tuscan 222-3, 370-1
 Tusculans, Tusculidarum 366-7
Twelve Tables xxvi ff., 181, 124 ff.
 tyroneo? 312

U

Ufens, Ufentine 368-9
 Ulixen 178
 Ulysses 179, 181, 237, 356
 utare *with acc.* 160

V

Valerius 404-5; Valerius Cato xxiv
 vallo? 382-3
 vappones 421
 Varro xxi ff.
 vatax 274-5

Vatia 275
 vegrandi 226-7
 vei 228
 venunduit 442
 Venus 360-1
 versipellis 208-9
 Vestal Virgins 444-5
 Vettius Philocomus xvii, xxii, 370-1
 viai 138, 354
 vindicit 438
 vinibuae 418
 Viriathus 228-9, 365, 397
 Volturnus 34-5
 Vulcaniam 236
 vulturius 14

X

Xenocrates 265

Z

Zama 306-7
 zetematium (ζητημάτιον) 216
 zonarius 342
 zonatim 86
 Zopyriatim 112
 Zopyrion 113, 196-7

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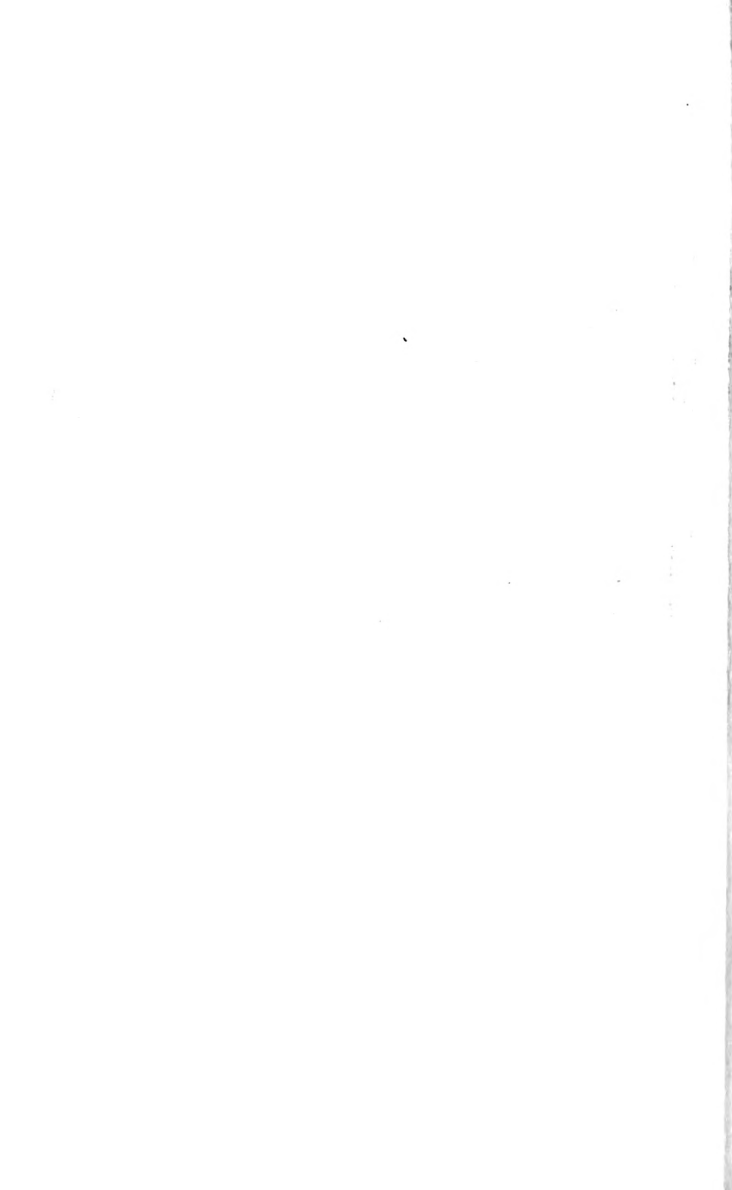
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