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Last Notes on the Verrines

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cardinal (*k*)*s(w)eks*, and thus again the apparent suffix would be *-tho*.

That the suffix *-st(h)o-* signified 'standing' and belongs with the root *st(h)ā* seems to me probable. In view of the fact that persons who number themselves in a group, as soldiers, e.g., number by the cardinals rather than by

the ordinals, a form like *testis* (**tri-stis*) might well mean 'standing 3.' In English *testis* thus explained is 'bystander,' though *bystander* leaves out any express numeral connotation.

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LAST NOTES ON THE VERRINES.

Actio Prima, § 48 (Müller, p. 137, 19). *Ita res a me agetur ut in eorum consiliis omnibus non modo aures hominum, sed etiam oculi populi Romani interesse videantur.* In a previous note (*C.R.* vol. xvii. p. 200) I have defended the vulgate against the unnecessary conjecture (adopted by Müller) *sed etiam oculi et manus interesse videantur*. Two parallel passages should have been cited, which will appear conclusive: *Act. Prim.* § 7 (Müll. p. 124, 18) *Intellegit me ita paratum atque instructum in iudicium venire ut non modo in auribus vestris, sed in oculis omnium sua furta atque flagitia defixurus sim*, and ii. 1, § 29 (Müll. p. 151, 18) *Itaque non modo vos, quibus est iudicandum, nostra crimina tenetis, sed etiam populus Romanus totam accusationem causamque cognovit.*

These analogies suggest at the same time the change from *aures hominum* in the passage under consideration to *aures omnium* (i.e. the whole jury). The antithesis seems always to be between the court before which the orator is pleading and society at large.—A list of passages where *omnes* and *homines* have been interchanged in our texts of Cicero would be interesting. At *Pro Cluent.* § 79, I notice that Mr. A. C. Clark follows me in reading *opinionibus omnium* for *opinionibus hominum*. In the Verrines, the following places deserve consideration: Book V, § 16 (Müll. p. 434, 29), where it may be as well to read *Expectatio summa omnium* with the dett. against R's *hominum* (at § 75 in the same book, Müll. p. 456, 27, R is more obviously wrong with *homines* for *omnes*): *ibid.* § 100 (Müll. p. 465, 20), where the vulgate *populi Romani nomen, hominum conventum* may be greatly improved by the insertion of *omnium* before *hominum* (Müller suggested *tantum*, Zielinski *tot*): *ibid.* § 152 where edd. are probably right in reading *omnibus* (which I find in Par. 7775) against R's *hominibus*.

ii. 1, § 39 (Müll. p. 155, 14). *Nam eum qui palam est adversarius facile cavendo*

vitare possis; hoc vero occultum intestinum ac domesticum malum non modo non existit, verum etiam opprimit antequam prospicere atque explorare potueris. This passage may be made to illustrate the virtue of a well-considered system of punctuation. It will be noted that I differ from previous editors (except Mr. Long) in restoring the *non* of the MSS. after *non modo*. It is the gratuitous and unnecessary insertion of an innocent-looking comma after *opprimit* that has misled commentators. The clause *non modo non existit* is meant to stand by itself: it has no connection with the *antequam* clause following, which is limited to *opprimit*. Like the pestilence that walketh in darkness the mischief here spoken of not only lurks concealed (*non existit*) but is on you without warning.—Incidentally, I may state that the true reading *Nam eum qui*, hitherto supported only by a reference to Aug. Civ. D. 19, 5 is found in Par. 7823 (D), the codex which I have shown to be as important for the earlier Verrines as is the Regius (R) for the later: also in Par. 7776, and Harl. 2687, 4105, 4852.

ii. 2, § 34 (Müll. p. 211, 16). *Cuius modi cohortem putatis hoc principe fuisse? † sicuti videtis edictum SI QUI PERPERAM IUDICARIT SENATUS. Eum quoque ostendam, si quando sit datus, coactus istius quod non senserit iudicasse.* A very slight change is needed here to make everything right: *Sicubi videtis . . . SENATUS, eum quoque (sc. senatum) ostendam, etc.*

ibid. § 57 (Müll. p. 220, 12). *Attendite; iam intellegetis hanc pecuniam, quae via modo visa est exire ab isto, eam semita revertisse.* This is the received reading, but it cannot be what Cicero wrote. The antithesis is between *via* and *semita*: cp. *per pseudothyrum* § 50 (217, 25). Most codd. have *qua via*, but Lg. 42 (which represents the *Cluniacensis*) rightly gives *quae via*. On the other hand Lg. 42 is the only MS.

that has *eam*. All other codd. give *eadem*. Such forms are often confused. If for *eadem* we read *eodem*, both the construction and the sense become apparent: the money found its way back to the source from whence it came.

iii, § 3, (Müll. p. 271, 24). It might be nearer the tradition of the MSS. to follow editors here in putting a full stop at *susceperat*, and then to commence a new sentence with *Atque minus etiam*. The codd. have *susceperat quo minus*. The *quo* is undoubtedly wrong, and has obviously been accommodated to the *minus* which follows it. I had previously (*C.R.* xviii, 25) suggested *quod* or *quoniam minus*: perhaps *quando minus*. But at may have dropped out after the last syllable of *susceperat* whereupon *que* would readily become *quo*. Cp. 293, 20 where editors now read *A Q. Apronio*, instead of *quo Apronio*, the readings of the Vatican palimpsest, or *Atque Apronio* which is found in Lg. 42 and Par. 7776.

iii, § 66 (p. 296, 5). *Quid est hoc? populi Romani imperium, populi Romani leges, iudicia, in socios fideles, provinciam suburbanam?* This is the reading of Müller, following Halm. The preposition *in* is found in no MS. and all except Lg. 42 omit *socios*. The vulgate is *leges? iudicia? socii fideles? provincia suburbana?* Instead of *populi Rom. leges*, we should probably read *praetoriae leges* (cp. 276, 31): Lg. 42 has. *pr*. But a deeper corruption seems to lurk in *iudicia*,—probably an omission *ex homoeo-*

teleuto. I suggest *Quid est hoc? populi Romani imperium? praetoriae leges? iudiciali iure iudicare socios fidelis, prov. sub.?*

ibid. § 196. (p. 351, 3). *Quid poscit? Attendite et, vos quaeso, iudices simul aequitatem praetoris attendite.* Müller here gives the right punctuation: *vos quaeso* is parenthetical, and *quaeso* governs *vos* in the accusative (pro Roscio § 11). Other editors take *vos* as a vocative and punctuate accordingly. The doubt may have led to the inversion *iudices simul*, which occurs only in Lg. 42 and was received into the text first by Zumpt, who ridicules the vulgate *et vos, quaeso, simul, iudices, aeq.* But the emphasis is on *simul* (after the parenthetical *vos quaeso*), and this seems to be one of the many cases (*C.R.* xvi. p. 402, note) in which the authority of Lg. 42 is not to be followed, as regards the order of words, against Par. 7776 and the other codd. The point is, however, an extremely difficult one to decide. I have recently called attention to the fact that in some places the authority of Lg. 42, representing the Cluni codex, is reinforced by the extant fragments of the Vatican palimpsest (*Am. Journ. Phil.* xxvi, p. 428). The manufacture of what may be called transposition variants seems to have been quite an industry with the copyists of our MSS. In the Second and Third Books of the Verrines, for instance, there is an average of two on every page of the Teubner text.

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NOTES ON PHAEDRUS.

I 15.

in principatu commutando ciuium
nil praeter domini nomen mutant pauperes.
id esse uerum parua haec fabella indicat.
asellum in prato timidus pascebat senex.
is hostium clamore subito territus 5
suadebat asino fugere, ne possent capi.
at ille lentus 'quaeso, num binas mihi
clitellas inpositurum uictorem putas?'
senex negauit. 'ergo quid refert mea
cui seruiam, clitellas dum portem me as?' 10

meas in the last verse is said to mean *solitas*. It must mean more than that, it must mean *nullas praeter solitas*; and then

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the word is overburdened, if the ass was not. The best adjective to give the required sense, 'dum ne plures clitellas portem', was also the easiest to confuse with *meas*:

clitellas dum portem *unicas*.

u disappearing between *m* and *n*, the remaining *nicas* is the same thing as *meas*. At II. Lat. 573 *ut meus* is corrupted to *unicus*, at Ouid. ex Pont. iv 3 16 *unica* to *uinea*, at Hor. carm. ii 18 14, I agree with Dinter, *uineis* to *unicis*; for the explanations of 'satis beatus unicis Sabinis' given by Madvig adu. crit. ii p. 54 and by Haupt opusc. iii p. 578 are both refuted by Lucian Mueller.