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Merrill's *Selections from the Younger Pliny Selected Letters of the Younger Pliny*. Edited by E. T. Merrill, Robert-Rich Professor of Latin in Wesleyan University. London: Macmillan and Co., Ltd.; New York: The Macmillan Company. Pp. 1, 473. 6s.

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MERRILL'S SELECTIONS FROM THE YOUNGER PLINY.

Selected Letters of the Younger Pliny. Edited by E. T. MERRILL, Robert-Rich Professor of Latin in Wesleyan University. London: Macmillan and Co., Ltd.; New York: The Macmillan Company. Pp. 1, 473. 6s.

A good selection of Pliny's letters has long been wanted: now that it has appeared, it is to be hoped that examining bodies will vary with its aid the dullness and difficulty of the more severely classical pabulum with which pass candidates are so often confronted. The selection is a judicious one, representing nearly a third of the whole: short, scrappy letters on the one hand, the somewhat tedious narratives of *causes célèbres* on the other are readily omitted and repetition of theme is avoided—e.g. only one of the villa-descriptions is admitted. One misses a few favourites—the recitation fiasco of 6.15, Pliny's wonderful confession of his principles on criticism in 6.17, the letters on Pallas (if 8.6 was too long, 7.29 might have represented it), the request that Tacitus would mention in his Histories Pliny's attack on Massa (7.33: 'the bare truth only, please—a good deed needs no more,' he says, evidently remembering Cicero's letter to Luceius), the account of the floods caused by heavy rains in the Tiber and Anio valleys in 8.17, and the rebuke administered to an unnecessarily severe father, 9.12.

A critical apparatus accompanies the text: Prof. Merrill has examined the MSS himself and hopes to publish a critical edition of the whole work at no distant date. I hope he will add a short, practical, exegetical commentary to it; it would do much to encourage the reading of these delightful letters. In his preference of the BF tradition to that of MV the editor is sometimes carried too far. In 1.9.5 he follows BF in making Pliny say 'one of the pleasures of my country house is this: *nihil audio quod audisse, nihil dico quod dixisse paeniteat*. *Nemo me apud quemquam sinistris sermonibus carpit, neminem ipse reprehendo*. But how does Pliny know he is not being slandered in someone else's house? If a Cabinet Minister at a critical moment withdrew to his country house, however peaceful his life there might be, he could hardly say confidently, 'No one's taking away my character in any drawing-room.' And MV read, happily enough, *apud me*. Prof. Merrill indeed says this reading is a mere correction 'in the interest of a higher ethical

idea' of a scribe, who, he says, did not observe the parallelism of *nemo—carpit* to *nihil—audisse*.¹ I cannot follow the ethics of the matter, but the parallelism surely vanishes if we adopt Prof. Merrill's text. Elsewhere BF are too highly respected. In 1.18.4 (where MV are not available) they represent Pliny as saying, in reference to an action in which he rather expected failure, *prospere cessit atque ideo illa actio mihi... ianuam famae patefecit*. The fifteenth century MSS quite rightly emended to *atque adeo*, but Prof. Merrill refuses to follow. Other points affecting the text are: 2.13.8 *equidem iuuenis statim iuveni quantum potui avidissime contuli*, where *me* is surely necessary, and most easily supplied after *avidissime*, and 8.24.1: here a conjecture of Catanaeus' is adopted and we read *amor in te meus cogit...ut...admoneam ut quae scis teneas et observes, aut scias melius*. How much better the MSS, which read *aut nescire melius*: 'if you can't follow the precepts you have learned, better never have learned them.'

The notes are full, sometimes perhaps a little too full. In a complete edition it may be necessary to collect e.g. every detail about the persons mentioned by Pliny: in a series like this much less suffices—and really gives the student a clearer idea of the facts. The space thus saved would have made easy the inclusion of a few of the letters alluded to above. Yet many of the longer notes are undeniably attractive, especially those bearing on Roman ways of life and thought: e.g. the Roman view of hunting (1.6.1) and of the ordinary span of human life (1.12.11. Add Tac. *Dial.* 17, where Aper, speaking in the year 74 A.D., does not seem to doubt the tale of an ancient Briton, whom he had met, and who claimed to have joined in opposing Caesar's landing in the island) or that characteristically Silver belief that there was something fine in dying by some notable convulsion of nature such as an earthquake (6.20.17: to the passages cited add Sen. *N. Q.* 2 fin.). At 1.9.7 *discursum*, 2.14.5 σοφῶς, 4.2.1 *referret* (cp. 5.16.9), 4.11.9 *omnibus numeris pudoris* perhaps deserve a brief note. A few Silver points are missed: 1.10.11 (*ista=haec*), 1.18.5 (*sub* almost causal), 1.20.2 (*custodire* of keeping, observing a rule), 5.5.4 (*memoriam sui*: cp. 8.8.3 where Prof. Merrill notes that for

¹ That *audio* here means 'to be called' is not likely, and in no way hinted at by the editor.

ipsa sui copia we should expect *sua ipsius c.*), and 6. 20. 20, 9. 13. 26 (*imputare*). Otherwise the differences between Pliny's style and that of the Republicans etc. are regularly and clearly brought out.

In a few places I cannot accept the explanation given in the notes. In 1. 10. 6 *nullus horror in cultu* means 'nothing careless about his dress, get-up' (cp. the common use of *cultus* in reference to style), not 'no rudeness in his manner'; 1. 12. 2 *utcumque* certainly does not go with *magnum* and the *vero* that follows so far from supporting that view makes it impossible: the word is here an adverb and means 'anyhow,' 'after all.' And so evidently in 5. 5. 2 which the ed. cites to support him; 1. 16. 2 *sententiae* here probably does not mean 'aphorisms,' as stated: it might mean 'epigrammatic sentences'—as it does e.g. in the title of the elder Seneca's work—and the Quintilian passages cited in the note undoubtedly refer to such gems of rhetoric. In 2. 1. 5 *colligit* is simply 'pick up': see Mart. 12. 82 c. *follem* and Sil. 10. 3 (a lion *per vulnere colligit hostem* leaps on his assailants and picks up one of them); 2. 11. 10 *cum cetera tum praecipue senatorum frequentia celeberrimus*, 'a time when the city was frequented by crowds of people of all kinds, especially senators': *cetera* is abl. I doubt if Pliny ever uses the 'adverbial' acc. *cetera*: it is quite needless to assume it here; 4. 13. 3 *stude* is 'go to college' rather than 'school': as Prof. Merrill notes, the teachers referred

to are *rhetoires*, not *grammatici*; 7. 24. 7. the heir of the gay Ummidia walks out from an exhibition when her company of actors appears: *hoc nepos, at hercule alienissimi homines...plauderant*. The contrast shows that *al.* means 'men who were in no way related to her': hence Pliny's joy that she left the rightful heir the bulk of her property and treated these *claqueurs* as they deserved. 'Of a very different kind' is a rather serious mistranslation.

In the useful summary of Plinian 'stylistic' which follows the notes Prof. Merrill gives 7. 27. 6 as possibly an ex. of the dative of agent 'perhaps the only ex. with other than perf. ptc.' But surely 2. 14. 12 is another: *pudet referre quae quam fracta pronuntiatione dicantur, quibus quam teneris clamoribus excipiuntur*.

I have noted one or two slips. On p. 206 we read '[the speech] of Pericles over the dead at Marathon'; is there any reason for assigning the famous *orator uir bonus dicendi peritus* to the younger Cato (p. 300)? The comma after *collegi* in 2. 11. 14 is inconsistent with the rendering in the note, and in 5. 16. 8 *omnia quae audiit saepe, quae dixit, aspernatur* the punctuation is surely rather misleading: none is needed except a comma before *saepe*. On p. 318 the rendering 'I cannot feel badly (*moleste fero*) that their opinion of my character is so high' reads strangely to English eyes. Is 'ponys' (p. 298) an Americanism?

WALTER C. SUMMERS.

ROBY'S ROMAN PRIVATE LAW.

Roman Private Law in the times of Cicero and of the Antonines. By HENRY JOHN ROBY, M.A., Hon. L.L.D. Two volumes. 30s. net.

THIS book is a solid contribution to the study of Roman Law, and is at the same time of inestimable importance to those interested in classical scholarship: for it is an attempt to present the Roman Law as it existed during the period of the highest development of the Latin race, that is to say from the close of the Republic to the end of the second century of our era, roughly speaking up to the date of the murder of Ulpian A.D. 228. Most treatises on Roman Law are based upon the law as codified and enacted by Justinian: they thus represent

the law of the Byzantine Empire rather than that of Italian Rome. This body of law is based upon and has its origin in Italian legislation: but for the classical student its significance and interest are more remote than in the case of the earlier law: for it is difficult to disentangle the earlier from the Byzantine elements.

To discriminate these elements is a task which demands one who is at once a lawyer and a scholar. These qualifications are rarely combined in one man, but they are peculiarly distinctive of Mr. Roby. And he has performed the labour which he has undertaken with a skill and lucidity which it would be impertinent in the present writer to praise. To few men of learning does the study of Latin owe so much as to Mr.