

inscriptions, *duoviri* on later, and occasionally an early inscription mentions a *praetor duovir*, suggesting a transitional period. The result of this tendency is that we should not expect to find the magistrates called praetors in a *colonia* like Philippi in Macedonia, founded (at the very earliest) in B. C. 42. And as a matter of fact we do not find praetors there: the inscriptions, so far as they attest anything material, attest *duoviri*. Nor do we meet *praetores* in any of the *coloniae* founded about the same time as Philippi, save only in Gaul. Even in Gaul the title disappeared, as it seems, not so very long after Philippi was founded.

And, thirdly, if the magistrates were ever called *praetores* at Philippi, we should not expect to meet the title in St. Luke. St. Paul's visit to the town took place, I suppose, about the middle of the first century A. D. By that time the title seems to have disappeared almost entirely and *duoviri* had become universal.

My arguments, of course, constitute nothing beyond a probability. Were an inscription unearthed at Philippi or elsewhere, which mentioned a praetor or praetors of that *colonia*, these arguments would vanish. But I believe I may assert that our existing evidence does not encourage us to expect such a discovery.

F. HAVERFIELD.

CHAPTERS IN THE HISTORY OF LATIN MSS.

FEW classes of literature are better represented among ancient manuscripts—manuscripts, that is, of the age of Charles the Great or earlier—than canon law; and most of them have been excellently described and discussed in Professor Maassen's invaluable *Geschichte der Quellen und der Literatur des canonischen Rechts im Abendlande*. But the thirty years that have elapsed since Maassen wrote have witnessed many publications and produced many catalogues which have made the treasures of European libraries more and more accessible; and as it is now just ten years since I began working at the subject, I find myself able occasionally to supplement and more rarely to correct the information so ably put together by Maassen.

1. *The Manuscripts of the Jesuit Collège de Clermont in Paris.*

At the beginning of the seventeenth century the libraries of France contained, when taken together, probably more valuable Latin manuscripts than the rest of Europe put together. Not that there was any one library of transcending importance: the collections which were to make the Royal library famous had hardly begun to be formed. It was

in the number and interest of the capitular and monastic libraries of the provinces that France was rich: such were the Benedictine libraries of Corbie near Amiens, of Fleury near Orleans, of Marmoutier at Tours, of St. Remy at Reims; such were the Cathedral libraries of Tours, Lyons, Reims, or Laon. But the centripetal tendency was already at work: the sources of knowledge were being gathered together to the greater centres of public life: the Bodleian library was enriched by the liberality of Archbishop Laud, the Vatican library was brought into the front rank by the accession of Queen Christina's (mainly French) collections and by the spoils of the Thirty Years' War from the Palatine. In Paris, before the Royal library grew large, before even the Benedictines brought their treasures up from Corbie to the Paris House of St. Germain des Prés (in 1638), the Jesuit Collège de Clermont had begun, through the energies of the earliest of the great line of French patristic scholars, Jacques Sirmond, to draw together a mass of ancient manuscripts from the ecclesiastical and religious establishments of the provinces. It is not, I imagine, known by what precise means this transfer of treasures was effected; but I suppose that Sirmond, in his wanderings round France, found the monks or canons more willing to lend him the manuscripts he pressed for than to take the trouble to ask for them back again. Anyhow, the great majority of the MSS on which Sirmond worked in Paris remained in the library of the Jesuit House¹.

The primacy of learning soon passed to the Benedictines; but the library of the College of Clermont flourished for a century and a half, until the moment when it became involved in the general catastrophe and confiscation which befell the Jesuit order throughout most of Europe. The catalogue of the manuscripts for sale in 1764, drawn up by Benedictines from St. Germain, includes 50 Oriental, 341 Greek, and 349 Latin codices. By far the larger number of the MSS passed into the hands of a Dutch scholar, G. Meerman; but the Royal library annexed 7 of the Latin MSS, and, as will be seen, it is possible that the

¹ Not perhaps all: the MS of Paschal computations—containing Victorius, Theophilus, Cyril, Proterius, and Ps. Anatolius; see B. Krusch, *Studien zur christlich-mittelalterlichen Chronologie: Der 84-jährige Ostercyclus und seine Quellen* (Leipzig, 1880), p. 210—from which both Petavius and Bucherius in their respective works, *De doctrina temporum*, were allowed by Sirmond to draw, did not apparently remain in the College; at least, there seems to be no trace of it in the 1764 catalogue, of which I shall speak immediately. If the MS is identical, as I conjecture, with MS 42 of the old Cathedral library of St. Martin at Tours = MS 334 of the Town library (fragments of which were stolen by Libri, and have been recovered for the Bibliothèque Nationale, *Nouvelles acquisitions latines, Fonds Libri*, 1612, 1613, 1614), then it must be supposed that the Chapter did in the end demand and receive back their property. Of Sirmond's connexion with the Clermont MS of Irenaeus I hope to speak on a future occasion.

Benedictines (in return for their trouble over the catalogue?) did not go without a small share in the spoil. Some MSS were perhaps sold in turn by Meerman: at any rate, when his collections were put up to auction after the death of his son at the Hague in 1824, the catalogue then drawn up contained only 250 Latin MSS, so that after reckoning the French king's perquisites nearly 100 remain unaccounted for. At the Hague sale the principal purchaser was Sir Thomas Phillipps, who bought 190 out of the 250 just mentioned; next to him came the University of Oxford, represented at the sale by Dr. Thomas Gaisford, Regius Professor of Greek, and afterwards Dean of Christ Church. Dr. Gaisford's interests were primarily Greek, so that it is no wonder that 39 Greek MSS were bought for the University to 15 Latin; and as he was a classical rather than a theological scholar, the majority of the 15 MSS are classical too¹. But at least he secured (and for only 131 florins) the copy of Jerome's version of the Chronicle of Eusebius which Mommsen has shown us to be the oldest in existence.

Sir T. Phillipps' library was sold in its turn, and the Clermont-Meerman section of it was acquired *en bloc* by the Royal library at Berlin (1887). An admirably full catalogue, with historical introduction, was published by Valentin Rose in 1893.

Of the Clermont catalogue of 1764, Nos. 492 and 560-575 consisted wholly or principally of early collections of canons. Of these seventeen, thirteen are now at Berlin; of the remaining four (Nos. 562, 563, 564, 568), one (No. 568, a ninth-century 'systematic' collection of canons *de poenitentia de accusatis de sacris ordinibus et privilegiis clericorum*) is successfully identified by Rose as No. 478 of Geel's supplement to the Leyden catalogue: Meerman appears to have sold some MSS to the Leyden library about 1770.

No. 562 (early ninth century) differs from the other three of this group in the fact that the greater part of it can still be identified in the Meer-

¹ Rose, in the Berlin catalogue, to which I shall come in a moment, laments (p. lii) that nothing is known of the fate of the Livy, the Pliny, the Solinus, the Macrobius, the Priscian, the Donatus, the Marius Victorinus on Cicero, the Venantius Fortunatus. All of them are in the Bodleian: see the catalogue of purchases for 1824. The information (since Rose wrote) has become generally accessible through Mr. Madan's *Summary Catalogue of Western MSS* iv pp. 433-442. The Macrobius was bought not at the sale itself, but from its purchaser at the sale. Another purchaser of Meerman MSS was Dr. Routh, President of Magdalen College: in the sale catalogue of his MSS, made after his death in 1854, an Olympiodorus *Catena in Job* (saec. xv, folio) and a Cyprian *Epistolae* (saec. xii-xiii, folio) are both marked as Meerman MSS: these are Clermont 59 = Meerman 36, and Clermont 439 = Meerman 440 (152 leaves: saec. xiii). The British Museum possesses Meerman MSS in Add. 15242, 15270-3, and 15276: two of these are Greek military writings, Add. 15270-3 is *Johannis Scoti in iv lib. Sententiarum Quaestiones* (Clermont 543 = Meerman 482).

man catalogue of 1824. The first 36 leaves—containing the Acts of the Fifth General Council, a catalogue of Popes down to Paschal I (A.D. 817–824), the Athanasian Creed, the *Fides* of St. Augustine, the *Fides* of St. Jerome, the *Statuta ecclesiae antiqua*, and one or two other fragments—had already disappeared, and I have been unable to trace them. The other 191 leaves formed No. 583 in the Meerman sale catalogue, and consisted of spurious correspondence between Jerome and Damasus, the *Notitia civitatum* and a ‘collectio copiosa’ of canons, decretals, and episcopal constitutions. It ought not to be difficult to find out the fate of so considerable a manuscript, but I have not succeeded so far.

Nos. 563 and 564 did not appear in the catalogue of 1824, for a very good reason. In the stormy times of the Revolution the great Benedictine library at Paris was in danger of the fate which thirty years earlier had befallen the Jesuit MSS. The great majority of the codices from St. Germain des Prés did, in the end, find their way safely to the National library. But there had been an interval during which no inconsiderable leakage had taken place; and an attaché of the Russian Embassy, Peter Dubrowsky, secured a group of manuscripts which he ultimately presented to the Imperial library at St. Petersburg. Among them, under the press-mark FII 3, is a manuscript of canons which I have identified beyond reasonable doubt with the two Clermont manuscripts, 563, 564; and I shall further prove that both of them once formed part of a single manuscript with Clermont 569 (= Meerman 587 = Phillips 1745) = Berlin lat. 83.

(1) *Clermont 563, 564, formed part of a single MS.* Both are described as of the eighth century, written in rustic character, in square form¹, and charred at the top of the leaves. The presumption suggested by these points of contact is raised to a certainty by the correspondence of the two, taken together, with the Petersburg MS.

(2) *Identity of Petersburg FII 3 with Clermont 563, 564.* The Petersburg MS is described in *Neues Archiv* v. p. 616, by Dr. K. Gillert, as an uncial MS of canons of the seventh century which has suffered much damage from fire. It contains 185 leaves; Clermont 562 contained 84, Clermont 563 contained 110 leaves, or 194 between them. Allowing for hasty numeration, for guard-leaves, and for possible loss between A.D. 1764 and the end of the century, the agreement is almost exact. So with the contents. Clermont 563 contained ‘1^o Canones Apostolici, 2^o Canones Africani, 3^o Canones Gallicani nempe Conciliorum Arelatensis Vasensis Agathensis Epaonensis Aurelianensis Arela-

¹ That 563 is called quarto, 564 folio, may be due to the fact that the charred leaves were cut (this is exactly what Dr. Gillert tells us of the Petersburg MS), and the size of 563 thus reduced.

tensis ii, 4^o Codex Canonum Dionysii Exigui.' It is very clear that all this cannot really have been contained in a MS of only 84 leaves; the cataloguer must have taken the items from a table of contents at the beginning. We turn to the Petersburg MS, and we find that folios 2 b-32 b are occupied with an index of all the contents of the MS, and that these include, 'besides the complete Dionysiana, the decrees of the synods of Ancyra, Arles, Valence, Fréjus, Riez, Orange, Vaison, Arles, Agde, Orleans, Arles ii.' The first, second, and fourth items of the Clermont MS correspond to the 'complete Dionysiana'; of Gallic councils the Clermont list has six, the Petersburg ten, the five given in common being exactly the last five of the Petersburg list¹, so that I suppose the Clermont cataloguer either overlooked the earlier group in his hurry, or found the pages of the list containing them too much injured to be easily read. Similarly with Clermont 564, whose contents are 'Dionysii Exigui collectio canonum, in cujus fine legitur *Expliciunt canones ecclesiastici ex scrinio ecclesiae Romanae translati. Amen. Canones Ancyrani et Arelatenses.*' The Petersburg MS contains, foll. 33-178, the text of the Dionysiana, and at its close the words *Expliciunt canones ecclesiastici ex scrinio ecclesiae Romanae sumpti*; foll. 178-185, the canons of Ancyra (no doubt in some other version than that of Dionysius); and fol. 185, the opening words of the first synod of Arles.

(3) *Petersburg F II 3* (= Clermont 563, 564) was part of the same MS as *Berlin 83* (= Clermont 569). The Petersburg MS, according to Gillert, consists of twenty-two sheets; the Berlin MS² has the signature xxiii at the end of its first gathering. The Petersburg MS ends at the beginning of the First Council of Arles; the Berlin MS begins in the middle of canon 16 of the same council. The list prefixed to the Petersburg MS mentions the following Gallic councils which are no longer contained in its text: Valence, Fréjus, Riez, Orange, Vaison, Arles, Agde (add Epaon from the Clermont catalogue), Orleans, Arles ii. The Berlin MS contains the text of Valence, Fréjus (this is really a letter from the council of Valence to the people of Fréjus, but the MS inscribes it *Concl foroliensi*), Riez, Orange, Vaison, Arles, Agde, Orleans, Epaon, Arles, Carpentras, Orange, Auvergne, Orleans ii, Orleans iii. The correspondence for the first two-thirds of these items is complete: the last five are, I suppose, either a supplement to the original collection, or else the index in the Petersburg MS has suffered loss, or special injury, at this point.

The whole history of the MS since 1764 is thus clear; at one time or another within a century and a half some part of it has found a home in

¹ That the Clermont catalogue is right in adding Epaon, against the silence of Dr. Gillert, will become clear in the next paragraph.

² See Rose's catalogue, pp. 167-171.

Paris, St. Petersburg, Berlin, the Hague, and England. Of its earlier history there is less to be said. But it can be carried back to the year 1629, when it is the subject of special mention by Sirmond in the preface to his *Concilia antiqua Galliae*. We learn from his words that it was at that time perfect and undivided, and that it belonged to the Cathedral of Lyons. 'In Lugdunensi, verbi gratia, Ecclesiae Metropolitanae codice, post Dionysianam collectionem, quam primo habet loco, Synodi Gallicanae subiciuntur,' and the list of Gallican councils follows, exactly as we find them in Berlin 83 to-day¹. The division of the MS was made doubtless in the Clermont library, and for the purpose of sorting the contents according to subject matter; Clermont 562 and 563 containing Greek and African councils, 569 Gallic only.

Lyons may well have been the home of the manuscript from the moment it was written; for Cathedral libraries, as witness that of Verona, have often had a specially undisturbed history. But from the Petersburg part of the MS we learn that the Dionysian collection in it was drawn direct from the official archives of the Roman see, *ex scrinio ecclesiae Romanae*. Italy therefore, as well as France, Russia, Holland, England, and Germany, has its share in the history of this truly cosmopolitan manuscript.

For the Gallic councils it was used both by Sirmond, and in our own day by Maassen. But its Dionysian collection and its text of Ancyra—no doubt either the Isidorian or the Gallic version—have (as far as I know) been neglected by all editors of the councils: Maassen does not mention it, and when I published the first part of *Ecclesiae Occidentalis Monumenta Iuris Antiquissima* a year ago, I was myself still unacquainted with it; nor have I yet had the opportunity of collating it, though I hope to do so before the appearance of my next *fasciculus*. But if the MS is, as I think we may assume, of earlier date than A.D. 774², the date of the official edition sent to Gaul by Pope Hadrian, it gains at once in interest; for MSS of the 'pure Dionysiana' are very few, and none of those hitherto known, with one exception, were older than the ninth century. The exception is Vat. 5845, an eighth (perhaps late eighth) century MS, written in Father Ehrle's opinion at Capua or Beneventum. The Lyons MS on the other hand was taken directly from head quarters³, and shows the contents of the

¹ See further references by Sirmond to his Lyons MS for Gallic councils in Rose, p. 169.

² The Clermont catalogue attributes all three portions of the MS to the eighth century; Gillert calls the Petersburg portion seventh century: Rose the Berlin portion seventh (seventh–eighth). The date can hardly, one would suppose, be far from A.D. 700. It may be added that the Petersburg MS has the preface of Dionysius, which it is a mark of the Hadriana edition to omit.

³ Of course it is possible that the note *ex scrinio ecclesiae Romanae* was taken over

official Roman book of canons about A.D. 700. In one point at least that official edition had already undergone expansion since Dionysius wrote at the beginning of the sixth century: for Dionysius omitted all lists of signatures to the councils, and their presence is one of the chief distinctions of Pope Hadrian's edition. As Gillert tells us expressly that the Petersburg MS contains subscriptions to the councils, this addition to the original Dionysius must have been made at Rome some time before Pope Hadrian. I may add that owing to the complete destruction of all the early libraries and archives of the Roman Church, manuscripts of indubitably Roman pedigree are rare: among all MSS of canons that I know (outside the Hadriana), the Freisingen MS, Monacensis lat. 6243, is the only one that I can confidently connect nearly with Rome, and that was actually written, it would seem, in Bavaria. On all grounds then the Petersburg MS deserves attention.

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(*To be continued.*)

ON THE ITALIAN ORIGIN OF CODEX BEZAE.

1. CODEX BEZAE AND CODEX 1071.

IN Gregory's brief description of Cod. 1071, attention is called to some of its readings in the *Pericope Adulterae*, Jo. viii 6, 9. Further investigation of the whole passage on my visit to Athos last summer enabled me to establish the important fact that the text of the *Pericope* is essentially the same in 1071 as in D.

This may be seen from these facts.

There are the following variants found in D 1071 against all other MSS.

viii 3. γυναῖκα ἐπὶ ἀμαρτίᾳ ἐπιμμένην.

viii 4. ἐκπειράζοντες αὐτὸν οἱ ἱερεῖς (1071 ἀρχιερεῖς) ἵνα ᾗχῳσι κατηγορεῖν (1071 κατηγορεῖν) αὐτοῦ.

viii 5. Μωυσῆς δὲ ἐν τῷ νόμῳ ἐκέλευσεν (1071 διακελεύει).

viii 6. οἱ. τοῦτο δὲ ἔλεγον περάζοντες αὐτὸν ἵνα ᾗχῳσι κατηγορεῖν αὐτοῦ. (264 omits this also, but has not the corresponding clause above.)

viii 9. ἕκαστος δὲ τῶν Ἰουδαίων.

viii 9. οἱ. εἰς καθ' εἰς.

viii 9. ὥστε πάντας ἐξελεῖν.

viii 11. κάκεινη εἶπεν.

from the exemplar of the Lyons MS, so that the point of contact with Rome would have been earlier than A. D. 700.