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V.—MARGINALIA.

a) Horace, Epode 2, 26.

The banker Alfius, after an evening with some book of pastoral verse, lets his fancy picture for just a passing moment the inviting scenes of country life: the lowing herds, the brooks, the birds which *queruntur in silvis* (Horace, Epode 2, 26). The regular meaning of *queri* in Latin prose is, of course, "to complain", and I think no one has questioned this passage for a different meaning, although the usual rendering is not in harmony with the setting. By good chance Porphyrio's scholium on this very passage supplies some apposite information on the early use of the word: *queruntur, inquit, quoniam veteres omnium animalium voces praeterquam hominum "querellas" dicebant; denique et Vergilius (quoting querulae . . . cicadae, Georg. III. 328, and ranae cecinere querellam, Georg. I. 378). That is, queror and its derivatives were used in early Latin for the natural utterances of animals, and their flavor in the Augustans is archaic. A reference to Walde (Ety. Wörterb.) will convince anyone that the meaning "to complain" in *queror* is secondary, growing out of an earlier meaning "to sigh", and that this primitive meaning was nearer to the sense that has been retained in the English cognates "whistle" and "whisper". In view of all this, it is clear that expressions like *queruntur aves* have an history of their own quite independent of the prose expressions in which the verb signifies "to complain". The translation of the phrase in question is simply "the birds sing in the woods". Lucretius would seem to lend support to this interpretation, for, fond of old words as he is, he twice uses the expression *dulcis querella* of the music of the flute in passages that imply a pleasing sound. One of these (V. 1384) connects the sound with the whistling of the wind through reeds:*

et zephyri, cava per calamorum, *sibila* primum
agrestis docuere cavas inflare cicutas.
inde minutatim dulcis didicere *querellas*
tibia quas fundit

haec animos ollis mulcebant atque iuvabant. Cf. IV. 584.

There can be little doubt that our dictionaries should give such passages as illustrations of the more primitive meaning of the word.

Whether the archaizers, Lucretius and the Augustans, were clearly conscious that such phrases were quite distinct in meaning from the more ordinary usages with *queror* one cannot definitely say. Occasionally at least there seems to be even in these authors a confusion of meanings as, for example, in Lucretius, IV. 546, (swans) *tollunt lugubri voce querellas*. However, the Latin poets in general considered the song of birds expressive of joy. See Vergil, Georg. II. 328, Aen. VII. 34; Lucretius I. 256; Tib. I. 3, 60; Colum. X. 80; Carm. Epig. 468, 3. And the author of the Pervigilium Veneris who really knows the nightingale's song—and hasn't merely read about it—is even ready to accuse the Philomela myth of nature-faking for suggesting that the bird's notes are mournful.

It is not difficult to understand why later poets should have found sadness in the bird's song. The Greek myth about the nightingale was not readily forgotten when once learned; and the tradition of the swan's song—handed on despite the fact that swans do not sing—aided in reading the more usual meaning of *queror* into the poets' expressions. Certain it is that after the elegiac poets, with their wearisome reiteration of *queror* and *querella*, the primitive meaning of the verb and noun quite disappeared. It is interesting to find, however, that the adjective *querula* which did not have to submit to so much abuse continued to be employed of *animalium voces*.

One might elaborate in this connection upon the "complaining note" of Shakespeare's nightingale. If I mistake not the earlier English poets usually found the nightingale a "lusty" bird. I fear it was the continental allegory of the nightingale, which harks back to Philomela (cf. Lydgate), and again the lore of the renaissance classicists who mistranslated *querella* which brought a great many of the "plaints" into the English lyric.

The recognition of the primitive meaning of the word in Horace's Epode (as well as in Lucretius and Vergil) may seem to destroy the modicum of poetic fancy which the line contains, but there is a compensation. The use of the original meaning carried the mind back to the *vates* of an earlier day. The word was

therefore employed for the poetic associations of its archaic tone rather than for any supposed metaphorical content.

b) Cicero, ad Att. VII. 2, 7.

In ad Att. VII. 2, 6-7, Cicero complains that Cato voted certain honors to Bibulus although he refused to support Cicero's claim for a *supplicatio*. The text of paragraph 7 has long been under discussion. M. reads: *At hic idem* (i. e. Cato) *Bibulo DXX*. The other manuscripts read: *At hic idem Bibulo dierum XX*. Ursinus, Gronovius and Boot emend to: *At hic idem Bibulo decrevit*, taking *idem* as object of *decrevit* and as referring to a *supplicatio* of one day. The objection to the vulgate reading is that a *supplicatio* of twenty days would be quite preposterous for the kind of service that Bibulus had rendered. The objections to Boot's text are that the emendation is drastic and that there is nothing in the context to suggest that *idem* should mean "a *supplicatio* of one day".

I am not sure that the objection to the vulgate is wholly convincing. A thanksgiving of twenty days would have been amusing, but not entirely impossible. The services of Bibulus may have loomed larger to the senate of that day than they did to Cicero or than they do to us. He had not engaged the Parthians in battle, but he had stemmed their invasion into Syria by holding a strong position on his frontier and that was no small service, for the Parthians had gained a name to conjure with in their destruction of Crassus' army at Carrhae two years before this. Furthermore Bibulus by his opposition to Caesar in 59 was now looked upon as the staunchest representative of the senate. Since Caesar had twice secured a thanksgiving of twenty days the senate would obviously be glad to prove that their representative had also done deeds worthy of great honor. It is clear from ad Att. VII. 2, 6 that Bibulus expected to be given a triumph for his services. It may also be in place to add that Bibulus was Cato's son-in-law.

However, since a twenty days' *supplicatio* was an unprecedented honor in return for such work as Bibulus had performed, and since the best manuscript gives a variant, we may be allowed to suggest an emendation. It is not improbable that the archetype of the Italian manuscripts read *dieꝝ X* (an abbreviation of *dierum X*) and that this was then misread as *die XX*. We may

suppose that this again produced the two erroneous readings *DXX* and *dierum XX*. It is entirely likely that what Cato actually proposed was therefore a thanksgiving of ten days.

c) Livy, apud Sen. Suas. VI. 22.

In his *Suasoriarum liber VI* (17 and 22) the elder Seneca has preserved Livy's estimate of Cicero. There is in this *ἐπιτάφιον*, as Seneca calls it, a clause which seems not to have been correctly interpreted. I refer to: *omnium adversorum nihil ut viro dignum erat tulit praeter mortem*. Tyrrell and Purser (*The Correspondence of Cicero VI. Introd. LXIV*) give the accepted turn to this clause in translating: "he bore none of his misfortunes as a man should except his death". However, the very next clause seems to me to preclude this interpretation, for Livy goes on to say "to one who weighs the matter correctly his death could seem the less undeserved (*minus indigna*) since he was doomed to suffer at the hands of the enemy nothing more cruel than what he would have imposed upon that enemy had he been successful". The *indigna* of the second clause obviously balances the *dignum* of the first. If *indigna* means *undeserved*, as it must, then *dignum* ought to mean *deserved*, and the whole of the former clause should mean: "of all his misfortunes he met with (*tulit*) nothing according to his deserts except his death", which Livy admits that Cicero brought upon himself by proposing to outlaw Antony. The trend of the whole sentence is then: "Cicero suffered from many misfortunes, exile, the destruction of his party, the loss of his child, his own bitter end. None of these misfortunes had he really deserved except his untimely death; this in a way he had, for he had proposed to put Antony to death". And Livy then proceeds to censure Cicero for his uncompromising bitterness¹ towards Antony: *si quis tamen virtutibus vitia pensaret . . .*

This interpretation seems also to be demanded by Seneca's own comment upon Livy's estimate of Cicero, for he calls it a *plenissimum testimonium*. If the usual interpretation stands, derogatory to Cicero as it is, how could Seneca, the devoted admirer of Cicero, be so highly pleased with it? Furthermore, it is well known that Livy was himself an admirer of Cicero, and

¹ The words of Aufidius Bassus (Sen. Suas. VI. 23) show that Cicero was blamed by other historians also for too great a bitterness against Antony.

under the circumstances one cannot help being impressed with the scantiness of the commendation contained in this *ἐπιτάφιον* if the usual understanding of it be correct.

The chief objection to the rendering here offered is of course that it places a slight, though by no means serious, strain on the adverbial clause *ut viro dignum erat*. With some diffidence I would propose reading *quod viro dignum esset*. In a manuscript of rustic capitals, VT might have crept in by dittography before VI of *viro*, and in consequence the *quod* would have been struck out at the next copying.

No one will object to interpreting *tulit* as "received" or "met with", for that meaning is frequent enough in expressions like *palmam ferre*, *victoriam ferre*, *gloriam ferre*, *responsam ferre*, *repulsum ferre*, etc.

d) Ennius, *Medea* 259–61, V.

In one of his wittiest letters to Trebatius, Cicero takes occasion to quote three lines from the *Medea* of Ennius which are supposed to be a paraphrase of Euripides' *Medea*, 214–18. The lines are (Ed. V. 259–61):

Quae Corinthum arcem altam habetis matronae opulentae optimates,
Multi suam rem bene gessere et publicam patria procul
Multi qui domi aetatem agerent propterea sunt improbati.

The lines of Eur. *Medea* 214–18:

Κορίνθιαί γυναῖκες, ἐξῆλθον δόμων,
μή μοί τι μέμψῃσθ'· οἶδα γάρ πολλοὺς βροτῶν
σεμνοὺς γεγῶτας, τοὺς μὲν ὀμμάτων ἄπο,
τοὺς δ' ἐν θυραίοις· οἱ δ' ἀφ' ἡσυχου ποδός
δύσκειαν ἐκτίσαντο καὶ βραθυμίαν

I will add ll. 220–1 for later reference:

ὅστις πρὶν ἀνδρὸς σπλάγχνον ἐκμαθεῖν σαφῶς 220
στρυγεῖ δεδορκῶς, οὐδὲν ἠδικημένος.

Ribbeck (*Röm. Trag.* 151), comparing the lines of Ennius with those of Euripides, remarks: Hier liegt ein übrigens von Cicero nicht bemerktes, *grobes Missverständnis* des Originals vor. In fact, Muretus and Elmsley and many others had before charged Ennius with misunderstanding his Euripides. Tyrrell in *Hermathena* (1885) tried another way out by bending the meaning of Euripides' admittedly obscure words to the sense that Ennius

clearly conveys.¹ Both of these attempts seem to me to misconceive the spirit and method of Ennius. I doubt not that Ennius understood the Greek of Euripides' *Medea* 214-18 as well as any one ever has, but he probably decided to cut the lines as quite pointless. When Ennius came upon a verbose passage in his original, which did not drive bluntly at the mark, he analyzed it for the kernel of it, and that he used. Now the kernel of the first ten lines of *Medea's* speech does not lie in Eur. 214-18, but in the line 220, and upon that Ennius seized. The gist of the matter was simply that *Medea* was a stranger and would be misunderstood unless she invited confidence and explained her position. With that thought in mind Ennius cut clear of the whole passage of Euripides and said his say in understandable Latin: "Be not unkind to me simply because I am a stranger", etc. It is futile to try to find his original in any word or phrase of 214-18 for the reason that he put those lines quite out of mind.

It is apparent to the close student of Ennius that at times, as in the *Iphigenia*, he made free to change the plot of the original at will. When he is closest to his original as in the *Medea* (what Cicero chooses to call *ad verbum . . . expressas*, de Fin. I. 4) he abides faithfully by the plot as well as the spirit of each passage, but he never translates verbatim. He simplifies (V. I), contracts (V. II, VII), enlivens (V. IX), Latinizes (V. XI, XII, XIV), and clarifies (V. V); he never attempts to make a Bohn.

e) Cic. Verr. IV. 163.

Emundi duo genera fuerunt, unum decumanum, alterum quod praeterea civitatibus aequaliter esset distributum, Verr. IV. 163. I would suggest that we read *aequabiliter* as in VI. 52: ex lege Terentia et Cassia, frumentum aequabiliter emi ab omnibus Siciliae civitatibus oporteret. Furthermore I would correct the interpretation of the passage which was given it by Beloch.²

After Verres had gathered the regular Sicilian tithe of 3,000,000 *modii* from the *civitates decumanae*, he was ordered to buy (1) an extra tenth at three HS per *modius*, and later (2) an addi-

¹ Müller's suggestion (Ed. 253) that Ennius so far changed the plot as to make the Corinthian women criticize *Medea* for leaving her own country and thereby drawing out this retort from her, is too drastic. There were probably no changes of so serious a nature in the *Medea*. Cf. Cic. de Fin. I. 4.

² *Bevölk.*, p. 272. See also Holm, *Gesch. Sicil.* III. 388. Rostowzew, *art. Frumentum*, Pauly-Wissowa, is somewhat nearer the truth.

tional 800,000 *modii* at $3\frac{1}{2}$ HS. The first purchase was called *decumanum* (IV. 163) and therefore was probably made from the regular tithe-paying cities, but it is not equally certain which cities furnished the shipment of 800,000 *modii*. Beloch (loc. cit.) assumes that it was bought from the free states (3 *foederatae* and 5 *immunes*, mentioned in IV. 13). However, Verr. VI, 53 very explicitly includes the *ensoriae* (*qui publicos agros arant*), and, furthermore, implies that the *decumanae* had also been subjected to this exaction. Finally, the law itself read that the grain should be bought *ab omnibus Siciliae civitatibus*, VI. 52. It seems therefore that all the cities of Sicily, whether subject or free, were called upon to sell grain for the last shipment. Now what is the meaning of *quod civitatibus aequaliter esset distributum*? *Aequaliter* would naturally mean "by equal shares", or perhaps, "in proportion to size". This was obviously not the case, for Halaesa's and Messana's shares were 60,000 *modii* each (IV. 171, and VI. 53), and at this ratio the whole supply would have exceeded the desired amount. Apparently, the law intended that the states which had already paid Rome one tithe and sold her another should, in the last call, be treated as leniently as possible, even though they should not be wholly excused, but that the free states, which had hitherto been exempt, should be asked to sell larger amounts. This sense is reached if we adopt *aequaliter* in IV. 163. The passage then means: "a second, which was proportioned to the states as fairly and reasonably as possible".