THE COLLOQUIA OF THE HERMENEUMATA PSEUDODOSITHEANA

VOLUME II

COLLOQUIUM HARLEIANUM, *COLLOQUIUM MONTEPESSULANUM*, *COLLOQUIUM CELTIS*, AND FRAGMENTS

EDITED WITH TRANSLATION AND COMMENTARY

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d	δέομαί σου	rogo te	Please,
	μὴ ὕστερον	ne postea	in the future don't
	τοιοῦτο ποιήσῃς.	tale facias.	do such a thing.
68a	ἀλλὰ νῦν μήτι	sed modo numquid	But now do you
	ἐξεράσαι θέλεις;	vomere vis?	want to vomit?
	καὶ θαυμάζω	et miror	And I'm amazed
	τί ἔπαθες.	quae passus es.	what has become of you.'
b	Οὐκ οἶδα τί λέξω,	Nescio quid dicam,	'I don't know what to say,
	οὕτως γὰρ	ita enim	for I have been so upset
	τεθορύβημαι	perturbatus sum	
	ἵνα λόγον μηδενὶ	ut rationem nulli	that I can't give an
	δυνήσω ⟨ἀποδοῦναι⟩.	possim reddere.	explanation to anyone.'

Second closing scene

69a	Κλείσατε, παῖδες,	Claudite, pueri,	'Boys, close
	τὰς θύρας	ostia	the doors
	καὶ τὰς θ⟨υ⟩ρίδας,	et fenestras,	and windows,
	ἐπίθετε τοὺς μοχλούς,	imponite seras,	put up the bars,
b	παράθετε σταμνίον.	adponite necessarium.	set out the chamber pot.
	ἄπιτε ⟨(ὑπάγετε)⟩,	ite (ite),	Go (go),
	ἀναπαύσασθε.	pausate.	get some rest.'

Epilogue

70a	Περὶ ἀγρυπνιῶν	De lucubris	About working at night
	καὶ τῶν κατ' ἀγορὰν πραγμάτων.	et negotiis forensibus.	and business in the forum.
b	(ἀγρυπνία,	(lucubrum,	(Working at night,
	ἀγρυπνῶ,	lucubro,	I work at night,
	ἀγρυπνήσω,	lucubrabo,	I shall work at night,
	ἀγρυπνήσατε,	lucubrate,	work at night!,
	ἀγρυπνήσομεν,	lucubramus,	we work [Gk: will work] at night,

67d3 τοιουτω Dionisotti: το·ουτω C **68a**1 μη τη C 2 εξερασε C 4 θ'επαθες Dionisotti: θε παθες C **68b**3 τεθοριβημε Dionisotti: τεθοριβηνμε C 4 μηδενη C *rationem* Dionisotti: *racionem* C 5 δινησω Dionisotti: δινηωω C ἀποδοῦναι supplevi **69a**2 *ostia* Dionisotti: *hostia* C 3 θ⟨υ⟩ριδας supplevit Dionisotti 4 μοχλους Dionisotti: μορχλους C **69b**1 *adponite necessarium* C^{pcr}: *appontem necessario* C^{ac}: *adp-* C^{pcn} 2 ὑπάγετε supplevi 3 αναπαυσασθαι C^{pcr}: αναπευσαθαι C^{ac} ut vid. **70a**1 περι αγριπνων Dionisotti: περι γριπνω C 2 και τον κατ'αγοραν Dionisotti: και τον καταρα C *negotiis* Dionisotti: *negociis* C **70b**1 αγριπνια C 2 αγριπνω C 3 αγριπνησω C 4 αγριπνησατε C 5 αγριπνησομεν C

c	ἕσπερον,	vesper,	evening,
	ὀψέ,	sero,	late,
	σκοτ⟨ε⟩ινόν,	obscurum,	dark,
	σκοτῶδες,	tenebrosum,	dark,
	μέσον νυκτός,	media nox,	middle of the night,
	ἀλεκτοροφωνία,	pulli cantum,	cockcrow,
	ἀλεκτορόκοκκυ,	gallicinium,	cockcrow,
	ὕπνος,	somnus,	sleep,
d	νυστάζω,	dormito,	I doze off,
	ἐκοιμήθην,	edormivi,	I have slept,
	ἀντεγρήγορα,	revigilavi,	I woke up again,
	ἀλέκτωρ ἐκόκκυσεν.)	pullus cantavit.)	the cock crowed.)
e	Ἐγείρου, παῖ,	Leva te, puer,	‘Get up, boy,
	ἀνίστασον ταχ⟨ύ⟩τερον	surge celerius	get up quickly
	καὶ ἀγρύπνησον	et lucubra	and work at night
	καλῇ ἐκβάσει.	bono eventu.	with a good outcome.
	κατὰ τὴν δύναμιν	iuxta posse	To the best
	τῆς εἰδήσεως μου,	scientiae meae,	of my knowledge,
f	οὕτως φανεῖς	sic parebis	this is how you will be noticeable
	ἐν τῇ σῇ ἀγορεύσει	in recitatione tua	in your recitation
	εἰς αὔριον.	in crastinum.	for tomorrow.’
71a	Ἀνάπαυσον ὀλίγον	Requiesce modice	‘Rest a little
	ἐν ᾧ προέρχεται	dum procedit	while my master, your father,
	ὁ κύ⟨ριός⟩ μου,	dominus meus,	proceeds
	⟨ὁ πατήρ⟩ σου,	pater tuus,	
b	εἰς ἀγορὰν (ἀγορᾷ)	ad forum (forum)	to the forum (forum)
	ὄρθρου	ante lucem	before dawn
	(αὐγῇ ἡμέρας)·	(albescente die);	(at break of day);
	ὃς πάνυ ὀρθρεύει,	qui satis manicat,	he is going pretty early,
c	ἐπ⟨ε⟩ιδὴ ἔπαρχος,	quoniam praefectus,	since the prefect,
	ὑπατικός,	praeses,	provincial governor,
	⟨καὶ⟩ λόγιος	et rationalis	and *rationalis*
	καὶ ἡγεμὼν	et dux	and military chief
	⟨καὶ⟩ ἐπίτροπος	et procurator	and estate manager
	προῆλθον.	processerunt.	have gone forth.

70c5 μεσον νικτος Dionisotti: μεσαν νικτας C 6 αλεκτοροφονια Dionisotti: αλεκτοραφονα C 7 αλλεκτοροκοκκυ Dionisotti: αλλεκτορα κοκκυ C *gallicinium* Dionisotti: *gallicinum* C **70d**1 νυστασω Dionisotti: νιεκτασω C 2 εκεκυμηθην C 3 αντεγρηγωρη C 4 αλλεκτορ εκκοκκυσεν C **70e**1 εγειρου C: εγειρον Dionisotti 2 ταχ⟨υ⟩τερον supplevit Dionisotti 3 ταταγριπνεισα C 4 καλι εκβασι C cum aliqua littera (η?) super secundo α scripta 5 *posse* Dionisotti: *possum* C ut vid. 6 ειδης ειμου C (ειδης ενιου iudice Dionisotti): ειδησ⟨εως⟩ εμου Dionisotti *scientiae meae* Dionisotti: *sciencie mee* C **70f**1 φανισατε C *parebitis* C 2 εν τη ση αγορευσει Dionisotti: εν τησιναγορευει C *recitatione* Dionisotti: *recitacōne* C **71a**2 προερχεται Dionisotti: προερχαται C 3 κυριος Dionisotti: κυ C 4 ὁ πατήρ supplevi **71b3** αυγημερα C 4 πανοι C^{pcr}: πανοις C^{ac} **71c**3 *rationalis* Dionisotti: *racōnalis* C 5 επιτροπος Dionisotti: επτρονος C 6 προηλθεισιν C *processerunt* C: *praecesserunt* Dionisotti

72a	ἀκούεις τὴν φωνὴν	audis vocem	You hear the voice
	τοῦ κήρυκος	praeconis	of the herald
	κράζοντα	citantem	calling
	τοὺς πρωτοπολίτας	decuriones	the leading citizens
	καὶ πολιτικο⟨ύ⟩ς.	et cives.	and the [other] citizens.
b	ἕκαστος διο⟨ι⟩κεῖ	quisquis exigit	Each one pursues
	τὰ αὑτοῦ μέρη·	suas partes:	his own occupations:
	ἔπαρχος	praefectus	the prefect [deals with]
	ἐσθῆτα στρατιωτικήν,	vestem muneralem,	the military [Lat.: requisitioned] clothing,
c	ὑπατικὸς	praeses	the provincial governor
	ἵππους δοκιμήσει,	equos probabiles,	[deals with] horses for approval,
	⟨λόγιος⟩	⟨rationalis⟩	the *rationalis* [deals with]
	χρυσοῦ καὶ ἀργύρου	auri et argenti	the appearance of the gold and
	μορφήν,	speciem,	silver,
d	ὁ ἡγεμὼν	dux	the military chief [deals with]
	νεολέκτους,	tirones,	the new recruits for the army,
	λόγιος	rationalis	the *rationalis* [deals with]
	κτήματα ἀπὸ προστίμου	pecunias de pretio	income from the licence-fee
	χόρτου καὶ κριθῶν	faeni et hordei	of fodder and barley
	⟨καὶ⟩ -----,	et -----,	and … ,
e	ἐπίτροπος	procurator	the estate manager [deals with]
	σῖτον ⟨καὶ⟩ βρέγμα,	triticum et bracem,	wheat and spelt,
	ἑκατόνταρχοι	centuriones	the centurions [deal with]
	τοῦ χαλκοῦ πρόστιμον.	aeraminis pretium.	the copper tax revenues.
73a	γίνεται ὥρα τρίτη.	fit hora tertia.	The third hour arrives.
	εἰσέρχουσιν παράκλητ⟨ο⟩ι,	ingrediuntur advocati,	The advocates enter,
	δικολόγοι,	causidici,	the pleaders,
	σχολαστικοί,	scholastici,	the legal advisers,
	φωνηθέντες	evocati	those called
	εἰς ἀπόρρητον	in secretarium	into the private court
	τοῦ ἰδίου κριτοῦ.	iudicis sui.	of their own judge.

72a2 κυρικος C 4 πρωτοπολειτας C **72b**1 εκαστος C^{pcr}: fortasse ικ- C^{ac} διο⟨ι⟩κει supplevit Dionisotti 2 ταυτου μερι Dionisotti: ταυτο ημερι C 4 στρατιωτικήν Delmaire (1989: 333 n. 47): σπαταλιην C **72c**1 ιπατικος C 2 ιππους C^{pcr}: υππους C^{ac} δοκιμειση C 3 supplevit Dionisotti p. 118 4 χρισου C **72d**3 *rationalis* Dionisotti: *racōnalis* C 4 προστιμου C^{pcr}: προσσιμου C^{ac} ut vid. *pretio* Dionisotti: *precio* C 5 χορτου Dionisotti: λορτου C κριθεντος C *faeni et hordei* Dionisotti: *feni et ordei* C 6 lacunam indicavit Celtes **72e**2 σειτον C 4 χαλκου προστιμον Dionisotti: λαλκου πρασσιμο C *aeraminis* Ferri (2010: 241): *e caminis* C: *e camisiis* Giardina (1985: 320 n.) *pretium* Dionisotti: *praecium* C **73a**1 γενετε C *tertia* Dionisotti: *tercia* C 4 σκολαστικοι C *scholastici* Dionisotti: *scolastici* C 5 φωνισθεντοι Dionisotti: φωνισοεντοι C^{pcr}: φον- C^{ac} 6 απορειτον Dionisotti: απορεπον C 7 κρειτου Dionisotti: κνεπθυ C

b	πράξουσιν	agunt	They conduct [Gk: will conduct]
	πλείστας αἰτίας,	plures causas,	many [Gk: very many] cases,
	ἕκαστος ὡς δύναται	quisque ut potest	each as he is able
	κατὰ τὴν	secundum	according to
	τῶν γραμμάτων	litterarum	his skill in letters.
	ἐμπ⟨ε⟩ιρίαν.	facundiam.	
74a	εἰσὶν καὶ προφάσεις	sunt et causae	There are also cases
	ἐν τῇ τῶν χρόνων	in temporum	at their time limit,
	διορίσει,	finem,	
	ποίας σήμερον	quas hodie	which I believe have to be
	πιστεύω διορισμένας.	credo terminandas.	finished today.
b	ἔκτοτε οὖν	exinde	Then
	καταβαίνει ὑπατικὸς	descendit praeses	the provincial governor comes down
	τὸ βῆμα	ad tribunal	to the speaker's platform
	καθη⟨σό⟩μενος.	sessurus.	to take his seat.
c	στρωννύεται βῆμα,	sternitur tribunal,	The speaker's platform is laid out,
	καταβαίνει ὁ κριτὴς	conscendit iudex	the judge mounts [Gk: comes down to]
	βῆμα,	tribunal,	the speaker's platform,
d	καὶ οὕτως τῇ φωνῇ	et sic voce	and thus by the voice
	τοῦ κήρυκος	praeconis	of the herald
	κελεύει	iubet	he orders
	σταθῆναι προσώπους.	sisti personas.	the persons [on trial] to be stood up.
75a	ἔνοχος στάθηται	reus sistitur	The defendant [Gk: guilty party],
	λῃστής,	latro,	a robber, is stood up;
	ἐξετάζεται	interrogatur	he is interrogated
	κατὰ τὴν ποίησιν	secundum merita	according to his deserts
b	(βασανίζεται,	(torquetur,	(he is tortured,
	βασανιστὴς κρούει	quaestionarius pulsat	the torturer beats
	αὐτῷ τὸ σ⟨τ⟩ῆθος,	ei pectus,	his chest,
	στρεβλοῦται,	vexatur,	he is pummelled [Gk: he is tortured on the rack],
	συστέλλεται,	suspenditur,	he is hung up [Gk: he is squashed],
	αὐξάνει,	crescit,	he is stretched,

73b2 πλειστα αιτια C 3 εκαστος ως δινατε Dionisotti: εκαστε ως δινατε C 5 *literarum* C
74a1 προφασεις Dionisotti: προσφασεις C^{pcr}: προσφασιν C^{ac} *et* omisit C^{ac}, addidit C^{pcr} *causae* Dionisotti: *cause* C 2 χρωνων C^{pcr}: χρωνον C^{ac} 3 διορουσει C 4 ὁποίας Ferri (2008a: 120)
74b2 καταβενη C 3 προς το Dionisotti: π deletum ante το C βημα Dionisotti: βηματα C post hanc lineam habet C φυλαξειν et *custodis*, nescio qua significatione **74c**1 στρωνιετε C
74d1 τη Dionisotti: τω C 2 κυρικος C 4 προσοπους C **75a**2 λιστης C 3 εξετασετε C
75b1 βαζανιζιτε C 2 βαζανηστης κρουει Dionisotti: βαζανηστης κρευει C *quaestionarius* Dionisotti: *questionarius* C 3 εατω C σ⟨τ⟩ηθος supplevit Dionisotti *ei* C^{pcr}: *et* C^{ac} 4 στρεβετε C 5 συστελλετε C

c	μαστιγοῦται,	flagellatur,	he is whipped,
	ἀποξύλαις δέρεται,	fustibus vapulat,	he is beaten with cudgels,
	διέρχεται τάξιν	pertransit ordinem	he goes through the order
	τῶν βασανισμάτων),	tormentorum),	of the tortures),
	καὶ ἔτι ἀρνεῖ.	et adhuc negat.	and still he denies [that he is guilty].
d	κολασμένος	puniendus est	He must be punished
	(ὥλετο κολάσει,	(perit poena,	(he perishes [Gk: perished] from the punishment,
	ἀπάγεται ἐπὶ ξίφος).	ducitur ad gladium).	he is led off to the sword [i.e. execution]).
76a	εἶτα ἄλλος	deinde alter	Then another [accused person]
	στάθηται,	sistitur,	is caused to stand up,
	ἀναίτιος,	innocens,	an innocent one,
	τίνι πάρεστιν	cui adest	for whom there is
	μεγά⟨λη⟩ δικολογία,	grande patrocinium,	a great pleading,
b	καὶ ἄνδρες δεδιδαγμένοι	et viri diserti	and learned men
	πάρ⟨ε⟩ισιν αὐτῷ.	adsunt illi.	are supporting him.
	οὗτος δὲ σχήσει	hic etenim habebit	And indeed this man will have
	⟨καλὴν⟩ ἔκβασιν·	⟨bonum⟩ eventum:	a good outcome:
	ἀπολύεται.	absolvitur.	he is acquitted.
77a	μάρτυρες	testes	The witnesses
	καλῶς ἦλθον	bene venerunt	came off well
	ἐν τῇ αὐτοῦ αἰτίᾳ·	in sua causa:	in his case:
	ἄτερ ὕβριν	sine iniuria	they were released without injury.
	λελυμένοι εἰσίν.	absoluti sunt.	
b	αὕτη ἡ αἰτία εἶχεν	haec causa habuit	This case had
	πολυτελῆ	idoneam	a lavish
	ἀπολογίαν,	defensionem,	defence,
c	καὶ πίστιν	et fidem	and each and every one put the
	τῆς ἀληθ⟨ε⟩ίας	veritatis	faith of truth in the result.'
	μετὰ πράξεις	apud acta	
	ἀπέθηκεν	deposuit	
	εἷς ἕκαστος.	unus quisque.	

75c1 μαστιγειτε C 2 αποξυλας τερετε C 3 διερχετε C^{pcr}: διερχω- C^{ac} ut vid. ταξην C 5 *negat* C^{pcr}: *necat* C^{ac} **75d**1 κολασμενος Dionisotti: καλασμενος C 2 ωλιτω C κολαση Dionisotti: κολειση C *pena* C 3 απαγετε C **76a**1 ειτα C^{pcr}: εγτα C^{ac} ut vid. 2 σταθητε C^{pcr}: στατιτε C^{ac} 4 τηνη παρεστιν Dionisotti: την ηπαρστιν C **76b**1 ανδρες Dionisotti: αναρες C 3 σχησι Dionisotti: εχησι C 4 εγβασιν C 5 απολιετε C **77a**2 ηλθουσιν C 3 τι αυτου Dionisotti p. 106: τι αυτω C αιτια C^{pcr}: ε- C^{ac} ut vid. 4 ιβριν C 5 λελυμενοι Dionisotti: λελειμενοι C **77b**1 lineam omisit C^{ac}, addidit in margine C^{pcr} 2 πολιτεληνC **77c**1 πιστιν credo scriptum, sed πυστιν iudice Hunger (Hunger and Hannick 1994: 82) 5 post hanc lineam in margine inferiore addidit C atramento nigro τελος εν τω μονοστεριω σπανεμ (ante correctiones τελος εις τον μονοστεριω στανεμ)

officials (71–2) and then a legal scene (73–7). The forum scenes are important for their portrayal of public life in a Roman provincial city, and in the context of the overall pattern of the colloquia the whole epilogue is interesting for the fact that the child narrator of the schoolbook sections reappears. In the other colloquia children appear only in the schoolbook sections, the phrasebook scenes being reserved for adults, and this division corresponds to the audiences for which the two portions of the colloquia were originally written: the schoolbooks were composed for Western children learning Greek, and the phrasebooks were composed for Eastern adults learning Latin (see vol. 1, 1.3.1). The late date and poor Greek of the epilogue to this colloquium suggest that it may have been composed after the colloquium had returned to the West; if so, it would have been designed for an audience of Western children learning Greek. Perhaps the reappearance of a child character is connected to the re-emergence of this audience.

The poor quality of the Greek in the epilogue means that if my corrections were confined to points of spelling as is generally the case in the rest of the colloquium, leaving the morphology and syntax uncorrected, the text would be incomprehensible. I have therefore corrected the Greek more freely in this section.

70a Περὶ ἀγρυπνιῶν καὶ τῶν κατ' ἀγορὰν πραγμάτων/*De lucubris et negotiis forensibus*: Dionisotti (1982: 94) must be correct in her identification of these words as a heading to the final sections of the colloquium. Headings are unusual in the colloquia and elsewhere seem to be created when a title that originally applied to the whole colloquium ends up somewhere inside it (see on ME 3a and lines 42–3 of P.Berol. inv. 10582, below in section 4.1), or by the need for an internal preface marking the transition from the coherent schoolbook to the less coherent phrasebook (H 11a–b). Except for this one, the individual scenes do not have headings; normally there is no indication at all of where the scenes divide. On the other hand individual sections in the capitula glossaries do usually have headings, and those headings normally follow the format of this one; in fact the Hermeneumata Montepessulana even have a section entitled Περὶ τῶν κατὰ ἀγορὰν πραγμάτων/*De forensibus negotiis* (Goetz 1892a: 336.29). Of course, the actual words that follow that heading in the Montepessulana have nothing in common with the vocabulary list found here in 70b–d, because that vocabulary list is related to the first half of the heading (wakefulness at night) rather than to the second (business in the forum). Nevertheless, it is possible that this heading once belonged to a capitula section rather than to the colloquium; this is perhaps particularly likely in view of the use of the term κεφάλαια 'chapters' in the title to this colloquium (see above *ad loc.*). There is no section about wakefulness at night in the surviving capitula sections of this version (or indeed any other version) of the Hermeneumata, but lines 132–7 of P.Berol. inv. 10582 (for which see section 4.1 below) may be the remains of another colloquium section on this topic.

70a ἀγρυπνιῶν/*lucubris*: Greek ἀγρυπνία normally means 'sleeplessness' (the verb ἀγρυπνέω normally means 'lie awake', 'pass sleepless nights'), which is not exactly the meaning needed here: the exhortation that follows in 70e–f suggests that the heading was intended to refer to actively working at night rather than to insomnia. But Callimachus uses the word to refer to the product of nocturnal labours (*Epigrams* 27.4 Pfeiffer: Ἀρήτου σύμβολον ἀγρυπνίης), so the sense found here was not alien to Greek usage.

Latin *lucubrare* has the meaning 'work at night', 'work by lamplight', which is well suited to the context. But the noun corresponding to *lucubrare* should be *lucubratio*, which is clearly not what we have here. The *lucubris* found here ought to be from the neuter noun *lucubrum*, since that word appears as the first item in the list in 70b, corresponding to ἀγρυπνία – but *lucubrum* means 'small lamp' (*TLL s.v.*), a meaning that fits neither as a heading for this section nor as the equivalent for ἀγρυπνία in 70b. Perhaps it had a second meaning equivalent to *lucubratio*, but if so that meaning does not seem to be attested anywhere else. The *TLL* (s.v. *lucubra*) hesitantly suggests that there might also have been a first-declension noun *lucubra* with the meaning 'wakefulness', but the existence of this term is uncertain, and assuming that it appears here would exacerbate the problem in 70b.

70b ἀγρυπνία, ἀγρυπνῶ/*lucubrum, lucubro*: For the difficulties with these words see the preceding note.

70b ἀγρυπνήσομεν/*lucubramus*: Bloomer (2011: 245 n. 46) conjectures the subjunctive *lucubremus* 'let

us be awake at night' for the Latin, on the assumption that the Greek is really the aorist subjunctive ἀγρυπνήσωμεν. This is possible (for the confusion of future indicative and aorist subjunctive see above on 47a σχήσω) but unverifiable; the Latin might also be haplography for the future *lucubrabimus*, which would match the Greek of the manuscript.

70c ἕσπερον/*vesper*: Here the Latin is nominative, as would be expected in a vocabulary list, but the Greek is accusative. Probably the words have been taken from another source in which they were both accusatives, with the case of the Latin altered to fit the new context but the Greek left in its original state.

70c μέσον νυκτός/*media nox*: The Greek is surprising: μέσος, like Latin *medius*, is normally an adjective that agrees with a noun rather than taking a genitive. But the construction used here, while rare, is not unattested (e.g. Dionysius of Halicarnassus, *Roman Antiquities* 4.58.1). If there is external influence on the Greek here, it must be not from Latin (since *media nox* would have matched the standard Greek usage) but from another language; such influence is not impossible but seems unlikely.

70c *pulli*: The word *pullus* normally means 'young bird', 'chick', but here it must refer to an adult male. The word recurs below at 70d, clearly in the same sense. The use of *pullus* in this sense was a regional feature, primarily of Gaul but also of Sardinia and Africa: see Adams (2007: 350–2, 709–10).

70c ἀλεκτορόκοκκυ: This word is otherwise unattested but must be related to ἀλέκτωρ 'cock' and κοκκύζω 'call like a cuckoo, crow' (cf. 70d below).

70d ἀντεγρήγορα: The word ἀντεγείρω is otherwise unattested in this sense; it normally means 'build instead' or 'build in opposition' (LSJ).

70d *pullus*: See above on 70c.

70e–f The vocabulary list here gives way to an exhortation that a child should study at night. Nocturnal study seems to have been viewed as especially meritorious by ancient teachers; see on H 6e. Juvenal (14.189–93) and Seneca (*De providentia* 2.5) describe very similar exhortations to children.

70e ἐγείρου/*leva te*: Although Dionisotti read εγειρον for the Greek here, the final upsilon is unmistakable; cf. on 6b above (where the manuscript actually does have εγειρον). Ferri (2008a: 154 n. 142) claims that the use of *levo* found here is late and Biblical, but I do not find it to be significantly different from the classical examples cited by the *TLL* (s.v. *levo* 1, p. 1231.53–70, cf. Panayotakis 2012: 252).

70e παῖ/*puer:* Although these vocatives are often used to slaves (e.g. at 6b and 69a above; cf. on Mp 4b παιδάριον), the addressee here is clearly a free child. The re-emergence of the child we last saw in section 46 is startling and may provide a clue to the history of this colloquium: see above on 70–7.

Dionisotti (1982: 118) suggests that this exhortation is spoken by the child's father, but in the world of the colloquium the practical business of looking after children is not carried out by fathers, rather by servants such as nurses and paedagogues. In 71a the boy's father is referred to in the third person as 'my master, your father', so the speaker there is likely to be one of the father's servants, probably a paedagogue *vel sim.*; this section is probably spoken by the same person.

70e ἀνίστασον: Like most other forms of ἵστημι in this text (see on 45c, 46b, 75a, and 76a, but note also 4b, 40a, and 74d), this one is explicable neither from the classical inflection of this verb nor from papyri and Byzantine texts. Ferri (2008a: 129 n. 63) suggests that it is an attempt to form ἀνίστασο, the intransitive present imperative; if he is right, then the addition of the final nu could simply be a corruption. But the form looks very much like an attempt at an aorist imperative, and an aorist is what we would expect here, both from classical usage of this verb and from the fact that aorist imperatives are far more common than present imperatives in this text (see above on 3a ὑπόδεννον). Of course, the classically correct imperative of the intransitive aorist of ἵστημι would be ἀνάστηθι, of which our form could not be any sort of corruption or development, but the ἱστασ- aorist stem apparently used here is also found in ἀνίστασα at 45c, so an aorist is a viable possibility here. Given the fact that that stem does not seem to occur elsewhere, one possibility is that the original form was indeed ἀνίστασο, which did not look like an imperative at all and therefore was corrected to ἀνίστασον by a scribe who knew an imperative was needed and thought a final nu had simply disappeared. Then someone with

little Greek working on this text at a later stage might have made the logical deduction that ἀνίστασον must be the aorist of ἀνίστασα, leading to the creation of the form at 45c.

70e ταχ⟨ύ⟩τερον/*celerius*: As Ferri (2008a: 129) points out, these comparatives probably have little comparative force and just mean 'quickly'; cf. Adams (1977: 58) and on ME 9g μηδὲν βράδιον, ⟨ἀλλ'⟩ εὐθύς/*nihil tardius, sed velocius*. For the form of the Greek see above on 55a.

70e κατὰ τὴν δύναμιν/*iuxta posse*: See above on 39c.

70e τῆς εἰδήσεως μου/*scientiae meae*: It is unclear exactly what this means, and whether it belongs with what precedes (where it seems irrelevant) or what follows (where it introduces doubt in a place where doubt seems inappropriate); the translation provided is very tentative.

The manuscript has της ειδης ειμου; Dionisotti concluded that this was an attempt to write τῆς εἰδήσεως ἐμοῦ with the end of the genitive εἰδήσεως (from εἴδησις 'knowledge') missing. But the misspelling of ἐμοῦ required by this theory is odd: epsilon and epsilon iota were pronounced differently at all periods in the history of Greek, so they are much less likely to be confused in writing than are many vowel sets. If the original words here were τῆς εἰδήσει μου, with a dative instead of a genitive, the manuscript reading could have been produced simply by misdivision of the words (a problem that occurs elsewhere in this text: see above, section 3.3.4 n. 42). Of course, the dative would not be the expected case here, but it might have been introduced owing to the confusion of dative and genitive common in late Greek (see above on 9a ἐκ τῇ κλίνῃ); the fact that the equivalent Latin words have the same form in the genitive and dative might have made this confusion easier. The mixture of an article in the genitive with a noun in the dative is not as surprising as it seems: compare the mixture of genitive and dative in the manuscript reading περι καθιμερινη αναστροφης (not a copying slip by Celtes, but an old phrase: see *ad loc.*) in the title of this colloquium.

70f φανεῖς/*parebis*: The text is uncertain here, as the manuscript has φανισατε/*parebitis*. The plurals cannot be right, given the context, and the apparent aorist in the Greek cannot be right either, as a future is clearly needed. Moreover the Greek verb itself cannot be right, as an aorist φανίσατε could either come from the very rare φανίζω, which means 'reveal' (cf. LSJ supplement *s.v.*) and so would not fit the context here, or be an otherwise unattested sigmatic aorist of φαίνω. But the active verb forms in the manuscript, though they seem implausible at first glance, may well be right: the active of φαίνω can mean 'shine', a metaphor used today of outstanding student performances, and Latin *pareo* can mean 'be seen' (*OLD s.v.* 5) and 'be conspicuous' (*TLL s.v.* 377.31–46). The meaning here might therefore be 'get yourself noticed (by your outstanding performance)'.

If both verbs were originally the regular second-person singular future forms one would expect in both languages, the Greek would have been φανεῖς and the Latin *parebis*. That Greek form could easily have been spelled φανις, as spellings with iota and epsilon iota were interchangeable even in the Hellenistic period, and if φανις happened to be followed by a word such as ἅτε or ὅτε, that following word could easily have been mistaken for an ending, giving the φανισατε found in Celtes' manuscript. As this ending was manifestly second person plural, Latin *parebis* would then have been adjusted to match it.

71–2 The forum scene is of great interest but highly problematic, more difficult to interpret than any other portion of this colloquium. Some discussions of this passage have pointed to other evidence corroborating the accuracy of its depiction of a set of imperial officials receiving taxes and other goods (Dionisotti 1982: 118–19, 122–3; Giardina 1985: 316–23). More recent work, however, has pointed to inaccuracies in this picture of imperial administration (see below on 72b ἐσθῆτα στρατιωτικήν/*vestem muneralem*) and raised the possibility that the writer did not in fact know what he was talking about. The text is clearly corrupt in places, and the Greek was very poor to begin with, so emendation is an attractive way to solve some of the problems of content. But since it is not possible to emend away all the historical errors, it may not be legitimate to use such errors as grounds for emendation at all.

71a These words provide a connection between the preceding exhortation to the boy and the description of the forum that follows, allowing the rest of the colloquium to be cast as something narrated to the

boy. The transition device is not completely effective, for it is peculiar that the boy is first exhorted to study hard and then immediately told to rest during something that would in no way interfere with his studies and that he is apparently not even able to watch. Nevertheless it is noteworthy that a transition is even attempted, for most scene shifts in the colloquia are not signalled in any way.

71a ἀνάπαυσον: We would expect the middle imperative, ἀνάπαυσαι, but the active of this verb sometimes occurs with intransitive meaning even in the classical period (LSJ *s.v.* ἀναπαύω I.4), and the replacement of middle forms by active ones is very common in late Greek (Jannaris 1897: §1484).

71a ὁ κύ⟨ριός⟩ μου, ⟨ὁ πατήρ⟩ σου/*dominus meus, pater tuus*: The phraseology is peculiar in both languages. For parallels for the Latin see above on 12a τῷ κυρίῳ ἐμοῦ ἀδελφῷ/*tuo domino* (*meo fratri*), but note that the solution offered there, that the two designations were intended as alternatives, is not feasible here, since this passage does not appear to have alternative phrases inserted. For the Greek 12a does not provide a good parallel, as the Greek here is significantly different and mostly reconstructed; moreover given the overall quality of the Greek in the epilogue it is probably a translation of the Latin rather than an echo of actual Greek practice. We should thus simply take the Latin of this phrase at face value: it tells us that the speaker is a servant of the boy's father.

71b εἰς ἀγοράν (ἀγορᾷ)/*ad forum* (*forum*): Usually when a Latin word is repeated verbatim it translates two Greek synonyms (see section 3.3.6 above), but here the same Greek word appears in two different cases. The second case cannot be identified with certainty, as the manuscript has neither accents nor subscripts: it could be either nominative ἀγορά or dative ἀγορᾷ. The nominative would have the advantage of matching the case of Latin *forum* (the second *forum* would be nominative on this theory) but would not make any sense in context; one would have to explain it as an example of a practice that occurs in some other colloquia, namely giving for the student's reference the basic uninflected form of a word just used in an inflected form (e.g. in LS 1c the nominative κλίνη/*lectum* is given after ἐκ τῆς κλίνης/*de lecto*). But that practice does not seem to occur in this particular colloquium.

The dative could easily be an alternative to the accusative here, owing to the general confusion surrounding the dative in late Greek (see on ME 4i 'ς τὸ φόρον 2). If that interpretation is adopted, it must be assumed that the repetition of *forum* is accusative, the writer feeling that no other Latin form was possible here. Although late Latin, like late Greek, had some confusion between directional and locative forms, it is perfectly possible that the writer of this section had received a good training in Latin grammar and was sure that only an accusative could be used here.

71b ὄρθρου/*ante lucem*: At 3b above the equivalent of *ante lucem* is πρὸ ὄρθρου, but at ME 2a ὄρθρου alone is used.

71b αὐγῇ ἡμέρας: This phrase, which means 'at the light of day', is a good equivalent of the Latin in sense, though differing in grammar. Similar phrases are attested elsewhere in late and Byzantine Greek, for example ἡ τῆς ἡμέρας αὐγή in the fourth-century author Gregory of Nyssa (Gebhardt 1967: 297.23) and αὐγὴ μυστικῆς ἡμέρας in a work doubtfully attributed to the sixth-century Romanus Melodus (Akathistos hymn §9.7 = Trypanis 1968: 33). Dionisotti (1982: 118) suggests that the manuscript reading αυγημερα represents an otherwise unattested compound αὐγημέρᾳ, but haplography and failure to divide words from *scriptio continua* seems a more likely explanation.

71b ὀρθρεύει/*manicat*: See on H 1c.

71c ἔπαρχος/*praefectus*: There were a large number of different offices with the title ἔπαρχος/*praefectus*, but the one to which ἔπαρχος without a qualifying genitive was most often applied is the *praefectus praetorio* or praetorian prefect (Mason 1974: 138–40), and Dionisotti (1982: 118) suggests that this is the official designated here. Originally the title *praefectus praetorio* was applied to the commander of the Praetorian Guard, who rapidly became a key figure in the imperial civil and military administration, but in the early fourth century a radical overhaul of the administrative structure saw the praetorian prefects increased in number, put in charge of various regions of the empire, and stripped of all military command; further regionalization of their role seems to have occurred later in the fourth century, but the praetorian prefect remained an extremely important figure with authority over a large area. On the praetorian

prefects and their changing roles see Migl (1994), Kelly (1997: 166–7), Howe (1942), Jones (1964: 100–3, 448–62, 586–92), and Millar (1992: 122–31); Potter (2010) provides a good simplified overview of the imperial administrative structure at different periods and how the prefects fitted into it.

The *praefectus* here appears at the head of what seems to be a hierarchically arranged list of provincial administrators; he comes before the governor and thus ought to be of considerable importance, and in Greek he is identified in a fashion usually reserved for the praetorian prefect. There is thus good reason to believe that he is that official, but on the other hand the task in which he is engaged in 72b does not match what is known about the role of the praetorian prefect (see on 72b ἐσθῆτα στρατιωτικήν/*vestem muneralem*), so the identification cannot be regarded as certain. We do not have here simply a list of all the officials in the provincial hierarchy (among those missing is the *vicarius*, who stood between the praetorian prefect and the second official on this list, the governor), and some governors were themselves called *praefecti*, though here the *praefectus* is clearly envisaged as being a different individual from the governor. There is no evidence that any of the other *praefecti* were involved in the task that this *praefectus* does, so if he is not the praetorian prefect, it is very difficult to find another candidate.

If the official here is indeed the praetorian prefect, the context in which he is deployed suggests that we have the fourth-century version of his role. The earlier praetorian prefect, who was a key part of the central administration of the empire, would not have appeared at dawn in the forum of a provincial city to engage in the day-to-day business of provincial government. Even the later praetorian prefects were arguably too important to be found often in the situation depicted here, but it is less implausible in their case.

71c ὑπατικός/*praeses*: For much of the imperial period *praeses* (short for *praeses provinciae*) was a general term for provincial governors, but from the early fourth century, following an administrative reorganization, it became a technical term for a particular grade of governor (the lowest one). The number of provincial governors in the empire increased significantly over time, so that by the end of the fourth century there were 114 of them, approximately two thirds of whom were *praesides* in the technical sense. Despite the decline in the importance of the praetorian prefect (see previous note), the governors were always considerably less important than the prefects; hence the governor's second position in the list here. It is not clear from the context whether *praeses* is used here in its earlier general sense or the later technical one, so the word cannot be used for dating the passage (cf. on ME 4e τοὺς ἄρχοντας ἐξ ὑπογραφῆς τοῦ διέποντος τὴν ἐπαρχίαν/*magistratus ex subscriptione praesidis provinciae*), but in view of other indications that this passage was written in the fourth century the technical meaning may well be intended here. The governor was of course a strictly provincial phenomenon, and therefore his presence here indicates that the scene is set not in Rome but in a (major) provincial city. For the governor and the evolution of his office see Wilkes (2005), Kelly (1997: 166–7), Jones (1954: 24–5, 1964: 42–7), and Corcoran (2000: 234–53).

The equation between the Greek and Latin (which recurs below at 74b) is unexpected, for although *praeses* has a large number of different equivalents in Greek, these do not include ὑπατικός, which is regularly the equivalent of *vir consularis* (Mason 1974: 95, 169–71, 197–8). The *consularis* could also be a governor, but after the reforms mentioned above the *consularis* was a higher grade of governor than the *praeses* (cf. Jones 1964: 527 and *Codex Theodosianus* 6.19). This situation could indicate that this passage was written before these reforms, at a period when the Greek and the Latin could be applied to the same individual, but this equation might also have arisen from someone at a later period using a glossary composed at an earlier period. It might also be due to the writer not caring about what kind of governor he was depicting here; after all, if the whole scene is fictional, which seems very probable, it could have been invented with either type of governor.

71c λόγιος/*rationalis*: The title *rationalis* has a number of different meanings that are not properly differentiated in most scholarly literature, leading to much confusion. The best-known *rationalis* is the *rationalis rei summae*, a third-century official who was earlier called the *a rationibus*. He was an important minister, unique in the empire, and presided over the *sacrae largitiones* (a major portion of the imperial treasury); he had responsibility for mints and mines and for taxes paid in gold, silver, or coins. In the early fourth century this official's title was changed to *comes sacrarum largitionum*; the precise date of this change, which was part of a general reorganization of the imperial financial administration, is debated, but

Delmaire (1989: 37) offers good arguments for placing it *c.* AD 325. The *comes sacrarum largitionum* was assisted by a number of regional officials who supervised the provincial business associated with the *sacrae largitiones*, and at least until the middle of the fourth century these were known as *rationales summarum*. After that point they were often called *comites largitionum*; this change occurred at different periods in different provinces but seems to have been complete by the middle of the fifth century. The importance of these officials decreased steadily over the course of the fourth century.

Another major portion of the imperial financial administration was the *res privata*, headed by the *magister rei privatae*, whose responsibilities included the imperial estates. This official was also sometimes known as the *rationalis rei privatae*, but from the early fourth century his title was changed to *comes rei privatae*; Delmaire (1989: 37) dates the change to between AD 326 and 339. Originally this office was subordinate to that of the *rationalis rei summae*, but after the fourth-century reorganization the two departments had equal status. The staff of the *comes rei privatae* included a number of regional officials whose job it was to look after the affairs of the *res privata* outside the capital, and although these were originally called *magistri rei privatae*, from some point in the fourth century (probably between 350 and 358; cf. Delmaire 1989: 176) their title changed to *rationales rei privatae*. Since both these officials and their opposite numbers in the *sacrae largitiones*, the *rationales summarum*, tended to be known simply as *rationales*, considerable confusion was possible, though that confusion was ameliorated over time as the *rationalis summarum* became *comes largitionum*. Although originally these were fairly important officials, between the praetorian prefect and the governor in significance, their importance declined over the course of the fourth century. For further information on all these types of *rationalis* and their occupations see Delmaire (1989: *passim*, esp. ix–x, 25–38, 171–205) and Jones (1964: 376, 411–13).

Which *rationalis* appears here? Dionisotti (1982: 118) opts for the *rationalis rei summae*, but a unique official belonging to the central administration would not have shown up at dawn in a provincial forum; the man mentioned here must be one of the regional officials (thus Delmaire 1989: 197). If the supplement of his title in 72c is right, then in the description below there are either two tasks for the *rationalis* or two different *rationales*. For neither of these tasks can one state with absolute confidence which type of *rationalis* would have been involved, but the first one (at 72c) is very likely to be the kind belonging to the *sacrae largitiones* and the second (at 72d) could well belong to the *res privata*. It is tempting to assume that we have here a reflection of the fact that both types of *rationalis* were frequently engaged in public business: perhaps the writer put in one of each type. If this is indeed what happened, the passage should be datable to between the middle of the fourth century and the middle of the fifth, the period at which there were two types of regional official known as *rationalis*.

Greek λόγιος is not otherwise attested as a term for any of the *rationales* (or any other official); the Greek equivalent of *rationalis* was καθολικός (cf. Mason 1974: 58, 201). It looks as though λόγιος is an ad hoc calque; Delmaire (1989: 205) suggests that the writer's ignorance of the Greek equivalent of *rationalis* shows that he lived so long after the demise of these officials that he no longer knew what they were, but it seems more likely that the writer simply did not know much Greek.

71c ἡγεμών/*dux*: Latin *dux* is most often used in the non-specific sense of 'leader, general', but here a particular official must be intended. The official in question is probably one of the military commanders introduced by Diocletian in the late third century to take some of the responsibility that had previously belonged to provincial governors, as we see him handling the army's new recruits at 72d below. For further information see S. Williams (1985: 107–8), Jones (1964: 373, 608–10, 656–7), and Berchem (1952).

Mason (1974: 144–51) has a lengthy discussion of the large number of different officials (none of them appropriate here) that can be designated with ἡγεμών in Greek, in which discussion *dux* gets only a passing reference in the context of the Republican period.

71c ἐπίτροπος/*procurator*: The term *procurator* was used for a variety of different agents, both public and private; essentially a *procurator* was someone who managed something, and the same is true of Greek ἐπίτροπος, which was the regular equivalent of *procurator* (Mason 1974: 49, 142–3). Some *procuratores* were provincial governors, and in the sixth century the term was synonymous with *rationalis rei privatae* (Delmaire 1989: 205), but presumably the type of *procurator* envisioned here is neither a governor nor a *rationalis*. The most common kind of *procurator* was the manager

of an estate, and an estate manager would be the right person to perform the task this *procurator* engages in at 72e. Both the managers of private estates and those of imperial estates could be called *procuratores*, but since the context here seems to be one of public business, and the manager of a private estate would conduct estate business on the estate itself rather than in the forum, it is safe to assume that we have here a public official. The *procuratores* responsible for imperial estates were subordinate to the *rationales rei privatae* (the estates were part of the *res privata*), and therefore it makes sense for the *procurator* to come after the *rationalis* here. On the *procuratores* see Delmaire (1989: 207–33), Aubert (1994: esp. 183–6), Lo Cascio (2005: 148–50), Brunt (1990: 163–87), Jones (1964: 413–14, 788–92), and Weaver (1972: 267–81).

71c προῆλθον: The manuscript has προηλθεισιν, a form unparalleled in the papyri; it could easily be a misreading of προήλθουσιν (cf. below on 77a ἦλθον), but that reading would hardly improve matters. The error suggests ignorance of the basics of Greek inflection on the part of the writer (cf. Ferri 2010: 240 n. 5).

72a κήρυκος: The manuscript has κυρικος; this spelling (which also occurs in 74d and so is not merely a slip of the pen) seems to be influenced by κύριος.

72a πρωτοπολίτας/*decuriones*: The Greek term, which is not listed by Mason (1974) but for which see Vattioni (1977), means 'leading citizens'. Latin *decurio* can also have this meaning (see *OLD s.v.* 2), though in this sense its normal Greek equivalents are βουλευτής and δεκουρίων (Mason 1974: 184).

72a πολιτικο⟨ύ⟩ς: Instead of the usual word for 'citizens', πολῖται, the writer has used here a substantivization of the adjective meaning 'pertaining to citizens'. This usage suggests that the writer was not a native speaker of Greek. The accusative plural ending in -ος is a Latinate feature (cf. above on 14a); although it could easily have arisen in transmission, the density of errors of Greek in this section suggests that it is probably due to the original writer.

72b *quisquis*: The use of (various forms of) *quisquis* for (various forms of) *quisque* 'each' is well attested at a range of dates (Hofmann and Szantyr 1965: 201).

72b τὰ αὑτοῦ μέρη: The manuscript reading ταυτο ημερι is clearly an error of word division (among other things); see above, section 3.3.4 n. 42. This particular misdivision involves one of the very late spelling confusions that are so much more frequent in this section of the colloquium than elsewhere (upsilon and eta; see above, section 3.3.8).

72b–e Here the sentence turns into a list of nominatives and accusatives, with a repeated verb (exactly which one is not obvious, though the general meaning is clear) understood. Similar lists are found in a variety of documentary Latin texts, including the Vindolanda tablets; see Adams (2013: 231–2).

72b ἐσθῆτα στρατιωτικήν/*vestem muneralem*: The nouns here certainly refer to clothing, and as the following accusatives probably all designate taxes or other items received by government officials, the clothing here is likely to be some kind of tax. In fact there was a requisition of clothing during the empire, known as the *vestis militaris* (*Codex Theodosianus* 7.6 = Mommsen 1905: I.II.324). As the government was responsible for providing clothing to the army and some state employees, it had to acquire a considerable number of garments. The manner of that acquisition seems to have varied considerably: sometimes the government purchased clothing on the open market, sometimes it operated a system of compulsory purchases (with payment, but probably not at the market rate), sometimes it required communities to contribute fixed amounts of clothing, and sometimes it required them to contribute set payments in lieu of clothing. There is evidence for a chronological progression in these variations, from compulsory purchase directly from clothing manufacturers in the second century via a tax-like requisition from communities in the third century to a straightforward monetary tax in the fourth century (Sheridan 1998: 87). The money thus collected in the fourth century was not given to the army or higher provincial administration directly but was used by the civilian bureaucracy for purchasing the required garments, which were then delivered to the higher administration (in Egypt, all the garments seem to have been sent to Alexandria, so the process was significantly centralized) for distribution to the army (Sheridan 1998: 97, 101–3). After the fourth century the system seems to have further shifted to one in which the money collected for clothing was given directly to the army, which in at least some cases let

the soldiers buy their own clothing with it (Sheridan 1998: 103). For further information see Sheridan (1998), Delmaire (1989: 332–45), Karayannopulos (1958: 112–17), and Jones (1964: 433–4).

Here the *praefectus* seems to be engaged in a task related to the *vestis militaris*; in the absence of a verb (and given the difficulties with the adjectives, for which see below), it is uncertain exactly what he does, but it seems to involve actual garments rather than money. The date is therefore probably before the end of the fourth century. But there is a major difficulty: the praetorian prefect did not normally have responsibility for the *vestis militaris*, which fell under the purview of the *sacrae largitiones* rather than in his domain (Delmaire 1989: 333; Jones 1964: 427). Even if this tax had been part of a praetorian prefect's remit, it is most unlikely that so important an official would have been personally involved in the collection process. In fact we know the titles of a considerable number of officials who supervised the *vestis militaris* at various times, and none of them is a praetorian prefect (nor any other kind of *praefectus*): see Delmaire (1989: 333).

It is conceivable that the official described here is not the praetorian prefect but one of the lesser officials known as *praefecti*, but none of the other *praefecti* are likely to have been involved in the *vestis militaris* either, and other aspects of the context suggest that we do have here the praetorian prefect (see on 71c ἔπαρχος/*praefectus*). Probably the writer of this scene simply did not understand what a praetorian prefect actually did; Delmaire (1989: 333 n. 47) takes this view and thinks the misrepresentation shows that the passage was written long after there had ceased to be praetorian prefects, but such an inference about the date depends on the assumption that ordinary Roman citizens had a full understanding of the roles of high-ranking members of the imperial government. This assumption is unwarranted: even today, when a vast amount of information on government officials is available from the mass media, few ordinary citizens know exactly what the Secretary of State or Chancellor of the Exchequer does, and far less information circulated in antiquity. The writer of our text was probably a language teacher somewhere in the provinces of the empire; such a person is unlikely ever to have seen a praetorian prefect and may not have spent much time in the provincial capitals where these officials could be found, so he probably did not have an opportunity to acquire much knowlege about them. His knowledge of the clothing requisition was probably confined to the contribution end; most likely all he knew about the receiving end was that the garments were shipped to a major city for eventual distribution to the army. The writer probably got the tasks of all the lower-ranking officials right (see below); the fact that the only one to be clearly wrong is the task of the highest-ranking official on the list suggests that social and geographical rather than chronological distance was the cause of the writer's misinformation.

The other difficulty here is the adjectives describing the clothing. The Greek adjective appearing in the manuscript, σπαταλιην, is clearly corrupt. No adjective σπατάλιος is attested, and the stem has a meaning clearly inappropriate to this context: σπατάλη means 'luxury'. Moreover, if σπαταλιην were simply an otherwise unattested but genuinely extant adjective it would appear here as σπαταλιαν, for σπαταλιην would be an Ionic dialect form and as such most unlikely to occur in the colloquia. Dionisotti (1982: 118) suggests that at the root of this corruption is a form of ἀπαιτέω, which in the passive can mean 'be demanded in payment'. If she is right, the original form should have been the aorist passive participle ἀπαιτηθεῖσαν, which would be difficult to corrupt to σπαταλιην – though in view of the generally poor quality of the Greek in this section there is no knowing how the writer might actually have formed an aorist passive participle.

The Greek terms for the *vestis militaris* tax were ἐσθὴς στρατιωτική (see *P.Sakaon* 30.4, early fourth century; *P.Oxy.* XVII.2110.5, 17–18, AD 370; *P.Lips.* I.60.5–6, AD 371), ἐσθής, and ἐσθὴς τιρώνων (see Delmaire 1989: 333). Although Delmaire's correction στρατιωτικήν is palaeographically not an easy substitution for σπαταλιην, it is far better than any other possibility.

The Latin adjective in the manuscript, *muneralem*, is also difficult. Latin *muneralis* is sparsely attested and seems to mean 'pertaining to giving presents' (*OLD s.v.*), but since its underlying meaning is clearly 'pertaining to *munera*' (*TLL s.v.*), it might also have had the meaning 'requisitioned', since *munus* can be 'duty owed by a citizen to the State (e.g. military service, tenure of magistracies) or by a community (e.g. payment of taxes)' (*OLD s.v.* 2a). The transmitted text is thus possible for the Latin, though not ideal since the term *vestis muneralis* is not otherwise attested. The attested Latin names for this tax are *vestis*, *vestis militaris*, *vestis largitionalis*, and *vestes canonicae* (Delmaire 1989: 333). Emendation of *muneralem* to *militarem* would be very tempting.

72c ἵππους δοκιμήσει/*equos probabiles*: Since horses can have hidden defects and an unfit horse is worse than useless for an army, horses requisitioned by the Roman army went through a *proba* or approval process, which was indeed often carried out (or at least overseen personally) by the provincial governor. On the details of the process and the governor's participation see Davies (1969: 437–49), on the horse requisition as tribute in kind see Giardina (1985: 321–3), and for other points see Cerati (1970: esp. 998 nn. 1 and 2), Carrié (1981: 436), Adams (1995: 118), Ammianus Marcellinus 29.3.5, and Pelagonius 292.

Although the overall meaning is clear here, the text is problematic. The Latin has an adjective agreeing with the horses, but the Greek is clearly not an adjective. The manuscript has δοκιμειση; that might be for δοκιμήσει the future indicative of the rare verb δοκιμάω = δοκιμάζω, meaning 'he will examine and approve', or it might be for δοκιμήσει the dative of a virtually unattested δοκίμησις meaning 'scrutiny, approval'. (The noun δοκίμησις does not seem to appear in any ancient sources, but it occurs, evidently with a meaning along the lines of 'approval', in the fourteenth-century Ἠθικὸς ἢ περὶ παιδείας of Theodorus Metochites (§42 = Polemis 1995: 190.1).) The usual ancient word for 'scrutiny, approval' is δοκιμασία, but I can see no way that δοκιμειση can be a form of δοκιμασία. If δοκιμήσει is a verb, it means 'the governor will examine and approve the horses'; this is fine in its immediate context but greatly complicates the larger context by providing just one verb in the whole list of officials and occupations. A verb here would naturally be taken with the preceding and following officials as well, and this would lead to some less than ideal meanings later on; if we have no verb at all, something like 'deals with' must be supplied, and that is certainly preferable.

If δοκιμήσει is a noun, it would mean something along the lines of 'by scrutiny', so the clause as a whole would mean 'the governor [deals with] the horses by scrutiny'. This is not ideal, particularly given the largely unattested nature of the noun concerned, but it may be better than the verb.

72c ⟨λόγιος⟩/⟨*rationalis*⟩: See next note for the reasoning behind this supplement.

72c χρυσοῦ καὶ ἀργύρου μορφήν/*auri et argenti speciem*: Dionisotti (1982: 118) suggests that this is a reference to the *chrysargyron* or *collatio lustralis*, a tax on merchants. There is some disagreement about the details of this tax, but it seems to have been levied on most types of traders and was paid in gold (or, according to other accounts, in gold and silver). The tax was considered onerous, perhaps in part because at some periods it was levied every four years and thus could be more difficult to pay than annual taxes; the frequency figure is often given as every five years, but as Delmaire (1989: 358) points out, the Roman inclusive counting system means that a quinquennial tax was actually levied every four years. Sometimes, particularly after AD 410, it was collected in smaller increments on a more frequent basis in order to lessen the burden of each exaction. The tax may have been introduced in AD 314 and was probably abolished (in the East only) in 498. Supervision of this tax belonged to the *sacrae largitiones* department (Delmaire 1989: 356).

Although the *chrysargyron* tax is a valid candidate for the source of the gold and silver mentioned here, it is not the only one. In the fourth century there was also a system of annual (or more frequent) requisitions or compulsory purchases of gold and silver from landowners; this source of gold is less well represented in the literary evidence but is well documented in the papyri. Because the evidence for the two taxes seems not to overlap at all, many scholars (e.g. Corbier 2005: 384) believe that the payments by landowners were the precursor of the *chrysargyron* and were abolished in favour of the latter tax. But the two levies were significantly different, and the papyrus evidence suggests that landowners continued to pay after the tax on merchants had begun, so some scholars (e.g. Bagnall 1993: 153–9) think that there were simply two different taxes payable in gold by two different groups. There is some evidence that this tax was abolished in the fifth century (Delmaire 1989: 354). It was administered dually: the *res privata* department collected it from imperial estates and the *sacrae largitiones* collected it from others (Delmaire 1989: 354).

A third tax payable in precious metals is clearly distinct from the first two. This was the *gleba* or *follis*, a land tax payable only by senators; it was instituted in the early fourth century and abolished between 450 and 455. The tax was administered by the *sacrae largitiones* department. For further information on all three taxes see Delmaire (1989: 347–86), Corbier (2005: esp. 384–5), Pack (1997), Jones (1964: 431–2, 871–2), Bagnall (1977, 1993: 153–9), Rea (1974), and the *Codex Theodosianus* (13.1–2).

There is no way to tell which of these taxes is referred to here, as all three produced gold and silver; for that matter the gold and silver need not come from a tax at all, since there were also mines in the jurisdiction of imperial officials, and their produce would have needed to be received and inspected as well. (The possibility of mines means that none of these taxes can be used for dating the passage.) But wherever they came from, the metals would not have been received or inspected by the governor, as they are in the manuscript, for they would have fallen under the jurisdiction of the *sacrae largitiones* if they came from a mine or from the first or third of these taxes, and if from the second tax they would have fallen either under the jurisdiction of the *sacrae largitiones* or under that of the *res privata*. The official inspecting the metals ought therefore to be a regional *rationalis*, probably one belonging to the *sacrae largitiones* department (see above on 71c λόγιος/*rationalis*).

Dionisotti's emendation (1982: 118) introducing the *rationalis* to the text here is therefore necessary in order to allocate the tasks correctly among the officials. Unfortunately, however, we cannot be sure that the tasks were in fact correctly allocated in the original version, for the first job in this list, the inspection of the *vestis militaris*, should also have been given to a *rationalis* (see above on 72b ἐσθῆτα στρατιωτικήν/*vestem muneralem*). There are several reasons, however, why emendation is justified here in a way that it would not be at 72b. The text contains two lists of officials, one at 71c when they enter the forum and a second one here, and the officials occur in a different order in the two lists; adding λόγιος/*rationalis* here brings the two lists much closer together, though it does not totally solve the problem of the discrepancy between them (particularly as the λόγιος/*rationalis* also appears at 72d below; see above on 71c λόγιος/*rationalis*). Moreover each official in this second list is given a single job apart from the governor, who has two; this makes it seem as though the name of an official has been lost between the governor's first job and his second. Lastly there is no conjunction between the governor's two jobs, and we would expect one if the writer had intended to give both jobs to the same person.

Once again we have no verb to indicate what the *rationalis* does to the gold and silver, but the process involved is likely to be inspection. This inspection would cover not only the amount of gold and silver received and its source, but also the quality of the metal, for that could not be taken for granted: hence the terms μορφήν/*speciem*. Ancient coins were frequently debased, and in any case the gold taxes were often paid in bullion, i.e. unminted gold, rather than in coin. The value of this bullion would be greatly decreased if it were adulterated, so it would need to be carefully checked; if on the other hand the gold and silver in question came from mines, it would still need to be inspected for purity.

72d νεολέκτους/*tirones*: The approval of army recruits was a complicated business involving questions about their social status and the process by which they had been recruited; it is extensively treated in laws from the fourth and fifth century (*Codex Theodosianus* 7.13.1–22).

72d κτήματα ἀπὸ προστίμου/*pecunias de pretio*: Dionisotti (1982: 118) suggests that these are commuted rents from imperial estates, making the *rationalis* in question here one of the regional officials from the *res privata* department (cf. above on 71c λόγιος/*rationalis*). Delmaire (1989: 197), on the other hand, sees a reference to the *annona*, the most important tax of the late imperial period, and thus makes the *rationalis* one from the *sacrae largitiones* department (he does not state this latter point explicitly, but from around AD 320 responsibility for the *annona* rested with the office of the praetorian prefect, and the regional officials of the *res privata* department did not acquire the title *rationalis* until *c.* 30 years later). The *annona* (for which see Cerati 1975 and *Codex Theodosianus* 11.1) began as a levy of grain for the army but was later commuted to a money tax, which would fit with the money evidently changing hands here. Delmaire does not infer that this passage can therefore be dated earlier than 320; he sees a later text with an outdated reference to the earlier responsibility. Some other elements of this passage are probably not as early as 320 (cf. above on 71c λόγιος/*rationalis*), and therefore Dionisotti's view is easier; moreover if her view is accepted, we probably have here a different *rationalis* from the one in 72c, which could be advantageous (see on 71c λόγιος/*rationalis*).

The use of *de* here is the characterizing one described by Adams (2013: 275–6) and Väänänen (1981: 95–8), for the prepositional phrase indicates not simply the origin of the funds but also the type of funds they are.

72d κριθῶν: The manuscript reading κριθεντος must be a genitive of a word meaning 'barley', but it is difficult to see how it could be a corruption of the expected form, κριθῶν (genitive plural of κριθή, which is normally plural as its basic meaning is 'barleycorn'). The form κριθεντος seems rather to be a genitive singular of an otherwise unattested κριθείς.

72e ἐπίτροπος/*procurator*: If this is the manager of some imperial estates (see above on 71c ἐπίτροπος/*procurator*), it is likely that he is here collecting the produce of the estates; if he were doing anything else, the task would presumably be carried out on the estate itself. The scene can thus be located at harvest time, in late summer or early autumn.

72e βρέγμα/*bracem*: The Latin is reported by Pliny (*Naturalis historia* 18.62) as being a Gaulish word for a kind of *far* grown in Gaul and known in Latin as *sandala* (or *scandala* or *scandula*). The word has a Celtic etymology (see *TLL* s.v. *bracis*) and according to a glossary entry (Goetz 1894: 616.26) the grain concerned was used for making *cervesia*, the Gaulish beer (in fact it is the source of the modern French word *brasserie* 'brewery'). The appearance of this word here thus points to a Gaulish origin for this passage (cf. Adams 2007: 337). It is sometimes claimed that *bracis* was a kind of spelt, since the Edict of Diocletian contains an entry for *scandulae sive speltae* (1.8 Lauffer), but Jasny (1944: 134–41) argues convincingly that it was really a kind of emmer (cf. André 1985: 229; Lauffer 1971: 214–15). The word occurs several times on the Vindolanda tablets (191.16, 343.iii.25, 348.2, 645.ii.14, 649.i.3); cf. Bowman, Thomas, and Adams (1990: 49).

The Greek is unattested in any equivalent sense; the closest meaning it has is 'infusion', which might conceivably be connected to beer-making (according to LSJ its other meanings are 'front part of the head', 'substance found in peppercorns', and 'drenching'). Plausible Greek equivalents of *bracis* would be σκανδούλη (the equivalent of *scandula* on the Edict of Diocletian, though there the first five letters are the editor's restoration) and ζειά (the equivalent of *scandala* in the *Glossae Bernenses*: Goetz 1892a: 505.76). Neither of these words is very common, and the writer may not have known them; nevertheless one would have expected him, if he did not know a Greek equivalent of *bracis*, to use either a transliteration of the Latin or a word for some other kind of grain, and βρέγμα does not seem to be either. Dionisotti (1982: 119) suggests that the writer simply picked a Greek word with a superficial resemblance to *bracem*, but there are many Greek words that resemble *bracem* more closely than βρέγμα does.

72e ἑκατόνταρχοι/*centuriones*: Latin *centurio*, of which Greek ἑκατόνταρχος is the regular equivalent, normally refers to a particular type of officer in the Roman army, and those officers would not have been involved in collecting this or any other tax, since the separation of the finance system from the military was a key principle of late imperial government. But *centurio* was also sometimes applied to various members of the civil service, as the civil service in some respects counted as part of the army. In the latter sense it does not seem to have been a title that necessarily designated a particular function, so there is no way of knowing whether the portrayal of 'centurions' as involved in the collection of the copper tax is historically accurate. See Jones (1964: 566) and the *TLL* (s.v. *centurio* 2, 845.5–26). The *TLL* asserts that the Latin word is very rare from the fourth century onwards (*TLL s.v.* 838.22–3), and this might provide a way to date this passage, but a check of electronic databases failed to verify the information; in fact the word seems to be fairly common in later writers, though many occurrences are in the Vulgate or in Christian writers discussing stories from the Vulgate.

72e τοῦ χαλκοῦ πρόστιμον/*aeraminis pretium*: The manuscript has *e caminis* 'from the furnaces' in the Latin, but this does not make much sense in context as there is no evidence for a tax on furnaces, nor does it match the Greek. The Greek on the other hand does make sense, as a tax involving contribution of copper is attested; the nature of this *collatio aeris* is uncertain, but it might have been a levy on copper mines (Jones 1964: 838–9; *Codex Theodosianus* 11.21). Dionisotti (1982: 119) wondered if the problem could be solved by emending the Greek to χαλκείου, and Giardina (1985: 320 n.) conjectured *e camis(i)is* 'from the wrought-iron mail' for the Latin, but Ferri's emendation *eraminis* 'of copper/bronze' (2010: 241, 2011: 144) is both palaeographically easier (*c* and *r* are very similar in minuscule script; for the likelihood that Celtes' exemplar had its Latin in minuscule see sections 3.3.1 and 3.3.4 above) and fits the Greek much better. *Eraminis* would be a misspelling of *aeraminis*, genitive of *aeramen*, a synonym of *aes* first attested in the fifth century AD (cf. *TLL* s.v. *aeramen*).

73–7 The final sections of the colloquium are taken up with a description of the legal business in the forum, focusing on two trials. Although reference to court cases is common in the colloquia, which were written in part for the use of law students (cf. ME 4 and Mp 10), this passage provides the only description of criminal as opposed to civil cases. We see one conviction and one acquittal, and as usual in the colloquia the well-educated lawyers are successful and well paid, features that the writers stressed in order to provide encouragement for their students. The presence of such stress on lawyers here suggests an ultimately Eastern origin for these scenes, for in the West the learning of a second language was not as closely connected with legal studies as in the East. But in its current form this scene cannot possibly have been composed in the East, owing to the poor quality of the Greek. For the connections between the Hermeneumata Pseudodositheana and Eastern law schools see vol. I pp. 15, 28–9, 46, 151 and, in addition to the works cited there, Nörr (2000: 197–208). For a partial translation and analysis of the first of the two trials described here see MacMullen (1986: 155–6).

73a ὥρα τρίτη/*hora tertia*: This would have been around 9 am; for the Roman system of hours see on H 9e. The third hour seems to have been the actual time when legal proceedings started in the Roman world, for Martial, in a poem about the activities that take place at the different hours of the day, begins *Prima salutantes atque altera conterit hora*, | *exercet raucos tertia causidicos* … (Martial 4.8.1–2). See also Horace (*Satires* 1.9.35–7) and Blümner (1911: 381 n. 7).

73a εἰσέρχουσιν: This seems to be a non-deponent version of εἰσέρχονται; for the phenomenon see above on 28c δυνήσωμεν.

73a παράκλητ⟨ο⟩ι: The omission of the omicron could simply be due to a late Greek phonetic confusion (see above, section 3.3.8), but in this environment it could also be interference from the Latin nominative plural ending *-i*.

73a σχολαστικοί/*scholastici*: The Greek term usually means 'academic', 'pedant', or 'learned simpleton' in the Roman period; the specialized sense 'advocate, legal adviser' is first attested in the third century AD (LSJ *s.v.* III). In Latin this sense is first attested in documentary letters from the early fourth century (e.g. *P.Ryl.* IV.623.4; see Cotton 1981: 40–3) and from the *Codex Theodosianus* (8.10.2, AD 344 = Mommsen 1905: 405; cf. Pharr 1952: 211 with the English translation 'advocates'), but all these early examples look as though the usage had been established for some time. For more detail on the complicated history of the word see Claus (1965).

73a φωνηθέντες/*evocati*: There is some uncertainty over the syntax here. I take these participles as substantivized and therefore as referring to a fourth group parallel to the three types of lawyers already mentioned: the *advocati*, *causidici*, and *scholastici* go to the public courts, and this group, which is not further specified, goes to the *secretarium*. Dionisotti, however, sees these participles as adjectival and modifying the preceding three groups; thus we have only three groups and they all go to the *secretarium* (1982: 122, though she expresses uncertainty at 1982: 119). In either case the statement in 73b must apply to all the groups collectively, but whereas in my view it describes legal activity as a whole, in Dionisotti's view it describes only the *secretarium*. One advantage of my interpretation is that it allows 73 to provide the background for 74–7 in the same way that 71c provides the background to 72.

If the participles are substantivized, there is a further question as to what they mean. I take them in a non-technical sense, 'called', but Dionisotti (1982: 119) speculates that they might refer to a category of legal advisers known as *evocati*; for these she refers to Courtney (1980: 615–16). But the officials referred to by Courtney are not legal advisers; they are military officers who serve as judges when a soldier is given a military trial in a military base (see Juvenal 16.15–27 and cf. Campbell 1998). Since the setting here is clearly the forum rather than a military base, the technical sense of *evocati* is not available.

In the Greek the manuscript reading φωνισοεντοι seems to represent φωνισθεντοι, which must be a misformed aorist passive participle of φωνέω with a second-declension ending attached to the third-declension stem; again this form seems to be due to ignorance of the Greek language rather than to use of a late or non-standard variety of Greek.

73a ἀπόρρητον/*secretarium*: Dionisotti (1982: 119, 123) argues that the Latin term had the 'private court' meaning needed here (its classical meaning 'hiding place' is clearly inappropriate) for only a short period in the late third and fourth centuries and thus

provides an important linguistic clue to the date of the colloquium. Her evidence is one passage from a Christian writer of the first decade of the fourth century (Lactantius, *De mortibus persecutorum* 15.5 = Creed 1984: 22) and a dozen others from the *Codex Theodosianus* (the earliest of these are 2.10.2 from AD 319 and 1.16.6 from AD 331, but the examples run through the whole century). She maintains that *secretarium* ceased to have this meaning at the end of the fourth century, on the grounds that in *Codex Theodosianus* 2.4.7, dated to AD 409, it means 'trial, case'. If she were certainly right on this point, the advantages for dating the passage would be considerable, but I have reservations on two grounds. Pharr (1952), who had devoted an enormous amoun of time to studying the *Codex* and its language, translates *secretarium* as 'private council chambers' in the late passage *Codex Theodosianus* 2.4.7 (and also in the early passage 1.16.6, and indeed all the other passages except 2.10.2, where he translates it 'courtrooms' and provides a footnote specifying that these are 'private council chambers, especially those of a judge'). Pharr (1952: 578) explains what he means by 'private council chamber' with 'regularly used for private conferences and hearings, as well as for public trials, the regular courtroom of the judge ordinary, the governor of the province'; in other words this is the same as Dionisotti's 'private court'.

So Pharr sees no diachronic shift in the use of this term at all, and therefore I hesitate to do so myself, even though it would be possible to interpret *secretarium* in 2.4.7 as meaning 'trial'. Moreover there is one late passage, *Codex Theodosianus* 6.26.16 from AD 410 (= Mommsen 1905: 281), in which *secretarium* appears twice and clearly cannot mean 'trial' on either occasion; there it really must refer to a private court. So even if one disregards Pharr's view and accepts the 'trial' meaning for 2.4.7, one must acknowledge that the 'private court' meaning continued to exist in later years, and that of course means it cannot provide a *terminus ante quem* for this passage.

The Greek is attested from the third century AD (Philostratus, *Life of Apollonius* 4.44).

73b πλείστας αἰτίας: The manuscript has πλειστα αιτια, which appears to represent the neuter plural πλεῖστα αἴτια. That would be another sign of the writer's unfamiliarity with Greek, for although the feminine αἰτία 'cause' is attested in the sense of 'court case' (LSJ *s.v.* V), the neuter αἴτιον 'cause' is not.

73b ἕκαστος ὡς δύναται κατὰ τὴν τῶν γραμμάτων ἐμπ⟨ε⟩ιρίαν / *quisque ut potest secundum litterarum facundiam*: This looks like a reminder to law students that the profitability of their future careers would depend on the amount they managed to learn from their teachers before beginning those careers; cf. above on 73–7.

74a προφάσεις: Celtes originally wrote the singular προφασιν here, then changed it to the plural προφασεις; it is possible that his first reading was a miscopying and the second represents what he found in his exemplar, but it is also possible that the exemplar had the singular and Celtes emended it to the plural on the basis of the Latin. The term πρόφασις is a good match for *causa* in many senses, but it does not mean 'case' in the legal sense, so again the writer seems to display limited command of Greek.

74a διορίσει / *finem*: In the sixth century civil cases had a time limit of three years and criminal cases a limit of two, though in the fourth and early fifth centuries criminal cases had a time limit of one year; additional time was allowed for appeals (see Jones 1964: 494–5 and *Codex Theodosianus* 9.36). The manuscript has διορουσει, which appears to be the dative of an unattested noun διόρουσις that would not be expected as a derivative of διορίζω 'limit' – διόρουσις should come from ὀρούω 'rush forward', which has the wrong meaning and is poetic. I have emended to διορίσει with some unease, as the corruption is not an obvious one and διόρισις means 'distinction' or 'separation'; in terms of meaning a better choice would be διορισμῷ, but that is ruled out by the feminine article.

In Latin the classically correct form here would be the ablative *fine*; confusion of directional and locative forms is widespread in the colloquia and in late Latin and Greek more generally, and in this word the distinction is only a matter of a final nasal that would not have been pronounced (cf. on ME 2s ἐπανέρχομαι ἐν τῷ οἴκῳ / *venio domi* and 4i 'ς τὸ φόρον 2).

74a ποίας / *quas*: In the Greek a relative pronoun such as ἅς is clearly needed here, but ποίας is interrogative. Ferri (2008a: 120) suggests that the original form here might have been ὁποίας, which can have both relative and interrogative function and which could have lost its initial omicron more easily than ἅς could be corrupted to ποίας. But loss of the omicron would not be totally straightforward: although

Gignac (1976: 319–21) finds that aphaeresis of initial vowels is common in the papyri when the preceding word ends in a vowel, all his examples involve loss of front vowels: there are no examples of aphaeresis of omicron in his data. Although initial omicron is certainly lost in modern Greek, modern aphaeresis is significantly different from the ancient phenomenon and began no earlier than the ninth century, a period by which this text must have been in the West out of contact with developments in the spoken Greek language (see on ME 4i 'ς τὸ φόρον 3). Another possibility is that the writer was aware that interrogative *quas* could be translated by ποίας and simply did not realize that relative *quas* could not be translated in the same way; this is probably what has happened below at 76a, where τίνι is equated with *cui*. There, of course, the Greek form is an ordinary interrogative; here we have the additional complication that ποῖος is an adjective meaning 'what sort of?'.

74a πιστεύω/*credo*: Ferri (2008a: 120) points out that although the Latin is idiomatic, the Greek verb is not otherwise used in the 'it seems to me' sense required here; the proper equivalent of Latin *credo* here would be a verb such as οἶμαι 'I think' (or another type of expression altogether, e.g. ὡς ἐμοὶ δοκεῖ 'as it seems to me'). The Greek is therefore translating the Latin here, rather inadequately.

74a διορισμένας/*terminandas*: This is one of the most striking instances of Latin-derived Greek in this colloquium (cf. Dionisotti 1982: 95 n. 54; Ferri 2008a: 120). The Latin is a gerundive, expressing a future obligation, while the Greek is a perfect participle, expressing completed action; in addition, the verb διορίζω, while in some ways a good match for Latin *termino*, does not mean 'finish' and so is not appropriate here. In fact the Greek makes no sense at all and can only be a poor attempt to translate the Latin.

The use of a gerundive in the Latin at all is unusual, for gerundives are rare in the colloquia: there are none in ME, H, or Mp, one each in LS (8c) and S (13b), and two in C (here and below at 75d). Gerundives are common in most types of Latin prose, and their striking rarity in the colloquia is clearly due to the difficulty of rendering them into Greek (cf. vol. 1 p. 50): in classical Greek there was a construction equivalent to the Latin gerundive, the adjective in -τέος, but these adjectives were always uncommon and rather literary, and by the Roman period they would not have been part of an ordinary Greek speaker's conversational repertoire. Without using one of these adjectives there is no easy way to translate a Latin gerundive into Greek. The Greek for the gerundive in LS 8c, ἰτέον for *eundum*, does in fact use one of these adjectives, and while it is uncertain exactly what the Greek equivalent of *ediscenda* at S 13b was intended to be, a -τέος form is one of the possibilities (see *ad loc.*).

This section of C therefore stands out both for having two gerundives in a short space and for mistranslating them both in a way not found elsewhere: *puniendus* at 75d below is rendered into Greek with κολασμένος, which like διορισμένας here is a perfect passive participle. This situation indicates that this portion of C, unlike the rest of the colloquia, was not composed bilingually by someone who thought from the beginning about how to make the text work in both languages; it was composed in Latin by someone not thinking at all about Greek and translated into Greek by someone with little knowledge of the language.

74b ἔκτοτε οὖν/*exinde*: Greek ἔκτοτε means 'thereafter'; it is a strictly Roman-period word and is condemned by Lucian (*Soloecista* 7) and Phrynichus (*Eclogues* 29 Fischer), the latter of whom indicates that the classical equivalent was ἐξ ἐκείνου. Latin *exinde* can mean both 'thereafter' and simply 'then'.

74b καταβαίνει/*descendit*: The speaker's platform would normally be raised, so verbs meaning 'go down' are not expected here. Cf. καταβαίνει/*conscendit* below at 74c.

74b ὑπατικός/*praeses*: The governor is not directly involved in the trials, which are conducted by the *iudex*, but presides over the proceedings. This practice of delegation is well attested, and the judge to whom the governor delegated was known as the *iudex pedaneus* (Jones 1964: 479, 501–2). For the role of the governor and provincial justice in general (at an earlier period than that of this text) see Mantovani and Pellecchi (2010). For the governor's title see above on 71c.

74b βῆμα/*tribunal*: In the manuscript these words are followed by a mysterious pair φυλαξειν/*custodis*, which seem to have something to do with guarding: the Greek looks like the future active infinitive of the verb φυλάσσω 'to guard' and the Latin

like the genitive singular of the noun *custos* 'guard'. It would not be straightforward to emend the Greek to φύλακος to match the Latin, nor to emend the Latin to *custodire* to come closer to matching the Greek, and in any case neither version makes sense. Dionisotti (1982: 96 n. 71) suggests that the Greek might be a misspelling of the dative plural φύλαξι(ν) and therefore a mistranslation of the Latin on the assumption that *custodis* was also a dative plural, but such an assumption would betray catastrophic ignorance of Latin, a flaw that the writer of this section does not appear to have. MacMullen (1986: 155 n. 29) thinks that both forms were actually intended as datives plural; he translates 'The governor arrives to take his place on the platform between the guards' (1986: 156). But the problems with taking φυλαξειν/*custodis* as 'between the guards' go beyond the fact that the Latin form ought to be a genitive singular, for in neither language would one use a dative (or ablative) plural by itself to mean 'between the guards' – especially not in the late period, where prepositions became more and more obligatory.

Something like 'sit down to watch over the case' may once have been intended, for the governor is merely presiding over the cases and not actually trying them, but if so the forms originally used do not seem to be recoverable now.

74b καθη⟨σό⟩μενος/*sessurus*: The use of the future participle to express purpose is common in Greek but not in Latin, so these words might look like an instance of cross-linguistic influence in the opposite direction from that seen in the rest of this section – but the Greek form actually preserved in the manuscript is not a future participle but a present participle. The present could have arisen through corruption, but it may also be what the original writer produced, perhaps because he was unable to form a future participle in Greek. The Latin phrase here seems to be a late development of the idiom *it sessum* with a supine (cf. Cicero, *De natura deorum* 3.74; Seneca, *Controversiae* 7.3.9).

74c στρωννύεται/*sternitur*: This refers to the arrangement of benches (and perhaps also other objects) on the platform; cf. Juvenal 16.45. The Greek is a form of στρωννύω, a variant of στόρνυμι (see LSJ *s.v.* στόρνυμι).

74c καταβαίνει/*conscendit*: The Greek is the same as at 74b above, but the Latin means 'go up' rather than 'go down'; it may have been altered by someone who realized that the speaker's platform would have been raised. A similar mismatch between the languages occurs above at 60b: ἀνάβα/*descende*.

74c κριτής/*iudex*: This is the person who actually handled the trials (see above on 74b ὑπατικός/*praeses*). He would have performed the function both of a modern judge and of a modern jury, since juries were not used in the late empire (though they were common at an earlier period); see Harries (1999: 101).

74d κήρυκος: Cf. on 72a.

74d σταθῆναι: Here the manuscript has a perfectly regular aorist passive infinitive of ἵστημι, in sharp contrast to the unusual forms of this verb that precede (see on 45c, 46b, 70e) and follow (see on 75a, 76a).

74d προσώπους: We would expect πρόσωπα; this form appears to be from a masculine πρόσωπος rather than the usual neuter πρόσωπον. The form could be due to the writer's ignorance of Greek, but it need not be, for the masculine variant is occasionally attested both in Roman-period papyri (Gignac 1981: 43) and in literature (Plato Comicus, frag. 247 = Kassel and Austin 1989: 535; Cyril of Alexandria, *Fragmenta in sancti Pauli epistulam II ad Corinthios*, in Pusey 1872: 343.15).

75 From a modern perspective the trial of the bandit gives a rather negative impression of Roman justice, but Giardina (1985: 324–5), in an analysis of this scene based on the assumption that it was composed in late antique Gaul, suggests that in the context of the revolts and civil unrest that its readers would have experienced, the exemplary punishment of the bandit might have been a reassuring statement about social stability. He points out, however, that such revolts had considerable support in rural areas and their executed leaders could become the objects of cult veneration. Some citizens, therefore, might have sympathized with the bandit, and his refusal to confess may be intended as a portrayal of unflinching courage in the face of oppression rather than as a description of a criminal's stiff-necked stubbornness (or, as we might see it, potential innocence). On the complex position of Roman bandits see also Grünewald (2004), Hopwood (1989), Van Dam (1985), and Shaw (1984).

75a ἔνοχος/*reus*: The Greek suggests that the defendant is guilty, while the Latin would not naturally carry such an inference. Perhaps the Greek is a poor translation of the Latin here, as so often in this section. It is also possible, however, that the Greek means what it says and *reus* should be taken in its attested meaning of 'guilty party' (*OLD s.v.* 4). Although we would expect a word for 'accused' at this stage of the proceedings, the second trial begins with a clear statement that that defendant is innocent (76a), so the parallelism between the two trials makes it not implausible that the first begins with a statement that the defendant is guilty. Certainly the way this trial is narrated makes more sense if the narrator starts from the assumption that the defendant is in fact a robber.

75a στάθηται: This form is unparalleled in papyri and in other literary texts from any period but is nevertheless unlikely to be an unintentional error, since it probably recurs at 76a (*q.v.*). In both places the meaning is clearly a passive of ἵστημι, and the stem seems to be the aorist passive of ἵστημι. It is thus possible that the writer was aiming for the regular aorist passive ἐστάθη, forgot the augment, and did not realize that the aorist passive has active endings – but that is unlikely to be the real explanation for the form. Both the Latin equivalent *sistitur* and the surrounding context of exclusively present-tense verbs indicate that the form here should be a present passive rather than an aorist passive; it must be a present built on the aorist passive stem, perhaps from the infinitive that occurs in the preceding line. Gignac (1981: 379 n. 2) points out that the post-classical variant stem ἱσταν- is an analogical back-formation from the present infinitive ἱστάναι. Jannaris (1897: §996.118b) mentions σταθῶ as a post-antique variant of ἵστημι; he derives it from the perfect ἕστηκα rather than from the aorist passive, without explanation. As far as I can tell from electronic searches of the *Thesaurus linguae Graecae* corpus, which includes texts up to the late Byzantine period, the σταθ- stem never takes passive endings except in this colloquium. Moreover, even if it did take passive endings, the only form of σταθῶ that στάθηται (presumably under those circumstances to be accented σταθῆται) could be would be the subjunctive, and a subjunctive would be very out of place here. Most likely, therefore, this form cannot be linked to anything in real Greek usage and is the attempt of someone with little knowledge of the language to produce a present passive of ἵστημι.

75a ἐξετάζεται κατὰ τὴν ποίησιν/*interrogatur secundum merita*: In theory, pre-sentencing torture had as its purpose the extraction of information, not punishment, but the distinction was not always observed in practice. In the republic and early empire citizens were exempt from torture except in certain very limited circumstances, but as time went on the social level required for exemption rose steadily, until in the late empire most ordinary people could be tortured and exemption was retained only by the leading citizens (those with the civil status of decurion or above) and by soldiers – and even these groups seem to have had their exemptions frequently infringed. The treatment of the bandit is therefore not an indication that he was a slave, as it would have been in the classical period. Nor is it an indication of unusual savagery on the part of the judge concerned: in criminal cases it was normal to torture suspects to extract a confession, in part because the lack of modern evidence-gathering techniques such as fingerprinting made it difficult to obtain proof of guilt without a confession. On Roman torture see Fagan (2010), Dowling (2006: 224–6), Krause (1996: 291–5), Riess (2002), Jones (1964: 519–20), Harries (1999: 122–34), Peters (1996: 18–36), *Codex Theodosianus* 9.35, and Justinian's *Digest* 48.18.

75b βασανιστὴς κρούει αὐτῷ τὸ σ⟨τ⟩ῆθος, στρεβλοῦται/*quaestionarius pulsat ei pectus, vexatur*: These lines can be punctuated and interpreted in either of two ways. I follow the suggestion of Ferri (2008a: 159 n. 153), by which αὐτῷ τὸ σ⟨τ⟩ῆθος/*ei pectus* is the object of the preceding verb, but Dionisotti puts the comma two words earlier, so that αὐτῷ τὸ σ⟨τ⟩ῆθος/*ei pectus* becomes the subject of the following verb. With her punctuation the meaning is 'the torturer beats [him], his chest is pummelled'. Either interpretation is possible, but since omission of a subject is easier in both Greek and Latin than omission of the object of a transitive verb, Ferri's punctuation is preferable.

75b *quaestionarius*: MacMullen (1986: 155 n. 29) says that this term refers to 'the soldier to be expected in attendance on the governor'. The word is not attested before the fourth century (e.g. Augustine, *Sermones* 161.5 = *Patrologia Latina* xxxviii.880.31).

75b αὐτῷ/*ei*: In Greek the manuscript has εατω, which must be for ἑαυτῷ, but a reflexive is not expected

here. In the Latin Celtes first wrote an ampersand standing for *et*, then crossed it out and wrote *ei* in red ink (i.e. the change to the Latin occurred when he was copying the Greek). An ampersand is not confusable with *ei*, but the word *et* often is, so this correction suggests that the exemplar had *ei* and that Celtes, having misread *ei* as *et*, then introduced his own abbreviation for *et*. This in turn suggests that other Latin abbreviations in the manuscript are likely to be due to Celtes himself rather than to the scribe of his exemplar.

75b στρεβλοῦται/*vexatur*: The text is uncertain. In Greek the manuscript has στρεβετε, and it is not obvious how στρεβλοῦται would have been corrupted to this; moreover the Latin and Greek are not close matches. Another possibility for the original form is στρέφεται 'he is turned' (Dionisotti 1982: 119), but στρεβλοῦται 'he is tortured' fits the context better. Latin *vexo* is attested in the sense of 'beat', specifically in the context of beating a witness to elicit testimony (see Adams 2003a: 384–5 and *P.Oxy*. LI.3619.24). Hopwood (1989: 179) translates 'his chest is constricted', but that is probably not right.

75b συστέλλεται/*suspenditur*: Latin *suspendo* means 'hang up', which is well attested as a torture (the victim might be hung by his thumbs and have weights on his feet; see Fagan 2010: 87), but Greek συστέλλω has a wide range of meanings none of which would match this Latin. One might translate συστέλλεται 'he is contracted' and link this to another attested torture in which the victim was squashed (the *mala mansio*, see Peters 1996: 35), but the link would not be easy; the word could also mean 'he is deprived of all food and drink', but that torture would hardly be suitable for the time frame of a public interrogation. One has an uneasy feeling that the Greek here may have been chosen for its resemblance to Latin *sustollo*, and it may be best to disregard it entirely; see above on the same equation at 35c.

75b αὐξάνει/*crescit*: For neither of these verbs is the 'he is stretched' meaning of my translation actually attested: Latin *cresco* means 'grow, increase', and Greek αὐξάνω 'cause to grow, cause to increase'. Dionisotti (1982: 95 n. 55) concludes from the fact that neither word seems to be able to refer to a torture that the Greek must be a translation of a corruption in the Latin, but such extrapolation is unwarranted, particularly in the absence of any evidence as to what *crescit* might have been a corruption of in the first place.

One possibility is that *crescere* is a slang term for being stretched on the rack, a popular Roman torture (see Peters 1996: 35 and Fagan 2010: 87; the device was known as the 'little horse', *eculeus*/*equuleus*, but it is difficult to see how *crescit* could be related to that term). Slang terms for tortures must have existed and would by their nature be unlikely to survive in the literary record. Because the rack was such a common torture device and is not otherwise mentioned in this passage (at least in the Latin; in the Greek στρεβλοῦται would be a reference to it, if that emendation is accepted) it is the obvious candidate here; thus Hopwood (1989: 179) translates this with 'racked'.

75c μαστιγοῦται, ἀποξύλαις δέρεται/*flagellatur, fustibus vapulat*: Dionisotti puts the comma one word later, to get a meaning 'he is beaten with cudgels, he is beaten'. This punctuation has the advantage of taking the noun with the preceding rather than the following verb, an order that is more common in late Latin syntax, but it has the disadvantages that the two lines end up meaning essentially the same thing instead of detailing two different tortures, and that both sets of verbs are forced into non-ideal meanings. Greek μαστιγόω means 'whip' or 'flog' and really should not be used with a word for a different implement; Latin *flagello* has a wider range of meanings but also usually means 'whip'. In the next line, by contrast, both verbs have meanings with which a cudgel would fit nicely, and there is a parallel in Quintilian for the Latin (*fustibus vapulasset* at Quintilian, *Institutio oratoria* 9.2.12).

Fagan (2010: 87) suggests that whipping was normally administered to slaves and beating with cudgels to free men, but there were exceptions in both directions.

75c μαστιγοῦται/*flagellatur*: The manuscript has μαστιγειτε, which is presumably for μαστιγεῖται, i.e. from a variant μαστιγέω rather than the usual μαστιγόω. Although μαστιγέω is in fact attested in the later Byzantine period, the examples are all so late that they are probably not relevant to this text at all; the earliest seems to be from Tzetzes (gloss to Aristophanes, *Wealth* 3a = Massa Positano 1960: 234).

75c ἀποξύλαις/*fustibus*: The *fustis* was a military staff, which in the empire was the standard implement for beating civilians (Garnsey 1970: 137). The Greek term used here is otherwise unattested but must be related to ξύλον, which normally means 'wood' but

can also mean 'cudgel'. The manuscript has an accusative, presumably owing to the general tendency of the dative to disappear in late Greek (see on ME 4a τοῦ φίλου, 4i 'ς τὸ φόρον 2 and cf. above on 63a ὑμῖν).

75c δέρεται/*vapulat*: See above on 75c μαστιγοῦται, ἀποξύλαις δέρεται/*flagellatur, fustibus vapulat*. The manuscript has τερετε in the Greek here; this might stand for τείρεται 'he is oppressed, he is worn down', but δέρεται 'he is beaten' fits the context better.

75c βασανισμάτων: As far as I can tell, the word βασάνισμα is otherwise attested only once, in a text from the eighth/ninth century: Theodorus Studites, *Epistulae* 231.13 (= Fatouros 1992: 1.365). This parallel could indicate that the Greek here is very late, but in view of the number of completely unattested words and forms in the Greek of this section and the fact that it would be easy for several different people to invent the word independently (it is an obvious derivative of βασανίζω 'torture'), such an inference is not warranted.

75c ἀρνεῖ: This is an active form of the normally deponent verb ἀρνέομαι; for this phenomenon see above on 28c δυνήσωμεν.

75d κολασμένος/*puniendus*: This is not quite what the consequence of non-confession should have been in late imperial law: the judge ought to have made a decision on the defendant's guilt or innocence, and the defendant then had the right to appeal that decision. The right of appeal was denied to those who had confessed (this is one reason why so much pressure was placed on defendants to confess), but in this case there was no such obstacle to an appeal. See Jones (1964: 482).

The Greek here is a poor translation of the Latin: see above on 74a διορισμένας/*terminandas*.

75d ὤλετο/*perit*: The discrepancy between the Greek aorist and the Latin present tense makes an emendation to *periit* tempting, but the present tense in the following line is a reason for caution.

75d ξίφος/*gladium*: Decapitation with a sword was the basic no-frills method of execution during the empire; it was an attractive option compared to alternatives such as burning alive or crucifixion (Garnsey 1970: 122–31).

76a στάθηται: This form also appears at 75a above; see *ad loc.* for a discussion of its origin. Here the situation is further complicated by the fact that Celtes originally wrote στατιτε and then corrected it to σταθητε. It is possible that the correction simply reflects his realization that he had miscopied the exemplar, and that therefore the exemplar had σταθητε, but it is also possible that the exemplar had στατιτε and that the correction was Celtes' emendation on the basis of 75a.

76a τίνι/*cui*: The Latin can be a relative pronoun, which is clearly what is needed here, but Greek τίς is normally an interrogative, which does not make sense; we would expect relative ᾧ or ᾧτινι here. It is possible that τίνι is here a corruption of ὅτινι, or that it is an example of the fairly rare relative usage of τίς (see LSJ *s.v.* τις B.II.d), but given the state of the Greek in the rest of the epilogue τίνι here is most likely a mistranslation of the Latin, which can be either relative or interrogative according to the context. Cf. above on 74a ποίας.

76a *patrocinium*: This term had many different applications, as many as the patron–client system itself. In the late empire a notorious abuse of the system occurred in some rural areas, whereby 'patrons' attempted to gain from small peasants services that were arguably owed to others, leading to significant social unrest (see Jones 1964: 775–8; Hahn 1968). But although the term *patrocinium* was used of that situation, it was also used during the late empire of many other more traditional types of patronage (e.g. Augustine, *Confessions* 10.31). Here it must be used in the traditional sense of a patron as someone who pleads his client's case in court.

76b One gets the impression that it is the presence of the large team of learned men, rather than his own innocence, that causes the second defendant to be acquitted: once again the intended audience seems to be law students who are in need of encouragement (cf. above on 73–7).

76b δέ/*etenim*: The Greek here could be either the conjunction δέ or a misspelling of the particle δή; cf. above on 66c δέ/*ita*.

76b καλήν/*bonum*: I have supplied these words because elsewhere in this text (cf. 14b and 70e above) ἔκβασις/*eventus* seems to need them in order to mean

'success' as opposed to simply 'outcome'. Although Latin *eventus* can mean 'success' on its own (*OLD* s.v. *eventus* 2), it is usually qualified by *bonus* in that meaning.

77a ἦλθον: The manuscript has ηλθουσιν, which appears to be a present ending on an aorist stem; cf. above at 71c προῆλθον. The form is not entirely without parallels, for Gignac (1981: 358) cites a subjunctive ἀνελθοῦσι from a third-century papyrus, but it is nevertheless bizarre and likely to be an error here.

77a αὐτοῦ/*sua*: The Latin reflexive is unexpected, as the case is not that of the witnesses but rather of the accused. For the Greek the manuscript has αυτω, which could have been produced either by graphic confusion between the endings -ου and -ω or by syntactic confusion between dative and genitive (cf. above on 39a τόπῳ).

77a ἄτερ ὕβριν/*sine iniuria*: Witnesses could be tortured as part of court proceedings, and very often were; the evidence of a slave was not even admissible in court unless it was obtained under torture, but free witnesses were also likely to be tortured unless exempt because of their status (see Jones 1964: 519; Dowling 2006: 224). The fortunate position of the witnesses here is thus not to be taken for granted. In Greek the use of ἄτερ, which is far less frequent than ἄνευ and found primarily in poetic texts, is unexpected, as is the accusative, since ἄτερ regularly takes the genitive even in papyri and late antique texts.

77b πολυτελῆ/*idoneam*: The Greek word regularly means 'expensive, extravagant'. The Latin usually means 'suitable', but the meaning 'rich, lavish' is also attested: see *TLL* s.v. *idoneus* 236.23–40 and Adams (1976: 108).

77c The meaning here is not completely clear, as there are no good parallels for this phraseology and it is uncertain whether *acta* should be taken in its technical legal sense of 'court records' or its more general sense of 'things done', 'result'. The meaning of *fidem veritatis* is also uncertain; literally it would be 'faith of truth', but there are a few parallels for the phrase in legal texts, and Boudewijn Sirks suggests to me that in those it may mean 'reliable truth', i.e. the truth on which we rely (*Codex Justinianus* 2.1.2, 4.31.6, 8.32.2). If both these terms are intended in their technical senses, the meaning of this clause should be that the official court records were completely accurate, or perhaps that every participant signed them to certify that he had testified truly. If non-technical senses are intended, the meaning is probably that everyone completely believed the outcome, so the acquitted defendant was left without a stain on his reputation. In either case Latin *depono* can have more or less the right meaning (cf. *TLL s.v.* 582.1–583.25) but Greek ἀποτίθημι cannot; it must be a mechanical translation of the Latin.

Wuttke (1970: 297) believed that the text broke off here, incomplete, but there is no reason to suppose that this is not the original ending of the scene; Wuttke, writing before Dionisotti's work on the colloquium, had not properly understood the text. Cf. Dionisotti (1982: 83 n. 1).