

## NOTES AND STUDIES

### CHAPTERS IN THE HISTORY OF LATIN MSS OF CANONS

#### VI. THE VERSION CALLED PRISCA: (*b*) THE CHIETI MS (= I), NOW VATIC. REGIN. 1997.

THE primary subject of this second half of my account of the Prisca is the Chieti MS. Nevertheless, before we concentrate on its history and special features, it will be well, in order that all available evidence may be at the reader's disposal, to say something in brief about the two other families of MSS, both of them also Italian, which contribute to our knowledge of the Prisca. For convenience only the four or five oldest MSS of Maassen's 'St Blaise' family (**S**), only the two oldest of his 'Vatican' family (**V**), will be passed in review.

I. Alone of the four families which contain some elements at least of the Prisca, the St Blaise collection spread outside Italy: only one of the five early MSS that belong to the group—all of them dating between about A.D. 700 and 850—is now in Italy, though another was probably written in Italy, and the archetype of a third came from somewhere near Capua.

**S**: now at St Paul in Carinthia, whither it was conveyed in the Napoleonic troubles from St Blaise in the Black Forest. Its earlier home was in the great library of Reichenau: but as Reichenau was only founded in 724, and the MS was written about A.D. 700, it was clearly brought from some other locality, and everything points to an Italian origin.

**X**: now Paris. lat. 3836, of the second half of the eighth century, written in the peculiar script now known as the *ucb* (a-b) type, in use only in northern France and only between the limits A.D. 740-815. Maassen (p. 508) notes that the scribe refers to a Trèves MS as his exemplar at one point of his work: it is more important that in a first-hand note on fol. 34 *b*, in the canons of Constantinople, reference is made to (a manuscript of?) the 'holy church of Capua' as containing a shorter form of text; and quite obviously this note must have been in the exemplar a marginal gloss in another than the original hand.

**Y**: now Cologne, chapter library ccxiii, in an insular semi-uncial hand not later than A.D. 750: not quite a pure **S** text. In this case

direct indications of Italian origin are entirely wanting, while its use of the Penitential of Theodore of Tarsus may point to an English descent.

Z: now Lucca, chapter library 490, written just about A.D. 800 for the library in which it is still preserved.

P: now Cheltenham, Phillipp's library 17849. Eighth to ninth century: incomplete: probably bought in Paris: possibly known, like X, to Justel.

2. The 'Vatican' collection is even more definitely Italian in its connexions: *u* is a ninth-century MS from Farfa, first known in the Barberini library, xiv 52, now in the Vatican, barb. lat. 679, and *v*, of the same century but a less satisfactory authority, is 1342 of the original Vatican collection.

These two families agree, against I and J, (i) in giving the councils of Ancyra, Neocaesarea and Gangra not according to the Prisca but in the Isidorian version; (ii) in adding a good many other documents in common to the original Prisca stock.

For the purpose of eliciting the common nucleus of the four MSS or groups of MSS from which alone the Prisca can be reconstituted, I now proceed to set down in parallel columns the four separate lines of tradition:

I	J	ST BLAISE (S)	VATICAN (V) [Can. Apost. Dion]
		Nic. <i>Isid.</i> Nicene names	Nicaea <i>Prisc.</i> Nicene names .....
Anc. Neoc.		Anc. <i>Isid.</i> Neoc. <i>Isid.</i>	Anc. <i>Isid.</i> Neoc. <i>Isid.</i>
	Sardica Sardican names		
Gangr. Ant. Carthage	Gangr. Ant.	Gangr. <i>Isid.</i>  Carthage	Gangr. <i>Isid.</i>  Carthage .....
Chalc. Const.	Chalc. Const. [Rimini]	Chalc. Const.	Chalc. Const.
{ Nic. <i>Chieti</i> { Sardica Nicene names		Sardica Sardican names Ant.	Sardica Sardican names Ant.
	Anc. Neoc. Nic. <i>Prisca</i> Nicene names Carthage Ephesus		

What are the points that emerge from a comparison of these four stocks with one another?

a. The St Blaise and Vatican groups combine elements of the Prisca

and of the Isidorian versions, while on neither I nor J has the Isidorian left any trace. That is in favour of I and J against S and v.

β. The order Carthage Chalcedon Constantinople is common to I S v against J, and is therefore presumably right.

γ. The connexion Gangra Antioch—both according to the Prisca—is common to I J, while in S v the two councils are widely apart, and of the two only Antioch is in the Prisca. The Prisca may therefore be provisionally concluded to have contained Gangra, Antioch, Carthage (see above under β), Chalcedon, Constantinople, in that order.

δ. The order Ancyra Neocaesarea is common to all four columns. The order Ancyra Neocaesarea Gangra is common to I S v against J; and even if we deduct a good deal from the value of S v in this connexion because they give here an Isidorian and not a Prisca text, still even without their support the I order, which puts the earlier councils first, approves itself as a better working hypothesis than the order of J.

ε. We have now reconstituted the order Ancyra Neocaesarea Gangra Antioch Carthage Chalcedon Constantinople as likely to be, on a review of the four lines of tradition, the most original. It is also, if we isolate the curious feature, common to all four, of the position of Constantinople as an appendix to Chalcedon, the correct chronological order. *It is also the order of codex I.*

ζ. There remains only the problem of Nicaea, and bound up with it that of Sardica. For the first time we have to do, in relation to the canons of Nicaea, with three versions instead of two: S has, as for the following councils of Ancyra, Neocaesarea and Gangra, the Isidorian; J and v unite on a version which, because it was that of J, has been known since Justel's time as the Prisca; I has a version otherwise unknown, save in two relations, both of them significant. In the first place, when the Prisca of J v is put side by side with the version of I and with the version sent to Carthage by Atticus of Constantinople in 419,<sup>1</sup> it is seen to be a combination of the two and is therefore later than either of them. In the second place, when the Roman legate Paschasinus quoted at Chalcedon canon vi of Nicaea, he quoted it in a form which, if half Isidorian, is also half from the version of our Chieti MS.<sup>2</sup> Thus, putting aside S with its Isidorian text, we find that the Nicene canons of the lines J v of Prisca-transmission are later than, because dependent on, the Nicene canons of the one remaining line of transmission, I. We must choose, it seems, between two explanations. Either the Chieti MS gives the true Prisca text: or the Prisca had no version at all of the canons of Nicaea, for the simple reason

<sup>1</sup> See my *Ecclesiae Occidentalis Monumenta Iuris Antiquissima* i pp. 112-143.

<sup>2</sup> *ib.* pp. 121, 148, 151, 197.

that when the Prisca was put together in the second half of the fifth century everybody in the West was already familiar, in some version or another, with the creed and canons of Nicaea, however much or little they knew of any other material of Canon Law. I do not doubt that this latter explanation is the true one. That is why the Nicene canons occur in different versions and in different positions in our four lines of transmission. Each collector who utilized the Prisca as the main substratum of his corpus was bound, if he aimed at completeness, to include the council of Nicaea. The Chieti MS (or rather its ancestor) just added it at the end of the Prisca: the 'St Blaise' collector borrowed it with other matter from the Isidorian, and naturally put it at the beginning: ▽ took a further step in the development, drawing on Dionysius Exiguus for the Canons of the Apostles, and again naturally put these first and Nicaea next.

ζ. We have seen at an earlier point that the Prisca is of purely Italian origin: we have seen too that at the time of the dispute between Rome and Carthage the Romans regarded no canons but those of Nicaea as having oecumenical validity, but that under the name Nicene they included also the canons of Sardica. Now if we turn to the Chieti MS, we find that the corpus of documents which we have come to regard as making up between them the collection called Prisca—Ancyra, Neo-caesarea, Gangra, Antioch, Carthage, Chalcedon and Constantinople—is followed immediately by the council of Nicaea; capitula, metrical preface, creed, canons, signatures of the bishops present at Nicaea. No name but that of Nicaea is given throughout: *Incipit capitula Nicaeni concilii . . . Incipit praephatio Nicaeni concilii . . . Incipit fides Nicaeni concilii*. But alike the titles which come first in the whole series, and the canons which come next in the series, are not the titles and canons of Nicaea alone: attached to the Nicene titles and to the Nicene canons respectively, in a continuous series and under no fresh names, are the titles and the canons of Sardica. Here is, without (as it seems to me) any possibility of doubt, just the material which the Roman legates took with them to Africa, which they assumed the Africans would, like themselves, accept as unquestionably valid because Nicene, but which the Africans stumbled at as containing more than was in their own copies of the Nicene canons. Once let us suppose that this section of the Chieti MS, with its combination of Nicene and Sardican canons under the single heading Nicene, represents just the Roman code as it stood at least from the opening years of the fifth century, and the whole controversy is at once cleared up. In substance the Africans were right, as later Roman canonists soon came to recognize: Sardica was historically distinct from Nicaea. But a good deal of Protestant ink has been wasted in acrimonious reflexions about the

dishonesty of the Roman contention. There was nothing dishonest about it at all: Zosimus and Boniface and their representatives put forward as Nicene a code that was already traditional at Rome, and may indeed go back pretty well to the middle of the fourth century, almost to the time of the Sardican council itself.

Once more the evidence of the Chieti MS is crucial. Its text of the Sardican canons approved itself to me many years ago, when I first tackled the problem of the elucidation of the original text, as incontestably the best among innumerable rivals.<sup>1</sup> Its interpretation of the Nicene canons ranks at least among the two or three earliest that have come down to us: witness, for instance, the following terms, which, taken together, suggest the vocabulary rather of the fourth than of the fifth century—*credulitas*; *diacones, diaconibus*; *eum qui in ampliori ciuitate prouinciae uidetur esse constitutus id est in metropolim*; *ecclesiae ciuitatum ampliorum*; *incommunicati* (for *excommunicati*); *catholica* (for *catholica ecclesia*); *inter uerboaudientes*; *turpilucrum*.<sup>2</sup>

Having now acquired with regard to the Chieti MS the two results, (i) that its corpus of the Prisca is both in respect of order and in respect of completeness more closely representative of the original than any other MS or group of MSS, (ii) that its text and arrangement of the canons of Nicaea and Sardica is again more primitive than that of any other of the three groups J S v, we naturally turn with some eagerness to the further examination in detail of a MS which has shewn its superiority at every stage of our enquiry.

Among the treasures of the great collection which Queen Christina, daughter of Gustavus of Sweden, the Protestant hero of the Thirty Years War, amassed during her stay in France and afterwards in Italy, not the least important is the manuscript which is the subject of this paper. It was written in the earlier half of the ninth century, but it must have been copied from an archetype three centuries older, for the papal list preserved in it ends with Pope Hormisdas (A.D. 514-523), and none of the other documents in the MS belongs to a later time than the first quarter of the sixth century.

<sup>1</sup> See the forthcoming part of my *Monumenta* i pp. 441-486. Maassen, with what I am afraid I must call his usual wrong-headedness of interpretation, classifies the authorities for the text into four main groups (*Geschichte der Quellen* pp. 50-52), and puts the Chieti MS into his third group. It hardly seems to have occurred to him that, if we have to work back to an original Latin text, the type which he admits to be represented in the citations of pope Zosimus had strong claim to be treated at least as the starting-point of the enquiry. [There can be no sort of doubt that the Latin of the Sardican canons is primary, the Greek secondary.]

<sup>2</sup> See *Monumenta* i pp. 115 l. 6: 117 [vi] l. 2, 135 [xxiii] l. 3, 139 [xxi] ll. 4, 10, 13: 117 [viii] l. 5, 121 [xi] l. 9: 119 [viii] ll. 5, 9, 137 [xxiii] l. 11: 127 [xvi] l. 9: 129 [xviii] l. 10: 137 [xxvi] l. 13.

*Date.* Of the 160 leaves of which it consists nearly all are quaternions, but the third gathering and four gatherings towards the end are ternions. Most of the signatures have partly or wholly perished: but a few are still legible—fol. 7*b* I, fol. 15*b* II, fol. 29*b* III, fol. 69*b* VIII, fol. 101*b* XIII, fol. 109*b* XIII. The four gatherings foll. 126–131, 132–137, 138–143, 144–149 are all ternions: the final gathering beginning with fol. 150 appears to be a quaternion with extra leaves inserted. From fol. 1*b* to fol. 153*a* the whole is written by a single hand, which is attributed to the eighth century by Duchesne,<sup>1</sup> to the transition from the eighth to the ninth by Carusi,<sup>2</sup> to the ninth by Traube,<sup>3</sup> Maunde Thompson, and Mercati. We cannot be far wrong, then, if we fix the date somewhere in the earlier half of the ninth century.

*Place.* This is fortunately settled for us by a colophon, if it may so be called, at the end of the main body of the MS, written (but in uncial script, not in the minuscule which has been employed down to that point) by the scribe, the priest Sicipert, who makes mention both of the bishop who ordered the writing of the MS, and of the patron saints of the church for which it was written. The bishop, Ingilram, is otherwise unknown: the saints, the Blessed Virgin, St Thomas, and St Justin, would suffice to identify the see-town as Chieti in south-eastern Italy, even if a 'littera formata' on fol. 1*a* (preceding the main collection and apparently in a somewhat later hand) did not name as its signatory the bishop of Chieti, *ecclesiae Teatinae episcopus*. Chieti belonged, at the time the MS was written, to the Lombard duchy of Benevento: and as the name Ingilram is East Frankish rather than Lombard, this again fits better with the ninth century than with the eighth.<sup>4</sup>

'Christo enim fauente legentibus cunctis inploro pro exiguo me ceterisque sacerdotes ciuibus his quamquam inmerito nomen sacerdotii minime fungenti honore: Sicipertus humillimus Christi hunc opusculum opere explicauit, domno beatissimo praecipienti fieri Ingilrāmo. rursum magis magisque lectoribus queso quod, si aut ex syllabis scisma aliqua inueneritis, minime detrahatis insipientiae meae sed quod uestra habundat sapientia cordis sollogismo auferatis ab eo. ut alma Dei intemerata Maria et beati Thomae simul et beati Iustini in cuius sede hunc perficitus fuit delictaque uestra deleantur, perenne polleat praeceptor, opifex saluificetur in eum.<sup>5</sup> amin.'

<sup>1</sup> Duchesne *Liber Pontificalis* p. xv.

<sup>2</sup> Carusi e De Bartholomaeis *Monumenti paleografici degli Abruzzi* I (Rome 1924). I owe to Mgr Mercati the references in this note and in note 4.

<sup>3</sup> Traube *Perrona Scottorum* p. 521.

<sup>4</sup> So my friend Sir Charles Oman told me long ago. See too Förstemann *Alt-deutsches Namenbuch* (Bonn, ed. 2, 1900) coll. 965, 966.

<sup>5</sup> The last sentence is obviously a prayer for the readers of the MS, for the bishop who commanded its writing, and for the scribe who executed the task.

Sicipert's Latin is far from reaching a classical standard. But it is clear that the MS was written to the bishop's order and, it would seem, in order to be a possession of the church: and though the scribe displays a naïve sense of his own incompetence, it may be said at once that the bishop's trust in him was justified, for examination of his work will shew us that not only had he a superlatively good archetype but that he copied it very faithfully. Perhaps we ought to be thankful for his limitations: he had not the intelligence to improve on his exemplar as a better scholar might have tried to do, and in consequence he has preserved unadulterated the testimony of a much older century than his own.

Seven or eight leaves at the end are occupied with documents in other hands—perhaps intended originally to fill up vacant space—of which none need concern us here save, on the last page of all (fol. 160*b*), a litany of intercession for those in authority in Church and State: for pope, bishop, emperor, empress, 'the most noble royal children', all judges and the whole Christian 'army', the clergy and the whole congregation. No names are inserted save those of the emperor Hludouicus and the empress Angelberga, the limits of whose joint reign fall between the years 856 and 875: but the saints whose prayers are sought are, under the head of the emperor, Medard, Eligius, Justin, Vedast, Remigius, under the head of the 'nouilissima<sup>1</sup> proles regalis', Martin, Hilary, Ambrose. St Ambrose is probably included because of the close connexion in his time between North Italy and Gaul: of the rest all are Gallic, mostly Gallic of the north, except St Justin of Chieti. In other words, by the time of the litany the official connexions of Chieti are with Gallic and not with Italian hagiology; but the presence of St Justin shews that the MS was at Chieti still.

*Contents.* The work of the original scribe, foll. 1*b*–153*a*, may be divided roughly into four sections, (i) foll. 1*b*–39*a*, the collection known since the time of Justel, the first editor, as the *Prisca*; (ii) foll. 39*b*–51*b*, the councils of Nicaea and Sardica, being the original element, as it seems, on to which the *Prisca* was grafted in the second half of the fifth century; (iii) foll. 52*a*–122*a*, a collection of Roman documents from Siricius to the council of 499 (in which are incorporated one letter of St Jerome and two imperial missives), closed with a papal catalogue extending down to Hormisdas; (iv) foll. 122*a*–153*a*, various documents of miscellaneous character which we may regard as appendices, all of them Italian and most of them Roman; viz. the Roman councils and related documents of 501 and 502: a commentary on the Nicene Creed, possibly written in North Italy late in the fourth century<sup>2</sup>: two

<sup>1</sup> Maassen (p. 527) erroneously prints this word as 'nouissima'.

<sup>2</sup> First printed in my *Ecclesiae Occidentalis Monumenta Iuris Antiquissima* i pp. 329–354.

brief passages from the apocryphal material that gathered round Pope Silvester.

Of these groups the last may for our purpose be neglected. It is definitely marked off from all that precedes by the interposition of the papal list: even if we connected the list not with what precedes but with what follows, a connexion that is much less likely, it marks a break all the same between the two. Moreover the few documents that go to make up section iv are of miscellaneous nature: the two councils of 501 and 502 have nothing to do with the commentary on the Creed, as that in turn has nothing to do with the apocryphal matter fathered on Pope Silvester. And quite certainly this section stands in no literary relation to any of the other MSS that preserve part or all of the collection of the Prisca.

On the other hand the third section is with few exceptions a series of papal decretals from Pope Siricius to Pope Leo. And as two of the three other families that contain the Prisca or parts of it contain also a series of papal decretals, it might seem not unlikely that the Prisca itself from the first contained not only Greek councils and Carthage, but papal letters as well. But there is not enough resemblance between the contents of the collections of letters in **I**, **S**, and **v**, to make it at all likely that there is any real filiation from a proximate source. **J** has no papal documents as it stands, and there is nothing to suggest that it ever had any. **I** has a small collection, of which the distinctive mark is the prominence of letters of St Leo. **S** too has only a small collection, but, unlike **I**, the arrangement is (it would seem) intended to be chronological, and, unlike **I**, no special importance is given to Leo. **v**, in contrast with **I** and **S**, has a very large collection of papal documents, in strict chronological order, and carried on beyond Leo to his next successors. It was quite natural that an Italian collection made anywhere about the turn of the fifth into the sixth century should include some of the more famous letters that were already beginning to be collected and circulated as Decretals.<sup>1</sup> But I see no reason, on a review of our MSS, to suppose that any particular collection of Decretals was part of the Prisca as such, and consequently I put aside this third section too of the Chieti MS. I do not think that it throws any light on the object of our search.

Thus we are thrown back once more on the two first sections of our MS, and these are exactly the matter that on pp. 2-5 we have already had occasion to examine. At the risk of some repetition the different items may again be given here, but with a good deal more detail:

<sup>1</sup> Duchesne has suggested that the first collection of eight letters, from Siricius to Celestine, had been formed by the time that Leo became Pope in 441.



- fol. 1*b*. ANCYRA : with elaborate title, as for the beginning of the collection, and subscriptions.
- fol. 5*a*. NEOCAESAREA : with subscriptions.
- fol. 6*b*. GANGRA : with the synodical letter and subscriptions.
- fol. 9*b*. ANTIOCH : with the synodical letter and one additional canon at the end (xxvi) as well as subscriptions.
- fol. 15*a*. CARTHAGE : Incip̄t responsa et constitutiones quae apud Karthagine acta sunt, followed by forty titles, and on 15*b* the text Incip̄ constituta quae apud Karthagine acta sunt : fol. 25*b* Incip̄t epistula ab omne concilium s̄st [*i. e.* supra scriptum] ad Bonifatio urbis Romae eps̄ scripta et cum gesta quae ibidem apud Chartaginem conperfecta per Faustinum episcopum et Philippum et Asellum praesbyteros directa : fol. 28*b* Incip̄t epistula sancti Aureli episcopi ad sanctum Caelestinum urbis Romae episcopum de aduentum Apiarii.
- fol. 30*b*. CHALCEDON : with subscriptions.
- fol. 36*b*. CONSTANTINOPLE : with canon xxviii (so-called) of Chalcedon, and the Constantinopolitan subscriptions.  
*So far all is in the Prisca.*
- fol. 39*b*. NICAEEA : Incipit capitula Nicaeni concilii, followed by forty-six titles, I Expositio fidei Nicaeni, II Quo tempore conuentus sit habitus . . . : fol. 40*a* Incip̄t praephatio eiusdem concilii Concilium sacrum . . . : fol. 40*b* Incip̄t praeepta? [PRAEPTA *cod.*] Incipit fides Nicaeni concilii AMHN I Cum conuenisset . . . II Credimus . . . III-xxviii the Nicene canons ; fol. 44*b* xxviii-XLVI the Sardican canons, without break from the Nicene : fol. 49*b* the subscriptions (Nicene only, not Sardican).

This general account of the *Prisca*, and of its principal representatives I and J, will be fitly concluded by a few notes about the text. Just as in textual criticism internal and external evidence must each be checked and controlled at every step by the other, so here the work which we have been doing on the historical side of the *Prisca*, and the MSS of the *Prisca*, is inadequate until it is completed by a similar and parallel investigation of readings. Not more will be attempted here than one or two illustrative indications.

1. The bulk of the *Prisca*, as the analysis of its contents given above suffices to shew, is made up of translations from the Greek : and a very brief investigation of this part of the translator's work will convince anyone of his entire incompetence. But we must not too hastily conclude that, because his renderings from Greek would disgrace a fourth form boy, his Latin texts were inferior or unfaithfully transmitted. Two-fifths of the matter of his collection falls under the head of Carthage : the text he gives of it is better, in my judgement, than that of Dionysius Exiguus. One instance may be cited, where three of the four families

of the Prisca unite in preserving something like the true form, and one of the three the true form itself, of the see-town of one of the African bishops who subscribed the Acta of the first session of the Council of 419. 'Quoduultdeus episcopus Verensis ecclesiae subscripsi' is the reading of all the printed texts, and so in the *Corpus Inscriptionum Latinarum* (VIII 147) Mommsen cites them: and in every MS or group of MSS save three of the four families of the Prisca Verensis is found. But the real name of the place was Ueres. Now the **S** family has Vrensis: I has Orensis, **v** Crensis or Cerensis; but J with all our other authorities Verensis,<sup>1</sup> and so too without variant the MSS of the Council of Arles of 314. Restore then in both councils the name of the city as Vres: and put a good mark to the credit of **S I** and in a less degree **v**.

2. But we may next proceed to the elimination of **v**. Time after time we find that a reading is not supported by I J **S v**, but by I J **S** alone, **v** going with the other MSS. That means *either* that **v** is nearest to the original text, I J **S** representing a deviation from it, *or* that the scholar to whom the collection **v** is due had a second archetype as well as the Prisca to draw on. Since **v** is known to have made use elsewhere of the collection of Dionysius Exiguus (it is for instance the only one of the four families which includes the Canons of the Apostles, which Dionysius first made accessible to the West), the latter alternative is more likely in itself: and such a passage as the following from the letter of the Africans to Pope Boniface—the second of the Carthaginian documents (l. 177 [p. 605]) in my forthcoming text—proves to demonstration that the text of **v** is conflate. Here the true text reads 'ubi perhibentur eadem', for which I gives 'ubi uerissima eadem', J 'ubi uerissimaedem', **S** 'uberissima eadem'. Presumably 'perhibentur' was nearly all illegible in the copy that lay before the redactor of the Prisca, but **S** represents a further stage of deviation from the archetype than I J. The editor of **v** rightly stumbled at the Prisca reading, consulted the second text available to him, that of Dionysius, and, after the fashion familiar to all students of the text of the Synoptic Gospels, produced out of his two authorities the conflate form 'ubi uerissime eadem perhibentur'. He made sense thereby, it is true, and he got nearer to the original: but he betrayed himself to be no unbiassed witness to the tradition of the Prisca.<sup>2</sup>

<sup>1</sup> The change is of course very slight: u and v being identical in the MSS, and c and e as similar as in our own type.

<sup>2</sup> If **v** had at hand for constant reference the text of Dionysius, we can easily understand why certain omissions common to I J **S** are filled up, and filled correctly, in **v**: see the Acta of the Carthaginian council [l. 7, p. 568] 'necesse est societur, qua de re Domino Deo nostro de tantae', [l. 15] 'secundum eam', [l. 51, p. 570] 'ut ad singula respondeatur'.

3. We are thus thrown back on the three families I J S in our search for the unadulterated Prisca text. And once more the intrusive influence of Dionysius is a test. The test is most favourable to I, which nowhere shews any trace whatever of knowledge of the Dionysian collection. So far as the Prisca documents are concerned, it is equally favourable to J: but the scribe of J (or its exemplar) has apparently borrowed from Dionysius a letter of Cyril and the Egyptian bishops to Nestorius. It is unfavourable to S; for though the indebtedness of S to Dionysius is occasional only and not, as in v, recurrent, its Prisca text of the canons of Chalcedon bears clear traces of contamination.<sup>1</sup>

4. The course of the argument has thus justified the procedure of these papers in concentrating attention on the two MSS I and J, as incontrovertibly the primary witnesses to be considered in the restoration of the original Prisca. As between the two, many things have been noted which point to the superior excellence of I: and the presumption may be clinched by anyone who cares to consult the texts of Ancyra and Neocaesarea (tom. II part I of my *Eccl. Occ. Mon. Iur. Ant.*) for which I and J are our only authorities.

It remains to call attention to one minor, but curious and puzzling, feature of the Chieti MS. As has been said, the canons of Nicaea and the canons of Sardica are included in one series under one heading as Nicene: canons i–xxviii being in fact Nicene, xxviii–xlvi Sardican.<sup>2</sup> But the titles attached to the double series are no part of the original version: they were borrowed from the version known as Quesnel's.<sup>3</sup> The motive cause for the incorporation in I of an alien set of titles was,

<sup>1</sup> Space and a sense of proportion does not admit of the argument being here completed (as no doubt, strictly speaking, it ought to be) by an examination of the readings where I J and S are found to differ; but cursory reference may be given to three in the letter to Boniface, l. 14, p. 597 diuinus, I J diuinio, S diuino: l. 125, p. 603 ut negotio, I J negotio, S negotio ut: l. 177 (already cited above), p. 605 ubi perhibentur, I J ubi uerissima, S uberissima. In all three I J are wrong: in two of the three S makes matters worse, in the third it has (doubtless by conjecture) correctly replaced ut, but in the wrong place.

<sup>2</sup> Perhaps if I had realized earlier that the combination Nicaea-Sardica represents a more primitive stage in Latin Canon Law than the separate presentation of the two, I should have arranged in my *Monumenta* to print the combined text, as we have it in I, continuously. But, as it is, the text of the 28 Nicene canons must be looked for on pp. 113–141, that of the Sardican canons on pp. 452–486; the Nicene titles on p. 145 and in the margins of pp. 113–141, those of the Sardican canons in the left-hand col. of pp. 446, 448; the Nicene names on pp. 37–91, 102.

<sup>3</sup> That this is the true interpretation (and not the converse, that the collection Q borrowed from I) I shewed, against Maassen, on p. 150 of my *Monumenta*. The titles, in fact, bear a close relation to the arrangement and text as we find both in Q, and none at all to either text or arrangement of I.

I imagine, that the text of the Nicaeno-Sardican canons, as the scribe of I (or the scribe of I's sixth-century exemplar) found them in the archetype, was not divided up into separate canons at all. In the case of Sardica (see *Monumenta*, p. 442 n.) there is such far-reaching diversity in numeration between our different authorities that I have been driven to construct an entirely fresh system of my own: in the case of Nicaea the divergences are much less serious, but I suspect that the explanation is that to a large extent the canons divided themselves—half of them make a fresh beginning either with *Περὶ τῶν* or with *Ἐπειδή*. I do not doubt, then, that the scribe of I or its exemplar, being acquainted with another version of Nicaea-Sardica divided up into a series of separate canons, thought it would serve the convenience of his readers if he borrowed these alien titles and incorporated them into his own version.

But it is another question at what period the borrowing took place. Was it due to Sicipert, the scribe of the MS that is now in our hands, in the first half of the ninth century, or was it done on the occasion of the putting together of the (immediate) ancestor of Sicipert's MS, which we have seen reason to fix at about A. D. 525? Earlier than this it cannot be, since the Quesnel collection was published hardly, if at all, before A. D. 500, and not in Italy but at Arles, so that some few years must be allowed for its penetration to the Italian home of the archetype of I. But as between the alternatives of c. A. D. 525 and c. A. D. 825, I should elect the former without any hesitation. Sicipert was nothing more, I should suppose, than a faithful copyist: his sixth-century predecessor was in all likelihood a good deal more than that. I think we may safely conclude that it was he who had the intelligence and the boldness to equip the canons (till then unarticulated) of Nicaea-Sardica with a set of titles borrowed from another version of a recently published collection of Canon Law.

C. H. TURNER.

[NOTE TO *J. T. S.* xxx (April 1929) p. 231 n. 1.

When I wrote my paper on C—'Chapters in the History of Latin MSS of Canons: IV The Corbie MS (C), now Paris. lat. 12097'—I repeated from Maassen, p. 380 n. 7, a reference to the Benedictine *Collectio Conciliorum Galliae* i col. 1005. But I did not know anything about such an edition: and I could find no copy in the Bodleian. In September 1929, however, Père Delehaye showed me in the Bollandist library the book in question: *Conciliorum Galliae . . . collectio ab anno 177 ad annum 1563, tom. I, A. D. 177-591*: Paris 1789. Not only so, but I learned from him that there exists in the library of the University of Ghent a printed set (perhaps unique) of the first 680 columns of the unpublished second volume; for the contents of which see the *Table des matières de la partie imprimée du second volume des Concilia Galliae . . .* par le Dr Nolte: Amiens, 1876.]