

ticular interest in the fate of Archytas is reasonable enough; both are traditionally associated with original work on the harmonic mean.

This ascription will account for the speaker's learning, his attitude to Pythagorean doctrine, his interest in Archytas, and his mention of a similar fate. The poem, I suggest, is a monologue by the spirit of Hippasus, addressed first to the dead Archytas, then to a living sailor passing by unobservant. The heretic gently chides the orthodox Archytas, and, having himself received symbolic burial at the hands of the school, reciprocates decently by attempting to secure real burial for one of its members. The ghost of Archytas presumably can hear the ghost of Hippasus; the passing sailor apparently cannot, which adds a final twinge of pathos to the situation, and maintains the general tone of irony which pervades the Ode, an ironic meditation on the relations of soul and body, mind and matter.

It would have been kind of Horace to include the name of Hippasus. Perhaps he merely overestimated the learning and alertness of his future readers; this would not be the only occasion.

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THE VOTE OF A BODYGUARD FOR THE CONSULS OF 65

At the end of 66, after the expiry of Manilius' tribunician term but before the end of the year, Manilius was brought on a charge of *res repetundae* before Cicero, who was praetor in charge of the extortion court that year.¹ There were disturbances over Cicero's handling of the case: Dio says that rioting prevented the court from being convened, and Asconius talks of disturbances to Manilius' trial by persons whom Cicero calls *magni homines* and whom Asconius identifies as L. Sergius Catilina and Cn. Calpurnius Piso.² It is not clear whether Manilius' trial ever came to anything. Some have argued that Manilius' case never came to trial;³ others take the view, based on a very corrupt passage of Asconius, that Manilius was brought to trial again in the following year, possibly with a new charge of treason.⁴

In the corrupt passage of Asconius there occurs the clause which is the main concern of this note: "quod ex s.c. ambo consules praesidebant ei iudicio." Perhaps

1. Cic. *Corn.* in Ascon. 62. 15-16 Clark; Plut. *Cic.* 9. 4-6; Dio 36. 44. 1-2. The most recent examinations of the trial of Manilius are by E. J. Phillips, "Cicero and the Prosecution of C. Manilius," *Latomus* 29 (1970): 595-607; and A. M. Ward, "Politics in the Trials of Manilius and Cornelius," *TAPA* 101 (1970): 545-56. Plutarch says the charge was *peculatus* (κλοπή), but Cicero makes it clear (*Cluent.* 94 and 147) that during his praetorship he presided over the extortion court. It is not easy to see why a charge of extortion should be brought against Manilius: see Phillips, "Prosecution," p. 597; cf. Ward, "Politics," p. 549.

2. Ascon. 66C. For the acceptability of Asconius' identification, see Phillips, "Asconius' *Magni Homines*," *RhM* 116 (1973): 353-57; contra E. S. Gruen, "Notes on the 'First Catilinarian Conspiracy,'" *CP* 64 (1969): 23. On Catilina's reputation as a disturber of trials by 64, cf. Cic. *Tog. cand.* in Ascon. 86. 25C.

3. They include R. Y. Tyrrell and L. C. Purser, *The Correspondence of Cicero*³ (London, 1904), 1:174; M. Gelzer, *Cicero: Ein biographischer Versuch* (Wiesbaden, 1969), pp. 60 and 65; D. L. Stockton, *Cicero: A Political Biography* (Oxford, 1971), p. 71.

4. The corrupt passage is Ascon. 60. 9-15C; the argument that Manilius' trial was resumed in 65 is based on Sigonius' emendation of the corrupt *cum prima pars to cum primum apparuisset*. Among those who hold the view that there were two trials are F. Münzer, s.v. "Manilius (10)," *RE* 14 (1928): 1134; T. R. S. Broughton, *MRR*, 2:153; Phillips, "Prosecution," p. 603; Ward, "Politics," pp. 548 ff. The evidence for a charge of *maiestas* comes from Schol. Bob. 119 Stangl; Phillips and Ward do not believe that the charge was altered.

this action has something to do with the so-called first Catilinarian conspiracy. That conspiracy has now almost universally been recognized as a fabrication: rumors of normal political machinations and mutterings of discontent by displaced consuls were very quickly given a portentous interpretation. As Eric Gruen says, "Later embellishments make the events almost impossible to reconstruct."⁵ But individual items which made up the course of events and provided the basis for believing that a conspiracy did exist still require some reasonable explanation. Several scholars have put forward the view that the subversive activity is to be identified with the disturbances relating to the trial of Manilius. That is an attractive theory, particularly because of the coincidences of timing. Manilius was first brought before Cicero at the end of 66, and there were popular disturbances at his handling of Manilius' request for a postponement; about the same time (29 December) Catilina is said to have appeared armed in the Forum (Cic. *Cat.* 1. 15) and to have joined in a plot to murder the incoming consuls of 65 two days later.⁶ The trial of Manilius was disturbed owing to rioting instigated by Catilina and Piso; the disturbance of the trial by two persons who came to be regarded as key figures in the "first" conspiracy could well have provided the basis for the belief that their activities constituted some sort of conspiracy. According to one view, Manilius' trial was postponed to the next year, and if so, it would most likely have taken place early in the year.⁷ If the rioting led by Catilina and Piso is to be associated with a postponed trial of Manilius, a further coincidence of timing can be suggested; for that rioting might have provided the basis for the story of the supposed second attempt on 5 February to murder the new consuls, this time along with other senators.⁸

One other item can be given a simple explanation. On the basis of Dio 36. 44. 4, part of the traditional reconstruction of the conspiracy is that the plot was revealed beforehand and a bodyguard given to the consuls of 65 by the senate. C. E. Stevens' explanation, that the voting of a bodyguard was a piece of deliberate deception by the *magni homines* (whom he takes to be opponents of Pompeius) to cover their tracks, is too devious and sophisticated.⁹ Asconius may provide a simpler explanation: it is he who tells us that, since the proceedings at the trial of Manilius had been interrupted *per operarum duces*, subsequently both consuls, by a resolution of the senate, *praesidebant ei iudicio*.¹⁰ This does not mean that the consuls supplanted the praetor as president of the court, as A. M. Ward thinks;¹¹ the regular word used for presiding over a court is *exercere*, whereas here the verb has the idea

5. "Pompey and the Pisones," *CSCA* 1 (1968): 159.

6. This coincidence of timing is pointed out, e.g., by Gelzer, s.v. "Sergius (Catilina)," *RE* 4A (1923): 1697; idem, s.v. "M. Tullius Cicero," *RE* 7A (1939): 858; H. Frisch, "The First Catilinarian Conspiracy," *C&M* 9 (1947): 32-33; R. Seager, "The First Catilinarian Conspiracy," *Historia* 13 (1964): 344-45.

7. Münzer, s.v. "Manilius (10)," col. 1134, dates the postponed trial of Manilius to January, but there is no evidence.

8. Seager, "The First Catilinarian Conspiracy," p. 345; cf. Gruen, "Notes," pp. 22-23, who accepts the possibility of arguing that the activities of Catilina and Piso in 66-65 were part of the political disturbances surrounding the trial and retrial of Manilius.

9. "The 'Plotting' of b.c. 66/65," *Latomus* 22 (1963): 434-35.

10. Whether the passage refers to a trial of Manilius or not, the point about the consuls' role is clear.

11. "Politics," p. 549, n. 15.

of "protecting" or "standing guard over."¹² It has the same sense in *Pro Milone* 101, where Cicero talks of the court on the occasion of Milo's trial as "armatis et huic iudicio praesidentibus." The story that a bodyguard was voted to the consuls of 65 for protection against an alleged assassination plot might well have arisen out of the appearance of the consuls, presumably with an armed guard, at the senate's direction, to keep an eye on the disturbed trial.

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12. This is the interpretation of Phillips, "Prosecution," p. 604; cf. Gruen, *The Last Generation of the Roman Republic* (Berkeley and Los Angeles, 1974), p. 262. For Asconius' use of *exercere*, cf. 29. 8, 62. 5, and 74. 3C.

MAMURRA'S FOURTH FORTUNE*

Catullus 29 has much to say about Caesar's *praefectus fabrum*, in comment on both his sexual morals and his financial prudence. It is the latter aspect that concerns us here, since there is one line that has been unfortunate in the treatment it has received. The relevant passage is thus printed in the Oxford Text of R. A. B. Mynors:

eone nomine, imperator unice,	
fuiſti in ultima occidentis inſula,	
ut iſta ueſtra diffututa mentula	
ducenties comeſſet aut trecenties?	
quid eſt aliſid ſiniſtra liberalitas?	15
parum expatrauit an parum elluatus eſt?	
paterna prima lanciaſta ſunt bona,	
ſecunda praeda Pontica, inde tertia	
Hibera, quam ſcit amnis aurifer Tagus:	
nunc Galliae timetur et Britanniae.	20

Except for line 20, the text is not in any real doubt. That line, however, was already corrupt in the Veronensis ("hunc gallie timet et britannie") and has become a *locus uexatissimus*, as any major apparatus abundantly testifies.¹ Proposals have ranged from free composition² through various degrees of infelicity and obscurity³ to exasperated deletion.⁴ However, a consensus seems to have developed around

* I should like to thank my colleague, Professor Shackleton Bailey, for reading a first draft of this idea and encouraging me to pursue it. He is not to be blamed for the precise form in which it has been done.

1. See, e.g., Baehrens-Schulze, *ad loc.*, for a selection of what had accumulated by 1893. Recent editors seem to have been less lavish, or more critical in what to admit.

2. Instances abound. To choose, *per tutti*, the obscure Giacomo Giri (*De locis quae sunt aut habentur corrupti in Catulli carminibus* [Turin, 1894], pp. 126 ff.), we find "bona iste Galliae et tenet Britanniae?" (It took five pages to argue.)

3. E.g., H. A. J. Munro's "et huicne [*sic*] Gallia et metet Britanniae?" is rightly attacked by Ellis; and Ellis' "neque una Gallia aut metent Britanniae?" is rightly attacked by Munro. (For these, see Munro, *Criticisms and Elucidations of Catullus* [Cambridge, 1878], pp. 98 ff., and Ellis' edition of 1878. In his Oxford Text [1904] Ellis abandoned his first idea, obelized the line [as given in the MSS] in his text, and in the apparatus suggested "ruina Galliae est, erit Britanniae"—which, in the context of the poem, is hard to understand.)

4. Starting with Joseph Justus Scaliger.