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New Evidence for Appendix Eugeniana 29-47 (Díaz 237)

Madrid, Biblioteca Nacional 10029 is a gathering of portions of several ninth- and tenth-century manuscripts assembled in the twelfth century in northern Spain¹. Part I (f. 1-60 and f. 69-76, quires a-[1] to h-viii and l-xi) is a fragment of an important anthology of poetry copied in the late ninth or the early tenth century in southern Spain, possibly Córdoba. It contains Dracontius' *De laudibus Dei* and *Satisfactio* in Eugenius' version, Sedulius' hymn 1, Corippus' panegyrics to Anasthasius and Justin II, a large collection of Eugenius of Toledo and other seventh-century Visigothic poems². In the late ninth or the early tenth century the codex travelled to the kingdom of Asturias-León, as shown by some tenth-century marginal notes by a northern hand (f. 55r), and by some neums of the 'northern' type (f. 55v). This was a period when many codices arrived from 'Spania', namely in the days of Alfonso III. In the eleventh century, it appears to have been known at the court of León³; one century later, the manuscript was still in the area of León, when a Carolingian hand used the verso of f. 1 to copy four epitaphs of Queen Constanza († 1093), the second wife of Alfonso VI (*regn.* 1065-1109), king of León and Castile, composed by the grammarian Halon⁴. Also in the twelfth century, the quires joined other sets of quires of different codices (two ninth-century portions of poetic anthologies copied in southern Spain, and a tenth-century 'file' referring to Eulogius of Córdoba copied in the Asturias-León area), and the whole set got its quire numbering. The codex may have remained at the cathedral of Oviedo, but we lack definitive evidence⁵. When Ambrosio

¹ Díaz y Díaz 1995, 130-134; also Vendrell Peñaranda 1979; Bianco 1984, 36-40. Recent descriptions are in *Inventario* 2000, 300-301; Reinhardt - González 1990, 415-416; see also Millares Carlo 1963, 41-42, no. 78, and Millares Carlo 1983³, 330, no. 141. This set of quires measures c. 23,5 x 15 cm (writing area of c. 17,5 x 10,5 cm), and are ruled in twenty-eight and twenty-seven long lines to a page, with titles and initial letters of verses in red. I am grateful to Michael D. Reeve and Stefano Grazzini for helpful criticisms and comments on this paper, and to Charles Burnett for his assistance which improved the overall presentation.

² Part I and II are described in Alberto 2005, 88-96.

³ Alberto 2010, 105-106; Alberto 1998, 24-25.

⁴ Alberto 2007, 166-172.

⁵ Juan Bautista Pérez states that a volume containing Verecundus (cf. Madrid 10029, f. 77r-81r), once at the Cathedral of Oviedo, came into the possession of Azagra: see *Divi Isidori Hispal. episcopi opera. Philippi II cathol. regis iussu e vetustis exemplaribus emendata*, Madridi

de Morales (1513-1591) visited Oviedo in 1572, the manuscript was already in the possession of Miguel Ruiz de Azagra († 1587 or shortly before)⁶, a learned scholar and author of the *editio princeps* of Corippus, who had bought the codex in Valladolid⁷. After Azagra's death, Juan Bautista Pérez Rupert (1537-1597) presented the manuscript to the library of the Cathedral of Toledo.

The last verso of quire h-viii (f. 60v), originally the seventh leaf of the quaternion – the last one was already missing in the twelfth century⁸, ends with poems of Eugenius of Toledo. The next quire (i-viii) is from a different ninth-century manuscript (poems of Martin of Braga and Eugenius of Toledo); quire k-x is lost. The following one, l-xi, presumably belonging to the same manuscript as that of the first eight quaternions⁹, contains:

- f. 69r-v *App. Eug. carm.* 29-47 (Díaz 237; CPL 1239; ed. Vollmer 1905, 278-280).
 f. 69v *App. Eug. carm.* 48 = *Versus de ecclesia sancti Iohannis* (a. 661; Díaz 376; CPL 1535).
 f. 69v-72v *App. Eug. carm.* 1-19 (Díaz 236; CPL 1239; ed. Messina 1984, 27-45)¹⁰.
 f. 72v-73r *App. Eug. carm.* 20 (Díaz 201; CPL 1236a; ed. Messina 1989, 109-126).
 f. 73r-74r *App. Eug. carm.* 21-25 (Díaz 312-313; CPL 1239; ed. Messina 1984, 51-55).
 f. 74r-75r The *prologus* to Juvencus' poem in an unusual format under the title *Versi Maronis* and some anonymous *Versi Acilli* (inc. *Vulnus insanabile euenit mihi*).
 f. 75r-76v The *Disticha Catonis* ending abruptly in 1,27,1 (the subsequent quire was already missing in the twelfth century)¹¹.

1599, I, p. 120.B; see also Du Breul 1601, 779, Flórez 1750 (= 2002), 399, and Lorenzana 1782, 261. This provenance can also be read in Toledo, BC 27-24 (see f. 109), a partial copy of Madrid 10029 produced on behalf of Bautista Pérez. Its presence in Oviedo was accepted by Andrés 1974, 28; see, however, Díaz y Díaz 1983, 230-231 nt. 231; 232 nt. 236.

⁶ Ambrosio de Morales 1574, f. 1r. When he visited Oviedo in 1572, Morales transcribed the list copied in El Escorial R.II.18 and explicitly stated that a codex corresponding to the above-mentioned item was missing. See Flórez 1765, 98.

⁷ Azagra 1581 (the preface is dated to 1579). As for the edition of Eugenius and Dracontius' poetry referred to by Barth 1624, Lib. 55, cap. 11, c. 2615, see Alberto 2006, 774-785.

⁸ Fol. 60v is flesh side.

⁹ See Alberto 2005, 89 nt. 132.

¹⁰ The origin and dating of these pieces are controversial, and I hesitate whether they should be considered a seventh-century Visigothic product. See Díaz y Díaz 1976, 81-82; Messina 1984, 11; Rädle 1974, 38. Eberhardt 1977, 151-194, specially 177 and 191 (dating the poems in the ninth-century in a Spanish centre). In reviewing Messina's edition, Fontaine 1985 rejected a Visigothic origin, preferring to think of some Carolingian author in the time of Louis Pious. See Jullien - Perelman 1999, PsAlc 117.

In several cases Madrid 10029 (= **Ma**) presents a corrupt text. This lead Vollmer to state that *sane imperitus fuit librarius M* [this is, **Ma**] *qui talia quasi cimelia ex vetustiore codice depinxit* (p. xlvi, referring to *App. Eug.* 29-47). A copy with emendations is found in Madrid, Biblioteca Nacional 590, a manuscript written by Martín de Jimena Jurado, secretary of the archbishop of Toledo Cardinal Baltasar de Moscoso y Sandoval¹².

The set of pieces on f. 69r-v is a collection against old age, considering it as an unsuitable period of life for love and marriage. This is not a totally unexpected theme in Visigothic Spain. Eugenius of Toledo composed a poem explaining that the best advantage of old age is the lack of sexual pleasure (*carm.* 15):

ITEM TETRASTICHA IN SENECTAM

Nulla bona grataque senilis deuehit aetas,
sed dura generat diraque cuncta parat.
Hoc solum praestat miseram tetigisse senectam
quod luxum carnis iam caro fessa cauet.

Among positive things old age brings to men, Isidore of Seville considers that *senectus... uoluptatibus imponit modum, libidinis frangit impetus* (*orig.* XI 2,30), rearranging Jerome's words (*in Am.* 2, *praef.*). In a social and legal context, a law of Reccesuinth forbids women advanced in years to marry young men (*Lex Visig.* 3,1,4)¹³, which is implicit in a number of epigrams below.

The anthology was published in 1905 by Friedrich Vollmer among the *dubia et spuria* of Eugenius of Toledo, considering it a compilation of *exempla prae-exercitamentorum* (p. XLVII). Actually, Vollmer did not examined the manuscript: for Eugenius and Ps.-Eugenius he relied on Johannes Heller's transcription made in 1878 (today Berlin lat. fol. 448), and on the verifications made in Spain by Heribert Plenkens on his request¹⁴. This explains the mistakes we find in his edition.

¹¹ See Boas 1952, XLVI-XLVIII and LX.

¹² Martín de Jimena was born in 1615 in Villanova, Jaén, and made this copy when he was secretary of the archbishop of Toledo Cardinal Baltasar de Moscoso y Sandoval (1589-1665), who became archbishop in 1646. See *Inventario* 1956, 87-90. The poems are on f. 63v-64r (= p. 106-107). See note on f. 63r (= p. 105): *Hic deest in Codice Gothico Quaternio octo foliorum. Postea verò sequuntur Epigrammata alia sancti Eugenii videlicet.*

¹³ Zeumer 1902, 124-126.

¹⁴ Vollmer 1905, XXXVIII and XVIII nt. 5.

Vollmer did not know of the existence of a second copy: El Escorial, Real Monasterio de San Lorenzo, M-III-2, fol. 5r (= E). Curiously, he was acquainted with this very manuscript. Indeed, he published the *Epitaphium coniugale* found on f. 2v-3r (*Rex legum, rex imperii, rex iuris honesti*) among Eugenius' *dubia*. The fact is that, as he states, he used Plenkers' collation, who failed to recognise the anthology a couple of folios after the poem.

The codex was produced in 1188, and contains Eruig's *Liber Iudicum* (a. 681), keeping a number of Reccesuinth's laws (a. 654), and with a few additions from Egica's legislation¹⁵. It must have been produced in some centre in the Leonese-Castilian region, where many manuscripts from the Mozarabic area arrived, as Díaz y Díaz pointed out¹⁶. Indeed, the textual version of the *Liber Iudicum* belongs to a branch of the tradition which circulated in León and Castile in the Middle Ages¹⁷. Its model, in Visigothic script, dated in 981, was linked to a Mozarabic background, as we shall see below. In the thirteenth century, some corrections have been introduced: this hand added three verses to the Ps.-Eugenian epigram which were missing (13, 15, 17) and other corrections, and some emendations to the *App. Eug.* (36,1; 44,1; 47,2)¹⁸. The same hand added many variants to the *Liber Iudicum*, using an exemplar of a different textual tradition.

In the sixteenth century the codex was at the Colegiata of Santa María de Husillos, in the province of Palencia, León, if it is to be identified with a book referred to by Ambrosio de Morales¹⁹. Indeed, some details connect the codex to the cult of the Cordoban martyr Saint Zoilus, quite important in the region of Palencia, particularly in San Zoilo at Carrión de los Condes, a monastery

¹⁵ Detailed description in García López 1996, 167-177. It comprises 167 folios, measuring 27,5 x 19 cm, ruled in 28 long lines per page; 21 quires, all quaternions, except the first (a quinion), and the last. Between f. 51 and f. 52, and f. 66 and f. 67, one leaf is missing causing the loss of text. See also Antolín 1913, 86-88; Zeumer 1902, p. XXIII ('V10', not really used in his edition). At the end of the *Liber Iudicum*, fol. 161 one reads: *Laete sunt leges suprascripte omnibus iudeis in ecclesia sce. marie toleto. sub die VI kalendas februarias. anno feliciter primo gloriosi dni. nri. Eruigii regis. finit.* The laws of Egica, which have been incorporated in Eruig's main body, are identified in García López 1996, 173-174. The date of the codex is found at the end of the supplements to the *Liber* (fol. 164v): *Completus uidelicet est liber iste XVI kalendas iunij. In era M.^a CC^a XX^a VI^a* (= year 1188).

¹⁶ Díaz y Díaz 1976b, 220.

¹⁷ García López 1993, 387. On the use of the *Lex Visigothorum* in the kingdom of León, see Rodino Caramés 1997, 9-52; von Plettenberg 1994.

¹⁸ García López 1996, 175.

¹⁹ Flórez 1765, 26: «En su librería, que es quasi nada, tienen allí un libro en pergamino, letra harto antigua, y es un Sumario del Fuero Jueazgo en latin. Al cabo dice: *Completus est liber iste XVI Kal. Junij Era MCCXVI*». Compare it with the dating on f. 164v in note 15.

related to Santa María de Husillos. In the seventeenth century it belonged to the library of Gaspar de Guzmán, Conde-Duque de Olivares. He had obtained the manuscript in 1626, when he acquired a large amount of manuscripts from the Monastery of Aula Dei, Zaragoza²⁰. In 1654 the codex entered the library of San Lorenzo del Escorial together with many other items of Guzmán's library.

On the initial folios, preceding the *Liber Iudicum*, we have the following pieces:

- f. 2r-v A prologue to the Eruigian *Liber Iudicum*. Inc. *Mens hominis ex qua primi parentes in paradiso preuaricati sunt... ad omnes goticas leges adprime deo auctore sufficere poterit. Data die kalendarum Mai. Era M.^a XVIII (= year 981)* (Díaz 613).
- f. 2v A short list of the *genera iudiciorum*.
- f. 2v-3r *Epitaiium* (corr. in *Epitafium*) *coniugale a beato Eugenio editum glorioso domno Recensuinto regi* (year 652-672) (*App. Eug. carm.* 49; Díaz 234; CPL 1536; ed. Vollmer MGH AA, p. 281). This is an epigram warning against *conubia consanguinea*, meant to accompany a stemma representing the family relationships²¹.
- f. 3r-4v A collection of definitions modelled on Isidore, *orig.* IX 5 (*De adfinitatibus et gradibus*), and IX 6,1-21 (*De agnatis et cognatis*), divided into:
Exordium generis, 'Pater est initium generationis...'
Item de feminis, 'Mater est que generat filium...'
- f. 4v *Conclusio*. A four-verse poem, in a very corrupt version, on lawful marriage (this is, non-consanguineous marriages), reusing Ps.-Eugenian '*epitaphium*'²².
- f. 5r *App. Eug. carm.* 29-47 (cf. **Ma**, f. 69r-v). At the end, we have *Explicit epitaiium coniugalem* (corr. in *epitafium coniugale*).
- f. 5v-6r A diagram of the *Arbor consanguinitatis* (cf. stemma II in Isid., *orig.* IX 6,28), followed by a modified version of Isidore, *orig.* IX 6,26 and 27, designated as *De auunculis* and *De materteris*, and a text on the six *gradus generis*²³.
- f. 6v A blank verso.
- f. 7r A diagram of the *Arbor affinitatis* (cf. stemma I in Isid., *orig.* IX 6,28, in a very modified version). Further texts on this subject are on f. 161v-162r²⁴.

²⁰ Andrés 1973, 38, no. 562 (reproducing the catalogue of Guzmán's library produced in 1627 by P. Alejos); see also Andrés 1972, 135-136 (shelf-mark C.24).

²¹ The term *epitaphium* is misleading. See *ThLL* s.v. 687,18-21 *pittacium publice propositum intellegit Bücheler; fort.i.q. 'carmen', sic Vollmer*.

²² The piece reappears after the *Forum Iudicum*, also in a very corrupt version (on f. 161v). Using both copies and the Ps.-Eugenian epigram, García López 1996, 170 nt. 59, reconstructed the four hexameters.

- f. 7v-8v *Nomina uel ordo regum uulgi Gothorum ab era CCCC*. This is the *Laterculus regum Visigothorum* (CPL 2266), from Atanaric to Roderic (a. 711) (ed. Zeumer 1902, 457-461; Mommsen 1898, 464-469)²⁵. In most manuscripts it precedes the *Liber Iudicum* forming a single body.
- f. 9r A short notice on the fall of the Visigothic kingdom blaming Roderic as an usurper, followed by a short notice on the *inventio* of Saint Zoilus, which, according to the hagiographic tradition, occurred in Córdoba in Sisebut's days.

Then the copyist wrote the *Liber Iudicum* (f. 11v-161r) preceded by the general index (f. 9v-11v), and a selection of laws already found in the main body, but in a different tradition (f. 161v-164v)²⁶. As García López remarks, it reproduces the presentation of an ancient *exemplar*, and its textual version is close to that of other Leonese copies. A fourteenth-century hand revised the *Liber* and supplied missing laws in some blank leaves (f. 164v-165v), using a textual tradition associated with Palencia.

Most likely, the cluster of texts added to the traditional *ordinatio* of the *Liber* was related to some centre in southern Spain²⁷. The prologue, dated in 981, explicitly referring to the Eruigian code, reproduces the traditional view that divine and human laws are a consequence of men's sin, and describes a Mozarabic background²⁸. Also the notice on the fall of the Visigothic kingdom, blaming Roderic for the events, echoes a historiographical tradition found in southern sources, advocated by the supporters of Witiza, who took refuge in Córdoba. The two sets of definitions on the six *gradus consanguinitatis* on f. 6r are found in a *De gradibus consanguinitatis* (Díaz 510), copied in El Escorial, D-I-1, which, if it is not to be attributed to Samsón of Córdoba, most likely belongs to his *milieu*: actually, the controversy over lawful marriage and *conubia consanguinea* was intense in the first half of the ninth century in Córdoba, as the council of Córdoba in 838 shows²⁹. The reference to the *inventio* of Saint Zoilus on f. 9r indicates a centre closely connected to Córdoba, like Palencia and San Zoilo de Carrión,

²³ As García López identified, the two texts are also found in a *De gradibus consanguinitatis* (Díaz 510), copied in El Escorial, D-I-1, which has been attributed to Samsón of Córdoba (Gil 1973, 659-664, at 662-664).

²⁴ García López 1996, 171.

²⁵ On this short text, see Martín 2010, 172-174; Furtado 2011.

²⁶ García López 1996, 174-175.

²⁷ This is also the opinion of García López 1996, 171-172.

²⁸ See f. 2r: *Sed quia occupantibus smaeltis omnes spaniarum fines, gotorum regno decedente, adhesit linguis omnium indigenarum arabicus sermo et pene ad obliuionem ducta est prisca latinitas ita ut non audiatur nisi in ecclesiis recitante clero quod plebes minime auertunt (sic) ac pene ipse clerus non satis intelligit quod in auribus populi dicat intellegendum.*

²⁹ Conc. *Cordud.* 7, ed. Gil 1973, 139-140.

where in the mid-eleventh century monks coming from the famous Cordoban monastery brought the relics of the martyr, and where his *inuentio* was duly celebrated³⁰. Finally, the thirteenth-century hand which annotated many texts added a notice on bishop Masona of Mérida to the list of Visigothic kings on f. 8r.

As we see, the anthology of pieces against love and marriage in advanced age, published by Vollmer as an appendix to Eugenius, has been incorporated into an introductory set of texts, definitions and stemmata on family relationships. The assemblage is concerned not so much with inheritance, but with lawful marriage (f. 2v-5r). As I said previously, it starts with the Ps.-Eugenian epigram under *In nomine domini. Epitauium (a.c.) coniugale a beato Eugenio editum glorioso domno Recensuinto regi*, and closes with the last piece of our anthology, which is followed by the subscription *Explicit epitauium coniugalem (a.c.)*. The pieces are used as examples of *coniugia foeda*. As most of these additional texts, also the Ps.-Eugenian poems are likely to derive from a Mozarabic model arrived to the kingdom of León: this is precisely the case of **Ma**.

Against **Ma**, in which the pieces are in a continuous sequence only separated with *Item*, **E** presents the anthology divided into four parts, with titles in red:

<i>carm.</i> 29-32	<i>Sententiae in petulantiam senis</i>	(addressed to men) ³¹
<i>carm.</i> 33-37	<i>Disticon in id ipsum</i>	
<i>carm.</i> 38-42	<i>Sententiae in coniugeto senile (-li p.c.)</i>	(addressed to women)
<i>carm.</i> 43-47	<i>Disticon in id ipsum</i>	

E seems not to be a copy of **Ma**: for instance, 44,1 *puerilia tollere dona* and 46,1 *uiri* are missing in **Ma**. Many other readings are better than **Ma**, but they could simply be emendations: 30,1 *flammas E, flamma Ma*; 32,1 *aetas E, estas Ma*; 34,1 *redis E, reddis Ma*; 34,2 *uetulum E, uetuli Ma*; 44,1 *ueterana E, uetera Ma*; 45,1 *es E, est Ma*; 45,1 *urna E, uma Ma*; 47,1 *eu male E, e male Ma*; 40,1 *pellis E, puellis Ma*. Some obvious errors common to both witnesses are noteworthy and seem to indicate that **E** derives from a model closely related to **Ma**: 36,1 *serta: serte Ma E* ^{p.c.}, *sertes E* ^{a.c.}; *pelle: puelle Ma E*; 40,1 *fulgore: fulge E Ma*.

³⁰ On f. 9r: *Post inuentionem corporis sci Zoili tempore Siseuuti regis, regni spaniensis sceptrum in omni esperia fulsit annis C.XV.m et mensibus tribus et diebus decem VIII*. On the cult of Saint Zoilus, see García Rodríguez 1996, 228-231.

³¹ For the meaning of *petulantia*, see Isidore, *De differentiis* I 115, ed. Codoñer, 144: *inter lasciuam et petulantiam. Lasciuia a luxu, petulantia a temeritate uocata. Petulantia autem libido dicitur ab eo quod petit male alienum pudorem*; also 73 (327), 118: *inter lasciuum et petulantem. Lasciuus luxu, petulans temeritate*.

Sections b) and d) are composed by metrically acceptable distichs, with some prosodic features which are common in Visigothic poetry and in its main models: 37,2 *rēprobus* (the lengthening of the initial *re-* is not uncommon in late Latin poetry)³²; 43,1 *marītalem* (cf. Cyprrianus Gallus, *exod.* 34 *marītas*); *frēquenter* (cf. Verecundus, *satisfact.* 46 *frēquens*). We could also note 43,1, in which the final -m before a word beginning with a consonant does not produce lengthening, a hiatus in 45,2, and a *productio in arsi* in 47,1 *mixtā*.

The situation is different in sections a) and c). Here one may wonder whether we have poor metrical exercises or simply prose sentences. Some of them have been classified as anapaests, whether so intended or not: *carm.* 31 (acatalectic dimeter, if we accept the elision and we scan *pergat* as two short syllables); 32,2 (also acatalectic dimeter); 39 (but if we add *est* after *discors* it would give a reasonable hexameter).

Other metres could be involved. *Carm.* 29,3 may be scanned as five dactyls, 41,2 combines a iambic pentameter and a trochaic dimeter acatalectic, whether so intended or not. All these metres and combinations are found in Visigothic poetry. In an epigram for a church of St Engratia, Eugenius of Toledo incorporated exquisite metres into a piece in elegiacs in order to give the names of all eighteen martyrs of Zaragoza, as he expressly states (*carm.* 9,13-14):

Sed quia cuncta simul metrum non suscipit unum,
accipe diuersis haec uariata metris.

Then he writes two dactylic tetrapodies plus ithyphallic (verses 15 and 17), a iambic penthemimeres and ithyphallic (16), a Terentianean (18), an hexameter (19), a trochaic dimeter acatalectic plus ithyphallic (20). The metres are described in the school handbooks in use in the late seventh-century Toledo³³.

The collection appears to be school exercises composed on a particular moral subject. Some of them, like *carm.* 35-37 have a proverbial flavour, with the antithetic rhythm of the pentameter. Vollmer believed that they should have been produced in seventh-century Visigothic Spain. This is also the opinion of Díaz y Díaz, Schaller, Szövérfy and other scholars. Indeed, the codicological context of **Ma** suggests a seventh-century anthology of poetry assembled in the days of Wamba or somewhat later, copied in a Mozarabic centre during the ninth cen-

³² Ehwald 1919, 755; cf. Eug. Tol. *carm.* 21,21 *rēuoluit*; also Bede, *De arte metrica* 1,15, ed. Kendall 1975, 128,21-23.

³³ See Julian of Toledo's *ars grammatica*, ed. Maestre Yenes, 234, 16-18 (trochaic dimeter acatalectic); 232,10-12 (iambic pentameter); 230,196-199 (dactylic tetrameter); 235-236 (anapaests). For the purpose of exemplifying the dactylic dimeter and ithyphallic, Julian quotes Eugenius' *carm.* 9,17 (230,210); to exemplify trochaic dimeter acatalectic, he cites Eug. *carm.* 88,2 (234,18).

tury, a period when the recovering of the glorious Visigothic past was crucial to the scholars and clerks under Muslim law, eager to preserve their beliefs, language and culture. Albarus of Córdoba provides us with abundant evidence of this cultural and social *desideratum*. And if in **Ma** the anthology is followed by an epigram of the time of Reccesuinth, in **E** it accompanies an epigram also written in Reccesuinth's days.

Internal criticism fits well with this hypothesis, though providing no sound evidence. The subject reminds us of some of Eugenius' poetical concerns. Prosody and metre are in accordance with the contemporary standards: the *productio in arsi* in 47,1 is a most familiar feature in Visigothic poetry, namely in Eugenius³⁴; some other details are in accordance with the rules of poetic composition in Visigothic Spain. The antithetic and isosyllabic pentameter is quite common in Eugenius' poetry, and some wording is familiar: 35,2 *funera fessa* reminds us of Eugenius' *carm.* 15,4 *caro fessa* (see above), also referring to the ending of lifetime.

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In sum, El Escorial M-III-2, a twelfth-century law codex copied from a tenth-century Mozarabic model probably in the region of León-Castile, is a valuable witness to this enigmatic set of pieces against marriage in old age. The collection has been incorporated in an assemblage of texts on marriage and family relationships used as a prelude to the Ervigian *Liber Iudicum* for the purpose of illustrating *conubia foeda*. In some cases, **E** brings clarification to the text, often corrupt, transmitted by the only other witness known so far, Madrid 10029, Part I, a copy of a seventh-century Visigothic anthology of poetry produced in ninth- or tenth-century southern Spain and brought to the kingdom of León in the tenth century.

³⁴ For Isidore, see Sánchez Martín 2000, 88-89; as for Eugenius, Vollmer 1905, 442, and Alberto 2009, 343 nt. 9; for the *Epitaphion Antoninae*, see Díaz y Díaz 1958, 41; as for the *Dotis formula exametris conscripta* (Díaz 425; CPL 1837; ed. Gil 1991², 90-94), see verses 11, 15, 17, 65, 66, 75, 76.

THE TEXT OF *APPENDIX EVGENIANA* 29-47

SENTENTIAE IN PETVLANTIAM SENIS

29.

Inhonestum festum thalamis proximos tumulis
sociare caput senis et nuptialem uestem:
coniugii non esse decus, sed dedecus.

30. ITEM

Frigori senili cedere iuueniles flammās
etsi non modestia at tempus cogat.

31. ITEM

Stolide anceps, an laetus ad thalamum,
an funereus pergat ad tumulum.

32. ITEM

Infructuosa uirtutibus aetas, quae proximitatem
tumuli festo thalami mutat.

33. DISTICON IN ID IPSVM

In risum plorata senis uesania uenit,
ut quaerat thalamos qui ruat ad tumulos.

34. ITEM

Quid redis ad thalamos? tumulis iam pronior aetas;
nunc uetulum thalami cantica nulla decent.

35. ITEM

Magne senex, stolide copulas cum funere pompam:
Pompa decet iuuenem, funera fessa senem.

36. ITEM

Serta, senex, pelle: thalammorum gaudia turpas,
Compar non aeuo, turpior inde toro.

37. ITEM

Heu male diffuso uetulorum uelle supremo:
dici nolle senex, reprobus esse puer!

SENTENTIAE IN CONIVGETO SENILI

38.

Ridicula materia pompa distincta † manum.

39. ITEM

Discors frons aurea cum pallore senili.

40. ITEM

Non illustratur uetusta pellis fulgore metalli.

41. ITEM

Frustra temporibus margaritum aurumque uibra<ntur>,
ubi uetustatem uultus probat sericum nupturae signum.

42. ITEM

Vetulae saccum! quid ergo sera aetas cum pallio iuuenili?

43. DISTICON IN ID IPSVM

Femina, quae maritalem torum frequenter adisti,
desine fulcra tori iam renouare tibi.

44. ITEM

Quid, ueterana, cupis puerilia tollere dona?
Non decus in forma est, non color ore rubet.

45. ITEM

Non puerum rapias, pueri non munera tollas:
proxima es morti, conuenit urna tibi.

46. ITEM

Quae poteras bene casta uiri seruare sepulcrum,
cur petulans risu conicis ipsa uirum?

Heu male femineo mixta commercia tactu:
plangere per tumulos, ludere per thalamum.

Sigla:

Ma	Madrid 10029, Part I, s. IX <i>ex.</i> , fol. 69r
E	El Escorial M-III-2, s. XII (a. 1188), fol. 5r
X	Madrid 590, s. XVII (<i>descriptus ex Ma</i>)
Vollm.	MGH AA 14, pp. 278-280

[29] *tit.* SENTENTIE IN PETVLENTIAM (sic) SENIS *E*, *om. Ma* || 1 inhonestum festum] *E*, inonestu festu *sic legitur in Ma*, non stupes tu *sic J*, non esse fas festis *Vollm.* || proximos] *E*, proximis *Ma*, proximum *Vollm.* || tumulis] *om. X* || 2 sociare] *E X*, sociari *Ma Vollm.* || nubtialem *Ma* || 3 dedecus] *E Vollm.*, decus *Ma* (non esse dedecus sed decus *corr. X*)

[30] *tit.* ITEM *Ma*, *om. E* || iubeniles *Ma* (iuuenilis *X*) || 1 flammas] *E*, flamma *Ma* || 2 modestia] *X*, modesta *E*, modeti *Ma* || at (ad *Ma Vollm.*)] *om. E*

[31] *tit.* ITEM *Ma*, *om. E* || 1 stollide *Ma* || talamum *Ma E* || 2 pergas *coni. in app. Vollm.*

[32] *tit.* ITEM *Ma*, *om. E* || 1 aetas (etas *E*)] *E*, estas *Ma* || 2 talami *Ma*

[33] *tit.* DISTICON IN ID IPSVM *E*, ITEM *Ma* || 1 plorata] prolata *E* || v. 2 *om. X* || 2 talamos *Ma*

[34] *tit.* ITEM *Ma E* || 1 reddis *Ma* || talamos *Ma* || tumulis] *E*, tumuli *Ma Vollm.* || 2 nunc] *codd.*, hunc *non recte legit Vollm.* || uetulum] *E*, uetuli *Ma Vollm.* || thalami (tal-*Ma*)] *codd.*, thalamum *Vollm.* || deceant *Ma* ^{a.c.} *ut uid.*

[35] *tit.* ITEM *Ma E* || 1 senes *Ma E* || iubenem *Ma*

[36] *tit.* ITEM *Ma E* || 1 sarta] *Vollm.*, serte *Ma E* ^{p.c.}, sertes *E* ^{a.c.} || senes *Ma E* || pelle] *Vollm.*, puelle *Ma E* || talamorum *Ma* || turpas *corr. in turpes E* || 2 non aeuo] noueno *X* || torpior *E* || thoro *E*

[37] *tit.* ITEM *Ma*, *om. E* || 1 heu] eu *codd.*, en *X*, qui *non recte legitur Vollm.* || supremo] subpremo *Ma*, supreno *E* || 2 dici] *codd.*, dicis *Vollm.* || nolle] *E*, uelle *Ma* || senes *codd.* || reprobus] *codd.*, reprobas *X Vollm.*

[38] *tit.* SENTENTIAE IN CONIVGETO (sic) SENILEM *E* (SENILI *E* ^{p.c.}), ITEM *Ma* || ridicula] *Ma*, ridiculi *E* || materia] *X Vollm.*, materiam *Ma E* || manum] *Ma E*, monumento *coni. Bücheler apud Vollm.*

[39] *tit.* ITEM *Ma*, *om. E* || 1 discors] *emend. Bücheler apud Vollm.*, discons *E*, dicors *Ma*, uecors *Peiper*

[40] *tit.* ITEM *Ma E* || 1 pellis] *E*, puellis *Ma* || fulgore] *corr. Peiper Vollm.*, fulge *Ma E X* || metallis *E* ^{a.c.}

[41] *tit.* ITEM *Ma E* || 1 uibrantur] uibratur *corr. Vollm.*, uibra *Ma E*, uibrat *X* || 2 ubi – probat *om. E* || nupturae (nubture *E*)] *E*, abtare *Ma*, sic sericum, apta res igni *coni. Bücheler apud Vollm.*

[42] *tit. om. Ma E* || uetule saccum] *codd.* (*uide* 34,3; 37,1; Iob 16,16; Psalm. 68; Eccl. 25,24; Paul. Nol., *epist.* 45,2, *CSEL* 34,2, p. 499), ne Thali saccum *Vollm.* || iubenili *Ma*

- [43] *tit.* DISTICON IN ID IPSUM *E*, *om.* *Ma* || 1 *maritalem*] *E*, *matrimoniale Ma* || *adis X*
- [44] *tit.* ITEM *Ma E* || 1 *ueterana*] *E*, *uetera Ma* || *puerilia*] *E*, *puerina Ma* || *tollere dona* (*cf. carm.*
 45)] *E*, *om.* *Ma* (*pueri nudare decorem coni. Vollm.*) || *tollerere E^{a.c.}* || 2 *ore*] *E*, *in ore Ma* || *rubet*]
ruber non recte Vollm.
- [45] *tit.* ITEM *Ma E* || 1 *es*] *E*, *est Ma* (*es corr. X*) || *urna*] *E X^{p.c.}*, *uma Ma*
- [46] *tit.* ITEM *Ma E* || 1 *quae*] *corr. X Vollm.*, *qui Ma*, *cum E* || *uiri*] *E*, *om.* *Ma*, *add. coni. Vollm.*
- [47] *tit.* ITEM *Ma*, *om.* *E* || 1 *heu* (*eu E*) *male*] *E* (*cf. 37,1*), *e male Ma* (*fortasse emule*), *aemula*
Vollm. || *commercia*] *commercio E* || *talamum Ma*, *thalamos E*

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