

SAINT AUGUSTINE OF HIPPO

SUMMARY OF THE CONFERENCE WITH THE
DONATISTS

Breviculus Collationis cum Donatistis

SABBATISMUS

Saint Augustine of Hippo (354–430)
Breviculus Collationis cum Donatistis · Summary of the Conference with the Donatists

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Posteaquam facta est cum Donatistis nostra Collatio, breviter commemoravi quae gesta sint, litterisque comprehendi, secundum tres dies quibus cum eis contulimus: idque opus utile existimavi, quo quisque commonitus, vel sciat sine labore quid actum sit, vel consultis numeris, quos rebus singulis annotavi, legat in eisdem gestis ad locum quodcumque voluerit; quoniam fatigant illa nimia prolixitate lectorem. Hujus autem operis titulus est, Breviculus Collationis. Hoc opus sic incipit: Cum catholici episcopi et partis Donati.

Cum Catholici episcopi et partis Donati, jussu Imperatoris, disputando inter se gestis apud tribunal et notarium Marcellinum cognitorem habitis contulissent, multum prolixa eorumdem gestorum est facta conscriptio, quamvis posset totum multo brevius agi. Sed qui causam bonam non se habere sciebant, id egerunt primum quantum potuerunt, ut ne ipsa Collatio fieret, et ut prorsus causa ipsa non ageretur. Sed quia hoc obtinere minime potuerunt, id effecerunt multiplicitate gestorum, ut quod actum est, non facile legeretur. Unde visum est isto breviario cuncta complecti, ut ad signa numerorum, quae et in isto breviculo, et in ipsis gestis annotantur, sine difficultate quisque inveniat quod voluerit.

Ingressis itaque utrisque partibus, primo loco recitatum est rescriptum imperatoris, quo jussit Collationem inter memoratos episcopos fieri, ut superstitionem manifesta ratio confutaret.

Secundo loco recitatum est edictum ipsius Cognitoris, quod per provinciam misit, ut convenirentur utriusque partis episcopi, et intra diem calendarum juniarum conferendi causa congregarentur Carthagine. In eo edicto basilicas sine jussione Imperatoris reddidit Donatistis, qui se pollicerentur esse venturos, ut eo modo eos ad conferendum etiam beneficiis invitaret. In eodem etiam edicto obtulit eis, ut alium quem vellent cum illo judicem constituerent; juravitque se hoc judicaturum, quod veritas suasisset: et caetera quae ad exhortationem congregationis illorum eodem continentur edicto.

Tertio loco recitatum est alterum Cognitoris edictum, quod proposuit jam praesentibus apud Carthaginem utriusque partis episcopis, qui locus et qui modus Collationis futurus esset, supra dicto die itidem commemorato et constituto: et admonuit ut ei pars utraque rescriberet, utrum placerent quae comprehendit edicto.

After our Conference with the Donatists took place, I briefly recounted what was done and set it down in writing, according to the three days during which we conferred with them: and I considered this work useful, so that anyone, being reminded, might either know without labor what was done, or, by consulting the numbers which I noted for each matter, might read in the official records whatever he wishes at the proper place; for their excessive lengthiness fatigues the reader. The title of this work, however, is, *A Brief Account of the Conference*. This work begins thus: "When the Catholic bishops and those of the party of Donatus."

When the Catholic bishops and those of the party of Donatus, by order of the Emperor, had conferred with one another in a debate held in the presence of the tribune and notary Marcellinus, the judge, and recorded in official proceedings, the transcript of these same proceedings was made very lengthy, although the whole matter could have been handled much more briefly. But those who knew they did not have a good cause, first did as much as they could to prevent the Conference itself from taking place, and to ensure that the case itself would not be heard at all. But since they were quite unable to achieve this, they brought it about by the multiplicity of the proceedings that what was done could not be easily read. Therefore, it seemed good to embrace everything in this summary, so that by means of the numerical references, which are noted both in this brief account and in the proceedings themselves, anyone may find what he wishes without difficulty.

And so, when both parties had entered, in the first place the rescript of the emperor was read aloud, by which he ordered the Conference to be held between the aforementioned bishops, so that manifest reason might refute superstition.

In the second place, the edict of the Cognitor himself was read out, which he sent throughout the province, so that the bishops of both parties might be convened and gathered at Carthage before the Kalends of June for the purpose of the conference. In that edict, he returned the basilicas to the Donatists without an order from the Emperor, provided they promised they would come, so that in this way he might invite them to the conference with benefits as well. Also in the same edict, he offered to them that they might appoint another judge with him, whomever they wished; and he swore that he would judge that which the truth had suggested, and the rest which is contained in the same edict for the exhortation of their assembly.

In the third place, a second edict of the Cognitor was read out, which he had proposed to the bishops of both parties already present at Carthage, concerning what place and what procedure the Conference was to have, the above-mentioned day being likewise recalled and appointed; and he admonished that each party should write back to him whether the things he had included in the edict were acceptable.

Quarto loco, cum partis Donati episcopi exigent proponi sibi ab adversariis qua causa fuissent congregati; Cognitor distulit, ut ex ordine prius omnia recitarentur, quae ante diem Collationis acta fuerant. Et recitata est notaria Donatistarum, in qua dixerunt, non sibi placere quod in edicto suo posuit, ut hi soli ex episcopis convenirent ad Collationis locum, quos ad ipsam causam peragendam caeteri delegissent, qui omnes triginta sex complebantur, decem et octo hinc, et decem et octo inde; id est, septem qui inter se disputarent, et alii septem qui concilio, si opus esset, adhiberentur, et alii quaterni qui gestis custodiendis et conscribendis praeessent: sed petiverunt se omnes potius, qui venerant, adesse debere; ut eorum numerus appareret, dicentes quod eos adversarii paucos esse mentiti sint. Ibi dixerunt ita se omnes venisse usque ad gravissimos senes, ut hi soli deessent, quos adversa valetudo corporis impedisset: et caetera quae ipsa notaria continentur.

CAPUT V.---Quinto loco recitatae sunt litterae Catholicorum, quas rescripserunt Cognitori, sicut edicto commonuerat, insinuantes consentire se ad omnia quae illo edicto fuerant ordinata. In eisdem litteris etiam se obstrinxerunt, et polliciti sunt, quod si in parte Donati veritas eis demonstraretur Ecclesiae, non se illic episcopalem honorem quaesituros, sed consilium eorum secuturos pro salute christiana: si autem in sua communione potius veritas ostenderetur Ecclesiae, honores episcopales eis non se negaturos: et hoc a se fieri bono pacis, ut intelligerent hi quibus hoc praestaretur, quod in eis Catholici non christianam consecrationem, sed humanum detestarentur errorem. Quod si plebes duos in una Ecclesia episcopos ferre non possent, utrisque de medio recedentibus, singuli constituerentur episcopi, ab eis episcopis ordinandi, qui in suis plebibus singuli invenirentur. In eisdem litteris commemorata est etiam causa Maximianistarum, ex quibus a se damnatis propter pacem partis Donati quosdam in honoribus integris susceperunt, et ab eis datum in sacrilego schismate Baptismum non resciderunt: et caetera quae in memoratis litteris continentur.

CAPUT VI.---Sexto loco recitatum est etiam edictum ipsius Cognitoris, quod proposuerat cum supra dicta notaria Donatistarum, et supra dictis litteris Catholicorum insinuans populo quae illi pars utraque rescripserit.

CAPUT VII.

In the fourth place, when the bishops of the party of Donatus demanded that their adversaries state for what reason they had been assembled, the Cognitor postponed it, so that everything that had been done before the day of the Conference might first be recited in order. And the record of the Donatists was read out, in which they said that they did not agree with what he had set down in his edict, namely, that only those bishops should come to the place of the Conference whom the rest had delegated to conduct the case itself, who all together numbered thirty-six, eighteen from this side and eighteen from that; that is, seven who would dispute among themselves, another seven who would be brought in for counsel if it were necessary, and another four on each side who would be in charge of guarding and writing the records: but they requested that rather all of them who had come ought to be present, so that their number might be apparent, saying that their adversaries had lied that they were few. There they said that they had all come, even the most venerable old men, such that only those were absent whom poor health had prevented; and the other things which are contained in that same record.

CHAPTER V. In the fifth place, the letters of the Catholics were read out, which they had written back to the Cognitor, as he had admonished by his edict, indicating that they consented to all that had been ordained in that edict. In the same letters they also bound themselves and promised that if the truth of the Church were demonstrated to be on the side of Donatus, they would not seek episcopal honor there, but would follow their counsel for the sake of Christian salvation; but if the truth of the Church were shown to be rather in their own communion, they would not deny episcopal honors to them; and that this was done by them for the good of peace, so that those to whom this was offered might understand that what the Catholics detested in them was not the Christian consecration, but the human error. But if the congregations could not tolerate two bishops in one Church, with both stepping down, individual bishops would be appointed, to be ordained by those bishops who were found to be the sole ones in their own congregations. In the same letters, the case of the Maximianists was also mentioned, from among whom, though condemned by them, they had, for the sake of peace with the party of Donatus, received some back with their honors intact, and had not invalidated the Baptism given by them in a sacrilegious schism; and the rest of what is contained in the aforementioned letters.

CHAPTER VI.---In the sixth place, the edict of the Cognitor himself was also read out, which he had published with the aforementioned record of the Donatists, and the aforementioned letters of the Catholics, informing the people what each party had replied to him.

CHAPTER VII.

Septimo loco recitatae sunt litterae Catholicorum ad Cognitorem datae, quibus Donatarum notariae responderunt, concedentes eis quod petierant, ut universi qui venerant praesentes essent in eo loco ubi erat futura Collatio: cum tamen illic ex Catholicis episcopis illi soli adessent, quos edicto suo Cognito definierat; ut si aliquis tumultus existeret, quod Catholici valde metuebant, non illis imputaretur qui paucissimi adessent, sed eis potius qui multitudinem suam praesentem esse voluissent. In eisdem litteris etiam tota ipsa causa comprehensa est, ut ostenderetur Ecclesia catholica non esse pars Donati, sed illa potius quae per totum mundum fructificaret et cresceret, incipiens ab Jerusalem secundum sacram Scripturam (Luc. XXIV, 47): et quia nihil ei praejudicaret quicumque in ea mali fuissent, divino in fine iudicio separandi: et quia nec in ipsum Caecilianum majores eorum aliquid probare potuerunt, qui iudicii ecclesiasticis, et maxime Imperatoris apud quem ab eis fuerat accusatus, innocens inventus et pronuntiatus est. Et quia de iussionibus imperatorum quae pro Catholica constituuntur, solent facere invidiam; commemoratum est etiam de sancta Scriptura, reges decrevisse in regno suo gravissimas poenas eis qui blasphemassent Deum (Dan. III, 96). Commemorata est etiam causa Maximianistarum, quos et iudiciis ipsi publicis insectati sunt, et ex quibus damnatis quosdam in honoribus integris susceperunt, nec ab eis in schismate datum Baptismum destruxerunt; quod eos quibus dilationem dederunt Maximiano communicantibus, dixerunt illius contagio non fuisse pollutos: et caetera quae eisdem litteris continentur. Haec autem omnia ideo ibi commemorata sunt, ne forte si secum cogitassent Donatistae, et viderent quam malam causam haberet pars Donati, ad hoc voluissent, omnes qui venerant, ingredi locum Collationis, ut pax atque unitas fieret.

Octavo loco, cum Cognito inquisisset utrum sicut a Catholicis videbat, ita etiam a parte Donati electi jam essent qui susceptam causam peragerent; responsum est a parte Donati, quod jam esset acta a Catholicis causa, antequam esset confligentium statuta persona: propter illas Catholicorum litteras quae totam causam breviter continebant. Deinde instare coeperunt, ut prius ageretur de tempore, de mandato, de persona, de causa, tunc ad negotii merita veniretur.

In the seventh place, the letter of the Catholics given to the Cognitor was read, to which the notaries of the Donatists responded, granting them what they had requested: that all who had come should be present in the place where the Conference was to be held. This was despite the fact that, of the Catholic bishops, only those whom the Cognitor had specified in his edict would be present there, so that if any disturbance should arise—which the Catholics greatly feared—it would not be imputed to them, who would be very few, but rather to those who had wished their multitude to be present. In the same letter, the entire case itself was also summarized, to show that the Catholic Church is not the party of Donatus, but rather that which would bear fruit and grow throughout the whole world, beginning from Jerusalem according to Holy Scripture (Luke 24:47); and that whoever had been evil within it would in no way prejudice it, as they are to be separated by divine judgment at the end; and that their predecessors could not prove anything even against Caecilian himself, who, by ecclesiastical judgments and especially that of the Emperor before whom he had been accused by them, was found and declared innocent. And because they are accustomed to create ill will concerning the imperial orders which are established in favor of the Catholic Church, it was also recalled from Holy Scripture that kings had decreed in their kingdoms the most severe penalties for those who had blasphemed God (Daniel 3:96). The case of the Maximianists was also brought up, whom they themselves had prosecuted in public courts, and some of whom, after being condemned, they received back with their honors intact, nor did they invalidate the Baptism conferred by them in schism; because they said that those to whom they granted a delay, who were in communion with Maximian, had not been polluted by his contagion: and the rest of the things which are contained in the same letter. Now, all these things were mentioned there for this reason: lest perhaps, if the Donatists had reflected among themselves and seen what a bad case the party of Donatus had, they might have wished for all who had come to enter the place of the Conference for this purpose, that peace and unity might be made.

In the eighth place, when the Cognitor had inquired whether, just as he saw on the Catholic side, persons had also now been chosen on the part of Donatus to carry through the case they had undertaken, it was answered by the party of Donatus that the case had already been pleaded by the Catholics before the persons of the disputants had been established, on account of those letters from the Catholics which briefly contained the whole case. Then they began to insist that first there should be a discussion of the time, of the mandate, of the person, and of the cause, and that only then should they come to the merits of the business.

Et cum Cognitor interlocutus esset, nihil de causa esse mutilatum; et rursus inquisisset utrum de constituendo numero disputantium edicto ejus paritum fuerit, quia per hos oporteret agi omnia quae agenda essent: coeperunt Donatistae agere de tempore, quoniam causa ipsa agi non posset, quia dies praeterisset. Quarto decimo enim calendarum juniarum die completi fuerant quatuor menses ex die edicti Cognitoris quod ad provinciam miserat, sicut interrogatum respondit Officium. Et quoniam intra quatuor menses agi causam praeceperat Imperator, ideo diem jam transisse dicebant, et petebant ut tanquam in contumaces Catholicos sententia proferretur: quasi Catholici absentes essent, aut Donatistae aliquando ad agendam causam illis absentibus intravissent, aut admoniti Catholici vel evocati defuissent. Ista ergo calumniose et tergiversatorie, quae nec in foro jure agerentur, dicebant, nolentes ut aliquid ageretur. Sed ad hoc eis respondit ipse Cognitor, quod in calendas junias pars utraque consenserit, quamvis etiamsi quaelibet pars adhuc usque non occurrisset, duos alios menses superesse potuisse, quos Imperator adjunxit trinis edictis fuisse servandos.

CAPUT IX.---Nono loco, quoniam Cognitor superius dixerat, de tempore praescribere ut causa non ageretur, non episcopalis, sed forensis potius esse objectionis, invenit occasionem pars Donati qua diceret, nihil ergo secum agi publico jure debere, sed tantum divinis Scripturis. Unde, cum quaesisset Cognitor quid utrique parti de hac re placeret; responsum est a Catholicis, ut juberet mandatum catholici concilii recitari, ubi electis disputatoribus agendi modus injunctus est; ibi posse melius apparere quod non forensibus tergiversationibus, sed magis divinis testimoniis ageretur. Et aliquandiu conflictio producta est, cum Catholici instarent recitari mandatum, illi autem recusarent. Sed postea remotis omnibus moratoriis contentionibus, recitari mandatum Cognitor jussit.

CAPUT X.---Decimo loco mandatum catholici concilii recitatum est, quo electis ad disputandum episcopis, catholicae Ecclesiae est injuncta defensio adversus criminationes Donatistarum.

And when the Cognitor had ruled that nothing of the case had been prejudiced, and had again inquired whether his edict concerning the establishment of the number of disputants had been obeyed—since it was necessary that all things that were to be done should be done through them—the Donatists began to argue about the time, claiming that the case itself could not be heard because the day had passed. For on the fourteenth day before the calends of June, four months had been completed from the day of the Cognitor's edict which he had sent to the province, as the Office responded when questioned. And since the Emperor had ordered the case to be heard within four months, they therefore said the day had already passed, and they demanded that sentence be pronounced against the Catholics as if they were contumacious—as if the Catholics were absent, or as if the Donatists had at some point entered to plead the case in their absence, or as if the Catholics, having been admonished or summoned, had failed to appear. Therefore, they said these things calumniously and evasively—things which would not even be argued lawfully in a public court—not wanting anything to be done. But to this the Cognitor himself responded that both parties had consented to the calends of June, and that even if either party had not yet appeared, two other months could have remained, which the Emperor, by three edicts, had added were to be kept available.

CHAPTER IX. In the ninth place, since the Cognitor had said above that the prescription concerning time, so that the case might not be heard, was an objection not of an episcopal but rather of a forensic nature, the Donatist party found an opportunity to say that therefore nothing ought to be transacted with them by public law, but only by the divine Scriptures. Whence, when the Cognitor had asked what pleased each party concerning this matter, it was answered by the Catholics that he should order the mandate of the Catholic council to be read out, wherein the manner of proceeding was enjoined upon the chosen disputants; for there it could better appear that the case was being conducted not with forensic evasions, but rather with divine testimonies. And for some time a conflict was prolonged, as the Catholics insisted that the mandate be read, but the others refused. But afterwards, all delaying contentions having been set aside, the Cognitor ordered the mandate to be read.

CHAPTER X.—In the tenth place, the mandate of the Catholic council was read out, by which the defense of the Catholic Church against the accusations of the Donatists was enjoined upon the bishops chosen for the disputation.

Hoc mandato iterum, sicut in superioribus litteris, breviter tota causa comprehensa est, prius ut causa Ecclesiae quae toto, sicut promissa est, terrarum orbe diffunditur, a causa Caeciliani qualiscumque illa fuisset, sic distingueretur, ut ostenderetur malos in Ecclesia, qui vel ignoranter vel pro unitate pacis tolerantur a bonis, non eis ad mala consentientibus obesse non posse, similitudinibus evangelicis et exemplo Prophetarum, et ipsius Domini Christi et Apostolorum, et episcoporum, et iudicio ipsorum etiam Donatarum propter Maximianistas: deinde ipsius Caeciliani causa non mala fuisse certis documentis demonstraretur, quibus et ipse et ordinator ejus Felix Aptuginensis, quem in concilio suo criminosius accusaverunt, probaretur esse purgatus. Et caetera quae mandato eodem continentur, sive de Baptismo, sive de persecutione, quae solet Catholicis objicere pars Donati. Nam commemorata ibi est iterum, sicut in superioribus litteris, causa Maximianistarum, qua demonstrarentur Donatistae suo iudicio cuncta diluisse, quae objicere Catholicis vel de Baptismo, vel de persecutione, vel de communionis contagione consueverunt. Adjectum est etiam, ut si qua etiam nunc episcopis Catholicis morarum interponendarum gratia voluissent crimina objicere, propter finiendam quae prius urgeret causam, audienda et discutienda postea differrentur. Hoc autem, id est, ut tota causa et superioribus litteris et isto mandato comprehenderetur, eo consilio a Catholicis factum est, ne forte, sicut fama jactabat, aliquas moratorias praescriptiones Donatistae ingerere conarentur; et forsitan non permissi ab ipsa Collatione resilirent; acta licet breviter Ecclesiae catholicae causa, in conscriptione gestorum legenda remaneret, quam timuisse intelligerentur, et ideo noluisse conferre.

CAPUT XI.--Undecimo loco, cum Cognitor interlocutus esset, in mandato Catholicorum magis divina testimonia quam forensia vincula esse prolata, et jussisset etiam subscriptiones omnium recitari, conflictus exortus est, et aliquandiu productus est, cum Donatistae exigenter eorum praesentiam, qui mandato subscripserant; objicientes quod eis suppositis qui episcopi non fuerint, potuissent fallere Cognitorem, quo praesente subscripsisse legebantur, et quod antiquis cathedris alios episcopos addiderint ut numerus augetur.

In this mandate, as in the preceding letters, the whole case was again briefly comprehended: first, that the cause of the Church, which is spread throughout the whole world as was promised, should be so distinguished from the cause of Caecilian, whatever that might have been, that it might be shown that the evil members in the Church, who are tolerated by the good either in ignorance or for the sake of the unity of peace, cannot harm those who do not consent to their evil deeds, by the parables of the Gospel, and the example of the Prophets, and of the Lord Christ Himself and the Apostles, and of bishops, and even by the judgment of the Donatists themselves concerning the Maximianists; secondly, that the case of Caecilian himself would be demonstrated by sure documents not to have been bad, by which both he and his ordainer, Felix of Aptunga, whom they had most criminally accused in their own council, would be proven to have been cleared. And the other matters which are contained in the same mandate, whether concerning Baptism or concerning the persecution which the party of Donatus is accustomed to object against the Catholics. For the case of the Maximianists was mentioned there again, as in the preceding letters, by which it would be demonstrated that the Donatists, by their own judgment, had refuted all the things they were accustomed to object against the Catholics, whether concerning Baptism, or persecution, or the contagion of communion. It was also added that if they wished to bring any charges even now against the Catholic bishops for the sake of causing delays, the hearing and discussion of these would be deferred until afterwards, in order to conclude the case that was more pressing. This, however, that is, that the whole cause should be comprehended both in the preceding letters and in this mandate, was done by the Catholics with this design: lest perhaps, as rumor had it, the Donatists should attempt to introduce some delaying exceptions; and, if perhaps not permitted, they would withdraw from the Conference itself; so that the case of the Catholic Church, though briefly stated, would remain to be read in the written proceedings, a case which they would be understood to have feared, and for that reason to have been unwilling to confer.

In the eleventh place, after the Cognitor had intervened, stating that in the mandate of the Catholics divine testimonies rather than legal bonds had been brought forth, and had also ordered the subscriptions of all to be read out, a conflict arose and was prolonged for some time, as the Donatists demanded the presence of those who had subscribed to the mandate; objecting that, by substituting persons who were not bishops, they could have deceived the Cognitor, in whose presence they were recorded as having subscribed, and that they had added other bishops to ancient sees in order to increase their number.

Catholici autem, ne sui praesentarentur, resistebant; verentes ne illi tumultum aliquem praepararent, per quem prorsus abrumperetur ipsa Collatio, quam fieri Donatistae nolle omnino videbantur, maxime quando de tempore, quasi jam causa lapsa esset et audiri non posset, praescribere voluerunt. Quem tumultum ideo putabant nondum fecisse, quia si fieret, videbant non posse imputari Catholicis, qui paucissimi aderant; sed sibi potius, quorum praesens fuerat multitudo. Sed voluntati eorum cedentibus Catholicis, ut omnes qui subscripserant ingrederentur; apparuit postea hoc ideo voluisse Donatistas, quia existimabant non convenisse Carthaginem tot Catholicos, quot subscriptiones ostendebantur. Hoc autem propterea credidisse putati sunt, quia Catholici non ea pompa qua illi Carthaginem fuerant ingressi, et ob hoc eos paucos venisse suspicabantur.

Duodecimo loco ingressis episcopis Catholicis, quorum praesentia petebatur, omnes singillatim recitati, et in medium procedentes, a Donatistis recogniti sunt, vel vicinis suis, vel cum quibus in uno loco erant: et quicumque recitabantur Catholici episcopi ex his locis, ubi non erat pars Donati, satis et ipsis Donatistis notum erat se ibi non habere collegas vel communionem suam, et esse illic Catholicos, vel quos noverant, vel de quibus audierant in suae vicinitate regionis. Ita factum est ut omnino nullius Catholici recitaretur subscriptio, de cuius praesentia dubitarent. Sane cum ventum esset ad nomen Victoriani Mustitani catholici episcopi, et in medium procedens respondisset se habere contrarios duos, Felicianum in civitate Mustitana, et Donatum in loco Turrensi; exegerunt Catholici, ut actis constaret Felicianum in communionem esse Primiani: ipsum enim inter alios cum Maximiano damnaverant, damnatorem Primiani et ordinatorem ipsius Maximiani, quem postea in integro honore receperant, nec destruxerant Baptismum in eis quos in Maximiani schismate baptizaverat. Sed ad interrogationem Catholicorum respondere noluerunt, dicentes non debere hoc ab eis exigi. Et cum iterum pressius exigeretur, dixerunt jam internae actionis hoc esse: et secundum eos interlocutus est Cognitor, ut hoc quod coeptum fuerat ageretur, et illud si opus esset postea quaereretur. In ipsa autem dioecesi Mustitana apparuit et ipsos episcopum alium antiquae cathedrae addidisse, quod inani invidia Catholicis objecerant: hoc et in aliis locis eos fecisse, postea declaratum est.

The Catholics, however, resisted having their own members presented, fearing that the others might prepare some tumult through which the Conference (*Collatio*) itself would be completely broken off—a conference which the Donatists seemed altogether unwilling to have happen, especially when they tried to object on the grounds of time, as if the case had already lapsed and could not be heard. It was thought that they had not yet caused this tumult for the reason that, if it were to happen, they saw it could not be blamed on the Catholics, who were present in very small numbers, but rather on themselves, whose multitude was present. But when the Catholics yielded to their will, so that all who had subscribed might enter, it later became apparent that the Donatists had wanted this because they believed that not as many Catholics had assembled in Carthage as the subscriptions showed. Moreover, they were thought to have believed this because the Catholics had not entered Carthage with the same pomp as they had, and for this reason they suspected that few had come.

In the twelfth place, when the Catholic bishops whose presence was requested had entered, they were all recited one by one, and as they came forward into the midst, they were recognized by the Donatists, either as their neighbors or as those with whom they were in the same place; and whenever Catholic bishops were named from those places where there was no Donatist party, it was well known even to the Donatists themselves that they had no colleagues or communion of their own there, and that there were Catholics there, whom they either knew or about whom they had heard in the vicinity of their own region. Thus it happened that the subscription of no Catholic was read out about whose presence they might have doubt. Indeed, when they came to the name of Victorianus of Musti, the Catholic bishop, and he, coming forward, had responded that he had two adversaries, Felicianus in the city of Musti and Donatus in the place of Turris, the Catholics demanded that it be established in the records that Felicianus was in communion with Primianus: for they had condemned this very man among others with Maximianus—he who had condemned Primianus and ordained Maximianus himself—whom they later received back with his honor intact, nor had they invalidated the Baptism of those whom he had baptized in the schism of Maximianus. But they were unwilling to respond to the questioning of the Catholics, saying that this should not be demanded of them. And when it was demanded again more insistently, they said that this was now a matter of internal procedure; and the Presiding Judge (*Cognitor*) spoke in agreement with them, that what had been started should be carried on, and that other matter, if necessary, could be investigated later. Moreover, in the diocese of Musti itself, it became apparent that they themselves had added another bishop to the ancient see, a thing which they had objected to the Catholics with empty envy: it was later declared that they had done this in other places as well.

Tertio decimo loco, recensitis et recognitis praesentibus Catholicis qui subscripserant, Cognitor obtulit petens, ut considerentes potius agerent quam stantes. Donatistae tamen recusaverunt, gratias tamen agentes quod talibus senibus obtulisset consessum, et in ea recusatione multa dicentes in laudem suam, et in laudem ipsius Cognitoris; quae legat qui voluerit in conscriptione gestorum: pertinet enim ad rem, quomodo quem sic laudaverunt, ut dicerent honorificum, justum, reverentem, benignum, causam tamen, propter cujus actionem tam multi convenerant, apud eum agi nolebant.

CAPUT XIV.---Quarto decimo loco mandatum etiam Donatistarum prolatum et recitatum est, breviter factum, ut hi quos elegerant, agerent velut adversus traditores et persecutores suos. Recitata sunt etiam eorum nomina, cum hoc Catholici fieri petissent, ut constaret utrum apud Carthaginem praesentes subscripserant. Sed Donatistae multo instantius hoc ut fieret Cognitori extorserunt, ut eorum quoque numerus appareret, quod se magna intentione velle monstrabant. In ea sane recitatione inventi sunt quidam, pro quibus absentibus alii subscripserunt. Inventus est etiam unus, qui cum suo nomine recitato non responderet, dixerunt eum in itinere esse defunctum. Et cum quaererent Catholici, quomodo potuerit apud Carthaginem subscribere, qui fuerat in itinere defunctus; illi diu fluctuaverunt, perturbati, et nescientes quid responderent. Nam primo dixerunt, non de ipso, sed de alio fuisse suggestum. Et cum Catholici putassent de alio, id est, de clerico eos dicere, qui pro mortuo subscribere potuit; quaesitum est utrum clericus suo nomine, an illius pro mortuo subscripserit. Sed postea responderunt, ipsum quidem subscripsisse praesentem, cum octavo calendis junias mandatum fieret: sed quoniam aeger subscripserat, remeantem ad propria in itinere defecisse. Quo audito Catholici petierunt superiora eorum verba recitari, ut ipsa varietas deprehensa claresceret. Quod cum factum fuisset, et appareret, quaesivit Cognitor, utrum saltem sub Dei testificatione firmarent, eum fuisse Carthagini, quando praesentes praesentibus mandaverunt ut subscriberent. Ubi vehementius perturbati responderunt, Quid, si et alius pro eodem apposuit? Hanc eorum falsitatem deprehensam iudicio Dei relinquens, jussit caetera nomina recitari.

In the thirteenth place, after the Catholics who were present and had subscribed were reviewed and recognized, the Cognitor made an offer, requesting that they conduct the proceedings while seated rather than standing. The Donatists, however, refused, yet giving thanks that he had offered seats to such old men, and in that refusal saying many things in praise of themselves and of the Cognitor himself—which things let him who wishes read in the written record of the proceedings: for it is relevant to the matter how they were unwilling for the case, for the hearing of which so many had convened, to be tried before the very man whom they so praised as to call him honorable, just, respectful, and kind.

CHAPTER XIV.---In the fourteenth place, the mandate of the Donatists was also brought forth and read out, briefly composed, stating that those whom they had elected should act as if against their betrayers and persecutors. Their names were also read out, as the Catholics had requested this be done, so that it might be established whether those present at Carthage had signed. But the Donatists, with much greater insistence, wrung this from the Cognitor, so that their number might also be made apparent, which they showed they desired with great eagerness. In that reading, indeed, some were found for whom, in their absence, others had subscribed. One was also found who, when his name was read out, did not respond; they said he had died on the journey. And when the Catholics asked how he could have subscribed at Carthage, who had died on the journey, they hesitated for a long time, perturbed and not knowing what to answer. For at first they said that the report had been not about him, but about another. And when the Catholics thought they were speaking of another, that is, of a cleric who could have subscribed for the dead man, it was asked whether the cleric had subscribed in his own name, or in that of the deceased. But afterward they replied that he had indeed subscribed in person when the mandate was made on the eighth day before the Calends of June, but because he had subscribed while ill, he had passed away on the journey while returning to his own see. Upon hearing this, the Catholics requested that their previous words be read back, so that the contradiction, once detected, might be made clear. When this was done and it became apparent, the Cognitor asked whether they would at least affirm under the testimony of God that he had been in Carthage when those present mandated the other present to subscribe. At this, being vehemently perturbed, they replied, "What if another signed for him?" Leaving this falsehood of theirs, once detected, to the judgment of God, he ordered the rest of the names to be read out.

Quibus recitatis, quaesivit de numero episcoporum partis utriusque. Respondit Officium, nomina donatistarum episcoporum esse ducenta septuaginta novem, annumeratis etiam illis pro quibus absentibus alii subscripserant, computato et illo defuncto. Catholicorum autem omnium praesentium nomina esse constitit ducenta octoginta sex. Viginti enim non subscripserant, qui tamen suam exhibentes praesentiam et in medium procedentes, nisi quos infirmitas corporis illic apud Carthaginem tenuit, praesentibus gestis se mandare et consentire professi sunt.

In loco ergo Collationis, hoc est in thermis Gargilianis, quia ipse postea locus placuerat, ex his Catholicis qui mandato subscripserant, et qui praesentes gestis mandaverant, hi soli defuerunt qui illic apud Carthaginem incommoda valetudine tenebantur. Ex his autem quorum nomina Donatistarum subscriptio continebat, non solum illi deerant quos apud Carthaginem aegrotare responderant, sed etiam illi pro quibus absentibus, id est, apud Carthaginem non constitutis alii subscripserant.

Quoniam itaque se Donatistae de numerositate jactabant, excepto eo quod Catholicos plures venisse Carthaginem constitit; dictum est a Catholicis, alios episcopos centum viginti non venisse Carthaginem, quod quidam eorum senectute, quidam infirmitate, quidam diversis necessitatibus impediti. Quod cum audissent Donatistae, responderunt, etiam suos multo plures non venisse Carthaginem, et multas esse apud se cathedras viduatas episcopis: cum in sua notaria quam Cognitori dederant, apertissime dixerint usque adeo se omnes venisse Carthaginem, ut nec gravissimos senes aetas et labor potuerit detertere; eosque solos non venisse, quos adversa valetudo in suis sedibus vel in itinere tenuisset. Sane propter cathedras, quas episcopis vacuas apud se esse dixerunt, responsum est etiam a Catholicis, sexaginta esse, quibus successores episcopi nondum fuerant ordinati. Ac per hoc in istis utriusque partis subscriptionibus, et falsitates in Donatistis constitit fuisse deprehensas, et eorum numerum episcoporum minorem; quandoquidem soli aegroti non venerant Carthaginem, pro quibus tamen in itinere aegrotantibus alii subscripserant, et omnium nomina cum ipsis etiam pro quibus alii subscripserant, ducenta septuaginta novem subscriptio continebat: neque ullo modo credibile sit, multo plures quam centum viginti, hoc est, tertiam partem omnium eorum in suis sedibus aegrotasse potuisse, et ideo non venisse Carthaginem.

CAPUT XV.

When these had been read, he inquired about the number of bishops of each party. The Office replied that the names of the Donatist bishops were two hundred and seventy-nine, counting also those for whom others had subscribed in their absence, and including the deceased one. It was established, however, that the names of all the Catholics present were two hundred and eighty-six. For twenty had not subscribed, who nevertheless, presenting themselves and coming forward—except for those whom bodily infirmity kept there in Carthage—professed that they gave their mandate and consented to the present proceedings.

Therefore, at the place of the Conference, that is, in the Gargilian baths (because this place was later agreed upon), of those Catholics who had subscribed to the mandate and who had given their mandate in the present proceedings, only those were absent who were detained there in Carthage by ill health. Of those, however, whose names the Donatist subscription contained, not only were those absent whom they had reported were sick in Carthage, but also those for whom others had subscribed in their absence, that is, who were not present in Carthage.

Since, therefore, the Donatists were boasting of their numbers—although it was established that more Catholics had come to Carthage—it was stated by the Catholics that another one hundred and twenty of their bishops had not come to Carthage, because some of them were hindered by old age, some by infirmity, and some by various necessities. When the Donatists heard this, they replied that many more of their own had also not come to Carthage, and that there were many sees among them bereft of bishops; whereas in their own official record which they had given to the Cognitor, they had stated most openly that they had all come to Carthage to such an extent that neither age nor toil could deter even the most venerable elders, and that only those had not come whom ill health had detained in their own sees or on the journey. Indeed, concerning the sees which they said were vacant of bishops among them, it was replied by the Catholics that there were sixty of their own for which successor bishops had not yet been ordained. And thus, in these subscriptions of both parties, it was established both that falsehoods had been detected among the Donatists and that their number of bishops was smaller; since only the sick had not come to Carthage (for whom, however, others had subscribed as they were sick on the journey), and the subscription contained two hundred and seventy-nine names in all, including even those for whom others had subscribed; nor is it in any way credible that many more than one hundred and twenty—that is, a third part of their total number—could have been sick in their own sees and for that reason not come to Carthage.

CHAPTER XV.

Quinto decimo loco, egressis omnibus qui jam superfluo praesentes erant, et remanentibus eis quos necessarios utrique delegerant, in perendinum diem Collatio dilata est utrorumque consensu, quoniam dies praesens jam videbatur emensus.

COLLATIO SECUNDI DIEI.

CAPUT PRIMUM.---Primo loco, cum die intermisso ad memoratum locum, sicut placuerat et constitutum fuerat, conveniretur, obtulit consessum iterum Cognitor, deprecans ut fieret. Et mox Catholici consederunt: Donatistae autem recusaverunt. In qua recusatione inter caetera id quoque dixerunt, quod scriptum sibi esset cum talibus non sedere (Psal. XXV, 4). Ad hoc Catholici, ne morae fierent, tunc non responderunt, sed opportuniore loco in tertii diei Collatione. Tunc ergo etiam ipse Cognitor stando se cogniturum esse respondit.

CAPUT II.

Secundo loco recitata est notaria, quam pridie dederant, petentes ut sibi mandatum Catholicorum ederetur, quo considerato possent in diem constitutum instructi adesse, eo quod exceptores cum conscriptione gestorum occurrere non valerent: et responsio Cognitoris in eadem notaria, qua iussit fieri quod petebant.

Tertio loco, cum quaesisset Cognitor, quid etiam de subscriptionibus responderent, id est utrum eis placeret quod edicto proposuerat, ut prosecutionibus suis quisque subscriberet; et respondissent Catholici, jam se in hoc consensum suum litteris expressisse: illi se multum moveri dixerunt, quod hoc consuetudo non haberet. Et cum Cognitor interrogasset, utrum eis sufficeret quod dati fuerant gestorum conscribendorum ex utraque parte custodes; dilationem petere coeperunt, ut sibi conscripta gesta ederentur, et tunc responderent: Hic ortus est diuturnus conflictus cum eis, cum consensus eorum, quo placuerat ut illo die res ageretur, saepe recitaretur ex tabulis. Et cum se notas ignorare dicerent, petentes ut prius eis ederentur gesta conscripta; Cognitor iussit, ut quod eorum notarii exceperant perlatis codicibus qui signati custodiebantur, eis recitaretur, ne contra suum consensum venirent.

In the fifteenth place, after all who were now unnecessarily present had departed, and with those remaining whom both parties had chosen as necessary, the Conference was postponed to the next day by the consent of both, since the present day already seemed spent.

CONFERENCE OF THE SECOND DAY.

CHAPTER I.---In the first place, when, after a day's interval, they had gathered at the aforementioned location, as had been agreed and decided, the Cognitor again offered them to be seated, requesting that they do so. And the Catholics immediately sat down, but the Donatists refused. In this refusal, among other things, they also said that it was written for them not to sit with such people (Psalm 25:4). To this the Catholics, so that there would be no delays, did not respond at that time, but at a more opportune place in the Conference of the third day. Then, therefore, the Cognitor himself also replied that he would conduct the inquiry while standing.

CHAPTER II.

In the second place, the official record was read out, which they had submitted the day before, requesting that the mandate of the Catholics be issued to them, so that, having considered it, they might be able to attend prepared on the appointed day, on the grounds that the stenographers would not be able to keep up with the transcription of the proceedings; and the response of the Cognitor was in the same record, in which he ordered that what they requested be done.

On the third point, when the Cognitor had asked what they would also answer concerning the subscriptions, that is, whether they agreed with what he had proposed in the edict, that each one should subscribe to his own prosecutions; and the Catholics had responded that they had already expressed their consent in this matter in writing: they said they were much disturbed, because this was not the custom. And when the Cognitor had asked whether it was sufficient for them that custodians had been appointed from both sides for the recording of the proceedings, they began to ask for a delay, so that the written proceedings might be published to them, and then they would respond. Here a prolonged conflict arose with them, since their consent, by which it had been agreed that the matter should be handled on that day, was often read out from the records. And when they said they did not know the shorthand notes, asking that the written proceedings first be published to them, the Cognitor ordered that what their notaries had taken down should be read to them, after bringing in the codices which were kept under seal, lest they should act against their own consent.

Cumque et ipsi saepe de gestorum editione causarentur, quod exceptores non occurrissent gesta conscribere; etiam hoc eis responsum est, quod notaria sua ideo se petisse dixerant edi sibi Catholicorum mandatum, ut ad praesentem diem instructi occurrerent, quia exceptores occurrere cum gestorum editione non possent. Ubi non inuenientes quid dicerent, voluerunt iterum praescriptionem diei refricare, de qua fuerat eis satis superque responsum, et inde jam fuerat primo die transitum. Sed tunc eis Catholici etiam ad hoc responderunt, quod non solum in edicto Cognitoris calendarum juniarum dies constitutus legeretur, sed etiam ipsi octavo calendas junias suum mandatum conscripsissent, cum jam transisset dies, quo dicebant agi debuisse causam, id est, quarto decimo calendas junias. Dictum est etiam ipsum Primianum ad calendas junias se pollicitum occurrere. Quae omnia ideo a Catholicis dicta sunt, quod audierant eos etiam in populo suo de hac re invidiose locutos: et tamen inter haec omnia illi in petenda dilatione vehementissime perstiterunt. Quod cum vidissent Catholici ad hoc eis diu negari ut gesta multis verbis onerarentur, petierunt Cognitorem, ut eis quam petebant dilationem concederet. Et concessa est sex dierum dilatio, respondentibus exceptoribus, quando editio gestorum posset occurrere; et illis promittentibus, cum gesta edita fuerint, se suis prosecutionibus subscripturos.

Tertio die Collationis, id est, sexto idus junias, ingressis partibus, primo loco, utrum edita eis gesta fuerint, Cognitor inquisivit. Respondit Officium, se ante diem quam promiserat edidisse, quod ex utriusque partis cautionibus probaretur. Et recitatae sunt cautiones, quibus constitit Catholicos accepisse gesta octavo idus junias hora diei quinta, Donatistas autem eodem die, tertia.

CAPUT II.--2. Secundo loco cum Cognitor jussisset principale negotium jam proponi; dictum est a Catholicis, olim se agere velle principale negotium, et hoc esse, ut crimina quae solent Donatistae dicere in Ecclesiam toto orbe diffusam, si possent, probarent. Responsum est a Donatistis, ut prius quaereretur qui essent qui agerent, ut morae fierent de discussione personarum.

And when they themselves often made excuses about the publication of the proceedings, alleging that the scribes had not been present to write them up, this also was answered to them: that their chancery had said they had requested the mandate of the Catholics to be published to them for the very reason that they might come prepared on the present day, because the scribes could not be present with the publication of the proceedings. At which point, finding nothing to say, they wished to bring up again the objection concerning the day, about which a more than sufficient answer had been given to them, and from which the discussion had already moved on on the first day. But then the Catholics also responded to this, that not only was the day of the Calends of June read as established in the edict of the Cognitor, but also that they themselves had written their mandate on the eighth day before the Calends of June, when the day on which they said the case ought to have been tried, that is, the fourteenth day before the Calends of June, had already passed. It was also said that Primianus himself had promised to appear on the Calends of June. All these things were said by the Catholics for this reason, because they had heard that they had spoken hatefully about this matter even among their own people; and yet, amidst all this, they persisted most vehemently in asking for a delay. When the Catholics saw that a delay was being denied to them for a long time for this purpose, namely that the proceedings might be burdened with many words, they asked the Cognitor to grant them the delay they were requesting. And a delay of six days was granted, with the scribes responding as to when the publication of the proceedings could take place, and with them promising that when the proceedings were published, they would subscribe to their own prosecutions.

On the third day of the Conference, that is, the sixth of the Ides of June, after the parties had entered, the Cognitor inquired, in the first place, whether the records had been issued to them. The Office responded that it had issued them before the day it had promised, which was proven by the receipts of both parties. And the receipts were read out, from which it was established that the Catholics had received the records on the eighth of the Ides of June at the fifth hour of the day, whereas the Donatists received them on the same day, at the third hour.

CHAPTER II.---2. In the second place, when the Cognitor had ordered the principal matter to be now set forth, it was said by the Catholics that they had long wished to address the principal matter, and that this was for the Donatists to prove, if they could, the charges they are accustomed to make against the Church spread throughout the whole world. It was answered by the Donatists that it should first be investigated who the parties were who were acting, so that delays might arise from the discussion of persons.

De qua re cum diu confligeretur, Catholicis recusantibus, et ut remotis superfluarum morarum tergiversationibus ad causam veniretur vehementer instantibus, contra Donatistae obnixissime contendebant, ut personae discuterentur, et flagitabant ut exprimerentur qui petissent ab Imperatore istam fieri Collationem. Volebant enim ut constaret Catholicos esse petitores, ut ex forensi jure possent discutere personas petitorum; cum jam in actione prima recitatum fuisset Catholicorum mandatum, ubi se ostendebant non petitores esse, sed defensores adversus crimina quae illi eorum communioni objicere solent: cum ipsi prius exegerint, ut Ecclesiae causa non forensibus formulis, sed magis divinarum Scripturarum testimoniis ageretur; confessique fuerint, lecto Catholicorum mandato, Scripturis sanctis eos Ecclesiae causam firmare voluisse, seque ex eadem divinae legis auctoritate vicissim acturos esse promiserint. Tunc ergo quasi obliti quid exegerint, et quid etiam ipsi polliciti fuerint, cum de Ecclesiae criminatione et purgatione Catholici proposuissent agi oportere, coeperunt personas quaerere petitorum, ut eas possent ex forensi jure discutere. Contra ergo Catholici resistebant, et propter praescindendas moras, quas eos et praeparare audierant, et innectere jam videbant, perseveranter instabant, ut Ecclesiae causa potius ageretur. In conflictu perventum est, ut Imperatoris praeceptum quo Collationem jussisset fieri legeretur, ut eo modo petitorum persona constaret. Videbatur enim et Cognitori, ne quid Donatistis etiam de ipso jure forensi, veluti justa poscentibus negaretur, prius petitorum constituendas esse personas. Praecepto ergo imperiali recitato, Collationem petisse Catholicos declaratum est, eamque esse concessam. Tunc Donatistae etiam preces quibus ab eis illa Collatio petita est, postulare coeperunt. Hic cum eis ipse Cognitor responderet, in pragmatico rescripto preces inseri non solere: ad id se converterunt ut mandatum Catholicorum, quo mandaverant peti ab Imperatore Collationem, eosdemque legatos quos ad hoc impetrandum miserant, sibi ederent atque proderent; asserentes discutere se debere quae mandata sunt, atque ibi invenire posse mandata Catholicorum quae de illis Imperatori locuti sunt.

When there had been a long dispute about this matter, with the Catholics refusing and vehemently insisting that, setting aside the evasions of superfluous delays, they should come to the case, the Donatists, on the contrary, most stubbornly contended that the persons should be discussed, and demanded that those who had requested this Conference from the Emperor be named. For they wished it to be established that the Catholics were the petitioners, so that they could, according to forensic law, challenge the persons of the petitioners; although the mandate of the Catholics had already been read out in the first session, in which they showed themselves to be not petitioners, but defenders against the charges which the Donatists are accustomed to bring against their communion: since they themselves had previously demanded that the cause of the Church be tried not by forensic formulas, but rather by the testimonies of the divine Scriptures; and they had confessed, after the Catholics' mandate was read, that the Catholics wished to establish the cause of the Church by the holy Scriptures, and had promised that they, in turn, would act on the same authority of the divine law. Then, therefore, as if forgetting what they had demanded and what they themselves had also promised, when the Catholics had proposed that the matter should concern the accusation and vindication of the Church, they began to inquire about the persons of the petitioners, so that they could challenge them according to forensic law. The Catholics, therefore, resisted this and, in order to cut short the delays which they had heard the Donatists were preparing and now saw them weaving, they persistently insisted that the cause of the Church should rather be addressed. In the conflict, it came to the point that the Emperor's edict by which he had ordered the Conference to be held was read, so that in this way the identity of the petitioners might be established. For it seemed right also to the Cognitor, lest anything be denied to the Donatists, who were demanding what seemed just even according to forensic law itself, that the persons of the petitioners should first be established. Therefore, when the imperial edict was read out, it was declared that the Catholics had requested the Conference, and that it had been granted. Then the Donatists began to demand also the petitions by which that Conference had been requested from them. When the Cognitor himself replied to them on this point that it was not customary for petitions to be inserted in a pragmatic rescript, they turned to demanding that the Catholics should publish and produce for them the mandate by which they had ordered the Conference to be requested from the Emperor, and the same envoys whom they had sent to obtain this; asserting that they ought to examine what had been mandated, and that they could find there the mandates of the Catholics concerning what they had said about them to the Emperor.

Hoc cum intelligerent Catholici ad hoc inquiri, ut invenirentur occasiones quibus prolixi temporis morae ac dilationes ingererentur, asserebant omnino quod peterent ad causam non pertinere; quandoquidem Collationem ab eis petitam ipse Imperator apertissime ostenderet, cui Cognitorem dederat, ut superstitionem manifesta ratio confutaret. Et vehementer urgebantur, ut remotis omnibus morarum interpositionibus, et aliarum interponendarum inquisitionibus, id potius ageretur quod ea Collatione agi ab Imperatore praeceptum est, quam et petitam ab illo et concessam esse constabat.

CAPUT III.---3. Inter haec etiam de catholico nomine, apud quos potius esset, pauca ab utraque parte invicem dicta et objecta sunt, et jussum est principali causae potius reservari. Et post aliquanta identidem, cum catholici nominis facta mentione dicerent Donatistae apud se potius esse Catholicam; interlocutus est Cognitor, se interim sine cujusquam praejudicio non posse aliter appellare Catholicos, quam eos appellavit Imperator, a quo Cognitor datus est: illos autem quanto magis se esse catholicos dicerent, tanto magis jam causam ipsam remotis morarum interpositionibus agere debere, in qua probare possent se potius esse catholicos. Hic Donatistae post tantas moras et tot interlocutiones Cognitoris contra eos prolatas, exigentis ut causa potius ageretur, atque testantis de legatorum personis, vel mandato quod eis injunctum est, nec ad causam aliquid pertinere, nec sibi aliquid ut hinc requireret fuisse praeceptum; dixerunt ut si in legatis, vel mandato quod eis datum est manifestando, noluissent Catholici obtemperare judicatis, saltem hoc responderent, utrum loco petitorum consisterent: multum mirantibus Catholicis, cur eos Donatistae dixerunt, in edendo legatorum mandato non parere judicatis; cum potius contra ipsos tam multis interlocutionibus Cognitor pronuntiaverat. Interrogaverunt ergo Catholici, quibus judicatis non paruerint. Et Donatistis ad hoc non respondentibus, interlocutus est Cognitor, ad illud quod de loco petitoris Donatistae quaesierant, Catholici responderent. Et responderunt se hoc proponere, ut crimina quae solent Donatistae communioni eorum objicere vel probentur, vel diluantur; ut possit Donatarum separatio vel defendi vel corrigi.

When the Catholics understood that this was being inquired into for the purpose of finding opportunities by which long delays and postponements might be introduced, they asserted that what the Donatists were asking was entirely irrelevant to the case; since the Emperor himself most clearly showed that the Conference had been requested by them, to whom he had given a Cognitor, so that manifest reason might confute superstition. And they were vehemently pressed that, with all interpositions of delays and inquiries for introducing others set aside, that matter should rather be addressed which was commanded by the Emperor to be dealt with in that Conference, which it was established had been both requested from him and granted.

CHAPTER III.—3. On the Name Catholic, and Other Delays of the Donatists. Amidst these proceedings, a few things were also said and objected to by each side in turn concerning the name "Catholic," as to which party it more properly belonged, and it was ordered that this be reserved for the principal cause. And after some time, when, upon mention being made of the name "Catholic," the Donatists said that the Catholic Church was rather with them, the Judge (*Cognitor*) intervened, stating that, for the time being and without prejudice to anyone, he could not call the Catholics otherwise than as the Emperor, by whom the Judge was appointed, had called them; and that the more they [the Donatists] claimed to be Catholics, the more they ought to proceed with the case itself, with delays set aside, in which they could prove that they were the true Catholics. At this point the Donatists, after so many delays and so many interlocutions of the Judge pronounced against them, who was demanding that the case should rather be heard, and attesting that neither the persons of the delegates, nor the mandate enjoined upon them, had any bearing on the case, nor had he been instructed to inquire into this matter, said that if the Catholics were unwilling to obey the judgments in revealing the delegates or the mandate given to them, they should at least answer this: whether they stood in the place of petitioners. The Catholics were greatly astonished why the Donatists said that they were not obeying the judgments in producing the mandate of the delegates, when in fact the Judge had pronounced so many interlocutions against them [the Donatists]. The Catholics therefore asked which judgments they had not obeyed. And when the Donatists did not respond to this, the Judge intervened, [saying] that the Catholics should respond to what the Donatists had asked concerning the position of petitioner. And they responded that they proposed this: that the charges which the Donatists are accustomed to bring against their communion should be either proved or refuted, so that the separation of the Donatists might be either defended or corrected.

Tunc Cognitor cum responsionem a Donatistis exigeret, responderunt, Afros qui se catholicos dicerent, alienam causam velle defendere, hoc est, totius orbis Ecclesiam; de qua sibi nihil debere praejudicari, cum inter Afros hoc negotium ventiletur; et expectari potius Ecclesiam transmarinam, ut qui vicerint, ipsi ad eam pertinere videantur, et ipsi habeant catholicum nomen: sed in fine prosecutionis suae rursus de persona petitoris ut sibi responderetur, postulaverunt. Hic Catholici ad utrumque breviter responderunt; et quia de personis jam primo et secundo iudicio quaestio fuerit terminata; et quia Ecclesiae toto orbe diffusae cui testimonium perhibet Scriptura divina, ipsi, non Donatistae, communicant, unde catholici merito et sunt et vocantur. Donatistae autem responderunt, non catholicum nomen ex universitate gentium, sed ex plenitudine Sacramentorum institutum: et petiverunt ut probarent Catholici sibi communicare omnes gentes. Quod Catholici cum gratissime acciperent, et peterent ut hoc probare permitterentur; rursus illi de mandato illo, quod legis injunctum, edi sibi petiverant, quaestionem refricare coeperunt, et a causa Ecclesiae, quae jam in medium discutienda pervenerat, iterum resilire, modo mandatum supra dictum petendo, modo de petitoris persona ut constaret instando, modo ut de his ipsis quae petierant iudicaret Cognitor, exigendo; de quibus jam toties fuerat interlocutus, et eos illa frustra petere pronuntiaverat.

Sed Cognitor, quanquam viderentur non recte petere edi sibi mandatum quod legis injunctum est; quia, id quod sufficebat ad causam, Collationem petitam concessamque, constabat; non ei tamen videbatur, injuste illos petere ut petitoris persona constaret. Catholici autem videntes, quod jam sibi fuerat antea nuntiatum (et hoc eorum intentione satis intelligebant), non ob aliud Donatistas personas quaerere petitorum, nisi ut liceret eis personarum discussione longissimas temporum et dilationum moras inserere; quoniam vehementer nolebant ut perveniretur ad causam, in qua se nihil habere quod dicerent, sicut res ipsa vel sero postea patefecit, plenissime sciebant:

Then, when the Judge demanded a response from the Donatists, they replied that the Africans who called themselves Catholics wished to defend another's cause, that is, the Church of the whole world; concerning which nothing ought to be prejudged against them, since this business was being debated among Africans; and that the transmarine Church should rather be awaited, so that whoever should win might be seen to belong to it, and they themselves might have the Catholic name; but at the end of their speech they again demanded that they be answered concerning the role of petitioner. To this the Catholics briefly responded to both points: both that the question concerning the persons had already been settled by the first and second judgment; and that they, not the Donatists, are in communion with the Church diffused throughout the whole world, to which divine Scripture bears witness, whence they are deservedly both called and are Catholics. The Donatists, however, replied that the name "Catholic" was established not from the universality of nations, but from the fullness of the Sacraments; and they demanded that the Catholics prove that all nations were in communion with them. Although the Catholics accepted this most gladly and asked to be permitted to prove it, the Donatists again began to stir up the question about that mandate which they had demanded be produced, the one enjoined upon the delegates, and to recoil from the cause of the Church, which had now come to the point of being discussed, now demanding the aforementioned mandate, now insisting that the role of petitioner be established, now demanding that the Judge rule on these very things they had requested; concerning which he had already intervened so many times and had pronounced that they were requesting those things in vain.

But the Cognitor, although it seemed that they were not rightly asking for the mandate entrusted to the legates to be produced for them—because it was established that the requested and granted Conference was sufficient for the case—nevertheless did not think it unjust for them to ask that the identity of the petitioner be established. The Catholics, however, seeing what had already been announced to them beforehand (and they understood this well enough from their intention), that the Donatists were seeking the identity of the petitioners for no other reason than to be allowed to insert the longest delays and postponements by discussing the persons involved; since they vehemently did not want to get to the case, in which they knew full well they had nothing to say, as the matter itself later, even if late, made clear—

hoc ergo videntes Catholici, noluerunt personam suscipere petitorum, asserentes non se objicere crimina, sed objecta defendere; quae cum defendissent, et falsa esse demonstrassent, consequenter eos apparere qui sint, et quanta iniquitate se ab unitate dividerint. Hic Donatistae asserebant, quocumque modo etiam de ipsis criminibus quae vellent diluere, ultro Catholici cogere sibi adversarios respondere, petitorum eos habere personam. Sed Catholici respondebant, ad hoc se petisse Collationem, non ubi objicerent diluenda, sed ubi objecta diluerent: quoniam et mandatum Donatarum adversus traditores et persecutores factum erat; et verba Primiani, quando prius a Catholicis de Collatione conventus est, crimen eis eum objicere testabantur, ubi dixerat, Indignum est ut in unum conveniant filii martyrum et progenies traditorum : et quamvis tunc conferre nolisset, postea tamen in iudicio praefectorum se audiri et discuti velle dixerat. Quem eorum de Collatione consensum tenentes Catholici, hoc ut fieret ab Imperatore petiverant.

Tunc jussit eos Cognitor objecta a se crimina jam probare, nec de petita Collatione personam petitoris ostendi, si etiam utrique petisse probarentur. Hic Donatistae identidem petere coeperunt, ut de persona pronuntiaret. Et pronuntiavit Cognitor, dicens, si Collationem pars utraque petivisset, eum esse petitem qui crimina objiceret. Et exegerunt Donatistae, ut probaretur a Catholicis, utrum Collationem utrique petiverint. Ubi Cognitor cum dixisset, Hoc Catholici probare debebunt; ortus est iterum moratorius conflictus de catholico nomine et Donatarum et Caecilianistarum. Deinde obtulerunt Catholici gesta habita in iudicio praefecturae, quibus probarent etiam Donatistas Collationem petisse. Quae cum jussisset Cognitor recitari; rursus illi ad praeterita redierunt, et de his ut pronuntiaret Cognitor flagitare coeperunt, de quibus toties pronuntiaverat, id est, de persona et de mandato legatorum, quod sibi ut ederetur toties superfluo postulaverant. Hoc autem agebant, quantum intelligebatur, timentes ne gesta praefectoria legerentur, ubi suam causam quibusdam inconsideratis et temerariis responsionibus vulneraverant.

the Catholics, therefore, seeing this, refused to take on the role of petitioners, asserting that they were not bringing charges, but defending against charges brought; and that when they had defended themselves and demonstrated them to be false, it would consequently become apparent who the Donatists were, and with what great iniquity they had separated themselves from unity. At this point, the Donatists asserted that in whatever way the Catholics might compel their adversaries to respond, even concerning the very crimes they wished to refute, they (the Catholics) held the role of petitioners. But the Catholics replied that they had requested the Conference for this purpose: not to bring charges to be refuted, but to refute charges that had been brought. For the mandate of the Donatists had been made against "traitors" (*traditores*) and persecutors; and the words of Primian, when he was first approached by the Catholics about the Conference, testified that he was bringing a charge against them, when he had said, "It is unworthy for the sons of martyrs and the offspring of traitors to meet together"; and although he had been unwilling to confer then, he had later said in the tribunal of the prefects that he wished to be heard and have the matter discussed. The Catholics, holding to this consent of theirs regarding the Conference, had petitioned the Emperor that this should be done.

Then the Cognitor ordered them to prove the crimes they had alleged, and that the role of petitioner should not be determined from the request for the Conference, even if it were proved that both parties had requested it. At this, the Donatists began to ask again and again that he should pronounce on the role of the petitioner. And the Cognitor did pronounce, saying that if both parties had requested the Conference, the petitioner was the one who was bringing the charges. And the Donatists demanded that it be proved by the Catholics whether both had requested the Conference. When the Cognitor had said, "The Catholics will have to prove this," another delaying conflict arose concerning the name "Catholic" and those of "Donatists" and "Caecilianists." Then the Catholics presented the records of the proceedings held in the prefect's court, by which they could prove that the Donatists had also requested the Conference. When the Cognitor had ordered these to be read, they again returned to past matters and began to demand that the Cognitor pronounce on those things on which he had pronounced so many times, that is, on the role of the petitioner and on the mandate of the legates, which they had so many times superfluously demanded be produced for them. They did this, however, as far as could be understood, fearing that the prefectural records would be read, in which they had damaged their own case with certain ill-considered and rash responses.

Diu itaque conflictatum est ab eis, et maxime cum ipso Cognitore; cum ipsi peterent edi sibi mandatum legatis injunctum, aut pronuntiaret eos hoc superfluo petivisse: ille autem et pronuntiasset se diceret, et pronuntiaret hoc omnino ad praesens non pertinere iudicium, ubi declararetur imperialibus litteris quid petitum esset quidve concessum. Et tandem aliquando ad jussum ejus coeperant gesta praefectoria recitari. Quorum gestorum cum dies et consules fuissent recitati, continuo rursus Donatistae interruperunt, et eadem illa praeterita poscere coeperunt. Sed cum Cognitor interloqueretur, debere gesta recitari, ut de petitoris persona constaret; illi contra ab initio coeperunt dicere, esse gesta priora, quae deberent potius recitari. Contra a Catholicis dictum est, ideo illos nolle ut gesta praefectoria legerentur, quod in eis prosecutiones proprias formidarent.

CAPUT V.---6. Obtulerunt ergo Donatistae gesta proconsularia, et vicariae praefecturae, ubi Catholici petierant eos actis municipalibus conveniri, ut Collatione utrorumque facta error de medio tolleretur, longe antequam ipsam Collationem ab Imperatore petivissent: et his gestis Catholicos volebant ostendere, loco assistere petitorum, quia illic eos dixerant haereticos, multa contra divinas leges humanasque committere. Contra hoc Catholici dicebant, ideo se etiam tunc flagitasse Collationem, ut contra eorum crimina pro Ecclesia responderent. Itaque petiverunt saepius, ut si ea gesta recitanda essent, quae priora esse constaret; illa potius legerentur, ubi Donatistae primitus causam Caeciliani ad imperatorem Constantinum per Anulinum proconsulem accusando miserunt: recitatisque gestis quae ipsi proferebant, non sunt recitata illa quae apud praefectos habita jam coeperant recitari. Et coepit esse conflictus, ut si propterea gesta quae Donatistae protulerant praelata sunt gestis quae Catholicis prolata fuerant, quia priora reperta sunt, ut ipsa potius recitarentur; saltem post ipsorum recitationem recitarentur etiam illa longe priora, ubi eos appareret in hac tota causa quae agebatur, primitus accusatores exstitisse per proconsulem apud Imperatorem. Ista ergo ne recitarentur, vehementer Donatistae obluctabantur, multis et multiplicibus prosecutionibus resistentes, sicut obluctati fuerant et extorserant ne illa praefectoria legerentur.

And so for a long time a conflict was waged by them, especially with the Cognitor himself, as they demanded that the mandate entrusted to the legates be produced for them, or that he should pronounce that they had requested this superfluously; but he said that he had already pronounced, and he did pronounce that this was entirely irrelevant to the present judgment, in which it was declared by the imperial letters what had been requested and what had been granted. And at last, at his command, the prefectural records began to be read. When the day and the consuls of these records had been read out, the Donatists immediately interrupted again and began to demand those same past matters. But when the Cognitor interjected that the records ought to be read so that the identity of the petitioner might be established, they, on the contrary, began to say from the start that there were prior records which ought rather to be read. In response, it was said by the Catholics that the reason they did not want the prefectural records to be read was that they feared their own statements in them.

CHAPTER V.—6. The Donatists, therefore, presented the proconsular acts and those of the vicarian prefecture, where the Catholics had requested that they be summoned by municipal acts, so that, once a comparison (*collatio*) of both had been made, the error might be removed from their midst, long before they had requested the Conference (*Collatio*) itself from the Emperor: and by these acts they wished to show that the Catholics stood in the place of petitioners, because there they had called them heretics, who committed many things against divine and human laws. Against this, the Catholics said that they had even then demanded a Conference for the very reason that they might respond on behalf of the Church against their accusations. Therefore, they requested rather often that if those acts were to be recited which were established to be earlier, those should be read instead where the Donatists had first sent the case of Caecilian to the emperor Constantine through the proconsul Anulinus, accusing him: and when the acts which they themselves produced were recited, those which had been held before the prefects and had already begun to be recited were not recited. And a conflict began to arise, that if the acts which the Donatists had produced were preferred to the acts which had been produced by the Catholics because they were found to be earlier, so that they should be recited instead, then at least after their recitation, those much earlier acts should also be recited, where it would be apparent that they had been the first accusers in this whole case that was being tried, through the proconsul before the Emperor. Therefore, the Donatists struggled vehemently so that these acts would not be recited, resisting with many and multiple legal proceedings, just as they had struggled and extorted that those prefectorial acts not be read.

In hac autem obluctatione saepe repetebant illud jam detritum, et tot interlocutionibus Cognitoris repulsum, de mandato legatorum sibi edendo. Repetebant etiam quaestionem, quae fuerat jam ante transacta, Utrum testimoniis Legis, an publicis gestis Catholici agere mallent. Et dicebant, ut si testimonia divinae Legis eligerent, facerent omnium legum publicarum gestorumque jacturam; si autem publicis legibus et gestis agere potius vellent, omitterent divina documenta. Et tamen si hoc eligerent Catholici, ut publicorum gestorum documentis potius agerent, dicebant se Donatistae nec hoc permissuros, ut ea quae a Catholicis offerebantur gesta legerentur; eo quod haberent validam temporis praescriptionem, illam scilicet, de qua eis fuerat sufficienter et a Catholicis, et ab ipso Cognitore responsum, quia ipsam causam lapsam et agi jam non posse dicebant, quia dies transierat quo menses quatuor complerentur. Vehementer enim eos timere apparebat, ne gesta legerentur, quibus doceretur a majoribus eorum Caecilianum apud Imperatorem primitus accusatum, et deinde iudiciis et ecclesiasticis et imperialibus absolutum atque purgatum: hoc est, ne ipsa causa omnino, propter quam ventum fuerat, ageretur, ubi se evidentissime superari posse sentiebant. Sic autem nolebant et timebant, ut hoc etiam confiteri cogerentur, dicentes quod sensim, id est, paulatim, inducerentur in causam, et ad causae interna deducerentur: quod utique optare deberent, si non de inanibus et moratoriis praescriptionibus, sed de ipsius causae veritate confiderent.

Contra ergo Catholici cum vehementer conarentur, ut ad causam perveniretur, quo eos prorsus nolle pervenire cernebant, respondebant tamen iterum atque iterum eisdem ipsis quae illi toties jam transacta repetebant. Et quoniam duo erant quae in medium venerant, unum de editione mandati quod legatis injunctum est, alterum utrum divinis testimoniis, an gestis publicis Catholici agere mallent; de mandati illius editione et Catholici responderunt, non ad eos, neque ad praesentem causam omnino pertinere; et ipse Cognitor, quod saepius pronuntiaverat, iterum pronuntiavit, legatorum personam et mandatum quod susceperunt omnino se non posse discutere, et ab eo quod sibi injunctum est non debere discedere: quandoquidem satis apparebat imperialibus litteris quibus iudex huic causae fuerat constitutus, Collationem ab Imperatore concessam.

In this struggle, however, they often repeated that already worn-out argument, which had been rejected by so many interlocutions of the Judge (*Cognitor*), concerning the production of the mandate of the delegates to them. They also repeated the question, which had already been settled before, whether the Catholics preferred to proceed by the testimonies of the Law or by public acts. And they said that if they chose the testimonies of the divine Law, they should forfeit all public laws and acts; but if they preferred to proceed by public laws and acts, they should omit the divine documents. And yet, if the Catholics were to choose this, to proceed rather by the documents of public acts, the Donatists said that they would not even permit this, that the acts offered by the Catholics should be read; because they had a valid prescription (*praescriptio*) of time—that is, the one about which a sufficient response had been given to them both by the Catholics and by the Judge himself—since they said that the case itself had lapsed and could no longer be tried, because the day by which four months would be completed had passed. For it was apparent that they were vehemently afraid that the acts would be read by which it would be shown that Caecilian had first been accused by their predecessors before the Emperor, and then absolved and cleared by both ecclesiastical and imperial judgments: that is, they were afraid that the very case for which they had come would not be tried at all, where they felt they could be most evidently defeated. Indeed, they were so unwilling and afraid that they were even forced to confess this, saying that "sensim," that is, little by little, they were being drawn into the case and led to the internal matters of the case: which they certainly ought to have desired, if they had confidence not in empty and dilatory prescriptions, but in the truth of the case itself.

Therefore, the Catholics, on the other hand, while striving vehemently that the case might be reached—a point which they perceived the others were utterly unwilling to reach—nevertheless responded again and again to the very same matters which their opponents so often repeated, though they had already been settled. And since two points had been brought forward—one concerning the production of the mandate that had been entrusted to the legates, the other whether the Catholics preferred to proceed with divine testimonies or with public records—regarding the production of that mandate, the Catholics responded that it did not pertain to them, nor to the present case at all; and the Cognitor himself, as he had frequently declared, declared again that he could by no means investigate the person of the legates and the mandate they had undertaken, and that he ought not to depart from what had been enjoined upon him, since it was sufficiently clear from the imperial letters by which he had been appointed judge for this case that the Conference had been granted by the Emperor.

De illo autem altero, ubi quaerebant quid eligerent Catholici, utrum divina documenta, an gesta publica; saepius Catholici responderunt, si Donatistae hominum crimina non objicerent, quae velut traditoribus objicere consueverunt, sed tantummodo id quaereretur, quae, vel ubi esset Ecclesia, nihil se acturos publicis gestis, sed Scripturarum divinarum tantummodo testimoniis: si autem in illa hominum accusatione et criminatione persisterent, quia et ipsi ista nisi talibus gestis demonstrare non possent, sine dubio et Catholicos hujusmodi crimina gestis publicis defensuros; aliter enim ista nec accusari poterant, nec defendi. Haec eis saepius et a Catholicis et ab ipso Cognitore repetita et inculcata sunt, multis et variis modis multarum prosecutionum illis ad eadem redeuntibus, et eadem repetentibus, ne ageretur causa, et ne gesta legerentur quae jam in manibus esse cernebant. Sed aliquando vicit Cognitor tam longas obstinationes, et jussit recitari quae a Catholicis data sunt; et coepit tandem agi causa, propter quam tot episcopi partis utriusque convenerant. Quod mirabiliter factum est, ut cum Donatistae propterea quaerent petitoris personam ne perveniretur ad causam, ipsa inquisitio petitoris subito in medium mitteret causam.

CAPUT VII.

8. *Tertio ergo loco haec acta sunt.*

Lecta est relatio Anulini proconsulis ad imperatorem Constantinum: quam quaerentibus Donatistis unde prolata sit; Catholici responderunt in archivo proconsulis, si dubitarent, esse quaerendum. In qua relatione evidentissime continetur, ipsos primitus ad imperatorem Constantinum per memoratum proconsulem ea quae Caeciliano crimina objiciebant accusando misisse. Qua perlecta Donatistae quaerere coeperunt, quem sibi Catholici dicerent patrem. Quibus cum ab eis esset responsum secundum Evangelium, ubi scriptum est, Ne vobis dicatis patrem in terra; unus est enim pater vester Deus (Matth. XXIII, 9): etiam hoc audito nihilominus quaerere coeperunt, utrum eis Caecilianus pater esset, an mater. Cum jam dictum fuisset a Catholicis, nec patrem sibi eum esse nec matrem; sed fratrem, sive bonum, si bonus esset, sive malum, si malus esset, quia et malus propter Sacramenta communia frater esset: hinc aliquanto diutius conflixerunt, Donatistis eadem repetentibus, et Catholicis eadem respondentibus.

But concerning that other point, where they asked what the Catholics would choose, whether divine documents or public records, the Catholics repeatedly responded that if the Donatists did not bring forward accusations against men, such as they were accustomed to bring against them as *traditores*, but only inquired what or where the Church was, they would proceed with nothing from public records, but solely with the testimonies of the divine Scriptures; but if they persisted in that accusation and crimination of men, since they themselves could not demonstrate these things except by such records, without doubt the Catholics would also defend themselves against crimes of this kind with public records; for otherwise these matters could neither be accused nor defended. These things were repeated and impressed upon them frequently both by the Catholics and by the Cognitor himself, in many and various ways during many proceedings, with the Donatists returning to the same points and repeating the same things, lest the case be heard and lest the records, which they perceived were already at hand, be read. But at length the Cognitor overcame such prolonged obstinacy, and ordered what had been submitted by the Catholics to be read out; and at last the case, for which so many bishops of both parties had convened, began to be heard. This came about in a wonderful way, so that when the Donatists were inquiring into the person of the petitioner for the purpose of preventing the case from being reached, the very inquiry into the petitioner suddenly brought the case to the forefront.

CHAPTER VII.

8. Therefore, in the third place, these things were done.

The report of Anulinus the proconsul to the emperor Constantine was read; when the Donatists asked whence it had been produced, the Catholics responded that, if they doubted, it should be sought in the proconsul's archive. In this report it is most clearly contained that they themselves had first sent to the emperor Constantine, through the aforementioned proconsul, the accusations which they were leveling against Caecilianus. After this was read, the Donatists began to ask whom the Catholics called their father. When it was answered to them by the Catholics according to the Gospel, where it is written, 'Call no man your father on earth; for one is your Father, who is God' (Matthew 23:9), even after hearing this, they nevertheless began to ask whether Caecilianus was their father or their mother. When it had already been said by the Catholics that he was neither their father nor their mother, but a brother—a good one if he were good, or a bad one if he were bad, because even a bad one would be a brother on account of the common Sacraments—on this point they contended for some time, with the Donatists repeating the same question and the Catholics giving the same answer.

Nam et hoc objecerunt Donatistae, quomodo diceret Apostolus, Et si multos paedagogos habetis in Christo, sed non multos patres: in Christo enim Jesu per Evangelium ego vos genui (I Cor. IV, 15). Et responsum est a Catholicis, hoc honorificentiae causa dictum propter evangelicum ministerium quod dispensabat Apostolus. Nam patrem ad fidem salutemque aeternam non esse nisi Deum. Neque enim posset contrarium Christo Apostolus loqui, ut cum ille diceret, Ne vobis dicatis patrem in terra; unus enim pater vester Deus; contra Apostolus, tanquam resistens verbis Christi, patrem se diceret eorum, quibus annuntiaverat Evangelium: nisi esset utique distinguendum, quid divinae gratiae, quid humanae honorificentiae causa diceretur.

9. Quaesierunt etiam, quis ordinaverit Augustinum, nescio quas, sicut jactabatur, calumnias praeparantes. Ubi cum eis intrepide responderet, a Megalio se ordinatum, qui tunc fuerit primas episcoporum in Numidia Ecclesiae catholicae; et urgeret instanter, ut jam proferrent quae praeparaverunt, ut ibi etiam calumniosi demonstrarentur: illi intentionem in aliud detorserunt, redeuntes ad Caeciliani personam, quam dicebant catholicae Ecclesiae non obesse, etiamsi vera ejus crimina monstrarentur; et tamen etiam ipsa non posse vera monstrari.

Tunc itaque Donatistae protulerunt litteras, quas ab universo concilio suo se accepisse dicebant, quibus responderetur mandato Catholicorum, quod primo die actionis fuerat allegatum; et die sequenti antequam ad secundam actionem die tertio veniretur, data notoria Donatistae edi sibi poposcerant, ut instructi possent ad cognitionem venire. Et fortasse propter has litteras diligenter scribendas etiam ipsa secunda actione dilationem petiverunt, quae illis sex dierum concessa est. Quarto itaque loco haec acta sunt: lectae sunt supra dictae litterae Donatistarum, quibus conati sunt respondere mandato Catholicorum, quod gestis primae actionis insertum est.

For the Donatists also objected, asking how the Apostle could say, 'For though you have many instructors in Christ, yet you have not many fathers: for in Christ Jesus I have begotten you through the Gospel' (1 Corinthians 4:15). And it was answered by the Catholics that this was said for the sake of honor, on account of the evangelical ministry which the Apostle dispensed. For the father unto faith and eternal salvation is none other than God. For the Apostle could not speak contrary to Christ, so that when He said, 'Call no man your father on earth; for one is your Father, who is God,' the Apostle, as if resisting the words of Christ, would on the contrary call himself the father of those to whom he had announced the Gospel; unless, of course, a distinction were to be made between what is said for the sake of divine grace and what for the sake of human honor.

9. They also asked who had ordained Augustine, preparing I know not what calumnies, as was being boasted. When he answered them intrepidly that he had been ordained by Megalius, who was at that time the primate of the bishops of the Catholic Church in Numidia, and urgently pressed them to now bring forward what they had prepared, so that they might be shown to be slanderers in that matter as well, they diverted their attention to something else, returning to the person of Caecilianus, whom they said did not harm the Catholic Church, even if his crimes were shown to be true; and yet, that these same crimes could not be shown to be true.

Then, therefore, the Donatists produced a letter which they said they had received from their entire council, in which a response was to be made to the mandate of the Catholics, which had been alleged on the first day of the proceedings; and on the following day, before they came to the second session on the third day, the Donatists had demanded that a notice be issued to them, so that they might come to the hearing instructed. And perhaps it was to write this letter diligently that they also requested a delay in the second session itself, which was granted to them for six days. In the fourth place, therefore, these things were done: the aforementioned letter of the Donatists was read, in which they attempted to respond to the mandate of the Catholics, which is inserted in the acts of the first session.

Cui mandato non eos potuisse respondere inveniet qui utraque legere et considerare veluerit: primum, quia testimonia ex Lege et Prophetis et Psalmis et apostolicis atque evangelicis Litteris deprompta, quibus ostenditur Ecclesia catholica per totum mundum diffundi, incipiens ab Jerusalem, unde in propinqua et longinqua crescendo etiam in Africam venit, et in alia loca et civitates per quas primitus dilatata est, in quibus multae Ecclesiae ad ipsam unicam pertinentes, apostolico labore fundatae sunt, quibus Donatistas non communicare manifestum est; non solum non pertractare, sed omnino nec attingere voluerunt; nec aliquod testimonium in tam proluxa epistola sua proferre ausi sunt de Scripturis sanctis, quo assererent Ecclesiam partis Donati esse praedictam et praenuntiatam: sicut tam multa Catholici protulerunt pro Ecclesia cui communicant, quae incipiens ab Jerusalem toto orbe diffunditur. Has ergo partes testimoniorum tantorum cum omnino non attigissent, sed tanquam in illo mandato Catholicorum, cui respondere videbantur, dicta non fuerint, praeterissent; illud ostendere tentaverunt prolatis multis testimoniis divinarum Scripturarum, quod Ecclesia Dei non cum malorum hominum commixtione futura praedicta sit. Et tamen postea cum ad evangelicam similitudinem venissent, quam Catholici in mandato suo posuerant de retibus in mare missis, quibus congregari dixit Dominus omnia genera piscium, et bonos a malis in littore, hoc est in fine saeculi separari: etiam ipsi fassi sunt, in Ecclesia esse permixtos saltem occultos malos. Zizania vero inter triticum non in Ecclesia, sed in ipso mundo permixta dixerunt; quoniam Dominus ait, Ager est hic mundus (Matth. XIII, 47-50, 38). De area sane, cui paleam Catholici dixerant usque ad tempus ventilationis admixtam, tanquam omnino in Evangelio nihil tale scriptum sit, exponere similitudinem istam nec conati quidem sunt; sed quasi hoc a se ipsis Catholici dixerint, eam tantummodo reprehenderunt, velut ex testimonio Jeremiae prophetae, qui ait, Quid paleis ad triticum (Jerem. XXIII, 28)? non attendentes unde hoc ille dixisset. Non enim aiebat de Ecclesia, sed de divinis Prophetarum visionibus et humanis somniis, ne ullo modo compararentur. Illam quoque similitudinem de ovibus et haedis qui simul pascuntur, et in saeculi fine segregabuntur, quam inter alias Catholici ex Evangelio posuerant (Matth. XXV, 32, 33), omnino attingere noluerunt. Neque enim poterant illic dicere, etiam haedos a pastoribus in communibus pascuis ignorari, sicut dixerant inter retia pisces malos in mari a piscatoribus non videri.

Anyone who wishes to read and consider both will find that they were unable to respond to this mandate: first, because the testimonies drawn from the Law and the Prophets and the Psalms and the apostolic and evangelical Letters, by which it is shown that the Catholic Church is spread throughout the whole world, beginning from Jerusalem, from where, growing near and far, it also came into Africa, and into other places and cities through which it was first extended, in which many Churches pertaining to that one Church were founded by apostolic labor, with which it is manifest the Donatists do not communicate; not only did they not wish to treat them, but they refused to touch them at all; nor did they dare to bring forward in their very lengthy epistle any testimony from the holy Scriptures by which they might assert that the Church of the party of Donatus was predicted and foretold, just as the Catholics brought forward so many for the Church with which they communicate, which, beginning from Jerusalem, is spread throughout the whole world. Therefore, since they had not touched at all upon these parts of so many testimonies, but had passed them over as if they had not been said in that mandate of the Catholics to which they seemed to be responding, they attempted to show, by bringing forward many testimonies of the divine Scriptures, that the Church of God was not predicted to exist with a mixture of evil men. And yet, afterwards, when they came to the evangelical similitude which the Catholics had placed in their mandate concerning the nets cast into the sea, by which the Lord said all kinds of fish were gathered, and the good were separated from the bad on the shore, that is, at the end of the age, they themselves also confessed that at least hidden evil men were mixed in the Church. But they said that the tares among the wheat were mixed not in the Church, but in the world itself; since the Lord says, The field is this world (Matt. 13:47-50, 38). Indeed, concerning the threshing floor, to which the Catholics had said chaff was mixed until the time of winnowing, they did not even attempt to explain that similitude, as if nothing of the sort were written in the Gospel at all; but as if the Catholics had said this of themselves, they only criticized it, as from the testimony of Jeremiah the prophet, who says, What has chaff to do with wheat? (Jer. 23:28), not paying attention to the context in which he had said this. For he was not speaking of the Church, but of the divine visions of the Prophets and human dreams, lest they be compared in any way. That similitude also of the sheep and the goats who feed together and will be separated at the end of the age, which the Catholics had placed among others from the Gospel (Matt. 25:32, 33), they refused to touch at all. For they could not say there that even the goats are unknown to the shepherds in the common pastures, as they had said that the bad fish in the sea are not seen by the fishermen among the nets.

Item cum Catholici in mandato suo volentes ostendere toleratos a bonis in Ecclesia malos, nec bonos malorum contagione pollutos, commemorassent exempla Prophetarum et ipsius Domini Christi et Apostolorum, et post haec etiam bonorum episcoporum, et iudicio ipsorum quoque Donatistarum qui quosdam suorum in Maximiani schismate positos negaverunt Maximiani contagione pollutos: illi in suis litteris ad haec respondere conati, de Prophetis, et de Domino Christo et Apostolis quodcumque dixerunt; de episcopis autem et Maximianistis siluerunt. In episcopis enim premebantur auctoritate Cypriani, cujus verba ex epistola ejus prolata Catholici in suo mandato posuerunt; quibus manifestissime ostendebatur, et praecepisse ut pro unitate in Ecclesia mali tolerarentur, nec propter ipsos Ecclesia relinqueretur (Epist. ad Maximum); et quosdam collegas suos etiam ipsum, a quorum malis moribus longe abhorrebat, et de quorum factis pessimis non tacebat, in Ecclesia tolerasse (Serm. de Lapsis). Hujus ergo auctoritate oppressi Donatistae, cum de Prophetis et Domino Christo et Apostolis aliquid dixissent, ad hoc tamen, non tolerandos in Ecclesia permixtos malos, de episcopis omnino nihil dicere voluerunt. Et tamen etiam de Juda traditore, et de his quos Paulus toleravit per invidiam Christum annuntiantes, ipse Cyprianus sic intellexit, sic scripsit, quemadmodum ea Catholici in suo mandato posuerunt: quod et Dominus Judam ad exemplum malorum in Ecclesia tolerandorum pertulerit (Joan. VI, 71, 72); et Paulus eos de quibus talia dixit, non extra, sed intra Ecclesiam sustinuerit (Philipp. I, 15-18). De Maximianistis autem quid responderent, eum adhuc homines viverent, de quibus possent apertissime facillimeque convinci? Proinde ad illud quod in mandato suo Catholici dixerant, eosdem Maximianistas a Donatistis per judicia publica basilicis pulsos, utcumque respondere conati sunt, non se criminaliter accusasse, aut ad communionem suam invitum aliquem coegisse, sed res suas vel suorum civiliter repetisse: obiti quod Primianus aliquando dicendum apud Acta mandavit, Illi auferunt aliena, nos intermittimus ablata. Ad illa vero quae de Maximianistis in Catholicorum mandato dicta sunt, quod a se damnatos in integro honore susceperint, quod Maximiani socios ab illo pollutos esse negaverint, quod Baptismum ab eis in schismate datum approbare potius quam rescindere atque iterare maluerint; nec leviter respondere tentaverunt: sed illa omnia miro quodam silentio, tanquam dicta non fuerint, transierunt.

Likewise, when the Catholics in their mandate, wishing to show that the evil were tolerated by the good in the Church, and that the good were not polluted by the contagion of the evil, had commemorated the examples of the Prophets and of the Lord Christ himself and of the Apostles, and after these also of good bishops, and by the judgment of the Donatists themselves who denied that some of their own party placed in the schism of Maximian were polluted by the contagion of Maximian: they, in their letter, attempting to respond to these points, said whatever they did about the Prophets, and the Lord Christ, and the Apostles; but about the bishops and the Maximianists they were silent. For on the matter of bishops, they were pressed by the authority of Cyprian, whose words from his epistle the Catholics had placed in their mandate; by which it was most clearly shown that he had both commanded that for the sake of unity the evil should be tolerated in the Church, and that the Church should not be abandoned on their account (Epistle to Maximus); and that he himself had tolerated in the Church certain of his colleagues, from whose evil morals he was far from abhorring, and about whose wicked deeds he did not keep silent (Sermon on the Lapsed). Therefore, oppressed by his authority, the Donatists, although they had said something about the Prophets and the Lord Christ and the Apostles, nevertheless, on this point—that the evil mixed in the Church are not to be tolerated—they wished to say nothing at all about the bishops. And yet, even concerning Judas the traitor, and concerning those whom Paul tolerated who announced Christ out of envy, Cyprian himself understood and wrote in the same way that the Catholics had put it in their mandate: that the Lord endured Judas as an example of the evil to be tolerated in the Church (John 6:71, 72); and that Paul endured those of whom he said such things not outside, but inside the Church (Phil. 1:15-18). But what could they answer about the Maximianists, when men were still living by whom they could be most openly and easily convicted? Consequently, to what the Catholics had said in their mandate, that the same Maximianists had been driven from their basilicas by the Donatists through public judgments, they attempted to respond somehow, that they had not accused them criminally, or forced anyone unwillingly into their communion, but had civilly reclaimed their own property or that of their people: they forgot what Primian had once ordered to be said in the Acts, *They take away what belongs to others, we let go of what has been taken away*. But to those things which were said in the Catholic mandate about the Maximianists—that they had received back those condemned by them with their honor intact, that they had denied that the associates of Maximian were polluted by him, that they preferred to approve rather than to rescind and repeat the Baptism given by them in the schism—they did not even lightly attempt to respond, but passed over all those things in a certain wondrous silence, as if they had not been said.

De ipso etiam Baptismo quod in illo mandato a Catholicis dictum est Apostolum de quibusdam dixisse, Veritatem in iniquitate detinent (Rom. I, 18), ut ostenderetur fieri posse, ut non destruenda veritas in destruenda iniquitate teneatur; aut non intellexerunt, aut id quod ipsi intellexerant, ne ab aliis intelligeretur, verbis suis obscurare voluerunt, dicentes, hoc Apostolum de Gentilium errore dixisse: quasi ad rem pertineat de quorum errore dixerit, cum tamen ostenderit posse veritatem in iniquitate detineri; ut haec duo cum in uno homine inventa fuerint, et approbetur veritas et iniquitas corrigatur: sicut Catholica facit, cum agnoscit in Donatistis, et amplectitur Sacramenti veritatem, detestatur autem in eis et corrigit haereticam iniquitatem. Et illud quod a Catholicis in mandato dictum est, non ideo destruendum Baptismum Christi, quia eum etiam haeretici tradunt; sicut non ideo negandus est Christus, quia eum etiam daemones confitentur: similiter aut non intellexerunt, aut obscurare voluerunt, dicentes Catholicos contra martyres locutos, non tamen exprimentes quos martyres dicerent. Dicentes etiam eos daemoniis velle communicare: quasi haereticis communicetur, quando eorum anathematizatur iniquitas, quamvis in eorum consecratione inventus Baptismus non destruatur; sicut anathematizatur iniquitas daemonum, quamvis in eorum confessione auditum nomen Domini non negetur.

De persecutionibus etiam quas perpeti se queruntur, multa in suis litteris posuerunt: nec tamen respondere ausi sunt ad illud quod in mandato Catholicorum dictum est, quod ipsi primitus apud Constantinum imperatorem accusaverunt Caecilianum; qui de imperatorum legibus conqueruntur, invidiam Catholicorum exaggerantes, sive mortes, quas eorum Circumcelliones sibimetipsis inferunt, sive omnia quae non pro communione Donati, sed pro sceleribus quibus violenter saeviunt, nefarieque vivunt, per leges publicas disciplinasque patiuntur: sicut etiam de oppido Vagaitano commemorasse ausi sunt; ubi manifestatum est quanta mala commiserint, et quam minora perpessi sunt.

Ad illud quoque in Catholicorum mandato, quod dictum est de purgatione et absolutione Caeciliani et Felicis Aptuginensis, de quorum criminibus apud imperitos solebant Catholicis magnam invidiam concitare; cum illic tota causa propter quam venerant, versaretur, nihil omnino respondere in tam prolixis litteris voluerunt: quia et in eo quod dicebant, et divinis testimoniis velut astruebant, non esse malos in Ecclesia tolerandos, sed ab eis recedendum propter contagium peccatorum; ita se dicere demonstrabant, ut tamen ignoratis peccatis alienis neminem maculari posse faterentur.

Concerning Baptism itself also, what was said by the Catholics in that mandate, that the Apostle had said of certain people, They hold the truth in unrighteousness (Rom. 1:18), so that it might be shown that it can happen that a truth not to be destroyed is held in an iniquity that is to be destroyed; they either did not understand, or what they themselves had understood, they wished to obscure with their words, lest it be understood by others, saying that the Apostle said this about the error of the Gentiles: as if it were relevant of whose error he spoke, when he nevertheless showed that truth can be held in iniquity; so that when these two are found in one person, the truth may be approved and the iniquity corrected: just as the Catholic Church does, when it recognizes in the Donatists and embraces the truth of the Sacrament, but detests and corrects in them the heretical iniquity. And that which was said by the Catholics in the mandate, that the Baptism of Christ is not to be destroyed for the reason that heretics also confer it, just as Christ is not to be denied for the reason that demons also confess him: similarly, they either did not understand, or they wished to obscure it, saying that the Catholics spoke against the martyrs, yet not expressing which martyrs they meant. Saying also that they wished to have communion with demons: as if one has communion with heretics when their iniquity is anathematized, although the Baptism found in their consecration is not destroyed; just as the iniquity of demons is anathematized, although the name of the Lord heard in their confession is not denied.

Concerning the persecutions also which they complain of suffering, they put many things in their letter: yet they did not dare to respond to that which was said in the Catholic mandate, that they themselves had first accused Caecilian before the emperor Constantine; they who complain about the laws of the emperors, exaggerating the odium against the Catholics, whether concerning the deaths which their Circumcellions inflict upon themselves, or all the things which they suffer under public laws and disciplines, not for the communion of Donatus, but for the crimes with which they rage violently and live wickedly: as they also dared to mention the town of Vagaia, where it was made manifest how great were the evils they had committed, and how much less they had suffered.

To that point also in the Catholic mandate, which was said about the clearing and acquittal of Caecilian and Felix of Aptunga, about whose crimes they used to stir up great odium against the Catholics among the ignorant; although the whole cause for which they had come hinged on this, they chose to respond with absolutely nothing in so lengthy a letter: because even in what they were saying, and seemed to be proving with divine testimonies, that the wicked are not to be tolerated in the Church, but that one must withdraw from them on account of the contagion of sins, they showed that they spoke in such a way as to confess, however, that no one could be stained by the unknown sins of others.

Hoc enim et de malis piscibus dixerant, quod sicut illos latentes in fluctibus, quamvis jam intra retia, non vident piscatores; sic latentes malos in Ecclesia nesciunt sacerdotes, et ab eis ideo minime polluuntur. Nec tamen vel leviter vel tenuiter in tam prolixis et tanta dilatione accepta conscriptis litteris probare conati sunt, quod maxime in mandato Catholicorum commemoratum est, ut probarent non solum vera esse crimina Caeciiani (nam hoc parum est); sed etiam Ecclesiae, quae per omnes gentes usque ad terrae terminos dilatatur, ea probari et innotescere potuisse, ut consequenter saltem secundum ipsos posset cognitorum peccatorum contagione maculari.

CAPUT IX.---15. Cum itaque litterae Donatarum recitatae fuissent, voluit Cognitor, ut etiam quae Catholici recitanda dederant legerentur. Sed Donatae ad ea quae scripserant ut responderetur, flagitare coeperunt. Quod et Catholici magis volebant, ne illae litterae sic manerent, quasi eis non potuerit responderi. Incipientibus ergo Catholicis respondere, Donatae interrompere et obstrepere coeperunt, ne perpetuus respondentis sermo decurreret, sicut eorum litterae nullo interpellante fuerant recitatae. Volentibus ergo Catholicis divina testimonia quae ipsi posuerant, et ea quae illi commemoraverant, ostendere quemadmodum essent accipienda, ne inter se deprehenderentur esse contraria, cum essent utraque divina, et utique consona, non dissona, esse deberent, primitus de areae similitudine coeperunt dicere. Tunc Donatae interruptentes, dixerunt quod de area non legeretur in Evangelio scriptum. Cumque expressius a Catholicis locus Evangelii commemoraretur; rursus interrompendo dixerunt, occultos malos dictos esse paleam postea ventilandam. Inde inter strepitum et interruptiones eorum, de zizaniis et tritico dissensio nata est, propter mundi nomen, quo Donatae nolebant intelligi Ecclesiam, quia scriptum est, Ager est hic mundus. Et multa testimonia protulerunt, quibus sancta Scriptura mundum non nisi malos commemorasset; sicuti est, Qui dilexerit mundum, non est charitas Patris in illo (I Joan. II, 15); et caetera talia: ut quasi ex hoc ostenderent, mundi nomine Ecclesiam significari minime potuisse.

For they had said this also about the bad fish, that just as fishermen do not see them hidden in the waves, although already within the nets; so priests do not know the wicked who are hidden in the Church, and therefore are not at all polluted by them. And yet, not even lightly or thinly in a letter so lengthy and written after receiving such a long delay, did they attempt to prove what was especially mentioned in the Catholic mandate: that they should prove not only that the crimes of Caecilian were true (for this is not enough); but also that they could have been proven and made known to the Church, which is spread through all nations to the ends of the earth, so that, consequently, at least according to them, it could be stained by the contagion of known sins.

CHAPTER IX. The Catholics respond to the Donatists' letter, showing that the wicked are tolerated in the Church for the sake of peace, and that the two states of the Church, present and future, are prefigured by the two catches of fish, etc. 15. And so, when the letters of the Donatists had been recited, the Examiner wished that the documents which the Catholics had submitted for recital should also be read. But the Donatists began to demand that a response be made to what they had written. This the Catholics also preferred, lest those letters should remain as if they could not be answered. Therefore, when the Catholics began to respond, the Donatists started to interrupt and shout them down, so that the continuous discourse of the respondent might not proceed, just as their letters had been recited with no one interrupting. Therefore, as the Catholics wished to show how the divine testimonies which they themselves had put forward, and those which the others had mentioned, were to be understood, lest they be found to be contrary to each other—since both were divine and ought certainly to be consonant, not dissonant—they began first to speak of the similitude of the threshing floor. Then the Donatists, interrupting, said that it was not written in the Gospel about the threshing floor. And when the passage of the Gospel was more explicitly cited by the Catholics, they, interrupting again, said that the hidden evil ones were called the chaff to be winnowed later. From there, amid their clamor and interruptions, a disagreement arose concerning the tares and the wheat, on account of the word 'world,' by which the Donatists were unwilling for the Church to be understood, because it is written, 'The field is this world.' And they brought forward many testimonies in which Holy Scripture had mentioned the 'world' only as evil things; such as, 'He who loves the world, the love of the Father is not in him' (1 John 2:15), and other such passages, so as to show from this, as it were, that the Church could by no means be signified by the name 'world.'

Contra Catholici alia testimonia proferebant, quibus in bono mundi nomen esse positum ostenderetur; sicuti est, Deus erat in Christo mundum reconcilians sibi (II Cor. V, 19): et caetera hujusmodi, ubi ostenderetur Ecclesia, quoniam ipsa utique per Christum reconciliatur Deo. Et haec agebantur, Catholicis sermonem suum proseguendo perpetuare conantibus, illis autem ne id fieret perstrepentibus; cum suam responsionem non reservarent, sicut Catholici fecerant, cum eorum epistola legeretur; sed crebras contradictiones interponendo, ne Catholicorum prosecutio imperturbata procurreret, impedirent.

16. Flagitantibus itaque patientiam eorum Catholicis, et per multas Cognitoris interlocutiones vix impetrantibus; responderunt litteris eorum, ostendentes multis sanctarum Scripturarum testimoniis et exemplis, malos in Ecclesia nunc sic esse permixtos, ut quamvis debeat vigilare ecclesiastica disciplina, ad eos non solum verbis, sed etiam excommunicationibus et degradationibus corripiendos, tamen non solum in ea latentes nesciantur, sed plerumque propter pacem unitatis etiam cogniti tolerantur: sic ostendentes divina testimonia consonare, ut et illa quibus commendaretur Ecclesia cum malorum commixtione, hoc tempus ejus significarent, qualis est in praesenti saeculo; et illa testimonia quibus commendatur non habere commixtos malos, illud ejus tempus significarent, qualis venturo saeculo in aeternum futura est. Sicut nunc mortalis est, id est, ex mortalibus hominibus constat; tunc autem immortalis erit, quando in ea nemo morietur: sicut ipse Christus isto tempore fuit pro illa mortalis, post resurrectionem autem jam non moritur, et mors illi ultra non dominabitur (Rom. VI, 9); quod etiam Ecclesiae suae in fine saeculi praestiturus est. Haec duo tempora Ecclesiae, quae nunc est, et qualis tunc erit, significata est etiam duabus piscationibus: una ante resurrectionem Christi, quando mitti jussit retia, nec sinistram nec dexteram nominans partem (Luc. V, 4-10); ut nec solos malos, nec solos bonos, sed commixtos bonis malos intra retia suorum Sacramentorum futuros doceret: post resurrectionem autem, quando jussit retia mitti in dexteram partem (Joan. XXI, 6-11); ut post resurrectionem nostram bonos solos in Ecclesia futuros intelligeremus, ubi ulterius haereses et schismata non erunt, quibus modo retia disrumpuntur. Nam et Evangelium non tacuit in prima piscatione commemorare retia esse disrupta: et in novissima dictum est, Et cum tam magni essent pisces, retia non sunt disrupta. De tali Ecclesia dictum esse, quod per illam non erat transiturus incircumcisis et immundus (Isai. LII, 1). Ad immundos enim pertinere schismaticas separationes, quae tunc non erunt, quia retia non sunt disrupta. Hoc etiam significasse, quod corvus avis immunda exierit de arca, et non redierit.

On the other hand, the Catholics brought forth other testimonies, by which it could be shown that the name 'world' was used in a good sense; such as, 'God was in Christ, reconciling the world to Himself' (2 Cor. 5:19), and other passages of this kind, where the Church would be shown, since it is she that is reconciled to God through Christ. And these things were being done while the Catholics were attempting to carry on their discourse continuously, but the others were making a clamor lest this should happen; since they did not reserve their response, as the Catholics had done when their letter was being read, but by interjecting frequent contradictions, they prevented the Catholics' presentation from proceeding undisturbed.

16. And so, when the Catholics demanded their patience, and scarcely obtained it through many interventions from the Examiner, they responded to their letters, showing by many testimonies and examples from the Holy Scriptures that the wicked are now so intermingled in the Church that, although ecclesiastical discipline ought to be vigilant in correcting them not only with words but also with excommunications and degradations, nevertheless, not only are they unknown while hidden within her, but often, for the sake of the peace of unity, they are tolerated even when known: thus showing the divine testimonies to be in harmony, so that both those which commended the Church with the mixture of the wicked signified its present time, such as it is in this present age; and those testimonies which commend it as not having wicked persons mixed in, signified that future time of hers, such as it will be for eternity in the age to come. Just as she is now mortal, that is, she consists of mortal men, but then she will be immortal, when no one in her will die: just as Christ Himself was mortal for her in this time, but after the resurrection He now dies no more, and death will no longer have dominion over Him (Rom. 6:9); which He will also grant to His Church at the end of the age. These two states of the Church, what she is now and what she will be then, are also signified by the two catches of fish: one before the resurrection of Christ, when He commanded the nets to be cast, naming neither the left nor the right side (Luke 5:4-10), to teach that not only the wicked, nor only the good, but the wicked mixed with the good would be within the nets of His Sacraments; but after the resurrection, when He commanded the nets to be cast on the right side (John 21:6-11), so that we might understand that after our resurrection only the good will be in the Church, where there will be no more heresies and schisms, by which the nets are now torn. For the Gospel did not fail to mention in the first catch of fish that the nets were torn; and in the last it was said, 'And although the fish were so large, the nets were not torn.' It was said of such a Church that the uncircumcised and the unclean would not pass through it (Isaiah 52:1). For schismatic separations, which will not exist then because the nets are not torn, pertain to the unclean. This was also signified by the fact that the raven, an unclean bird, went out of the ark and did not return.

Quae tamen arca exeunte corvo non utique omnibus immundis animalibus caruit, sed in ea fuerunt et munda et immunda usque ad diluvium (Gen. VII et VIII), sicut in Ecclesia boni et mali usque ad saeculi finem. Sed sicut non de immundis, sed de mundis animalibus Noe obtulit sacrificium; ita non ii qui mali sunt in Ecclesia, sed ii qui boni sunt perveniunt ad Deum.

17. De Prophetis etiam, quia dixerant Donatistae in litteris suis, non eos communicare illis in quos mala tanta dixerunt; responderunt Catholici, quod unum templum fuerit quo universi utebantur, nec quemquam Prophetarum, qui tanta dixerunt in malos, constituisse sibi aliud templum, sacrificia, sacerdotes. Et quod Donatistae in litteris suis posuerunt testimonia Scripturarum, quibus ostenderent ad peccata parentum etiam filios pertinere; cum hoc utique nunquam recte intellectum sit, nisi de iis filiis qui parentum iniquitates imitarentur: responderunt Catholici, cum tanta in illum populum et acerba dicta sint divinis eloquiis, quae etiam ipsi in suis litteris commemoraverunt, ut quasi nullus illic remansisse videretur bonus; non solum ibi fuerunt iidem ipsi Prophetae sancti, verum etiam ex ipso populo exorti erant, quos ipse Dominus in suae carnis adventu laudabiles reperit, sicut fuerunt Zacharias et Elisabeth, et sicut Joannes filius eorum, sicut Simeon senex et Anna vidua (Luc. I et II). Unde apparet quam impie, quam calumniose objicerentur Catholicis toto orbe diffusis crimina Caeciliani; cum Simeoni et Annae et caeteris talibus objici non possent crimina illius populi, in quo nati fuerant, sacramentis ejusdem populi consecrati, quae crimina eidem populo non humana opinio, sed sermo divinus objecerat. Commemoratum est etiam testimonium propheticum, ubi signati sunt, ne cum malis perirent, qui gemebant facinora quae fiebant in medio eorum (Ezech. IX, 4); nec tamen corporaliter separati sunt.

18. Deinde ibi commemoratum est qualis separatio bonis hoc tempore ab impiis et malis fieri debeat, ne communicetur peccatis alienis; corde videlicet et vitae morumque dissimilitudine: nec aliter intelligi debere quod scriptum est, Exite de medio eorum, recedite inde, et immundum ne tetigeritis (Isai. LII, 11); id est, discernimini aliter vivendo, et immunditiae non consenseritis. Ibi etiam opportunissimo loco responsum est Donatistis ad illud quod dixerant, cum eos peteret Cognitor ut sederent, scriptum sibi esse, ut cum talibus non sederent (Supra, Collationis die 2, cap. 1).

Yet that ark, when the raven went out, was by no means devoid of all unclean animals, but in it were both clean and unclean until the flood (Gen. 7 and 8), just as in the Church there are good and evil until the end of the age. But just as Noah offered a sacrifice not from the unclean, but from the clean animals, so it is not those who are evil in the Church, but those who are good, who attain to God.

17. Regarding the Prophets also, because the Donatists had said in their letters that they did not communicate with those against whom they had spoken such great evils, the Catholics responded that there was one temple which all used, and that none of the Prophets, who had said such things against the wicked, had established for himself another temple, sacrifices, or priests. And as to the Donatists having put in their letters testimonies from the Scriptures to show that sons also pertain to the sins of their parents—though this has certainly never been rightly understood except of those sons who imitated the iniquities of their parents—the Catholics responded that, although such great and harsh things were said in the divine oracles against that people, which they themselves also mentioned in their letters, so that it seemed as if no good person remained there, not only were the same holy Prophets themselves there, but there had also arisen from that very people those whom the Lord Himself, at the advent of His flesh, found praiseworthy, such as were Zechariah and Elizabeth, and John their son, and Simeon the old man, and Anna the widow (Luke 1 and 2). From this it is apparent how impiously, how slanderously the crimes of Caecilian were charged against the Catholics spread throughout the whole world, when the crimes of that people—crimes which not human opinion but the divine word had charged against that same people—could not be charged against Simeon and Anna and others like them, who had been born among that people and consecrated by the sacraments of the same people. The prophetic testimony was also mentioned, where those were marked, lest they perish with the wicked, who groaned over the wicked deeds that were being done in their midst (Ezek. 9:4); and yet they were not corporally separated.

18. Then it was mentioned there what sort of separation the good ought to make from the impious and the wicked at this time, so as not to share in the sins of others; namely, by a dissimilarity of heart, life, and morals: and that what is written, 'Depart from their midst, go out from there, and touch no unclean thing' (Isaiah 52:11), ought not to be understood otherwise; that is, 'be distinguished by living differently, and do not consent to uncleanness.' There also, at a most opportune moment, a response was made to the Donatists concerning what they had said when the Examiner asked them to be seated, that it was written for them not to sit with such men (Above, Conference day 2, chap. 1).

Dictum est enim a Catholicis, cum eorum litteris responderent, non sic intelligendam esse separationem a malis hoc tempore, quemadmodum illi intellexerant, qui secum tanquam cum impiis non sederunt, quia scriptum est, Non sedi in concilio impiorum. Cum utique si impios putarent, nec illud quod in eodem psalmo consequenter prohibetur, facere debuerunt. Nam ibi sequitur, Et cum iniqua gerentibus non introibo (Psal. XXV, 4). Cum ergo illi intrassent cum eis quos impios putarent, quare non etiam sederunt; ut in utroque non corporalem, sed spirituales consessum et ingressum devitasse viderentur? Ibi commemorata est etiam causa Maximianistarum toties jam illis objecta, ubi et se et illos quibus dilationem dederunt in Maximiani schismate positos, ejusdem in damnatione Primiani socios, tamen illius contagio dixerunt non esse pollutos: qui Caeciliani criminibus orbem christianum usque ad terminos terrae perisse contenderent.

CAPUT X.

19.

Ad haec Donatistae, cum validissimis Scripturarum documentis et exemplo suo de Maximianistis respondere non possent: ad illud quod jam peractum fuerat redierunt, dicentes mundum non bene intelligi Ecclesiam, in qua simul et triticum et zizania jussa sunt crescere: cum Catholici et tot testimonia divina jam commemorassent, quibus ostenderetur mundus etiam in bona significatione positus, et in ea non nisi Ecclesia posset intelligi; et quomodolibet acciperetur mundus, quando utrumque semen per mundum cresceret, non debere propter zizania totius mundi triticum deseri. Cum ergo haec jam dicta fuissent, et quaestio ipsa jam terminata videretur; ad eam rursus summa inopia redierunt, eadem per eadem replicantes, quaerentes quomodo potuerit diabolus in Ecclesia seminare zizania. Deinde calumniantes, quod duas Ecclesias Catholici dixerint; unam quae nunc habet permixtos malos, aliam quae post resurrectionem eos non esset habitura: veluti non iidem futuri essent sancti cum Christo regnaturi, qui nunc pro ejus nomine cum juste vivunt tolerant malos.

For it was said by the Catholics, when they were responding to their letters, that the separation from the wicked at this time should not be understood in the way they had understood it, who did not sit with them as if with the impious, because it is written, 'I have not sat in the council of the impious.' Since, if they thought them impious, they certainly ought not to have done what is consequently forbidden in the same psalm. For it follows there, 'And with those who do wicked things I will not enter' (Psalm 25:4). Since, therefore, they had entered with those whom they considered impious, why did they not also sit, so that in both cases they might be seen to have avoided not a corporal, but a spiritual assembly and entrance? There also was mentioned the case of the Maximianists, so often already brought up against them, where they said that both they themselves and those to whom they had granted a delay, who were situated in the schism of Maximian and were partners in the condemnation of Primian, were nevertheless not polluted by his contagion: they who contended that the Christian world, even to the ends of the earth, had perished by the crimes of Caecilian.

CHAPTER X.

19.

To these things the Donatists, since they could not respond to the most powerful proofs from the Scriptures and to the example concerning their own Maximianists, returned to that which had already been dealt with, saying that the "world" is not rightly understood as the Church, in which both the wheat and the tares were commanded to grow together: although the Catholics had already brought up so many divine testimonies by which it was shown that the "world" is also used in a good sense, and in that sense only the Church could be understood; and that however the "world" might be taken, since both seeds were growing throughout the world, the wheat of the whole world ought not to be abandoned on account of the tares. When, therefore, these things had already been said, and the question itself seemed already terminated, they returned to it again in extreme poverty of argument, repeating the same things over and over, asking how the devil could have sown tares in the Church. Then, they slandered, alleging that the Catholics had spoken of two Churches: one which now has wicked people mixed in, and another which after the resurrection would not have them; as if the saints who are to reign with Christ would not be the same ones who now, living justly for His name, tolerate the wicked.

20. Ad haec Catholici responderunt, etiam ipsos jam fuisse confessos, esse in Ecclesia vel occultos malos: et vicissim quaesierunt quomodo eos in Ecclesia diabolus seminaverit; quod illi quasi fieri non posset, de zizaniis requirebant. Repetierunt etiam Catholici testimonium Cypriani, qui eamdem evangelicam similitudinem non aliter intellexit, quam ut in Ecclesia diceret esse zizania, nec latere, sed cerni (Epist. ad Maximum). Contra quod testimonium illi omnino nihil ausi fuerant respondere; cum auctoritatem Cypriani tanti habeant, ut per illam conentur defendere quod male de iterando Baptismo sentiunt et faciunt. De duabus etiam Ecclesiis calumniam eorum Catholici refutarunt, identidem expressius ostendentes quid dixerint, id est, non eam Ecclesiam quae nunc habet permixtos malos alienam se dixisse a regno Dei, ubi non erunt mali commixti; sed eamdem ipsam unam et sanctam Ecclesiam nunc esse aliter, tunc autem aliter futuram; nunc habere malos mixtos; tunc non habituram: sicut nunc mortalem, quod ex mortalibus constaret hominibus; tunc autem immortalem, quod in ea nullus esset vel corpore moriturus: sicut non ideo duo Christi, quia prior mortuus postea non moriturus. Dictum est etiam de homine exteriori et interiore, quae cum sint diversa, non tamen dici duos homines: quanto minus dici duas Ecclesias, cum iidem ipsi qui nunc boni tolerant permixtos malos et resurrecturi moriuntur, tunc nec mixtos malos habituri sint, nec omnino morituri? De ipso quoque numero, quoniam Donatistae Scripturarum testimonio unam Ecclesiam commendaverunt, velut contra duas quas Catholicos affirmasse jactabant; responsum est a Catholicis, etiam multas Ecclesias in Scripturis inveniri dictas, et septem ad quas Joannes scribit (Apoc. I), quae tamen multae illius unicae membra esse intelligerentur: ut hinc appareret multo minus sibi debere objici duas, cum eamdem ipsam unam dixerint non talem nunc esse qualis in resurrectione futura esset, quandoquidem apostolicis Litteris non objiciantur multae, ex quibus ipsa una constaret. Ad haec Donatistae rursus eadem replicare non destiterunt, insuper adjicientes et invidiose jactantes, quod Ecclesiam mortalem Catholici dixerint; et ideo negantes eam mortalem esse, quia Trinitas immortalis est, cujus gratia consecratur Ecclesia; et quia Christus ideo pro ea mortuus sit, ut eam faceret immortalem: quasi Catholici dixerint non eam fieri immortalem gratia Dei, et effuso pro ea sanguine Salvatoris: sed tempora esse discernenda dixerunt, praesens videlicet quo moriuntur omnes sancti, sicut mortuus est ipse Christus; et futurum, quo resurgent, et nullo morituro vivent cum illo qui jam resurrexit.

20. To this the Catholics replied that the Donatists themselves had already confessed that there were at least hidden evil persons in the Church; and in turn they asked how the devil had sown them in the Church, a question they were asking about the tares as if it were impossible for it to happen. The Catholics also repeated the testimony of Cyprian, who understood that same gospel parable in no other way than to say that there are tares in the Church, and that they are not hidden, but seen (Letter to Maximus). Against this testimony they had dared to answer absolutely nothing, although they hold the authority of Cyprian in such high regard that they try to use it to defend their wrong opinion and practice concerning the repetition of Baptism. The Catholics also refuted their calumny about two Churches, showing again and more expressly what they had said: that is, they had not said that the Church which now has wicked people mixed in is alien to the kingdom of God, where there will be no wicked people mixed in; but that the same one and holy Church is in one state now, and will be in another state then; now it has wicked people mixed in, then it will not have them: just as it is now mortal, because it consists of mortal men, but then it will be immortal, because in it no one will die even in body: just as there are not two Christs for the reason that He first died and afterwards will not die. It was also said concerning the outer and inner man, that although they are different, one does not speak of two men: how much less should one speak of two Churches, when the very same good people who now tolerate the mixed wicked and die, destined to rise again, will then neither have wicked people mixed among them, nor die at all? Concerning the number itself, since the Donatists had commended the one Church with the testimony of the Scriptures, as if against the two which they boasted the Catholics had affirmed, it was answered by the Catholics that many churches are also found mentioned in the Scriptures, and the seven to which John writes (Apoc. I), which many, however, were to be understood as members of that one Church: so that from this it would appear that much less ought they to be reproached for two, since they had said that the very same one Church is not now such as it would be in the future resurrection, seeing that no objection is made to the many churches in the apostolic Letters, of which that one consists. To this the Donatists did not cease to reply with the same things again, adding moreover and invidiously boasting that the Catholics had called the Church mortal; and therefore denying that it is mortal, because the Trinity is immortal, by whose grace the Church is consecrated; and because Christ died for it for this reason, that He might make it immortal: as if the Catholics had said that it is not made immortal by the grace of God and by the shedding of the Savior's blood for it. But they said that the times must be distinguished: namely, the present, in which all the saints die, just as Christ Himself died; and the future, in which they will rise again and, with no one to die, will live with Him who has already risen.

CAPUT XI.--21. Haec inter eos cum agerentur, et quamvis manifesta atque dilucida Donatistis certantibus superflua replicarentur; promisit Cognitor de his se quae satis audisset extrema sententia iudicaturum, et iussit illud agi potius, unde exstiterit prima causa discidii. Tunc Donatistae urgere coeperunt, ut de his quae audisset primitus iudicaret. Quod cum etiam Catholici exigent, et ille in eo quod dixerat permaneret, juberetque illud agi potius, ut causa primi discidii monstraretur; petierunt Catholici, ut quae offerebant recitarentur. Quod cum fieri praecepisset, obnixius Donatistae resistere coeperunt, et cogere ut jam de cognitis iudicaret, eadem quae transacta fuerant repetentes; et addentes, quod omnino iudicare de illa causa non deberet, quam volebat agi recitatione eorum quae a Catholicis oblata fuerant recitanda: dicentes hujus causae Christum iudicem esse debere; et invidiam facientes Catholicis, quod hominem petiverant iudicem; dicentes etiam solita de persecutionibus quas perpeti viderentur. Ad hoc Catholici responderunt, nec de homine iudice postulato eos debere facere invidiam, qui et de causa Maximianistarum iudicaverunt, nec eam Christo iudici servaverunt; et ipsam Caeciliani causam primitus ad hominem, hoc est, ad imperatorem Constantinum accusantes miserunt: nec de persecutionibus, quod aliquid ab imperatoribus pro Ecclesia Catholici peterent, cum eorum Circumcelliones ducibus clericis tam horrenda mala committerent. Ubi frustra responderunt, nihil hoc ad sacerdotes pertinere; cum clericis ducibus illi talia fecisse asserebant.

22. Ibi etiam cum dictum esset, quod calce et aceto humanos oculos persecuti sint, in quo scelere diabolus crudelitate pervicerunt, qui hoc in sancti viri carne non fecit, quam in potestatem acceperat affligendam (Job II); hic Donatistae quaesierunt, utrum qui faciunt, filii essent diaboli, an qui patiuntur: quasi Catholici aliud quam passiones suas dixerint immanissimas a clericis et Circumcellionibus eorum. Verumtamen etiam hic non praetermiserunt Catholici, occasione oblata, eis Maximianistas objicere; et dixerunt secundum eorum sententiam meliores esse Maximianistas, quos apud tres vel eo amplius proconsules persecuti sunt. Illi enim si passi sunt, victi fecerunt. Et urgebant Catholici, ut responderent, utrum ex ipsis quos damnaverunt et persecuti sunt, non susceperint Felicianum, et utrum non eum habeant in collegio suo.

CHAPTER XI. 21. While these things were being debated between them, and although matters that were manifest and clear were being repeated superfluously to the contentious Donatists, the Cognitor promised that he would judge concerning those things he had sufficiently heard in his final sentence, and ordered that the matter from which the first cause of the schism arose should be dealt with instead. Then the Donatists began to press him to judge first on those things he had heard. When the Catholics also demanded this, and he persisted in what he had said, ordering instead that the matter be taken up so that the cause of the first schism might be shown, the Catholics requested that the documents they were presenting be read out. When he had ordered this to be done, the Donatists began to resist more stubbornly and to compel him to judge at once on the matters already heard, repeating the same things that had been transacted; and adding that he ought not to judge at all concerning that cause which he wished to be handled by the reading of the documents that had been offered by the Catholics and were to be recited: saying that Christ ought to be the judge of this cause; and stirring up ill-will against the Catholics because they had sought a human judge; also saying the usual things about the persecutions they seemed to be suffering. To this the Catholics replied that they ought not to create ill-will about a human judge being requested, since they themselves had judged in the case of the Maximianists and had not reserved it for Christ the judge; and they themselves had first sent the very case of Caecilianus, as accusers, to a man, that is, to the emperor Constantine: nor about persecutions, because the Catholics were asking something from the emperors on behalf of the Church, when their Circumcellions, with clerics as leaders, were committing such horrendous evils. At this point they replied in vain that this had nothing to do with the priests, when it was asserted that those men had done such things with clerics as their leaders.

22. There also, when it was said that they had attacked human eyes with lime and vinegar, in which crime they surpassed the devil in cruelty, who did not do this to the flesh of the holy man, which he had received power to afflict (Job 2); at this point the Donatists asked whether those who do these things were the sons of the devil, or those who suffer them: as if the Catholics had said anything other than that their own most savage sufferings came from their clerics and Circumcellions. Nevertheless, even here the Catholics did not fail, when the opportunity arose, to bring up the Maximianists against them; and they said that according to their own judgment, the Maximianists, whom they had persecuted before three or more proconsuls, were better. For if they suffered, they did so as the vanquished. And the Catholics pressed them to answer whether they had not received Felicianus from among those whom they had condemned and persecuted, and whether they did not have him in their college.

Ad quod illi objectum sicut semper omnino obmutescens, in aliud ierunt, obijciendo Catholicis, quod diabolus defendisset; quia dixerant cum sancti Job oculis pepercisse, unde illum isti crudelitate vicissent. Et susceperunt accusare diabolus velut defensum a Catholicis, dicentes cum magis crudeliter in carne Job oculis pepercisse, ut manerent ad spectaculum vulneris, quod universo corpori infixerat. Quod multum mirum est, quare hoc pro magno dicere voluerint, nisi forte ut intelligerentur pie fecisse, qui oculos in hominibus persecuti sunt, ne cruciarentur videndo vulnera sua, quae ab eis per totum corpus acceperant.

23. Sed cum iterum Donatistae persecutiones quas patiuntur exaggerantes, suorum quasdam mortes commemorarent in oppido Bagaiensi; responsum est a Catholicis, eos hoc passos esse dum eorum violentiae resisteretur, quam et iudici inferre conati sunt. In illo oppido commemoraverunt Catholici ab eis horrenda esse commissa, ita ut etiam basilica esset incensa, et in ignem missi codices sancti. Mortes autem illorum magis esse ex consuetudine quam habent, ut se ipsi praecipitent. Cumque his Donatistae respondentes exaggerarent identidem velut persecutiones quas paterentur, tanquam ex his fructibus suos adversarios malam esse arborem jactitantes, et petentes identidem ut de agro et zizaniis et de una et immortali Ecclesia judicaretur; contra autem Catholici fructus eorum commemorarent schismata et rebaptizationes, et quod ipsi primitus majores suos apud Imperatorem accusassent, atque in huiusmodi mutuis objectis diu conflictio versaretur: maluit Cognitor haec omnia cohibere, promittens de his iudicium posteriore sententia. Et recitari iussit quod a Catholicis oblatum jam legi coeperat et fuerat interruptum Sic peracta est causa Ecclesiae, quam magnopere Catholici curaverant a Caeciliani causa distinguere; quoniam ei non posset cujuslibet praejudicari criminibus, quae contra omnes humanas criminationes tot testimonia divina meruisset. Ex hoc jam coepit agi etiam causa Caeciliani.

CAPUT XII.

24. Quinto ergo loco haec acta sunt.

To this objection, falling completely silent as always, they went on to another topic, objecting to the Catholics that they had defended the devil, because they had said he had spared the eyes of holy Job, wherein they had surpassed him in cruelty. And they undertook to accuse the devil, as if defended by the Catholics, saying that he had spared Job's eyes in his flesh with greater cruelty, so that they might remain to behold the spectacle of the wound which he had inflicted on his whole body. It is very strange why they would want to say this as if it were a great point, unless perhaps so that they might be understood to have acted piously, who attacked the eyes in men, lest they be tormented by seeing their own wounds, which they had received from them over their whole body.

23. But when the Donatists, again exaggerating the persecutions they were suffering, mentioned certain deaths of their own people in the town of Bagai, it was answered by the Catholics that they had suffered this while resistance was being made to their violence, which they had even attempted to inflict upon the judge. In that town the Catholics recalled that horrendous things had been committed by them, so that even the basilica was burned and the holy books thrown into the fire. Moreover, their deaths were rather from the custom they have of throwing themselves from precipices. And when the Donatists, responding to these things, repeatedly exaggerated the persecutions they were supposedly suffering, boasting that by these fruits their adversaries were a bad tree, and repeatedly demanding that judgment be passed concerning the field and the tares and concerning the one and immortal Church; the Catholics, on the other hand, recalled their fruits: schisms and rebaptisms, and that they themselves had first accused their own predecessors before the Emperor, and the conflict long revolved around such mutual objections: the Cognitor preferred to restrain all these things, promising a judgment on them in a later sentence. And he ordered that what had been offered by the Catholics, which had already begun to be read and had been interrupted, be recited. Thus was concluded the case of the Church, which the Catholics had taken great care to distinguish from the case of Caecilianus; since it could not be prejudiced by the crimes of any individual, having merited so many divine testimonies against all human accusations. From this point, the case of Caecilianus also began to be tried.

CHAPTER XII.

24. In the fifth place, therefore, these things were done.

Recitatae sunt duae relationes Anulini proconsulis ad Constantinum imperatorem: una quae jam superius erat recitata (Supra, n. 8), qua ostendit majores Donatarum, id est, de parte Majorini, dedisse sibi chartas criminum Caeciliani, et postulasse Constantino mittendas, seque illas memorato imperatori misisse: altera autem qua ostendit ex ejusdem imperatoris jussione denos ex utraque parte, ad agendam causam, ut mitterent, eos se convenisse, atque illos promisisse facturos. Tum deinde lectae sunt etiam litterae supra dicti imperatoris ad episcopos datae, ubi eis causam Caeciliani injunxit audiendam. Atque inde ex ordine legi coepit etiam episcopale iudicium Melchiadis Romani episcopi et aliorum cum illo Gallorum et Italicorum episcoporum, in eadem urbe Romae factum, cujus iudicii prima parte, id est, gestis primi diei recitatis, ubi accusatores Caeciliani qui missi fuerant, negaverunt se habere quod in eum dicerent; ubi etiam Donatus a Casis-Nigris in praesenti convictus est, adhuc diacono Caeciliano schisma fecisse Carthagine; de Carthaginis enim schismate exorta est adversus Ecclesiam catholicam pars Donati: ubi etiam promiserunt iidem adversarii Caeciliani alio die se repraesentaturos, quos causae necessarios subtraxisse arguebantur; et hoc mentiti, ulterius ad iudicium accedere noluerunt: hac ergo iudicii parte recitata, cum coepisset recitari quid alio die gestum sit; interruperunt Donatistae, et petere instantissime coeperunt, ut prius ea quae offerebant recitarentur, asserentes non esse ordinis, ut prius absolutio Caeciliani, quem nondum accusaverant, legeretur; et de hoc aliquanto diutius conflixerunt: cum Catholici dicerent, non debere interrumpi quod legi jam coeperat, donec ejusdem iudicii omnia gesta terminarentur; illi autem e diverso assererent, ea quae interrompebantur, nec incipi debuisse ut legerentur, quoniam non competeret prius defendi hominem quam accusari. Ad hoc Catholici respondebant, cum causa schismatis a Cognitoire quaereretur, petisse ut illa legerentur, quae oblata fuerant ad legendum, cum ageretur de persona petitoris. Duas itaque ob res illa voluisse recitari; ut appareret eos primitus in hac causa hominem iudicem postulasse, qui faciebant Catholicis invidiam, quod in hac Collatione homo cognitor residebat; et ut petitoris persona constaret: et quoniam legi coepta fuerant, non debere interrumpi, sed usque ad finem recitando perducere.

Two reports of Anulinus the proconsul to the emperor Constantine were read out: one, which had already been read out above (See above, n. 8), in which he showed that the leaders of the Donatists, that is, of the party of Majorinus, had given him documents with the accusations against Caecilian, and had requested that they be sent to Constantine, and that he had sent them to the aforementioned emperor; the other, however, in which he showed that, by order of the same emperor, he had met with them so that they might send ten men from each side to plead the case, and that they had promised to do so. Then, next, the letters of the aforementioned emperor addressed to the bishops were also read, in which he enjoined them to hear the case of Caecilian. And then, in order, the episcopal judgment of Melchiades, bishop of Rome, and of the other bishops of Gaul and Italy with him, delivered in that same city of Rome, also began to be read; but when the first part of this judgment had been recited, that is, the proceedings of the first day, where the accusers of Caecilian who had been sent denied that they had anything to say against him; where also Donatus of Casae Nigrae was convicted in their presence of having caused a schism in Carthage while Caecilian was still a deacon—for from the schism of Carthage the party of Donatus arose against the Catholic Church; where also the same adversaries of Caecilian promised that on another day they would present those who, they were accused of having withdrawn, were necessary for the case; and having lied about this, they refused to come to the judgment any further: when, therefore, this part of the judgment had been recited, and they had begun to recite what was done on another day, the Donatists interrupted and began to demand most insistently that the documents they were offering should be read first, asserting that it was not in order for the acquittal of Caecilian, whom they had not yet accused, to be read first; and about this they contended for a rather long time: with the Catholics saying that what had already begun to be read should not be interrupted until all the proceedings of the same judgment were finished; but they, on the contrary, asserted that the things which were being interrupted ought not to have been begun to be read, since it was not fitting for a man to be defended before he was accused. To this the Catholics responded that, when the cause of the schism was being investigated by the Cognitor, they had requested that those things be read which had been presented for reading when the person of the petitioner was being dealt with. They had therefore wished those things to be recited for two reasons: so that it might be apparent that they had originally requested a human judge in this case, they who were creating odium for the Catholics because a human cognitor was presiding at this Conference; and so that the identity of the petitioner might be established: and because they had begun to be read, they ought not to be interrupted, but be brought to a conclusion by being read to the end.

Inter haec Cognitor, cum hoc primo voluisset, quod a Catholicis petebatur, ut ea quae recitari coeperant finirentur; postea tamen ei Donatistae extorserunt, ut ea quae ipsi offerebant dilatis illis legi permitterentur.

CAPUT XIII.---25. Tunc Donatistae aliquantum praelocuti sunt, quod Mensurius qui fuerat ante Caecilianum Ecclesiae Carthaginensis episcopus, tempore persecutionis tradiderit persecutoribus sanctas Scripturas. Et hoc ut probarent, legerunt ejus epistolam ad Secundum Tigrisitanum datam, qui tunc habebat primatum episcoporum Numidia. In qua epistola videbatur Mensurius velut de suo crimine confiteri: qui tamen non scripserat se sanctos codices tradidisse, sed potius ne a persecutoribus invenirentur abstulisse atque servasse; dimisisse autem in basilica Novorum quaecumque reproba scripta haereticorum, quae cum invenissent persecutores et abstulissent, nihil ab illo amplius postulasse. Verumtamen quosdam Carthaginensis ordinis viros postea suggessisse proconsuli, quod illi fuerant qui missi erant ad Christianorum Scripturas auferendas et incendendas, quia non invenerant nisi nescio quae ad eos non pertinentia; ipsas autem in domo episcopi custodiri, unde deberent proferri et incendi: proconsulem vero ad hoc eis consentire noluisse. In eisdem etiam litteris lectum est, eos qui se offerrent persecutionibus non comprehensi, et ultro dicerent se habere Scripturas, quas non traderent, a quibus hoc nemo quaesierat, displicuisse Mensurio, et ab eis honorandis eum prohibuisse Christianos. Quidam etiam in eadem epistola facinorosi arguebantur et fisci debitores, qui occasione persecutionis vel carere vellent onerosa multis debitis vita, vel purgare se putarent, et quasi abluere facinora sua, vel certe acquirere pecuniam, et in custodia deliciis perfrui de obsequio Christianorum. Crimen tamen Donatistae non ingerebant Mensurio, nisi de codicibus traditis: mentitum eum quippe dicebant, quod illi non fuerint codices sancti, et peccatum suum tegere voluisse; quamvis et ipsam fictionem criminarentur.

Amidst these things, the Cognitor, although he had at first wished for what was requested by the Catholics, namely, that the things which had begun to be recited should be finished, nevertheless the Donatists afterwards extorted from him that the documents which they themselves were offering should be permitted to be read, postponing the others.

CHAPTER XIII.---25. Then the Donatists spoke at some length, alleging that Mensurius, who had been bishop of the Church of Carthage before Caecilian, had, during the time of persecution, handed over the sacred Scriptures to the persecutors. And to prove this, they read his letter addressed to Secundus of Tigisis, who at that time held the primacy among the bishops of Numidia. In this letter, Mensurius seemed, as it were, to confess his crime; yet he had not written that he had handed over the sacred codices, but rather that he had removed and kept them safe so that they would not be found by the persecutors, and had left in the basilica of Novae whatever worthless writings of heretics were there, which, when the persecutors found and took away, they demanded nothing more from him. Nevertheless, [he wrote that] certain men of the Carthaginian curial order had afterwards suggested to the proconsul that those who had been sent to seize and burn the Christians' Scriptures had been deceived, because they had found nothing but some unknown writings that were of no concern to them; and that the Scriptures themselves were being kept in the bishop's house, from which they ought to be brought out and burned; but that the proconsul had been unwilling to consent to this. In the same letter it was also read that those who, without being arrested, offered themselves up to persecution and voluntarily declared that they possessed Scriptures which they would not surrender—though no one had asked this of them—had displeased Mensurius, and that he had forbidden the Christians from honoring them. Also, in the same letter, certain criminals and debtors to the treasury were censured, who, on the occasion of the persecution, either wished to be rid of a life burdened by many debts, or thought to purge themselves and, as it were, wash away their misdeeds, or certainly to acquire money and enjoy luxuries in prison from the support of Christians. The Donatists, however, did not charge Mensurius with any crime except that of handing over the codices: for they said that he had lied in claiming that they were not the sacred codices, and had wished to cover up his sin; although they also condemned the deception itself.

Recitarunt etiam rescripta Secundi Tigisitani ad eundem Mensurium pacifice data, ubi et ipse narravit, in Numidia persecutores quae egerint: et qui comprehensi et Scripturas sanctas tradere nolentes, et multa mala passi et gravissimis suppliciis excruciat et occisi sunt: eosque honorandos pro martyrii sui merito commendavit, laudans eos non tradidisse Scripturas sanctas, illius mulieris exemplo, quae duos exploratores in Jericho, in quibus figurarentur duo Testamenta, Vetus et Novum, tradere persecutoribus noluit (Josue II). Quod quidem exemplum si sub hac figura est intelligendum, Mensurium potius adjuvabat. In suis enim litteris Mensurius reprehendebat eos qui Scripturas sanctas, quamvis eas non traderent se tamen habere faterentur; quod mulier illa non fecit. Neque enim eos exploratores qui quaerebantur, apud se esse confessa est, sed negavit. Scripsit etiam Secundus, et ad se ipsum missos a curatore et ordine centurionem et beneficiarium, qui peterent divinos codices exurendos, eisque respondisse, Christianus sum et episcopus, non traditor. Et cum ab eo vellent aliqua ecbola, aut quodcumque accipere; neque hoc eis dedisse, exemplo Eleazari Machabaei, qui nec fingere voluit suillam carnem se manducare, ne aliis praeberet praevaricationis exemplum (II Machab. VI, 21-28). Hae litterae Mensurii et Secundi donec legendo terminarentur, Catholici patienter audierunt; quamvis testati fuerint eas esse familiares, nec ad causam Ecclesiae pertinere.

CAPUT XIV.---26. Cognitor ergo commonens Donatistas, ut patientiae vicem redderent, iussit perlegi quae oblata a Catholicis jam ex parte fuerant recitata. Hic Donatistae poposcerunt, ut prius etiam legeretur quod de causa Caeciliani offerebant. Hoc quoque sine ulla difficultate Catholicis permittentibus, et commendantibus quam patienter hoc permitterent, ut hoc eis et illi rependerent; iussit quod offerebatur Cognitor recitari. Et recitatum est a Donatistis concilium ferme septuaginta episcoporum contra Caecilianum apud Carthaginem factum, ubi eum absentem damnaverunt, quod ad eos venire noluerit; tanquam a traditoribus ordinatus, et quia cum esset diaconus, victum afferri martyribus in custodia constitutis prohibuisse dicebatur. Nominati sunt etiam quidam collegae Caeciliani qui traditores asserebantur publicis gestis, quae tamen gesta non legebantur. Inter hos autem maxime Felix Abtugnensis acerbius accusatus est, ita ut fons malorum omnium diceretur.

They also recited the peacefully toned reply of Secundus of Tigisis to the same Mensurius, in which he himself narrated what the persecutors had done in Numidia: and how those who were arrested and refused to hand over the holy Scriptures had suffered many evils and were tortured with the most grievous torments and killed; and he commended them as worthy of honor for the merit of their martyrdom, praising them for not having handed over the holy Scriptures, following the example of that woman in Jericho who refused to hand over to their persecutors the two spies, in whom the two Testaments, Old and New, were prefigured (Joshua 2). But if this example is to be understood under this figure, it rather supported Mensurius. For in his letter, Mensurius was censuring those who, although they did not hand over the holy Scriptures, nevertheless confessed to having them; which that woman did not do. For she did not confess that the spies who were being sought were with her, but denied it. Secundus also wrote that a centurion and a *beneficiarius* had been sent to him by the curator and the municipal council to demand the divine codices to be burned, and that he had answered them, "I am a Christian and a bishop, not a traitor (*traditor*)." And when they wanted to take from him some worthless documents (*ecbola*) or anything at all, he had not given them even this, following the example of Eleazar in Maccabees, who would not even pretend to eat pork, lest he should provide an example of transgression to others (2 Maccabees 6:21-28). The Catholics listened patiently until the reading of these letters of Mensurius and Secundus was finished, although they testified that they were private letters and did not pertain to the cause of the Church.

CHAPTER XIV.---26. The Cognitor, therefore, admonishing the Donatists that they should return the favor of patience, ordered to be read through what had been presented by the Catholics and had already been partially recited. At this point, the Donatists demanded that what they were offering concerning the case of Caecilian should also be read first. With the Catholics also permitting this without any difficulty, and commending how patiently they were permitting it, so that the others might repay them in kind, the Cognitor ordered what was being offered to be recited. And a council of nearly seventy bishops, held against Caecilian at Carthage, was recited by the Donatists, where they condemned him in his absence because he had been unwilling to come to them; as one ordained by traditores, and because, when he was a deacon, he was said to have forbidden food to be brought to the martyrs held in prison. Certain colleagues of Caecilian were also named who were asserted to be traditores by public records, which records, however, were not read. Among these, however, Felix of Abtugni was most bitterly accused, so that he was called "the source of all evils."

Deinde sententiae a singulis dictae sunt, primitus a Secundo Tigisitano, qui eorum princeps fuit; deinde a caeteris: quibus expresserunt se Caeciliano et collegis ejus non communicare. Hoc itaque concilio recitato Catholici responderunt, illas litteras Mensurii et Secundi ad invicem datas, satis demonstrasse pacatos; nihil postea criminis de facto Mensurii vel accusatum vel judicatum: concilium vero quod contra Caecilianum factum legerant, non quidem habere consulem et diem, sed hinc se nullum crimen objicere, quod magis negligentiae quam fraudis esse potuerit.

Sed obtulerunt iidem Catholici aliud concilium sub eodem Tigisitano habitum in civitate Cirtensi, cujus consul et dies cum legeretur, Donatistae dixerunt, nec consulem, nec diem talia solere habere decreta. Hic Catholici responderunt, illorum esse istum forsitan morem, qui concilia sua nollent in aliqua falsitate convinci; Catholicorum autem concilia consules et dies semper habuisse. Deinde coepit identidem concilium, quod Catholici attulerant, recitari, ubi Secundus quosdam de quorum traditione audierat, et singillatim interrogabat, et eos confessos a consessu removebat. Quod eo modo recitabatur, ut cum ex Cirtensi concilio lecta esset confessio traditorum, legeretur etiam de concilio Carthaginensi nomen ejus velut traditoris in Caeciliani causa damnati. Deinde ventum est ad ipsius Secundi Tigisitani a Purpurio Limatensi crimen objectum; cui Purpurio idem Secundus occisos ab eo in carcere Milei filios sororis ejus objecerat: ubi ille vicissim ei crimen traditionis objecit, dicens detentum eum fuisse a curatore et ordine ut Scripturas daret, nec eum potuisse dimitti nisi aliquid tradidisset. Hoc autem quod ei objecit Purpurius, detentum eum fuisse a curatore et ordine ut Scripturas daret, idem Secundus in litteris quas Mensurio rescripserat, pene confessus est, ubi ait missum ad se fuisse a curatore et ordine centurionem et beneficiarium, et a se Scripturas petitas, vel quaelibet ecbola; quae quidem se non tradidisse dixit: sed cum ipse illic commemoraverit tot martyres, qui cum tradere noluissent, excruciatii et occisi sunt; quomodo ipse detentus et convictus et nolens aliquid tradere, nihil pati et dimitti potuerit, nec Mensurio scripsit, nec Purpurio respondit.

Then sentences were pronounced by each one, first by Secundus of Tigisis, who was their leader, and then by the rest, in which they expressed that they would not be in communion with Caecilian and his colleagues. And so, when this council had been recited, the Catholics responded that those letters exchanged between Mensurius and Secundus sufficiently demonstrated that they were at peace; that afterwards no crime concerning the deed of Mensurius was either accused or judged; and that as for the council held against Caecilian which they had read, while it did not indeed have the consul and the day recorded, they made no charge on this account, as it could have been a matter of negligence rather than fraud.

But the same Catholics presented another council held under the same man from Tigisi in the city of Cirta, and when its consul and date were read, the Donatists said that such decrees were not accustomed to have a consul or a date. To this the Catholics replied that perhaps this was the custom of those who did not want their councils to be convicted of any falsehood; but that Catholic councils had always had consuls and dates. Then the council which the Catholics had brought forward began to be read out repeatedly, where Secundus interrogated one by one certain men of whose handing over [of the Scriptures] he had heard, and, upon their confession, removed them from the assembly. This was read out in such a way that when the confession of the traditores was read from the council of Cirta, the name of such a one was also read from the council of Carthage as a traditor condemned in the case of Caecilian. Then they came to the accusation made against Secundus of Tigisi himself by Purpurius of Limata; to which Purpurius the same Secundus had objected that he had killed his sister's sons in the prison of Mileum: whereupon Purpurius in turn accused him of the crime of being a traditor, saying that he had been detained by the curator and the city council to make him give up the Scriptures, and that he could not have been released unless he had handed something over. Moreover, this which Purpurius objected against him—that he had been detained by the curator and the city council to make him give up the Scriptures—Secundus himself had almost confessed in the letters he had written back to Mensurius, where he says that a centurion and a beneficiary soldier had been sent to him by the curator and the council, and that the Scriptures, or any other writings (*ecbola*), had been demanded from him; which indeed he said he had not handed over. But since he himself mentioned in that same place so many martyrs who, because they refused to hand them over, were tortured and killed, he neither wrote to Mensurius nor answered Purpurius how he himself, having been detained and convicted and being unwilling to hand anything over, could have suffered nothing and been released.

Non enim centurioni et beneficiario dixit se Scripturas non habere, sed respondit se omnino non tradere. Quod illi auditum quomodo illo dimisso renuntiare potuerint sine suo exitio, non apparet; praesertim quia idem Secundus non quoslibet infimos, sed etiam patresfamilias, cum hoc idem persecutoribus respondissent, crudelissimis mortibus dixit occisos. Sed de hac re Catholici nullum Secundo crimen objecerunt: sed tantummodo quod ei Purpurius objecit, et propter quod pacem, ne schisma fieret, omnia illa Deo dimittens, cum traditoribus fecit, recitari voluerunt, ut quales homines in absentem Caecilianum sententias dixerint, appareret.

CAPUT XVI.---28. Hoc autem recitato, petierunt Catholici, ut etiam illa quae dilata fuerant, legerentur, de concilio Carthaginensi, in quo lectum fuerat absentem Caecilianum a multis episcopis fuisse damnatum. Hoc illud concilium, quia Catholici recitaverant relationes Anulini proconsulis, quibus appareret chartas criminum Caeciliani Constantino imperatori esse transmissas: quod utique agentes confirmaverunt a majoribus suis Caecilianum apud Imperatorem accusatum. Responsum est autem a Catholicis, illud Carthaginense concilium sic non praejudicare absenti Caeciliano, quemadmodum non praejudicavit absenti Primiano concilium eorum, a quibus in Maximiani causa damnatus est; quoniam magis tenuit pars Donati, quod actum est postea pro Primiano, quam illius concilii auctoritatem quo fuerat ante damnatus: sic ergo et in Caeciliani causa debere attendi quod postea gestum est. Hic Donatistae de Maximiani causa coarctati dixerunt, nec causam causae, nec personam praejudicare personae. Quam sententiam in ore habere solent omnes Catholici, cum Donatistae aliorum crimina aliis objicientes suam separationem defenderent, et orbem christianum nescio quibus Afrorum criminibus accusarent. Nam et ista Collatione totum quod egerant Catholici, ut Ecclesiae causam a causa Caeciliani distinguerent asserentes in Ecclesia permixtos malos non obsesse bonis, nec eos suis maculare peccatis, hoc utique egerant, ut nec causa causae praejudicaret, nec persona personae. Quod ab adversariis dum aliud ageretur, voce apertissima confirmatum est. Sed Cognitor cum quaesisset quid de Carthaginensi concilio Catholici responderent; iterum responderunt non esse contemnendam similitudinem causae Primiani, quia et Dominus Christus Judaeos de factis eorum convincens perducebat ad verum.

For he did not tell the centurion and the beneficiary soldier that he did not have the Scriptures, but replied that he would not hand them over at all. How they, having heard this, could have reported back after releasing him without their own ruin, is not clear; especially since the same Secundus said that not just any common people, but even heads of households, were killed by the most cruel deaths when they had given this same response to the persecutors. But concerning this matter, the Catholics made no accusation against Secundus; they only wished to have read out what Purpurius had objected against him, and on account of which he, leaving all those things to God, had made peace with the traditores to prevent a schism, so that it might become apparent what sort of men had passed sentence on the absent Caecilian.

CHAPTER XVI. 28. After this had been read out, the Catholics requested that those things which had been postponed also be read, concerning the council of Carthage, in which it had been read that the absent Caecilian had been condemned by many bishops. They brought up this council because the Catholics had read out the reports of Anulinus the proconsul, from which it was clear that the papers with the accusations against Caecilian had been sent to the Emperor Constantine; which action indeed confirmed that Caecilian had been accused before the Emperor by their predecessors. The Catholics replied, however, that that council of Carthage did not prejudice the absent Caecilian, just as the council of those by whom he was condemned in the cause of Maximian did not prejudice the absent Primian; since the party of Donatus held more to what was done afterwards in favor of Primian than to the authority of that council by which he had previously been condemned: thus, therefore, in the cause of Caecilian as well, what was done afterwards ought to be considered. At this point, the Donatists, being cornered concerning the cause of Maximian, said, 'neither does a cause prejudice a cause, nor a person a person.' This is the very sentence that all Catholics are accustomed to have on their lips when the Donatists, defending their separation by casting the crimes of some against others, would accuse the Christian world of I know not what crimes of Africans. For indeed, in this Conference, the whole effort of the Catholics to distinguish the cause of the Church from the cause of Caecilian—asserting that in the Church the wicked who are mixed in do not harm the good, nor stain them with their sins—was precisely to establish that neither should a cause prejudice a cause, nor a person a person. This principle was confirmed in the clearest terms by our adversaries, while they were arguing for something else. But when the Cognitor asked what the Catholics would reply concerning the council of Carthage, they answered again that the parallel with the cause of Primian should not be dismissed, because the Lord Christ also, by convicting the Jews from their own deeds, led them to the truth.

29. Deinde Donatistae longa prosecutione agebant, ut ex illius auctoritate Carthaginensis concilii confirmaretur Caeciliani damnatio, quod ad tot sacerdotes venire noluerit; quasi non et Primianus ad eos a quibus damnatus est, cum eorum factionem cognosceret, simili voluntate non venerit; et quod non exspectaverit Caecilianus, ut princeps a principe ordinaretur; cum aliud habeat Ecclesiae catholicae consuetudo, ut non Numidiae, sed propinquiores episcopi episcopum Ecclesiae Carthaginis ordinent: sicut nec Romanae Ecclesiae ordinat aliquis episcopus metropolitanus, sed de proximo Ostiensis episcopus. Hoc autem dicentes de sua consuetudine, quam nescio quando instituerunt, Ecclesiae catholicae praejudicare conabantur: quae consuetudo si antiqua esset, hoc ipsum objecissent Caeciliano, quando eum absentem damnaverunt. Dixerunt etiam scripsisse Optatum, quod Caecilianus dixerit, Si traditores sunt qui me ordinauerunt, ipsi veniant, et ordinent me. Quod quidem si dictum est, ideo dici potuit ad illos irridendos, quibus hoc mandasse perhibetur, quoniam certus erat ordinatores suos non esse traditores. Non enim ait quia traditores sunt; sed, si traditores sunt: ut innocentia eorum probanda restaret, ubi probari recte potuisset.

30. Ad haec, et si quae alia prolixa prosecutione dixerunt, breviter responderunt Catholici, non sufficere ad causam Caeciliani Carthaginense concilium, ipsos etiam iudicasse, qui eam ad Imperatorem accusando miserunt; et sic demonstrarunt hoc potius esse exspectandum, quo res pervenerit usque ad Imperatoris sententiam, cui eandem causam mittendam duxerunt. Hoc enim Catholici instabant, ut omnibus morarum umbraculis amputatis, illa potius legerentur, quibus lectis olim causa finita, et Caeciliani innocentia manifestata luce clarius appareret. Quae Donatistae ut legerentur, omnino nolentes, quidlibet aliud interponendo impediabant. Nam cum Cognitor quaesisset, utrum prius esset factum Carthaginense concilium, et postea missa fuerit ad Imperatorem causa Caeciliani; dixerunt Catholici, quoniam consulem et diem illud concilium non haberet, ad utrumque se respondere: quia si prius causa ad Imperatorem missa est, quo exitu terminata sit exspectari oportere; si autem postea, nihilominus non istorum, sed illius iudicium esse quaerendum, quo eam post iudicium suum mittendam putarunt.

29. Then the Donatists, in a long speech, argued that the condemnation of Caecilian should be confirmed by the authority of that council of Carthage, because he had been unwilling to come before so many priests; as if Primian had not also, with similar intent, refused to come before those by whom he was condemned, since he knew of their faction; and that Caecilian had not waited for a primate to be ordained by a primate; whereas the custom of the Catholic Church is different, namely that not the bishops of Numidia, but the nearer bishops, should ordain the bishop of the Church of Carthage: just as for the Roman Church, no metropolitan bishop ordains, but the nearby bishop of Ostia. But in saying this about their own custom, which they established I know not when, they were attempting to create a prejudice against the Catholic Church: for if this custom were ancient, they would have raised this very objection against Caecilian when they condemned him in his absence. They also said that Optatus had written that Caecilian had said, 'If those who ordained me are traditors, let them come themselves and ordain me.' But if this was indeed said, it could have been said to mock those to whom he is reported to have sent this message, since he was certain that his ordainers were not traditors (*traditores*). For he did not say 'because they are traditors,' but 'if they are traditors': so that their innocence would remain to be proven, where it could rightly have been proven.

30. To these points, and to whatever else they said in their lengthy speech, the Catholics briefly replied that the council of Carthage was not sufficient for the cause of Caecilian, as even they themselves had judged, who sent the case to the Emperor by accusing him; and thus they showed that what should rather be awaited was the outcome of the matter up to the Emperor's judgment, to whom they had thought fit to send this same cause. For the Catholics were insisting on this: that, with all the shadows of delay cut away, those documents should rather be read, by the reading of which the case had long been finished, and the innocence of Caecilian would appear clearer than light. The Donatists, being completely unwilling that these be read, obstructed the proceedings by interjecting whatever else they could. For when the Cognitor had asked whether the council of Carthage had taken place first, and the cause of Caecilian was sent to the Emperor afterwards, the Catholics said that since that council did not have a consul and day recorded, they would respond to both possibilities: because if the cause was sent to the Emperor first, one ought to await the outcome with which it was terminated; but if afterwards, nonetheless one must seek not their judgment, but his to whom they thought the case should be sent after their own judgment.

Sed cum multa Donatistae insererent de consule et die, cur in suorum majorum concilio non legeretur, ne hinc falsitatis arguerentur, et assererent hanc esse ecclesiasticam consuetudinem, ne dies et consules decretis episcoporum conscriberentur, legi volentes etiam concilium Cypriani, ut hoc probarent, quia nihil aliud nisi morae quaerebantur (neque enim Catholici in eo causam suam constituerant, quando ad utrumque responderant, sive prius, sive posterius esset illud concilium, quod contra Caecilianum apud Carthaginem fecerant); jussit Cognitor, Catholicis instantibus, ut ista potius quae dilata fuerant, legerentur.

CAPUT XVII.---31. Tunc Donatistae aliam quaestionem interposuerunt morarum plenissimam, sed revera in qua pro se laborare voluerunt, si possent ostendere quod volebant: illud scilicet Cirtense concilium falsum esse, ubi lectae fuerant confessiones traditorum invicem sibi ignoscentium ne schisma fieret; quia ipsi legebantur inter caeteros contra Caecilianum absentem sententias protulisse. Hoc ergo falsum demonstrare conantes, multa dixerunt; sed alia levia esse ipsi judicantes, duo quaedam in ea quaestione multum commendaverunt, et in eis multum immorati sunt: unum, quia contra ecclesiasticam consuetudinem ipsum Cirtense concilium diem et consulem habet; alterum autem, quod persecutionis tempore non posset concilium congregari. Exigebant ergo Donatistae a Catholicis, ut vel alia concilia proferrent antiqua episcoporum, ubi ostenderent consules et dies etiam conscriptos, vel de ipsis sanctis Scripturis tale aliquid recitarent. Ubi Catholici cum viderent de re inanissima moras mirabiles et inexplicabiles interponi; (quis enim eos hinc falsitatem crederet objecturos, ubi ad majorem diligentiam temporum attestatio prae notata legeretur, ne forte per hanc esset aliquando necessaria indagatio veritatis? quis ergo eos crederet hoc objecturos, ut praepararet antiqua concilia, quibus hanc consuetudinem demonstraret? aut quis tunc iret et vetusta ecclesiastica archiva revolveret?) cum hoc viderent Catholici, et in Melchiadis concilio diem et consulem demonstrabant, et de ipsis sanctis Scripturis commemoraverunt Prophetas indicia antiquissimorum temporum suis litteris prae notasse, quoto anno, cujusque mense anni, quoto die mensis factum esset super eos verbum

But since the Donatists were inserting many things about the consul and the day, why it was not recorded in the council of their predecessors, lest they be accused of falsehood on this point, and were asserting that it was an ecclesiastical custom not to write down the day and consul in the decrees of bishops, wishing even the council of Cyprian to be read to prove this, because nothing other than delays was being sought (for the Catholics had not rested their case on this point, since they had responded to both possibilities, whether that council they had held against Caecilian in Carthage was earlier or later); the Cognitor, at the insistence of the Catholics, ordered that those documents which had been postponed should instead be read.

CHAPTER XVII. 31. Then the Donatists introduced another question, one most full of delays, but in which, in truth, they wished to labor on their own behalf, if they could prove what they wanted: namely, that the Council of Cirta was false, where the confessions of the traditors, who mutually pardoned one another lest a schism should arise, had been read; because they themselves were read among the others as having pronounced sentences against the absent Caecilian. Therefore, in attempting to demonstrate this to be false, they said many things; but judging other points to be trivial, they greatly emphasized two particular points in that question, and dwelt on them at length: one, that contrary to ecclesiastical custom, the Council of Cirta itself had a date and consul recorded; the other, that a council could not be assembled in a time of persecution. The Donatists therefore demanded that the Catholics either produce other ancient councils of bishops where they could show that consuls and dates were also recorded, or cite something of the sort from the Holy Scriptures themselves. When the Catholics saw that astonishing and inexplicable delays were being introduced over a most trivial matter (for who would have believed they would object to falsity on this point, where the attestation of the times was noted down for the sake of greater diligence, lest perhaps through this a future investigation of the truth might be necessary? who, then, would have believed they would make this objection, so as to prepare ancient councils by which to demonstrate this custom? or who would then go and search through the ancient ecclesiastical archives?), when the Catholics saw this, they both pointed out the date and consul in the council of Miltiades, and recalled from the Holy Scriptures themselves that the Prophets had noted in their writings indications of the most ancient times, in what year, in what month of the year, on what day of the month the word of the Lord had come upon them.

Cognitor autem illud de die et consule objectum contemnendum et removendum existimans, jussit gesta apud Melchiam habita caetera recitari: et recitata sunt. Quibus apparuit omnium qui tunc consederant episcoporum sententiis et ipsius Melchiam, Caecilianum absolutum atque purgatum: Donatum vero damnatum, qui praesens in prima fuerat actione convictus; ille scilicet Donatus a Casis-Nigris, quem praesentem fuisse tunc constitit.

32. Sed hoc recitato, cum quaereretur a Donatistis quid responderent ad illud Cirtense concilium, eo redierunt, conantes falsum esse monstrare. Tum dixerunt tempore persecutionis congregari non potuisse concilium. Quod Cognitor non contempsit, et validum existimans, a Catholicis responsionem poposcit; atque inter haec quaesivit, unde probaretur tempus fuisse persecutionis. Tunc Donatistae protulerunt martyrum gesta, ubi auditi et pro confessione passi sunt. Jussit etiam Cognitor computare Officium, et renunciare, consideratis utriusque consulibus et diebus, et qui de concilio Cirtensi, et qui de gestis martyrum legebantur: quia dictum fuerat a Catholicis, post illorum martyrum passionem, unde persecutionis tempus probabatur, prope annum consecutum fuisse usque ad consulem et diem concilii Cirtensis. Responsio autem computantis Officii mensem interfuisse suggererat. Voluerunt ergo Catholici de tabulis tolli quod dixerant, ut hoc solum gesta retinerent quod Officium responderat; hoc enim verius esse crediderant. Sed Donatistae, quod a Catholicis dictum erat, noluerunt de tabulis tolli: unde Catholici non contenderunt, ut eorum in hoc calumniosus animus appareret. Porro autem illud erat verius quod Catholici dixerant; Officium autem in computando errans falsum renuntiaverat, quod postea conscripta et diligentius considerata gesta docuerunt, sicut potest probare, quem libuerit legere, et non piguerit computare. Nam gesta martyrum quibus ostendebatur tempus persecutionis, consulibus facta sunt Diocletiano novies, et Maximiano octies, pridie idus februarias; gesta autem episcopalia decreti Cirtensis post eorundem consulatum, tertio nonas martias: ac per hoc tredecim menses interesse inveniuntur, plures utique quam undecim, quos prius Catholici minus diligenter computando responderant: sed Officium ut falleretur et mensem interesse responderet, eundem consulatum putavit, post consulatum autem non advertit, ubi annus jam alius agebatur.

The Cognitor, however, judging that the objection concerning the date and consul should be dismissed and set aside, ordered the rest of the proceedings held before Miltiades to be read out; and they were read out. From these it appeared, by the sentences of all the bishops who had then sat in council and of Miltiades himself, that Caecilian was acquitted and cleared; but that Donatus was condemned, who, being present at the first session, had been convicted; that is, Donatus of Casae Nigrae, who it was established had been present at that time.

32. But when this had been read out, and the Donatists were asked what they would answer concerning that Council of Cirta, they returned to the same point, attempting to show that it was false. Then they said that a council could not have been assembled in a time of persecution. The Cognitor did not dismiss this, and judging it to be a valid point, demanded a response from the Catholics; and amidst this, he asked whence it could be proved that it was a time of persecution. Then the Donatists produced the acts of the martyrs, where they were heard and suffered for their confession. The Cognitor also ordered the Office to calculate and report, after considering the consuls and dates of both—both those read from the Council of Cirta and those from the acts of the martyrs—because it had been said by the Catholics that nearly a year had passed after the passion of those martyrs (from which the time of persecution was being proved) until the consul and day of the Council of Cirta. But the response of the calculating Office had suggested that a month had intervened. The Catholics therefore wished what they had said to be struck from the records, so that the proceedings might retain only what the Office had reported; for they had believed this to be more accurate. But the Donatists did not want what had been said by the Catholics to be struck from the records, so the Catholics did not argue the point, in order that the slanderous disposition of the Donatists might be made apparent in this. Furthermore, what the Catholics had said was in fact more true; for the Office, erring in its calculation, had reported falsely, as the written proceedings, when later considered more diligently, showed, and as anyone can prove who wishes to read and is not too lazy to calculate. For the acts of the martyrs by which the time of persecution was shown, were done in the ninth consulship of Diocletian and the eighth of Maximian, on the day before the Ides of February; but the episcopal acts of the decree of Cirta were after the consulship of these same men, on the third day before the Nones of March. And thus thirteen months are found to have intervened, certainly more than the eleven which the Catholics had previously answered, having calculated less diligently. But the Office, so as to be mistaken and to answer that a month had intervened, thought it was the same consulship, and did not notice the "post consulatum," where another year was already underway.

Proinde Catholici tanquam ex vera Officii responsione cogebantur ostendere tempore persecutionis illos undecim vel duodecim episcopos in domum privatam convenire potuisse, Donatistis instantibus, ut hoc ex aliis conciliis ostenderent, si aliquo tempore persecutionis facta episcoporum concilia reperire potuissent. Quod Catholici quoniam tunc inquirere et ad horam veteres chartas in archivis ecclesiasticis discutere non poterant, respondebant multo facilius duodecim homines in domum convenire potuisse eo tempore, quo etiam congregationes plebium fieri solebant, quamvis persecutione fervente, sicut ipsis gestis martyrum monstrabatur, qui confitebantur in passionibus suis se collectam et Dominicum egisse. Hoc autem Catholici dixerant, et antequam supputaret et responderet Officium. Dictum est etiam a Catholicis, episcopalia gesta illa Cirtensia, quae diligentia majorum usque ad haec tempora servari et inveniri potuerint, sic habenda quemadmodum illae epistolae Mensurii et Secundi, quas Donatistae recitaverunt. Concilium quippe Carthaginense, ubi absentem Caecilianum septuaginta damnaverunt, commemoratum est etiam a Melchiade, habitum, ubi Caecilianus est absolutus. Litterae vero illae Mensurii et Secundi nusquam alibi commemoratae dicebantur, unde nullo alio testimonio veritas earum asserebatur, nec tamen ideo dicebant Catholici falsas esse. Dictum est etiam hoc a Catholicis, ut probarent Donatistae si possent, tempore persecutionis sic ad se invicem scripsisse episcopos, quemadmodum Mensurium et Secundum scripsisse proferebant. Quod non ideo dicebant Catholici, ut hinc illas Mensurii et Secundi litteras falsas esse monstrarent, quae seu verae seu falsae essent, causae nihil officerent; sed ut hinc intelligerent Donatistae, quam vana tergiversatione Catholicos cogerent alia proferre concilia persecutionis tempore congregata: quia si eis simili obstinatione diceretur, Proferte et vos alias epistolas persecutionis tempore sic scriptas et missas, quae si aliquo modo deprehenderentur, et codices occultati exigi possent, et ordo et curator et centurio et beneficiarius ad discrimen capitis pervenire, qui Secundum tradere nolentem impunitum dimisisse prodebantur; nullo modo ad horam reperirent alias epistolas tempore persecutionis ab episcopis ad episcopos in tam longinqua terrarum similiter datas.

33.

Consequently, the Catholics, as if proceeding from a true response from the Office, were forced to show that those eleven or twelve bishops could have convened in a private house during a time of persecution, with the Donatists insisting that they show this from other councils, if they could find any councils of bishops held during a time of persecution. Since the Catholics could not at that moment inquire and examine old documents in the ecclesiastical archives, they responded that it was much easier for twelve men to have been able to convene in a house at a time when even congregations of the people were accustomed to take place, although the persecution was raging, as was shown by the very acts of the martyrs, who confessed in their sufferings that they had held a collection and celebrated the Lord's Supper. Moreover, the Catholics had said this even before the Office calculated and responded. It was also said by the Catholics that those episcopal acts of Cirta, which by the diligence of our ancestors could be preserved and found up to these times, should be regarded in the same way as those letters of Mensurius and Secundus, which the Donatists read out. Indeed, the Council of Carthage, where seventy bishops condemned the absent Caecilian, was also mentioned by Miltiades, at the council where Caecilian was absolved. But those letters of Mensurius and Secundus were said to have been mentioned nowhere else, whence their truth was not asserted by any other testimony, yet the Catholics did not for that reason say they were false. This was also said by the Catholics, that the Donatists should prove, if they could, that bishops had written to each other in a time of persecution in the same way they claimed Mensurius and Secundus had written. The Catholics did not say this in order to show that those letters of Mensurius and Secundus were false—which, whether true or false, did no harm to the case—but so that the Donatists might understand from this with what vain subterfuge they were forcing the Catholics to produce other councils assembled in a time of persecution. For if it were said to them with similar obstinacy, "You too, produce other letters written and sent in this way during a time of persecution, which, if they were discovered in any way, could lead to the demand for hidden codices, and could bring the magistrate, the curator, the centurion, and the beneficiary to capital peril, who were betrayed as having let Secundus go unpunished when he refused to be a traditor," they would by no means be able to find on the spot other letters similarly sent from bishops to bishops over such long distances during a time of persecution.

Cum ergo hinc diuturna conflictatio fieret, saepe repetentibus Donatistis non potuisse tempore persecutionis concilium congregari ad episcopum ordinandum, quia in apostasia erat mundus, nec erant quibus ordinaretur, et caetera talia: Catholicis autem respondentibus, quod et episcopi facile congregarentur tam pauci, ut nec concilium dici debeat; quando plebes congregabantur, sicut gesta martyrum testarentur; et erant sine dubio quibus ordinarentur episcopi, ipsae utique plebes quas tunc solitas congregari gesta martyrum loquebantur: haec cum assidue multis et variis modis dicerentur, et responderentur: nam et domum privatam Christianis congregandis praestitam constitit tempore persecutionis, sicut in quibusdam gestis martyrum legebatur; quia Donatistae dixerunt fieri non potuisse ut illo tempore domum suam quisquam praeberet: et commemoratum est usque adeo non esse incredibile, quod in privatam domum pauci illi episcopi persecutionis tempore convenerunt, ut fervente persecutione etiam in carcere doceantur baptizati martyres, et illic a Christianis celebrata Sacramenta, ubi Christiani propter eadem Sacramenta tenebantur inclusi.

CAPUT XVIII.---Inter haec ergo tandem aliquando, saepe etiam Cognitor interlocutus, fieri potuisse illum conventum ab episcopis, quando et plebes congregatae probabantur; compulit Donatistas, ut contra concilium iudiciumque Melchiadis, quo Caecilianus purgatus atque absolutus legebatur, si haberent aliquid dicerent, quoniam illic potius quam in illo Cirtensi concilio causa consisteret.

Tunc Donatistae ipsum Melchiadem coeperunt crimine traditionis arguere, et dicere, majores suos propterea illius iudicium refugisse, quod traditor fuisset: quasi non jam iudicio ejus assisterent, et responderant se in Caecilianum non habere quod dicerent. Sed tamen facto iudice intento, utrum de traditionis crimine Melchiadis aliquod iudicium, vel publicum, vel ecclesiasticum proferretur, ipsisque Catholicis id ut probaretur exspectantibus et exigentibus, legerunt Donatistae gesta quaedam prolixissima apud praefectum, ubi nec praefectus ipse cujusmodi esset apparebat, nec locus legebatur, ubi haec agebantur. Sed gesta ipsa multos multa ecclesiastica tradentes longissima recitatione sonuerunt, ubi nomen Melchiadis omnino non sonuit.

Since, therefore, a prolonged conflict arose from this, with the Donatists often repeating that a council could not have been assembled during a time of persecution to ordain a bishop, because the world was in apostasy, and there were none for whom one could be ordained, and other such things; and with the Catholics responding that so few bishops could easily be assembled that it ought not even be called a council, at a time when the congregations of the people were assembling, as the acts of the martyrs testified, and that there were without doubt people for whom bishops could be ordained, namely those very congregations which the acts of the martyrs said were accustomed to assemble then: while these things were being said and answered assiduously in many and various ways, it was also established that a private house had been provided for Christians to assemble in during the time of persecution, as was read in certain acts of the martyrs (because the Donatists had said it could not have happened that anyone would offer his house at that time); and it was recalled that it is by no means incredible that those few bishops convened in a private house during the time of persecution, seeing that, with the persecution raging, martyrs are taught to have been baptized even in prison, and the Sacraments celebrated there by Christians, where Christians were held captive on account of those same Sacraments.

CHAPTER XVIII. The Donatists, being compelled to speak against the judgment of Miltiades, bring a false charge of having handed over the scriptures against him. Amidst these things, therefore, at long last, with the Cognitor also frequently interjecting that the assembly of bishops could have taken place, since it was proven that the congregations had also assembled, he compelled the Donatists to say whatever they had to say against the council and judgment of Miltiades, by which Caecilian was read to have been cleared and acquitted, since the case rested there rather than in that council of Cirta.

34. Then the Donatists began to accuse Miltiades himself of the crime of handing over the scriptures (*traditio*), and to say that their ancestors had for that reason rejected his judgment, because he had been a *traditor*: as if they were not already standing before his judgment and had not answered that they had nothing to say against Caecilian. But when the judge was made attentive to whether any public or ecclesiastical judgment concerning the crime of handing over by Miltiades could be produced, and while the Catholics themselves were waiting and demanding that this be proven, the Donatists read certain very lengthy proceedings before a prefect, in which it was not apparent what kind of prefect he was, nor was the place read where these things were transacted. But the proceedings themselves, in a very long recitation, mentioned many people handing over many ecclesiastical items, where the name of Miltiades was not mentioned at all.

Quibus peractis cum Cognitor miraretur aliud promissum et aliud recitatum, illi adhuc ejus patientiam deposcentes, gesta alia recitarunt, in quibus legebatur Melchides misisse diaconos cum litteris Maxentii imperatoris et litteris praefecti praetorio ad praefectum urbis, ut ea reciperent quae tempore persecutionis ablata memoratus imperator Christianis jusserat reddi. Et cum his quoque gestis nullum Melchiadis crimen et Cognitori et Catholicis defensoribus appareret, dixerunt Donatistae, Stratonem diaconum, quem cum aliis Melchiades ad recipienda loca ecclesiastica miserat, superioribus gestis recitatum esse traditorem; et ideo volebant etiam Melchiadem crimine traditionis aspergere, quod diacono illo non degradato uteretur. In prosecutione autem sua dixerunt Melchiadem tertium episcopum fuisse ab illo, qui tunc erat cum traditio illa facta esset. Hic Cognitor requisivit, utrum saltem in illis traditionis gestis esset expressum, quod Straton diaconus fuerit. Et recitatum est eum hortatorem vanissimae superstitionis appellatum: quod non solum ipse, sed etiam caeteri qui tradebant, appellabantur. Sed Donatistae responderunt, a Gentilibus persecutoribus in contumeliam religionis et diaconos et presbyteros ita vocitatos.

Ergo Catholici responderunt, cum mirum non esset, essetque in rebus humanis usitatissimum, ut non duo tantum, verum etiam plures homines uno nomine vocarentur; fieri quidem potuisse ut ille traditor Straton presbyter fuerit, iste autem alius Straton diaconus: quoniam Donatistae dixerant et diaconos et presbyteros hortatores vanissimae superstitionis a Gentilibus appellari: quanquam omnes clericos isto contumelioso nomine Gentiles appellare potuerint, et multo esset incertius cujus gradus clericus ille traditor fuerit: verumtamen etiamsi eum diaconum fuisse posset ostendi, neque hoc esse incredibile aut mirum, cum ante parvum tempus in ipsa urbe Roma duo Petri diaconi fuerint. Illud quoque additum est a Catholicis, quia etsi demonstraretur, quod omnino non demonstrabatur, eundem Stratonem diaconum tradidisse, quem postea Melchiades ad recipienda loca ecclesiastica cum aliis diaconis misit, non continuo Melchiadem isto crimine aspergi, quem potuit persecutio longe facere absentem, ut hoc omnino nesciret, eumque innocentem putaret, quem nemo reum accusando monstraret. Contra hic frustra Donatistae eadem per eadem diutissime clamaverunt.

When these were finished, and the Cognitor was wondering that one thing had been promised and another recited, they, still begging his patience, recited other proceedings, in which it was read that Miltiades had sent deacons with letters from the emperor Maxentius and letters from the praetorian prefect to the prefect of the city, so that they might receive back those things which the aforementioned emperor had ordered to be returned to the Christians, which had been taken away during the time of persecution. And since in these proceedings also no crime of Miltiades was apparent to the Cognitor and the Catholic defenders, the Donatists said that Strato the deacon, whom Miltiades had sent with others to receive back the ecclesiastical properties, was named as a *traditor* in the previous proceedings; and for this reason they wished to besmirch Miltiades also with the crime of handing over, because he had made use of that deacon without degrading him. In their prosecution, however, they said that Miltiades was the third bishop after the one who was bishop when that act of handing over had been committed. At this point the Cognitor inquired whether it was at least stated in those proceedings of the handing over that Strato had been a deacon. And it was read out that he was called "an exhorter of a most vain superstition": which not only he, but also the others who handed over the scriptures, were called. But the Donatists replied that by the Gentile persecutors, both deacons and presbyters were so called as an insult to the religion.

35. Therefore the Catholics replied that, since it was not strange, and was most common in human affairs, that not only two, but even several men should be called by one name, it could indeed have happened that that *traditor* Strato was a presbyter, but this other Strato was a deacon: since the Donatists had said that both deacons and presbyters were called "exhorters of a most vain superstition" by the Gentiles: although the Gentiles could have called all clerics by that insulting name, and it would be much more uncertain of what rank of cleric that *traditor* was: nevertheless, even if it could be shown that he was a deacon, this would be neither incredible nor strange, since a short time before in the city of Rome itself there had been two deacons named Peter. This also was added by the Catholics, that even if it were demonstrated—which was not demonstrated at all—that the same deacon Strato who handed over the scriptures was the one whom Miltiades later sent with other deacons to receive back the ecclesiastical properties, Miltiades would not on that account be besmirched with this crime, for the persecution could have made him absent far away, so that he was entirely ignorant of this, and thought him innocent whom no one showed to be guilty by accusing him. Against this, the Donatists here cried out the same things over and over for a very long time, but in vain.

Post Collationem sane etiam de Cassiano Melchiadi calumniati sunt, quia etiam hoc nomen et in diaconis invenitur, quos ad praefectum misit Melchiades, et in illis gestis ubi facta traditio recitata est. Quod si in Collatione dicerent, facile potuit a Catholicis responderi, in tanta turba Romanorum clericorum nihil mirum fuisse si duo vel plures, non solum Stratonēs, sed etiam Cassiani reperirentur; cum in duodecim Apostolis, non solum duo Judae, sed etiam duo Jacobi legerentur: nisi forte ipsis licuisset Casensem a Donato Carthaginensi distinguere, cum timerent ne major auctor ipsorum Donatus Carthaginensis damnatus in Melchiadis iudicio putaretur; et Catholicis non liceret in tanta multitudine clericorum Romanorum habere plures similibus nominibus appellatos. Falsum enim erat quod Donatistae dixerant, convenire personas, convenire loca, convenire regiones: quando nec loca, nec regiones, nec ipsae expressae personarum dignitates de utrisque gestis, sed sola nominum convenientia legebatur, quam in diversis personis generis humani consuetudo frequentare non cessat.

CAPUT XIX.---37. Sprenens itaque Cognitor incertissimas suspiciones, iussit aliquid manifestum contra illa gesta proferri, aut certe Constantini iudicium, cujus mentio jam facta fuerat, recitari. Et recitatum est iudicium Constantini, quemadmodum se inter partes causam Caeciliani cognovisse, ad Eumalium vicarium Africae scripsisset, quod remotis omnibus arbitris Caecilianum innocentem, illos calumniosissimos cognovisse testatus est; commemorans etiam in Arelatensi oppido pro Caeciliano factum episcopale iudicium, cui iudicio jam plurimi ex dissensione consenserant, reliquis adhuc resilientibus et discordantibus: unde ipse de re tota inter partes coactus est iudicare. Post harum imperialium litterarum recitationem, quaesivit Cognitor a Donatistis quid contra dicerent. Ibi Donatistae rursus ad Melchiadis calumniosam criminationem redire conati sunt: unde cum essent Cognitoris interlocutione depulsi, et ab eis esset flagitatum, ut contra iudicium Melchiadis, vel imperialem sententiam, si haberent aliquid, recitarent; responderunt, etiam imperatorias aures pravis suggestionibus inflatas. Ibi eis Cognitor respondit, quod attentissime adverterat, inter partes fuisse iudicatum. At illi exigere coeperunt, ut hoc legeretur, utrum inter partes iudicaverit Imperator.

36. Indeed, after the Conference, they also brought a false accusation against Miltiades concerning Cassian, because this name also is found both among the deacons whom Miltiades sent to the prefect, and in those proceedings where the act of handing over was recited. If they had said this during the Conference, it could have been easily answered by the Catholics that in such a crowd of Roman clergy it was no wonder if two or more, not only Stratos, but also Cassians were found; since among the twelve Apostles, not only two Judases, but also two Jameses are read of: unless perhaps it was permissible for them to distinguish Donatus of Casae Nigrae from Donatus of Carthage, when they feared that their greater authority, Donatus of Carthage, might be thought to have been condemned in the judgment of Miltiades; and it was not permissible for the Catholics to have several men called by similar names in such a multitude of Roman clergy. For what the Donatists had said was false, that the persons, the places, and the regions matched: when neither the places, nor the regions, nor the specific dignities of the persons were stated in both sets of proceedings, but only a correspondence of names was read, which custom does not cease to repeat frequently in different persons of the human race.

CHAPTER XIX.---37. The Cognitor, therefore, scorning their most uncertain suspicions, ordered that something manifest be brought forth against those proceedings, or at least that the judgment of Constantine, which had already been mentioned, be read aloud. And the judgment of Constantine was read aloud, just as he had written to Eumalius, vicar of Africa, that he had heard the case of Caecilian between the parties, in which he testified that, with all other arbiters removed, he had found Caecilian to be innocent and them most slanderous; mentioning also that an episcopal judgment had been made in favor of Caecilian in the town of Arles, a judgment to which very many from the dissenting party had already consented, while the rest were still resisting and disagreeing, for which reason he himself was compelled to judge the whole matter between the parties. After the reading of these imperial letters, the Cognitor asked the Donatists what they had to say in opposition. There the Donatists attempted to return again to the slanderous accusation against Melchiades; whereupon, when they had been driven back by the Cognitor's interlocation, and it had been demanded of them that they read aloud anything they had against the judgment of Melchiades or the imperial sentence, if they had anything, they replied that even the emperor's ears had been filled with wicked suggestions. To this the Cognitor replied to them that he had noted most attentively that the judgment had been made between the parties. But they began to demand that it be read whether the Emperor had judged between the parties.

Quod cum fuisset Cognitore jubente recitatum, nihil invenientes quod dicerent, coeperunt de consule memoratis imperialibus litteris calumniari; quod sine consule fuerant recitatae. Hinc exorto conflictu, cum Donatistae invidiose dicerent episcopale concilium cum consule fuisse recitatum, et Imperatoris litteras consulem non habere; et Catholici responderent, non ibi causam consistere: Cognitor etiam interlocutus est evidentissimis legibus definitum, imperialia constituta, etiamsi consules non legerentur, in dubium non vocari. Deinde Catholici urgebant, ut aperte dicerent falsum esse quod lectum est; posse enim archiva conquiri.

Sed hinc repulsi, velut aliquid validissimum prolaturi, petierunt Optatum legi, quod et ante petiverant; unde se probaturos dicebant Caecilianum ab Imperatore damnatum: et promissum eis fuerat, sed dilatum. Prius ergo volebat Cognitor ut exprimerent, utrum litteras imperatorias arguere falsitatis auderent. Quod quidem illi minime audebant, tamen nihilominus consulem deesse invidiosissime causabantur: Optatum vero legi multo instantius flagitabant. Haec cum diutius agerentur, in alia charta illarum imperialium litterarum inventus est consul. Quod cum esset suggestum, Donatistae dixerunt, Certe consulem habere non debuit: quasi hoc aliquando dictum esset, quod habere non debuerit; ac non etiam si consul defuisset, non impediri imperialis constituti veritatem. Quod cum eis Cognitor identidem respondisset, recitatus est et Optatus. Recitantibus Donatistis ubi ait: Eodem tempore idem Donatus petiit ut ei reverti licuisset et nec ad Carthaginem accederet; tunc a Philomeno suggestore ejus Imperatori suggestum est, ut bono pacis Caecilianus Brixiae teneretur; et factum est (Optatus, lib. I). In quibus verbis Optati, cum omnino nulla Caeciliani damnatio, sicut illi demonstraturos se esse promiserant, reperiri potuisset; jussit Cognitor totam paginam recitari, ut de superioribus et inferioribus verbis voluntas ejus qui scripserat, nosceretur. Et ex officio recitatum est: Caecilianus omnium supra memoratorum sententiis innocens est pronuntiatus. Quod cum recitaretur, Donatistae dixerunt, hoc se non petisse recitari, stomachantes adversus eos qui risum tenere non potuerant, cum audissent quam apertam contra semetipsos paginam protulissent.

When this was read aloud at the Cognitor's command, finding nothing to say, they began to raise a cavil concerning the consul in the aforementioned imperial letters, because they had been read without the consul's name. A conflict having arisen from this, as the Donatists invidiously said that the episcopal council had been read with the consul's name, and that the Emperor's letters did not have the consul's name, and the Catholics replied that the case did not rest on that point, the Cognitor also intervened, stating that it was established by the clearest laws that imperial constitutions, even if the consuls were not read, were not to be called into question. Then the Catholics pressed them to state openly that what had been read was false, for the archives could be searched.

But, repulsed on this point, as if they were about to bring forward something very powerful, they requested that Optatus be read, which they had also requested before; from which they said they would prove that Caecilian had been condemned by the Emperor: and it had been promised to them, but was postponed. The Cognitor, therefore, first wanted them to state whether they dared to accuse the imperial letters of falsehood. Although they certainly did not dare to do this, they nevertheless complained most bitterly that the consul's name was missing; but they demanded much more insistently that Optatus be read. While these matters were being debated for a long time, the consul's name was found on another copy of those imperial letters. When this was pointed out, the Donatists said, "Certainly, it ought not to have had a consul's name," as if it had ever been said that it ought not to have had one; and not rather that even if the consul's name had been missing, the truth of the imperial decree would not be hindered. When the Cognitor had repeatedly given them this answer, Optatus was also read. The Donatists read the part where he says: "At the same time, the same Donatus requested that he be allowed to return, but not to approach Carthage; then it was suggested to the Emperor by his advisor Philomenus that, for the good of peace, Caecilian should be detained at Brescia; and it was done" (Optatus, Book I). Since in these words of Optatus no condemnation of Caecilian whatsoever could be found, as they had promised they would demonstrate, the Cognitor ordered the entire page to be read, so that the intention of the one who had written it might be known from the preceding and following words. And it was read out by the court official: "Caecilian was pronounced innocent by the judgments of all those mentioned above." When this was read, the Donatists said that they had not asked for this to be read, being indignant with those who could not contain their laughter when they heard what a clear page they had brought forward against themselves.

Deinde, cum illis verbis quae ipsi recitaverant, extenuasse dicerent Optatum damnationem Caeciliani, et exprimere noluisse; flagitatum est ab eis, ut aliunde manifestum legerent, quod ab illo dicerent extenuatum. Quod cum minime potuissent, etiam inde post aliquantas morarum inanum perplexitates, cum et de Donati nomine contendissent quod non Carthaginensis, sed Casensis Donatus in iudicio Melchiadis adversus Caecilianum adstisset, quod et Catholici concedebant, aliquando transitum est.

Deinde quia Constantini litteris, quibus eum inter partes cognovisse, et pro Caeciliano contra illos iudicasse constabat, Cognitor eos si quid haberent, respondere coge-
bat: petiverunt suum libellum esse recitandum, quem dicebant datum Constantino a maioribus suis. In quo libello satis aperteque monstrarunt, quam falsum dixerint de damnatione Caeciliani apud Brixiam: idem quippe libellus ostendit quemadmodum contra eos senserit Constantinus. Nam ibi dicunt, nullo modo se communicaturos antistiti ipsius nebuloni, paratosque esse perpeti quidquid eis facere voluisset. Quem Constantini antistitem nebulonem utique Caecilianum intelligi volebant. Quomodo ergo eum Constantini antistitem dicebant, cui se contra Constantinum loquentes non communicare confirmabant, si eum apud Constantinum superaverant, ita ut ab illo Brixiae scirent esse damnatum?

Cum ergo Catholici dixissent, hoc eos contra se ipsos recitasse, hoc idem ipse etiam Cognitor esset interlocutus; addiderunt etiam illi suae falsitati convincendae magnum aliud firmamentum, recitantes ipsius Constantini litteras scribentis ad Verinum vicarium, ut libero eos dimittat arbitrio, se jussisse insinuans ut de exilio remearent. In quibus litteris Constantinus sic eos detestatur, ut nihil illa indulgentia possit deformius inveniri. Quos utique non ita culpasset, sed magis laudasset, si ab eis Caecilianus apud illum victus ab eoque damnatus Brixiae relegaretur. Ac per hoc ista contra se ipsos proferentes atque recitantes, et a Caeciliano se superatos memorati imperatoris iudicio manifestissime monstraverunt; et suam falsitatem, qua eum dicebant esse damnatum, apertissime convicerunt: et quia Catholicos persecutionem facere, se autem pati gloriabantur, Caecilianum tamen per suas accusationes ab Imperatore damnatum etiam falso gloriari voluerunt.

Then, when they claimed that Optatus, in those words which they themselves had read, had downplayed the condemnation of Caecilian and had been unwilling to state it explicitly, it was demanded of them that they read from some other source the clear fact which they said had been downplayed by him. Since they were quite unable to do this, after some further perplexing and pointless delays—during which they also disputed about the name of Donatus, arguing that it was not Donatus of Carthage but Donatus of Casae Nigrae who had stood against Caecilian in the judgment of Melchiades, a point which the Catholics also conceded—the matter was at last moved on.

Then, because it was established by the letters of Constantine that he had heard the case between the parties and had judged in favor of Caecilian against them, the Cognitor was compelling them to respond if they had anything to say; they requested that their petition be read out, which they said had been given to Constantine by their predecessors. In this petition, they showed sufficiently and clearly how falsely they had spoken about the condemnation of Caecilian at Brixia; for this same petition shows how Constantine had decided against them. For in it they say that they would in no way communicate with "his scoundrel bishop," and that they were prepared to suffer whatever he might wish to do to them. By "Constantine's scoundrel bishop," they certainly wanted Caecilian to be understood. How then did they call him "Constantine's bishop"—with whom they, speaking against Constantine, affirmed they would not communicate—if they had prevailed against him before Constantine, so that they knew him to have been condemned by him at Brixia?

When therefore the Catholics had said that they had recited this against themselves, and the Cognitor himself had also interjected the same thing, they added another great support for the conviction of their own falsehood, by reciting the letters of Constantine himself writing to Verinus the vicar, insinuating that he had ordered them to be released to their free will, so that they might return from exile. In which letters Constantine so detests them that nothing could be found more disgraceful than that indulgence. He certainly would not have blamed them in this way, but rather would have praised them, if Caecilian had been defeated by them before him and, condemned by him, had been exiled to Brixia. And by this, in bringing forward and reciting these things against themselves, they most manifestly showed that they had been overcome by Caecilian in the judgment of the aforementioned emperor; and they most openly proved their own falsehood, by which they were saying that he had been condemned; and because they boasted that the Catholics were inflicting persecution while they themselves were suffering it, they nevertheless wanted to boast, albeit falsely, that Caecilian had been condemned by the Emperor through their accusations.

His itaque recitatis, cum Catholici dicerent, et Cognito rem breviter admonerent, quod etiam ipse cernebat, pro se illa, hoc est, pro innocentia Caeciliani contra illos fuisse recitata, et hoc idem etiam ipse fuisset interlocutus; Donatistae responderunt dicentes: De libero arbitrio nihil dicit potestas tua: hoc enim putantes secundum Constantini litteras sibi posse a praesente Cognito re concedi, eas etiam contra se pro Caeciliani causa recitandas existimaverunt. Hic cum eis Cognito respondisset, aliud sibi esse a praesentis temporis Imperatore praeceptum, ierunt in aliud quod contra se identidem multo mirabilius protulerunt.

Recitaverunt etiam alias litteras ejusdem Constantini imperatoris ad Probianum proconsulem datas, quae quidem consules non habebant; sed nihil quasi de objectione mutua Catholici agere voluerunt: quamvis et hinc se ipsos Donatistae convincerent, quam calumniose Catholicis id objecerint; cum prior chartula ex qua recitatum est iudicium Constantini, quo absolutus est Caecilianus, consules non haberet, qui tamen mox in alia chartula inventi sunt. Ista itaque litterae ad Probianum proconsulem datae, continent Imperatoris iussionem, qua praecepit ut ad se Ingentius mitteretur, cujus confessione in proconsulis Aeliani iudicio Felix Abtugnensis ordinator Caeciliani a crimine traditionis fuerat absolutus. Hoc autem imperiale praeceptum ideo Donatistae se recitare dicebant, ut quasi ostenderent Caeciliani causam adhuc fuisse suspensam, etiam post illud iudicium quo se Constantinus inter partes omnia terminasse iam scripserat: cum et in ipsis litteris, quas ad Probianum proconsulem datas recitaverunt, quibus quasi ostenderent adhuc pendere iudicium, quoniam ad se mitti iusserat Imperator Ingentium, tanta contra se legerint, ut omnino mirum sit quibus illa oculis aspicere, vel quo ore pronuntiare potuerint. Ibi enim Constantinus dixit, ab Aeliano proconsule audientiam praestitam competentem, Felicemque innocentem ab exustione codicum divinatorum constitisse; illos autem esse in praesentia confutandos, qui diuturnis diebus eum interpellare non quiescerent; ut eis liquido appareret, frustra eos Caeciliano invidiam comparare, et adversus eum violenter insurgere voluisse. Hic ergo per illas litteras, non solum Caecilianum, sed etiam Felicem purgatum, seque innocentium persecutores apud Imperatorem exstitisse docuerunt.

Therefore, when these things had been recited, and when the Catholics said, and briefly reminded the Cognitor of what he himself also perceived, that those things had been recited for them, that is, for the innocence of Caecilian against them, and the Cognitor himself had also interjected the same thing, the Donatists responded, saying: "Your authority says nothing about free will." For, thinking that this could be granted to them by the present Cognitor according to Constantine's letters, they judged that these letters should be recited, even though they were against themselves in Caecilian's case. Here, when the Cognitor had responded to them that a different command had been given to him by the emperor of the present time, they moved on to another matter, which they once again brought forward against themselves in a much more astonishing way.

They also read other letters from the same emperor Constantine, addressed to the proconsul Probianus, which indeed did not have the consuls' names; but the Catholics wished to make almost nothing of the mutual objection, although even from this the Donatists convicted themselves of how slanderously they had objected this to the Catholics, since the prior document from which the judgment of Constantine was read, by which Caecilian was acquitted, did not have the consuls' names, which, however, were soon found in another document. These letters, therefore, addressed to the proconsul Probianus, contain the Emperor's order, by which he commanded that Ingentius be sent to him, by whose confession in the judgment of the proconsul Aelianus, Felix of Abtugni, the ordainer of Caecilian, had been absolved from the crime of surrender (*traditionis*). The Donatists said they were reading this imperial precept in order to show, as it were, that Caecilian's case was still pending, even after that judgment in which Constantine had already written that he had settled everything between the parties; although in those very letters addressed to the proconsul Probianus, which they read to supposedly show that the judgment was still pending because the Emperor had ordered Ingentius to be sent to him, they read so much against themselves that it is altogether astonishing with what eyes they could look at it, or with what mouth they could pronounce it. For in them Constantine said that a proper hearing had been granted by the proconsul Aelianus, and that Felix had been established as innocent of the burning of the divine books; but that those who for many days did not cease to appeal to him were to be refuted in his presence, so that it might become clear to them that they had in vain stirred up hatred against Caecilian and had wished to rise up violently against him. Here, therefore, through those letters, they showed not only that Caecilian, but also Felix, had been cleared, and that they themselves had stood before the Emperor as persecutors of the innocent.

Hac autem accepta opportunitate Catholici recitandam protulerunt et ipsius Aeliani tunc proconsulis relationem, de hac re ad Constantinum datam, ubi se causam Felicis audisse et finisse commemorat; et ipsa gesta proconsularia, quibus absolutus est Felix, et omnium necessariarum personarum testimonio a traditionis crimine innocens comprobatus. Quibus recitatis quid contradici posset, Cognitor inquisivit. Tunc Donatistae, quod et ante dicere coeperant, identidem repetierunt, quaerentes utrum ex praecepto Imperatoris directus ad comitatum fuisset Ingentius, et quid postea gestum esset, ut ostenderetur, a Catholicis exigentes: et gesta proconsularia, quibus possent verbis, refellere conantes, quibus absolutus est Felix; objicientes gratiam iudicis, vel suppositas fuisse personas, et caetera quae solent homines contra gesta quibus vincuntur, suspiciosa querimonia jactitare. Dicebant etiam, non recte Felicem absentem fuisse absolutum. Ad ista responsum est a Catholicis, omnia quae lecta sunt, ad absolutionem Caeciliani et Felicis apertissime pertinere; si quid autem Donatistae arbitrarentur misso ad comitatum Ingentio pro se fuisse iudicatum, et mutatum esse iudicium, quo Constantinus inter partes cognoscens purgato Caeciliano illos calumniosissimos iudicaverat, ipsos debere proferre. Quando autem hoc Catholici dicebant, in illa temporis brevitate non poterant considerari consules: quorum ordinem in ipsis gestis qui voluerit considerans, inveniet posterius ab imperatore Constantino absolutum esse Caecilianum, quam Felicis causam ab Aeliano proconsule discussam atque purgatam. post aliquot etiam annos Constantinum scripsisse ad Verinum vicarium, quas litteras ipsi recitaverunt, ubi sibi asserebant liberum arbitrium ab illo imperatore concessum, in quibus litteris eos tanquam pessimos et christianae pacis inimicos ostendit. Quod utique non fecisset, si aliquid pro illis contra Caecilianum iudicasset, cum ad comitatum missus esset Ingentius. Cognitor ergo interlocutus est, non posse gesta, quae tanta roboravit antiquitas, removeri, nisi aliis posterioribus gestis e contrario recitatis. Dictum est etiam a Catholicis, magis ad declarandam Felicis innocentiam profuisse quod absens fuerat absolutus, quia gratiae suspicio, si praesens esset, potius oriretur.

CAPUT XXV.---43. Urgere deinde Cognitor coepit, ut si qua posteriora gesta Donatistae haberent contra absolutionem Caeciliani vel Felicis, jam jamque proferrent. Hic illi ad ea quae jam toties dixerant et Catholicis toties ad omnia respondentibus transacta jam fuerant, rursus quasi a capite redire et ea replicare conati sunt.

Seizing this opportunity, however, the Catholics brought forth to be read the report of Aelianus himself, who was then proconsul, sent to Constantine concerning this matter, in which he records that he had heard and concluded the case of Felix; and also the proconsular acts themselves, by which Felix was acquitted, and by the testimony of all the necessary persons was proven innocent of the crime of *traditio*. After these were read, the Cognitor inquired what could be said in opposition. Then the Donatists, repeating what they had already begun to say, repeatedly demanded that the Catholics show whether Ingentius had been sent to the imperial court by order of the Emperor, and what had been done afterward; and they attempted to refute, with whatever words they could, the proconsular acts by which Felix was acquitted, objecting that there had been favor from the judge, or that persons had been substituted, and other things which men defeated by official records are accustomed to cast about in suspicious complaint. They also said that Felix had not been rightly acquitted in his absence. To these points the Catholics responded that all the documents that had been read pertained most clearly to the acquittal of Caecilian and Felix; but if the Donatists thought that some judgment had been made in their favor after Ingentius was sent to the court, and that the judgment by which Constantine, having heard the case between the parties, had cleared Caecilian and judged them to be most slanderous, had been changed, they themselves ought to produce it. However, when the Catholics said this, in that brevity of time the consuls could not be considered; but whoever wishes to consider their order in the acts themselves will find that Caecilian was acquitted by the emperor Constantine after the case of Felix had been investigated and cleared by the proconsul Aelianus. and that several years later Constantine wrote to Verinus the vicar—letters which they themselves read out, in which they asserted that free choice had been granted to them by that emperor—in which letters he shows them to be most wicked and enemies of Christian peace. This he certainly would not have done if he had judged anything in their favor against Caecilian when Ingentius was sent to the court. The Cognitor therefore ruled that acts which such great antiquity had strengthened could not be set aside, unless other, later acts to the contrary were read out. It was also said by the Catholics that the fact that Felix had been acquitted in his absence was more conducive to declaring his innocence, because the suspicion of favor would more likely have arisen if he had been present.

CHAPTER XXV.---43. The Examiner then began to press them, that if the Donatists had any later proceedings against the acquittal of Caecilianus or Felix, they should produce them at once. At this point, they attempted to return, as if from the beginning, to those things which they had already said so many times and which had already been dealt with, the Catholics having responded to everything so many times, and to repeat them.

Ubi cum interlocutus esset Cognitor, admonens ut eos jam pigeret eadem repetere, quae peracta et transacta jam fuerant, et identidem proferre compelleret si quid recitandum haberent adversus Caeciliani et Felicis sic evidentissimas absolutiones: et illi nihil omnino adversus illa proferentes, eadem repetere non cessarent, ut de illis quae dixerant judicaretur: et contra Cognitor illud potius flagitaret, ut legerent si haberent quod legi posset adversus imperiale et proconsulare iudicium, ut posset de omnibus pronuntiari, quoniam legibus prohibetur semiplenam proferre sententiam: instarent etiam Catholici, ut rebus omnibus Cognitori manifestatis, et Donatistis quid respondeant non invenientibus, eadem repetentibus, tandem aliquando causa finiretur: in ultimo Cognitor dixit, Si contra nihil est quod legatis, exire dignamini, ut possit plena de omnibus scribi sententia. Et utrisque exeuntibus, sententiam scripsit quam rursus intromissis partibus recitavit, qua complexus est omnia quae de proluxa trium dierum actione potuit recordari. In quibus quaedam non eo ordine quo gesta sunt commemoravit, omnia tamen veraciter posuit, confutatos a Catholicis Donatistas omnium documentorum manifestatione pronuntians.

When the Examiner had intervened, admonishing them that they should now be ashamed to repeat the same things which had already been completed and transacted, and repeatedly compelled them to produce anything they had to read against the very evident acquittals of Caecilianus and Felix; and while they, producing nothing at all against those judgments, did not cease to repeat the same things, so that a judgment might be made concerning what they had said; and while, on the other hand, the Examiner was rather demanding that they should read if they had anything that could be read against the imperial and proconsular judgment, so that a pronouncement could be made on all matters, since it is forbidden by law to deliver a partial sentence; and while the Catholics were also insisting that, with all matters made manifest to the Examiner, and the Donatists finding nothing to reply and repeating the same things, the case might at last be finished; at the very end the Examiner said: "If you have nothing to read against this, be pleased to withdraw, so that a full sentence on all matters may be written." And with both parties having withdrawn, he wrote the sentence, which he recited after the parties were brought in again, in which he summarized everything he could recall from the lengthy proceedings of the three days. In this sentence, he recounted certain things not in the order in which they occurred, yet he set forth everything truthfully, pronouncing that the Donatists had been refuted by the Catholics through the presentation of all the documents.