

THE
HISTORY OF ROME,

BY

TITUS LIVIUS.

TRANSLATED FROM THE ORIGINAL,

WITH NOTES AND ILLUSTRATIONS,

BY GEORGE BAKER, A. M.

History is Philosophy teaching by examples.

BOLINGBROKE.

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PREFACE.

TITUS LIVIUS, the illustrious author of the **Roman History**, descended from a noble family in Rome, and was born at Patavium, now called Padua, in Italy, in the 694th year of Rome, fifty-eight years before the commencement of the Christian æra.

Like many other literary men, his life was contemplative, rather than active; very few particulars, therefore, concerning him, have come down to us. He resided at Rome for a considerable time, where he was much noticed, and highly honoured, by Augustus; to whom he was previously known, it is said, by some writings which he had dedicated to him. Seneca, however, is silent upon the subject of this supposed dedication, though he mentions the work itself, which, he says, consisted of moral and philosophical dialogues.

He appears to have conceived the project of writing his history, immediately upon his settling at Rome; or, perhaps, he came thither for the purpose of collecting the necessary materials for that great work.

Augustus appointed him preceptor to his grandson Claudius, afterwards emperor. But he seems not much to have attended to the advantage which might have resulted from so advantageous a connection, and to have occupied himself, entirely, in the composition of his history; parts of which, as they were finished, he read to Augustus and Macænas.

Distracted with the tumult, and disgusted, it may be, with the intrigues and cabals of Rome, he sought retirement and tranquillity in the beautiful country, and delightful climate, of Naples. Here, enjoying uninterrupted literary ease and quiet, he continued his labour, and finished his work, comprising, in an hundred and forty-two books, the history of Rome, from the foundation of that city to the death of Drusus, containing a period of seven hundred and forty-three years, ending nine years before the birth of our Saviour. Having completed this great work, he returned to pass the remainder of his days in his native country, where he died, A. D. 17, at the age of seventy-five years.

What family he left behind him, is not known. Quintilian, however, mentions that he had a son, for whose instruction he drew up some excellent observations on rhetoric; and there is also reason to suppose that he had a daughter, married to Lucius Magius, an orator, who is advantageously spoken of by Seneca.

How highly his works were esteemed, and himself personally honoured and respected, may be gathered from the manner in which he is mentioned by many ancient authors. Tacitus tells us,* that “T. Livius,

* Annal. iv. 34.

that admirable historian, not more distinguished by his eloquence than by his fidelity, was so lavish in his praise of Pompey, that Augustus called him the *Pompeian*: and yet his friendship for him was unalterable." The younger Pliny informs us,* that "a certain inhabitant of the city of Cadiz was so struck with the illustrious character of Livy, that he travelled to Rome on purpose to see that great genius; and as soon as he had satisfied his curiosity, returned home."

Of the hundred and forty-two books, of which the history of Rome originally consisted, thirty-five only have come down to us. The contents of the whole, the hundred and thirty-seventh and eighth excepted, have been preserved; compiled, as some, without any good reason, have supposed, by Livy himself; while others, with equal improbability, have asserted them to be the work of Lucius Florus, author of a portion of Roman history. Whoever may have been the compiler, a fact as useless, as it is now impossible to ascertain, they are highly curious; and although they contain but a faint outline, yet they serve to convey some idea of the original, and greatly excite regret at the loss of so large a portion of this valuable work.

The parts of this history which we now possess, are, the first decade: for it appears, from his having prefixed separate prefatory introductions to each portion, that the author had divided his work into distinct parts, consisting each of ten books. The first decade commences with the foundation of the city of Rome, and rapidly runs over the affairs of four hundred and sixty

* Ep. II. 3.

years. The second decade is lost: it comprised a period of seventy-five years; the principal occurrence in it was the first Punic war, in which the Romans, after a long and arduous struggle, were finally victorious. The third decade is extant: it contains a particular and well-detailed account of the second Punic war; the longest, as our author himself observes, and the most hazardous war, the Romans had ever been engaged in; in the course of which they gained so many advantages, and acquired so much military experience, that no nation was ever able, afterwards, to withstand them. The fourth decade contains the Macedonian war against Philip, and the Asiatic against Antiochus. These are related at considerable length, insomuch that the ten books comprise a space of twenty-three years only. Of the fifth decade, the first five books only remain, and these very imperfect. They give an account of the war with Perseus king of Macedonia, who gains several advantages against the Romans, but is at length subdued, and his kingdom reduced to the form of a Roman province; of the corruption of several Roman governors in the administration of the provinces, and their punishment; and of the third Punic war, which lasted only five years.

Of the remaining books, it has been already said, that the contents only have been preserved; and they serve to show us the greatness of our loss, the greatest literary loss, perhaps, owing to the ravages of the time. Livy had employed forty-five books in the history of six centuries; but so many, so various, and so interesting were the events, which he had before him for selection,

in the latter period of the Republic, that it took him above double that number to relate the occurrences of little more than an hundred and twenty years. From the admirable manner in which he has written the former part of his History, we may judge of what must have been the merit of this latter part, which fails us, unfortunately, at a most remarkable period, when rational curiosity is raised to the highest pitch. Nor can we doubt the excellence of its execution, when we consider how much better, and how much more copious his materials must have been; for, besides what he could draw from his own personal knowledge, having lived among, and conversed familiarly with, the most considerable men in the empire, who were themselves principal actors in the important transactions which he relates, he had access to the best possible written materials; to the memoirs of Sylla, Cæsar, Labienus, Pollio, Augustus, and many others which were then extant. What would we not give for the picture, finished by so able a hand, from the sketches of such masters? What delight would it not afford us, to see the whole progress of a government from liberty to servitude?—the whole series of causes and effects, apparent and real, public and private?—those which all men saw, and all good men opposed and lamented, at the time; and those which were so disguised to the prejudices; to the partialities, of a divided people, and even to the corruption of mankind, that many did not, and that many could pretend they did not, discern them, till it was too late to resist them? I own, says a noble author,*

* Bolingbroke.

I should be glad to exchange what we have of this History, for what we have not.

Much as our historian was admired, and highly as he was respected, yet he was not without his detractors. He was charged with patavinity in his writings. The first person who brought this charge against him, seems to have been Asinius Pollio, a polite and elegant writer, and a distinguished ornament of the age of Augustus.*

In what this patavinity consisted, no ancient author having defined it, it is not now easy to say; and, accordingly, it is a matter which has been much disputed. Some will have it, that it was a political term, and that it signified an attachment to the Pompeian party: others contend that it meant a hatred to the Gauls; that it was symbolical of some blameable particularity, they know not what. The more probable opinion, however, seems, from the term itself, to be, that it signified some provincial peculiarity of dialect. Ancient Italy, like modern Italy, had its differences, not of idiom merely, but of language, in every different province. In proportion as their language varies, at this day, from the purity of the Tuscan dialect, they become almost unintelligible to each other: with difficulty can a Venetian and a Neapolitan converse together; that is, the people: for the well-educated in every country learn to speak and write the dialect of the metropolis; although, if brought up in their own provinces, however nearly their language may approach the purity of that of the

* Quintil. Instit. i. 5. viii. 1.

capital, yet it will ever retain some tincture of provinciality.

If this supposition of the meaning of the word *patavinity* be right, the fact, upon such authority as that of *Pollio*, must be admitted; although in what, precisely, it consisted, it is not, at present, perhaps, possible to determine. Much has been written upon the subject, which in reality seems now to be an idle inquiry; and, as a dissertation upon this matter could afford neither instruction nor entertainment to the mere English reader, for whose use the following translation is principally intended, we shall dismiss the subject with observing, that what *Quintilian* has not told us, no modern scholar will ever, it is probable, have penetration enough to discover: and we may be also allowed to suppose that, whatever these peculiarities may have been, as that great critic has not thought them worth pointing out, they cannot have been either very numerous, or of very material consequence.

Nor will, perhaps, another objection, made by modern critics, be deemed of much greater weight. They dislike, it seems, the plan of his *History*, and they found that dislike, chiefly on the speeches which he so frequently introduces, which, they contend, it is not probable could have been spoken upon the occasions alleged; and therefore they pronounce them to be violations of truth. That many of them were not spoken by the persons to whom they are ascribed, nor upon the occasions alleged, must be admitted: but they do not, upon that account, violate the truth of history. Nobody can suppose that our author ever meant to

impose upon his readers, and to make them believe that what he has given us, as said by the different persons whom he introduces, was really said by them: the supposition is absurd. He could only mean to vary his style; and to enliven and embellish matter, which, if continued in the even and unvaried tone of narration, would be sometimes heavy and tedious; making these supposed speeches a vehicle for conveying, and that in a very lively manner, the arguments for and against a proposed measure; and he thus often brings into them a relation of facts, chiefly facts of remoter times, and much more agreeably than he could have interwoven them into his narrative, which should always be progressive. Modern historians, it is true, have rejected this plan: but Livy is not reprehensible, because his ideas of historic structure were different from theirs. He chose rather to conform himself to a custom which prevailed very generally before his time, and which succeeding writers, of great taste and judgment, have approved and adopted. The conduct of Livy, in this respect, if necessary, might be justified by the example of Herodotus, Xenophon, Polybius, Sallust, Tacitus, and others, whose histories abound with speeches. These speeches frequently give a more perfect idea of the character of the supposed speaker, than could easily have been done by mere description; and it must be acknowledged, that the facts which they sometimes contain, would, if thrown into formal narrative, with episodes and digressions, lose much of their animation and force, and consequently much of their grace and beauty.

When we consider the use of such speeches, we shall not perhaps feel inclined to give them up, although many are to be held as mere fictions; contrived, however, with much ingenuity, and for the laudable purpose of conveying useful reflections and salutary admonitions. But though it be admitted, that several of them are fictitious, yet it may be contended that they are not all so. Many of those delivered in the senate, in popular assemblies, in conventions of ambassadors, and other the like occasions, are most probably genuine; and, if they are so, they furnish us with very curious specimens of ancient eloquence. Public speakers among the Romans were in the habit of publishing their speeches upon particular occasions; and others, delivered upon important occurrences, would, doubtless, be noted down, and circulated, by those who were curious about, and probably interested in, the subjects of them. We know that, in our own times, the substance of speeches in the British parliament, and other assemblies, has often been accurately collected, and carefully preserved; and we may, therefore, reasonably suppose that speeches in the Roman senate, upon matters in which the whole community were deeply interested, would be heard with equal attention, and preserved with equal care.

A charge, of a very heavy nature, has been brought against our author, which, were it well founded, would utterly disqualify him from writing a credible history. He is accused of superstitious credulity. That he was of a serious and religious turn of mind is sufficiently apparent from many passages in his history, in which

he severely reprehends the licentiousness and profligacy of the times he lived in, and applauds the simplicity of conduct, and sanctity of manners, of ancient days, when "that disregard of the gods, which prevails in the present age, had not taken place; nor did every one, by his own interpretations, accommodate oaths and the laws to his particular views, but rather adapted his practice to them."* Again, speaking of Spurius Papirius, he describes him as a "youth, born in an age when that sort of learning which inculcates contempt of the gods was yet unknown."† Numberless passages, to this effect, might be cited; suffice it, however, to observe, that, while reprehending, with strong indignation, the profane, the impious, and the immoral among his countrymen, he omits no opportunity of applauding the virtuous and the good.

But, to be religious is one thing; to be superstitious is another. He has certainly recorded many and monstrous prodigies; to enumerate which would be both tedious and disgusting. As, however, they were not merely the subject of popular tales and vulgar conversation, but the objects of particular attention, noticed always by the magistrates, and even by the senate, whom we frequently find ordering expiations of them, it was his duty, as an historian, to relate them, since they thus made a part of the public transactions of the times. And this he does with great caution; apparently anxious lest he should be supposed to believe in such absurdities, and protesting, as it were, against the im-

* B. iii. 46

† B. x. 40.

putation of superstition. Thus, upon an occasion where he relates extraordinary prodigies, (more extraordinary, indeed, than in any other part of his history,) he introduces his account of them by saying,—“Numerous prodigies were reported to have happened this year; and the more they were credited by simple and superstitious people, the more such stories multiplied.”* He generally prefaces the mention of all such, with a reserve as to his own belief of them:—“Many prodigies were reported.”† “It was believed that crows had not only torn with their beaks some gold in the capitol, but had even eaten it.”‡ And again; “Fires from heaven, breaking out in various places, had, as was said,”§ &c. Nor is he at all scrupulous in declaring these numerous prodigies to derive their origin from superstitious weakness; thus,—“So apt is superstitious weakness to introduce the deities into the most trivial occurrences”|| “The mention of one prodigy was, as usual, followed by reports of others.”¶ “From this cause arose abundance of superstitious notions; and the minds of the people became disposed both to believe and to propagate accounts of prodigies, of which a very great number were reported.”** “The consuls expiated several prodigies which had been reported.”†† “Several deceptions of the eyes and ears were credited.”‡‡ One is almost tempted to think, that those who charge our author with credulity, had never read him; otherwise, how could they overlook such pas-

* B. xxiv. 10.

† B. xxvii. 4.

‡ B. xxx. 2.

§ B. xxxix. 22.

|| B. xxvii. 25.

¶ Ib. 37.

** B. xxix. 14.

†† B. xxiv. 44.

‡‡ Ibid.

sages as these, and especially the following, in which he seems aware that such a charge might be brought against him, and labours to obviate it?—"In proportion as the war was protracted to a greater length, and successes and disappointments produced various alterations, not only in the situations, but in the sentiments of men, superstitious observances, and these mostly introduced from abroad, gained such ground among the people in general, that it seemed as if either mankind, or the deities, had undergone some sudden change."*

From the passages here adduced, and very many others to the same purport might be quoted, it may be confidently pronounced, that our author was not the dupe of those vulgar rumours, those "deceptions of the eyes and ears," which yet he has thought it his duty to record. And, in truth, it seems as if the people themselves, at least the more enlightened of them, were equally inclined, if established custom would have allowed, to disregard them: "They grew weary," we are told, "not only of the thing itself, but of the religious rites enjoined in consequence; for neither could the senate be convened, nor the business of the public be transacted, the consuls were so constantly employed in sacrifices and expiations."† And accordingly, with a view to diminish the reports of these miracles, and the troublesome ceremonies consequent thereupon, the consuls, by direction of the senate, published an edict, that when "on any day public worship should be ordered, in consequence of the report of an earthquake,

* B. xxv. 1.

† B. xxxiv. 55.

no person should report another earthquake on that day.* Indeed, how very little faith the senate really had in omens, prodigies, and auspices, we may learn from a remarkable order made by them, upon receiving from a consul the report of unfavourable omens; in no less than three victims successively sacrificed; "they ordered him," says the Historian, "to continue sacrificing the larger victims, until the omens should prove favourable."†

It may be asked, —if Livy, the senate, and very many, perhaps the greater number, of the people, disbelieved these omens and prodigies, why relate them? He answers the question himself; "I am well aware," he says, "that, through the same disregard to religion, which has led men into the present prevailing opinion, of the gods never giving portents of any future events, no prodigies are now either reported to government, or recorded in histories. But, for my part, while I am writing the transactions of ancient times, my sentiments, I know not how, become antique; and I feel a kind of religious awe, which compels me to consider that events, which the men of those times, renowned for wisdom, judged deserving of the attention of government, and of public expiation, must certainly be worthy of a place in my History."‡ And, in truth, it must be allowed, that an account of the religious ceremonies, and the superstitious observances, of different nations at different periods, forms not the least curious chapter in the history of the human mind.

* B. xxxiv. 55.

† B. xli. 15.

‡ B. xlii. 13.

A still heavier charge hath been brought against our author; indeed, the heaviest that can be alleged against an historian; namely, the violation of the first great law of history; which is, not to dare to assert any thing false, and not to suppress any truth.* He who could not be warped by views of private interest, has yet been supposed, from an excess of zeal for the honour and glory of his country, in some instances to have gone beyond the truth, in others to have suppressed it.

It has been already mentioned how highly he was esteemed by Augustus, and that he had even received no inconsiderable marks of favour from him. Yet he does not seem to have courted this esteem, or those favours, by any particular attention on his part; nor to have endeavoured to repay them, by the only return which authors can make, the loading their patrons with perhaps undeserved praises. Although, at the time when he wrote his History, Augustus was in complete possession of the Roman empire, yet he names him but three times, and then but in a slight and cursory manner; not availing himself of the opportunity to heap adulation upon him, but simply giving him that praise to which he was unquestionably entitled. On occasion of shutting the temple of Janus, he takes the opportunity of mentioning, that it had been but twice shut since the reign of Numa; the first time in the consulship of Titus Manlius, on the termination of the first Punic war, and that “the happiness of seeing it shut again, the gods granted to our own times, when, after the bat-

* Cic. de Orat.

tle of Actium, the emperor, Cæsar Augustus, established universal peace on land and sea.”* As Augustus was highly vain of this circumstance, had our author’s disposition led him to flatter this master of the world, it would have afforded him an excellent opportunity; as would another occasion, where, speaking of *spolia opima*, deposited by Cossus in one of the temples, he appeals to the testimony of Augustus Cæsar, whom he styles “the founder or restorer of all our temples.”† But above all, he might have found a niche for him, as well as others of his family, when he mentions the distinguished victory gained by Livius and Nero over Hasdrubal.‡ He relates the affair itself in very splendid terms, and bestows the most exalted praises on the admirable conduct of those victorious generals. He who was thus rigidly tenacious, when private motives, friendship, or interest might have swayed him, is, nevertheless, accused, from national vanity, of having written with partiality; and of having sometimes exaggerated, and sometimes concealed, the truth.

It must be acknowledged that, when the grandeur of the Roman empire presents itself to his mind, he is not always sufficiently reserved in the terms which he uses. Thus, speaking of Cincinnatus,§ so early as the 296th year of Rome, he calls him “the sole hope of the empire of Rome,” at a time when we know that this thus pompously announced empire extended not more than twenty miles beyond the city. And again, not

* B. i. 19.

† B. iv. 20.

‡ B. xxvii. 47, 48, 49.

; B. iii. 26.

many years after,* he introduces Canuleius boasting of its “eternal duration and immense magnitude.”† When we find him applying such magnificent terms to the Roman state, then in its infancy, we must suppose him to have forgot the period of which he was writing, and to have had present to his mind the splendor and extent to which it had attained at the time when he himself lived and wrote. He even puts the same language into the mouths of foreigners, and of enemies: he makes Hannibal call Rome “the capital of the world,”‡ at a time when the Romans had not even the whole of Italy in subjection, and no possessions whatever out of Italy, except a part of Sicily and Sardinia. In the same vain-glorious boasting strain he tells us,§ that the Romans “were never worsted by the enemy’s cavalry, never by their infantry, never in open fight, never on equal ground.” He seems here not to have recollected, what he afterwards acknowledges,|| that, in the first battle with Hannibal, “it manifestly appeared that the Carthaginian was superior in cavalry; and, consequently, that open plains, such as those between the Po and the Alps, were unfavourable to the Romans.” Although he thus asserts, in unqualified terms, that the Romans were never worsted in the open field, yet he gives very just and candid accounts, not only of this battle with Hannibal, but of another also against the same commander, and of that of the Allia, against the Gauls, in

* Y. R. 310.

† B. iv. 4.

‡ B. xxi. 30.

§ B. ix. 19.

|| B. xxi. 47.

every one of which the Romans were completely overthrown.

But these, it is probable, should rather be considered as inadvertencies than falsehoods; and, however inclined we may be to overlook or excuse them, we shall not, perhaps, find it so easy to justify some other omissions, or changes, which he has made in his narrative, respecting facts which, if fairly and fully related, would do no honour to his country; or would tend, in some degree, to tarnish the lustre of those celebrated characters which he holds up to our admiration.

Polybius is allowed to be an author of consummate judgment, indefatigable industry, and strict veracity. Livy himself admits that he is entitled to entire credit. He takes extraordinary pains to investigate the causes of the second Punic war, and to determine which of the two nations had incurred the guilt of breach of treaty. He discusses the matter at considerable length;* stating accurately, and carefully examining, the facts and arguments urged on both sides; and brings the matter to this issue,—that, if the war is to be considered as taking its rise from the destruction of Saguntum, the Carthaginians were in the wrong; but by no means so, if the matter be taken up somewhat higher, and the taking of Sardinia by the Romans, and the imposing a tribute upon that island, be included in the account: for that, then, the Carthaginians did no more than take occasion to avenge an injury done them.

Now, how stands the account of this affair, accord-

* Lib. x.

ing to Livy?*" From this disquisition of Polybius, he carefully selects, and strongly states, every thing which tends to favour the cause of the Romans; but passes over in silence every fact, and every argument, urged by the Greek historian in favour of the Carthaginians; and thus he makes the worse appear the better cause.

It has been urged in defence of Livy, that, in his twelfth book, he gave the account of the affair of Sardinia: and that, if that book had not been lost, it might from thence have appeared, that the conduct of the Romans in that transaction was perfectly justifiable; and that, consequently, what he has suppressed of Polybius's argument, he has omitted, not so much to favour the cause of his own countrymen, as because he knew the allegations therein to be false. It must, however, be observed, that Polybius was neither a Roman nor a Carthaginian; that he has always been held to be an historian of the highest credit, and the strictest impartiality; that he lived nearer the times he writes of than Livy, and was a most diligent inquirer into the truth of the facts which he relates in his history; that he was by no means unfriendly to the Romans, but the contrary, taking all opportunities to speak of them with the highest praise.

It is not meant here to detract from the merit of Livy as an historian, by the mention of such particulars as these. It may be assumed as a maxim, that no historian of his own country can be, strictly speaking, impartial: he may intend to be so; but the mind will

* B. xxi. 19.

be under an involuntary bias, influenced by some secret inclination, of which he himself may be unconscious; he may believe what he asserts, and yet it may not be true.

Another instance of his partiality to his countrymen may be found in his account of the murder of Brachyllas,* who, he tells us, was made Bœotarch, or chief magistrate of the Bœotians, “for no other reason, than because he had been commander of the Bœotians, serving in the army of Philip; passing by Zeuxippus, Pistratus, and the others who had promoted the alliance with Rome.” That these men, offended at present, and alarmed about future consequences, resolved to take off Brachyllas, and accordingly procured six assassins, who put him to death. In these, and other circumstances, our author perfectly agrees with Polybius, whose account of this whole affair he seems to have almost literally copied; with the omission, however, out of tenderness for the character of Quintius, of a very material circumstance; which is, that the project of murdering Brachyllas was first opened in a conference between Zeuxis, Pistratus, and Quintius, who told them, that he would not himself do any thing to promote it; but that, if they were disposed to the execution of such a plan, he would do nothing to obstruct it: and he adds, that he directed them to confer upon the matter with Alexamenes, the Ætolian, who was the person, he says, that procured the assassins.

Another, and a very remarkable instance of partiality

* B. xxxiii. 27, 28.

lity to the character of his countrymen, we have in his celebrated account of Scipio Africanus; who seems, above all others mentioned in his History, to have engaged his fondest, and, as he himself admits, his partial attention: for when he first introduces him, he does it in the most advantageous manner, as a youth who had scarcely attained to manhood, rescuing his father, who was wounded in a battle with Hannibal. "This," says he,* "is the same youth who is, hereafter, to enjoy the renown of terminating this war, and to receive the title of Africanus, on account of his glorious victory over Hannibal and the Carthaginians." He then, in a manner, avows his partiality; for he tells us, that Cælius attributes the honour of saving the consul to a slave, by nation a Ligurian: "but I rather wish the account to be true which gives it to his son; and so the fact is represented by most authors, and generally believed."

That Scipio was a most accomplished character, eminently distinguished by his military talents, valour, coolness, patience under difficulties, and moderation in victory; of most gentle manners, and a most generous temper, never has been, nor ever will be denied. But, if other writers knew the truth, and have spoken it, he was not that model of absolute perfection which Livy paints him: and perhaps, had he been the cold and unimpassioned stoic, which he describes him to have been, he had deserved less praise than is undoubtedly due to him, when considered, as other authors represent him, of a very different temperament. .

That he generously restored a beautiful captive to her parents, and to her intended spouse, Livy and Polybius are agreed; but they differ somewhat in the account of that affair. Polybius tells us,* that a party of Roman youth, having taken captive a damsel of exquisite beauty, brought her to Scipio, whom they knew to be much attached to the sex; and he makes Scipio say to them, that “a more acceptable gift could not have been presented to him, were he in a private station: but that, in his situation of general, he could by no means accept of it.” Livy suppresses entirely the circumstance of his favourite’s amorous disposition: and yet, what he represents him as saying to Allucius, bears so strong a resemblance to his answer, recorded by Polybius, though he gives it a different turn, to accommodate it to his purpose, that we cannot doubt his having had this passage in his eye: “If my thoughts were not totally employed by the affairs of the public. and if I were at liberty to indulge in the pleasurable pursuits adapted to my time of life,”† &c.

That Scipio, with all his perfections, was not that mirror of chastity which Livy is desirous of representing him, we learn, also, from an anecdote related by Valerius Maximus,‡ who highly praises the amiable temper and patient forbearance of his wife *Æmilia*, “who,” he tells us, “knew of his attachment to a female slave, and yet concealed the fact, that there might be no stain upon so illustrious a character.”

Such are the principal facts alleged to prove our

* Lib. x.

† B. xxxvi. 50.

‡ Lib. vi. 7.

historian's neglect of veracity in his narration: rigorous, and, it may be, invidious scrutiny. has noted some few more; but they are of little importance: and, as it is not improbable, so it is not unfair to suppose, that the paucity of cotemporary historians may have induced those, who were also predisposed, to believe that to be false, which fuller information might perhaps have proved to be true. Why may we not believe that he had better opportunities of knowing the truth than the Greek historian? He admits Polybius to be an author of credit, and yet he differs from him without scruple: he cannot, then, surely, be thought to mean more than that he was a writer of integrity, who compiled his history with fidelity, according to the best information he was able to obtain: that he did not wilfully falsify any fact, rather than that every fact he relates is strictly and absolutely true. He acknowledges him for his master, but does not conceive himself bound to swear to his words.

Besides, it is but doing justice to our author to observe, that if, in some few, and those not very material instances, he may have deviated from the truth, if he has done so, it is never with an ill-design: if he palliates a fault, or suppresses a fact, it is not so much for the purpose of lessening the reputation, or tarnishing the glory of others, whether nations or individuals, as to aggrandize the character of his own nation. He allows himself in a practice which some of his countrymen have, since his time, carried to a much greater, as well as a more blameable extent, and which has received the name of *pious fraud*.

But, whatever may be the case, whether our author must lie under the reproach of softening facts in some instances, or even of suppressing them in others, yet will his genius and talents, as an historian, ever be respected. He cannot be denied the merit of having furnished us with a perfect model of historical composition, in the purest and most elegant style; more remarkable for perspicuity of narration, and neatness of expression, than for depth of reasoning, or pomp of diction. Although he seldom digresses, and but rarely indulges in moral observations or philosophical reflections, yet he never loses sight of what he himself lays down in his preface as the great object of history: the furnishing “clear and distinct examples of every line of conduct; that we may select for ourselves, and for the state to which we belong, such as are worthy of imitation; and carefully noting such, as, being dishonourable in their principles, are equally so in their effects, learn to avoid them.”

ALL that the present writer feels it necessary to say, upon delivering to the public a new translation of so esteemed a work as Livy's History, is, that it has been the employment, and amusement, of many years,—a very laborious, but not unuseful, occupation: and that, if he be not deceived by self-love, and the partiality of a few friends, who have taken the trouble of looking into the work, it will be found not altogether unworthy of public acceptance.

The translator had intended a much more copious commentary, than that which now accompanies this work; and, in that view, he had prepared several dissertations upon the manners and customs of the Romans: their senate; their laws; their religious rites; their arts of war, navigation, and commerce, &c. But he acknowledges, with much pleasure, that he has since found his labour, upon those subjects, rendered unnecessary by the publication of *Dr. Adam's Roman Antiquities*: a work so excellent in its kind, that whoever has the instruction of youth committed to his care, will do them injustice, if he omits to recommend it to their perusal. The notes, therefore, which are added, and which the translator now thinks it his duty to make as few, and as short as possible, are such only as were deemed more immediately necessary to render some passages intelligible to the mere English reader.

It hath been an usual practice, in prefaces to works of this kind, for the authors of them to load the labours of their predecessors with abuse: a practice, of which the present translator acknowledges he neither sees the necessity, nor the utility. For, should he succeed in disparaging the works of others in the humble walk of translation; should he be able to prove them ever so wretchedly executed, it will by no means follow from thence, that his is better. That he thinks it so, is clear from his presuming to publish it. But, as the public has an undoubted right to judge for itself, and will most assuredly exercise that right, the success of every work, of whatever kind, must ultimately depend upon its own merit.

To the public judgment, therefore, he submits his labour; knowing that every endeavour of his, except that of rendering it worthy of acceptance, would be useless; and that, in spite of his utmost exertions, his book will stand or fall by its own merit or demerit, whichever shall be found to preponderate. The public candour he has no reason to doubt; and he awaits its decision with tranquillity, but not without anxiety.

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THE
HISTORY OF ROME.



BOOK I.

The arrival of Æneas in Italy, and his achievements there, the reign of Ascanius in Alba, and of the other Sylvian kings, his successors. Birth of Romulus and Remus. Romulus builds Rome; forms the senate: divides the people into curias. His wars. He offers the *spolia opima* to Jupiter Feretrius; is deified. Numa Pompilius institutes the rights of religious worship; builds a temple to Janus; rules in peace, and is succeeded by Tullus Hostilius. His war with the Albans; combat of the Horatii and Curiatii. The Albans removed to Rome. Tullus killed by lightning. Ancus Martius conquers the Latines, and incorporates them with the Romans; enlarges the city, and the bounds of his dominions. Lucumo arrives at Rome: assumes the name of Tarquinius; and, on the death of Ancus, gains possession of the throne; defeats the Latines and Sabines; builds a wall round the city, and makes the common sewers: is slain by the sons of Ancus, and is succeeded by Servius Tullius. He institutes the census; divides the people into classes and centuries: extends the *pomœrium*; is murdered by Lucius Tarquinius, afterwards surnamed Superbus. He seizes the throne, wages war with the Volscians, and, with their spoils, builds a temple to Jupiter in the Capitol. In consequence of his son Sextus having forcibly violated the chastity of Lucretia, he is dethroned and banished. Consuls elected.

PREFACE.

WHETHER, in tracing the series of the Roman History, from the foundation of the city, I shall employ my time to good purpose, is a question which I cannot positively determine; nor, were it possible, would I venture to pronounce such determination: for I am aware that the matter is of high

antiquity, and has been already treated by many others; the latest writers always supposing themselves capable, either of throwing some new light on the subject, or, by the superiority of their talents for composition, of excelling the more inelegant writers who preceded them. However that may be, I shall, at all events, derive no small satisfaction from the reflection that my best endeavours have been exerted in transmitting to posterity the achievements of the greatest people in the world; and if, amidst such a multitude of writers, my name should not emerge from obscurity, I shall console myself by attributing it to the eminent merit of those who stand in my way in the pursuit of fame. It may be farther observed, that such a subject must require a work of immense extent, as our researches must be carried back through a space of more than seven hundred years; that the state has, from very small beginnings, gradually increased to such a magnitude, that it is now distressed by its own bulk; and that there is every reason to apprehend that the generality of readers will receive but little pleasure from the accounts of its first origin; or of the times immediately succeeding, but will be impatient to arrive at that period, in which the powers of this overgrown state have been long employed in working their own destruction. On the other hand, this much will be derived from my labour, that, so long at least as I shall have my thoughts totally occupied in investigating the transactions of such distant ages, without being embarrassed by any of those displeasing considerations, in respect of later days, which, though they might not have power to warp a writer's mind from the truth, would yet be sufficient to create uneasiness, I shall withdraw myself from the sight of the many evils to which our eyes have been so long accustomed. As to the relations which have been handed down of events prior to the founding of the city, or to the circumstances that gave occasion to its being founded, and which bear the semblance rather of poetic fic-

tions, than of authentic records of history—these, I have no intention either to maintain or refute. Antiquity is always indulged with the privilege of rendering the origin of cities more venerable, by intermixing divine with human agency; and if any nation may claim the privilege of being allowed to consider its original as sacred, and to attribute it to the operations of the Gods, surely the Roman people, who rank so high in military fame, may well expect, that, while they choose to represent Mars as their own parent, and that of their founder, the other nations of the world may acquiesce in this, with the same deference with which they acknowledge their sovereignty. But what degree of attention or credit may be given to these and such-like matters I shall not consider as very material. To the following considerations, I wish every one seriously and earnestly to attend; by what kind of men, and by what sort of conduct, in peace and war, the empire has been both acquired and extended: then, as discipline gradually declined, let him follow in his thoughts the structure of ancient morals, at first, as it were, leaning aside, then sinking farther and farther, then beginning to fall precipitate, until he arrives at the present times, when our vices have attained to such a height of enormity, that we can no longer endure either the burden of them, or the sharpness of the necessary remedies. This is the great advantage to be derived from the study of history; indeed the only one which can make it answer any profitable and salutary purpose: for, being abundantly furnished with clear and distinct examples of every kind of conduct, we may select for ourselves, and for the state to which we belong, such as are worthy of imitation; and, carefully noting such, as being dishonourable in their principles, are equally so in their effects, learn to avoid them. Now, either partiality to the subject of my intended work misleads me, or there never was any state either greater, or of purer morals, or richer in good examples, than this of Rome; nor was there ever any city

into which avarice and luxury made their entrance so late, or where poverty and frugality were so highly and so long held in honour; men contracting their desires in proportion to the narrowness of their circumstances. Of late years, indeed, opulence has introduced a greediness for gain, and the boundless variety of dissolute pleasures has created, in many, a passion for ruining themselves, and all around them. But let us, in the first stage at least of this undertaking, avoid gloomy reflections, which, when perhaps unavoidable, will not, even then, be agreeable. If it were customary with us, as it is with poets, we would more willingly begin with good omens, and vows, and prayers to the gods and goddesses, that they would propitiously grant success to our endeavours, in the prosecution of so arduous a task.

BOOK I.

I. It has been handed down to us, as a certain fact, that the Greeks, when they had taken Troy, treated the Trojans with the utmost severity; with the exception, however, of two of them, Æneas and Antenor, towards whom they exercised none of the rights of conquest. This lenity they owed, partly, to an old connection of hospitality, and partly, to their having been, all along, inclined to peace, and to the restoration of Helen. These chiefs experienced afterwards great varieties of fortune. Antenor, being joined by a multitude of the Henetians, who had been driven out of Paphlagonia in a civil war, and having lost their king Pylæmenes at Troy, were at a loss both for a settlement and a leader, came to the innermost bay of the Adriatic sea, and expelling the Euganeans, who then inhabited the tract between the Alps and the sea, settled the Trojans and Henetians in the possession of the country. The place where they first landed is called Troy, and from thence the Trojan canton also has its name; the nation in general were called Henetians. Æneas, driven from home by the same calamity, but con-

ducted by the fates to an establishment of more importance, came first to Macedonia; thence, in search of a settlement, he sailed to Sicily, and from Sicily proceeded with his fleet to the country of the Laurentians.* Here also, to the spot where they landed, was given the name of Troy. Here the Trojans disembarked; and as, after wandering about for a great length of time, they had nothing left, beside their ships and arms, they began to make prey of whatever they found in the country. On this king Latinus, and the Aborigines, who were then in possession of those lands, assembled hastily from the city and country, in order to repel the violence of the strangers. Of what followed, there are two different accounts. Some writers say, that Latinus, being overcome in battle, contracted an alliance, and afterwards an affinity, with Æneas; others, that when the armies were drawn up in order of battle, before the signal was given, Latinus, advancing in the front, invited the leader of the strangers to a conference; then inquired who they were, whence they came, what had induced them to leave their home, and with what design they had landed on the Laurentian coast; and that, when he was informed that the leader was Æneas, the son of Anchises by Venus, and his followers Trojans; that they had made their escape from the flames of their native city and of their houses, and were in search of a settlement, and a place where they might build a town; being struck with admiration of that renowned people and their chief, and of their spirit, prepared alike for war or peace, he gave him his right hand, and by that pledge assured him of his future friendship. A league was then struck between the leaders, and mutual salutations passed between the armies. Latinus entertained Æneas in his palace, and there, in the presence of his household gods, added a domestic alliance to their public one, giving him his daughter in marriage. This event

* The Trojans were in number about six hundred.

fully confirmed the hopes of the Trojans, that here, at last, they were to find an end of their wanderings; that here they would enjoy a fixed and permanent settlement. They built a town, which Æneas called Lavinium, from the name of his wife. In a short time after, his new consort bore him a son, who was named by his parents Ascanius.

II. The Aborigines, in conjunction with the Trojans, soon found themselves engaged in a war. Turnus, king of the Rutulians, to whom Lavinia had been affianced before the arrival of Æneas, enraged at seeing a stranger preferred to him, declared war against both Æneas and Latinus. A battle that ensued gave neither army reason to rejoice. The Rutulians were defeated, and the victorious Aborigines and Trojans lost their leader Latinus. Whereupon Turnus and the Rutulians, diffident of their strength, had recourse to the flourishing state of the Etrurians, and their king Mezentius, who held his court at Cære, at that time an opulent city. He had been, from the beginning, not at all pleased at the foundation of the new city; and now began to think that the Trojan power was increasing to a degree inconsistent with the safety of the neighbouring states; and therefore, without reluctance, concluded an alliance, and joined his forces with those of the Rutulians. Æneas, with the view of conciliating the affection of the Aborigines, that he might be the better able to oppose such formidable enemies, gave to both the nations under his rule the name of Latines, that all should not only be governed by the same laws, but have one common name. From thenceforth the Aborigines yielded not to the Trojans in zeal and fidelity towards their king Æneas. This disposition of the two nations, who coalesced daily with greater cordiality, inspired him with so much confidence, that, notwithstanding Etruria was possessed of such great power, that it had filled with the fame of its prowess not only the land, but the sea also, through the whole length of Italy, from the Alps to the Sicilian Streight; and although

he might have remained within his fortifications, secure from any attack of the enemy, yet he led out his troops to the field. The battle that followed was, with respect to the Latines, their second, with respect to Æneas, the last of his mortal acts. He, by whatever appellation the laws of gods and men require him to be called, is deposited on the bank of the river Numicus. The people gave him the title of Jupiter Indiges.*

III. His son Ascanius was as yet too young to assume the government; nevertheless his title to the sovereignty remained unimpeached, until he arrived at maturity. During this interval, and under the regency of Lavinia, a woman of great capacity, the Latine state, and the united subjects of the prince's father and grandfather, continued firm in their allegiance. I am not without some doubts (for who can affirm with certainty in a matter of such antiquity?) whether this was the same Ascanius mentioned above, or one older than him, born of Creusa, wife to Æneas, before the destruction of Troy, and who accompanied his father in his flight from thence; whom, being also called Iulus, the Julian family claim as the founder of their name. This Ascanius, where-soever, and of whatsoever mother born, certainly the son of Æneas, finding the number of inhabitants in Lavinium too great, left that city, then in a flourishing and opulent state, considering the circumstances of those times, to his mother, or step-mother, and built a new one on the Alban mount, which, from its situation being stretched along the hill, was called Alba Longa.† Between the building of Lavinium, and the transplanting the colony to Alba Longa, the interval was only about thirty years; yet so rapidly had this people increased in power, especially after the defeat of the Etruri-

* Indiges is the term applied to deified heroes, otherwise called gods terrestrial.

† It was called Alba, from a white sow with a litter of thirty young ones, found there by Æneas.

ans, that, not even on the death of Æneas, nor afterwards, during the regency of a woman, and the first essays of a youthful reign, did either Mezentius and the Etrurians, or any other of the bordering nations, dare to attempt hostilities against them. A peace was agreed upon, in which it was stipulated that the river Albula, now called the Tiber, should be the boundary between the Etrurians and Latines. Æneas's son, called Sylvius, from his having by some accident been born in the woods, succeeded him in the kingdom. He begat Æneas Sylvius, who afterwards begat Latinus Sylvius. This prince planted several colonies, who have obtained the name of Ancient Latines. The surname of Sylvius was henceforward given to all those who reigned at Alba. Of Latinus was born Alba; of Alba, Atys; of Atys, Capys; of Capys, Capetus; of Capetus, Tiberinus; who, being drowned in endeavouring to cross the river Albula, gave to that river the name so celebrated among his posterity. Agrippa, son of Tiberinus, reigned next; after Agrippa, Romulus. Sylvius received the kingdom from his father, and being struck by lightning, demised it to Aventinus, who, being buried on that hill which is now a part of the city of Rome, gave it his name. To him succeeded Procas, who had two sons, Numitor and Amulius. To Numitor, as being the first-born, he bequeathed the ancient kingdom of the Sylvian family; but force prevailed over both the will of their father, and the respect due to priority of birth. Amulius dethroned his brother, took possession of the kingdom, and adding crime to crime, put to death the male offspring of Numitor, making his daughter Rhea Sylvia a vestal, under the specious pretence of doing her honour, but, in fact, to deprive her of all hope of issue, the vestals being obliged to vow perpetual virginity.*

* For an account of the vestal virgins, see Dr. Adam's Roman Antiquities p. 314.

IV. But the fates, I suppose, demanded the founding of this great city, and the first establishment of an empire, which is now, in power, next to the immortal gods. The vestal being deflowered by force, brought forth twins, and declared that the father of her doubtful offspring was Mars; either because she really thought so, or in hopes of extenuating the guilt of her transgression by imputing it to the act of a deity. But neither gods nor men screened her or her children from the King's cruelty: the priestess was loaded with chains, and cast into prison, and the children were ordered to be thrown into the stream of the river. It happened providentially that the Tiber, overflowing its banks, formed itself into stagnant pools in such a manner, as that the regular channel was every where inaccessible, and those who carried the infants supposed that they would be drowned in any water, however still. Wherefore, as if thereby fulfilling the King's order, they exposed the boys in the nearest pool, where now stands the Ruminal fig-tree, which, it is said, was formerly called Romular. Those places were at that time wild deserts. (A story prevails that the retiring flood having left on dry ground the trough, hitherto floating, in which they had been exposed, a thirsty she-wolf from the neighbouring mountains, directed her course to the cries of the children, and, stooping, presented her dugs to the infants, showing so much gentleness, that the keeper of the King's herds found her licking the boys with her tongue; and that this shepherd, whose name was Faustus, carried them home to his wife Laurentia to be nursed. Some there are who think that this Laurentia, from her having been a prostitute, was, by the shepherds, called Lupa; and to this circumstance they ascribe the origin of this fabulous tale.) Thus born, and thus educated, as soon as years supplied them with strength, they led not an inactive life at the stables, or among the cattle, but traversed the neighbouring forests in hunting. Hence acquiring vigour, both of body and mind.

they soon began not only to withstand the wild beasts, but to attack robbers loaded with booty. The spoil thus acquired they divided with the shepherds; and, in company with these, the number of their young associates continually increasing, they carried on both their business, and their sports.

V. It is said, that even at that early period, the sports of the Lupercal,* which we still celebrate, were practised on the Palatine hill, and that this was called Palatium, from Palanteum, a city of Arcadia, and afterwards the Palatine hill; and that Evander, who was of that tribe of Arcadians, and had been many years before in possession of this part of the country, had instituted there this solemnity brought from Arcadia, in which young men were to run about naked, in sport and wantonness, in honour of Lycean Pan, whom the Romans afterwards called Inuus. While they were intent on the performance of these sports, the time of their celebration being generally known, the robbers, enraged at the loss of their booty, attacked them by surprise, having placed themselves in ambush. Romulus making a vigorous defence, extricated himself; but they took Remus prisoner, delivered him up to King Amulius, and had the assurance to accuse them both of criminal misbehaviour. The principal charge made against them was, that they had made violent inroads on the lands of Numitor, and, with a band of youths which they had collected, plundered the country in a hostile manner. In consequence of this, Remus was given up to Numitor to be punished. From the very beginning, Faustulus had entertained hopes, that the children whom he educated, would prove to be descended of the royal blood; for he knew that the infants of Rhea had been exposed by order of the King, and that the time when he had taken them up, corresponded exactly with that event; but he had resolved to avoid any hasty disclosure, unless some favourable conjunc-

* See Adam, p. 312.

ture or necessity should require it. The necessity happened first; wherefore, constrained by his apprehensions, he imparted the affair to Romulus. It happened also that Numitor, while he had Remus in his custody, heard that the brothers were twins; and when he combined with this circumstance their age, and their turn of mind, which gave no indication of a servile condition, he was struck with the idea of their being his grandchildren; and all his inquiries leading to the same conclusion, he was upon the point of acknowledging Remus. In consequence, a plot against the King was concerted between all the parties. Romulus, not going at the head of a band of youths, for he was unequal to an open attempt, but ordering the shepherds to come at a certain hour, by different roads, to the palace, forced his way to the King, and was supported by Remus, with another party, procured from the house of Numitor. Thus they put the King to death.

VI. In the beginning of the tumult, Numitor, calling out that the city was assaulted by an enemy, and the palace attacked, had drawn away the Alban youth to the citadel, on pretence of securing it by an armed garrison; and, in a little time seeing the young men, after perpetrating the murder, coming towards him, with expressions of joy, he instantly called the people to an assembly, laid before them the iniquitous behaviour of his brother towards himself; the birth of his grandchildren, how they were begotten, how educated, how discovered; then informed them of the death of the usurper, and that he had himself encouraged the design. The youths at the same time advancing with their followers, through the midst of the assembly, saluted their grandfather as King; on which the multitude, testifying their assent by universal acclamations, ratified to him the royal title and authority. When Numitor was thus reinstated in the sovereignty at Alba, Romulus and Remus were seized with a desire of building a city in the place where they had been

exposed and educated. There were great numbers of Albans and Latines, who could be spared for the purpose, and these were joined by a multitude of shepherds; so that, all together, they formed such a numerous body, as gave grounds to hope that Alba and Lavinium would be but small, in comparison with the city which they were about to found. These views were interrupted by an evil, hereditary in their family, ambition for rule. Hence arose a shameful contest; though they had in the beginning rested their dispute on this amicable footing, that, as they were twins, and consequently, no title to precedence could be derived from priority of birth, the gods, who were guardians of the place, should choose by auguries,* which of the two should give a name to the new city, and enjoy the government of it when built. Romulus chose the Palatine, Remus the Aventine mount, as their consecrated stands to wait the auguries. We are told that the first omen appeared to Remus, consisting of six vultures; and, that, after this had been proclaimed, twice that number showed themselves to Romulus; on which each was saluted King by his own followers; the former claiming the kingdom on the ground of the priority of time; the latter, on that of the number of the birds. On their meeting, an altercation ensued, then blows; and their passions being inflamed by the dispute, the affair proceeded at last to extremity, and murder was the consequence. Remus fell by a blow received in the tumult. There is another account more generally received, that Remus, in derision of his brother, leaped over the new wall, and that Romulus, enraged thereat, slew him, uttering at the same time this imprecation, "So perish every one that shall hereafter leap over my wall." By these means Romulus came into the sole possession of the government, and the city, when built, ⁷⁵¹ was called after the name of its founder. The first buildings which he raised, were on the Palatine hill, where he him-

* For an account of augurs, auspices &c. see Adam, p. 296.

self had been brought up. To the other deities he performed worship, according to the mode of the Albans, but to Hercules, according to that of the Greeks, as instituted by Evander.

VII. It is recorded that Hercules, after having slain Geryon, drove away his cattle, which were surprisingly beautiful; and that, being fatigued with travelling, he lay down, near the river Tiber, in a grassy place, to which he had swum over, driving the herd before him, in order to refresh the cattle with rest and the rich pasture. There, having indulged himself in meat and wine, he was overpowered by sleep; whereupon a shepherd, who dwelt in the neighbourhood, named Cacus, of great strength and fierceness, being struck with the beauty of the cattle, wished to make prey of some of them; but considering, that if he should drive the herd before him into his cave, their tracks would direct the owner's search, he dragged the cattle backward by the tails into the cave, picking out those that were the most remarkable for their beauty. Hercules awaking at the dawn of day, took a view of his herd, and missing some of the number, went directly to the next cave, to examine whether the footsteps led thither; but when he observed that they all pointed outward, and yet did not direct to any other quarter, perplexed, and not knowing how to act, he began to drive forward his herd from that unlucky place. Some of the cows, as they were driven off, missing those that were left behind, began, as was natural, to low after them, and the sound being returned from the cave, by those that were shut up in it, brought Hercules back. Cacus, endeavouring by force to prevent his approach to the cave, and invoking in vain the assistance of the shepherds, received a blow of his club, which put an end to his life. At that time, Evander, a native of Peloponnesus, who had removed hither, governed that part of the country, rather through an influence acquired by his

merit, than any power of sovereignty vested in him. He was highly revered on account of his having introduced the wonderful knowledge of letters, a matter quite new to these men, who were ignorant of all the arts; and still more so, on account of the supposed divinity of his mother Carmenta, whose prophetic powers had been an object of admiration to those nations, before the arrival of the Sibyl in Italy. Evander then, being alarmed by the concourse of the shepherds, hastened to the spot, where they were assembled in a tumultuous manner about the stranger, whom they accused as undeniably guilty of murder; and when he was informed of the fact, and of the cause of it, observing the person and mien of the hero, filled with more dignity and majesty than belonged to a human being, he inquired who he was; and being told his name, that of his father and his country, he addressed him in these words; "Hail, Hercules, son of Jove! my mother, the infallible interpreter of the gods, foretold to me that you were destined to increase the number of the celestials, and that an altar would be dedicated to you in this place, which a nation, hereafter the most powerful in the world, should distinguish by the name of The Greatest,* and would offer thereon sacrifices to your honour." Hercules, giving his right hand, replied, that, "he embraced the omen, and would fulfil the decree of the fates, by building and dedicating an altar in the place." There, then, for the first time, was performed a sacrifice to Hercules, of a chosen heifer taken out of the herd; and the Potitii and Pinarii, the most distinguished families in the neighbourhood at the time, were invited to assist in the ceremonies, and share the entertainment. It happened that the Potitii attended in time, and the entrails were served up to them; the Pinarii, arriving

*Ara Maxima: it stood in the cattle market, where it remained in the time of Augustus.

after the entrails were eaten, came in for the rest of the feast; hence it continued a rule, as long as the Pinarian family existed, that they should not eat of the entrails. The Potitii, instructed by Evander, were directors of that solemnity for many ages, until the solemn office of the family was delegated to public servants, on which the whole race of the Potitii became extinct. These were the only foreign rites that Romulus then adopted, showing thereby, from the beginning, a respect for immortality obtained by merit, a dignity to which his own destiny was conducting him.

VIII. After paying due worship to the gods, he summoned the multitude to an assembly; and, knowing that they could never be brought to incorporate as one people, by any other means, than by having their conduct directed by certain rules, he gave them a body of laws;* and judging, that if he added to the dignity of his own carriage, by assuming the ensigns of sovereignty, it would help to procure respect to those laws, among a rude uninformed people, he adopted a more majestic style of appearance, both with regard to his other appointments, and particularly in being attended by twelve lictors. Some think that he was led to fix on this number by that of the birds in the augury which had portended the kingdom to him: I am rather inclined to be of their opinion, who suppose that all the officers attendant on magistrates, and among the rest, the lictors, as well as the number of them, were borrowed from their neighbours, the Etrurians, from whom the curule chair, and the gown edged with purple, were taken; and that the Etrurians, used that number, because their King being elected by the suffrages of twelve states, each state gave him one lictor. Meanwhile the city increased in buildings, which

* Without doubt, he framed the government, and the laws, nearly on the model of those established at Alba.

were carried on to an extent proportioned rather to the number of inhabitants they hoped for in future, than to what they had at the time.* But that its size might not increase beyond its strength, in order to augment his numbers, he had recourse to a practice common among founders of cities, who used to feign that the multitude of mean and obscure people, thus collected, had sprang out of the earth. He opened a sanctuary, in the place where the inclosure now is, on the road down from the Capitol, called The Pass of the Two Groves. Hither fled, from the neighbouring states, crowds of all sorts, without distinction; whether freemen or slaves, led by a fondness for novelty; and this it was that gave solidity to the growing greatness of the city. Having reason now to be pretty well satisfied with his strength, he next made provision that this strength should be regulated by wisdom; and for that purpose, he created an hundred senators,† either because that number was sufficient, or because there were no more than an hundred citizens who could prove their descent from respectable families. They were certainly styled Fathers from their honourable office, and their descendants Patricians.

IX. The Roman state had now attained such a degree of power, that it was a match in arms for any of the neighbouring nations; but, from the small number of its women, its greatness was not likely to last longer than one age of man, as they had neither hopes of offspring among themselves, nor had yet contracted any intermarriages with their neighbours. Romulus, therefore, by advice of the senate, sent ambassadors round to all the adjoining states, soliciting their alliance, and permission for his new subjects to marry

* About 3000 foot, and 300 horsemen.

† This expression must be understood in a qualified sense, in the same manner as when a magistrate, presiding at an election, is said to elect such and such persons. Romulus nominated one senator; each tribe, and each curia, chose three; and thus the number was made up.

among them: he intimated to them, that "cities, like every thing else, rise from low beginnings; that, in time those which are supported by their own merit, and the favour of the gods, procure to themselves great power, and a great name: and that he had full assurance both that the gods favoured the founding of Rome, and that the people would not be deficient in merit. Wherefore, as men, they ought to show no reluctance to mix their blood and race with men." In no one place were his ambassadors favourably heard; such contempt of them did people entertain, and, at the same time, such apprehensions of danger to themselves and their posterity, from so great a power growing up in the midst of them. By the greater part, they were dismissed with the question, "whether they had opened an asylum for women also, for that would be the only way to procure suitable matches for them?" This was highly resented by the Roman youth, in-somuch that the business appeared evidently to point towards violence. Romulus, in order to afford them a convenient time and place for a design of that sort, dissembling his displeasure, prepared, with that intent, to celebrate solemn games in honour of the equestrian Neptune,* to which he gave the name of Consualia. He then ordered the intended celebration to be proclaimed among the neighbouring nations, while his people exerted themselves in making the most magnificent preparations that their knowledge and abilities allowed, in order to engage attention and raise expectation. Great numbers of people assembled, induced, in some measure, by a desire of seeing the new city, especially those whose countries lay nearest, the Cæninensians, Crustuminians, and Antemnatiens, especially the whole multitude of

* So called, from his having produced the first horse from the earth by a stroke of his trident. Romulus called him Consus, the god of counsel, as having suggested the scheme of seizing the women. The games, which he called Consualia, were afterwards termed the Roman, or the great games; they lasted, at first, one day, then two, three, and at length, nine days.

the Sabines came with their wives and children. They were hospitably invited to the different houses; and when they viewed the situation, and the fortifications, and the city crowded with houses, they were astonished at the rapid increase of the Roman power. When the show began, and every person's thoughts and eyes were attentively engaged on it, then, according to the preconcerted plan, on a signal being given, the Roman youth ran different ways to carry off the young women. Some they bore away, as they happened to meet with them, without waiting to make a choice; but others of extraordinary beauty, being designed for the principal senators, were conveyed to their houses by plebeians employed for that purpose. It is said, that one highly distinguished above the rest for her beauty, was carried off by the party of one Talassius, and that in answer to many who eagerly inquired to whom they were hurrying her, they, every now and then, to prevent any interruption in their course, cried out, that they were carrying her to Talassius; this circumstance gave rise to the use of that word at weddings. The terror occasioned by this outrage put an end to the sports, and the parents of the young women retired full of grief, inveighing against such a violation of the laws of hospitality, and appealing to the god, to whose solemn festival and games they had come, relying on the respect due to religion, and on the faith of nations. Nor did the women who were seized entertain better hopes with regard to themselves, or a less degree of indignation: however Romulus went about in person, and told them, that "this proceeding had been occasioned by the haughtiness of their parents, who refused to allow their neighbours to marry among them; that, notwithstanding this, they should be united to his people in wedlock in the common enjoyment of all property, and of their common children; a bond of union than which the human heart feels none more endearing. He begged of them to soften their resentment, and to bestow their affections on

those men on whom chance had bestowed their persons. It often happened, he said, that to harsh treatment mutual regard had succeeded, and they would find their husbands behave the better on this very account; that every one would exert himself, not merely in performing his duty as a husband, but to make up to them for the loss of their parents and of their country." To these persuasions was added, the soothing behaviour of their husbands themselves, who urged, in extenuation of the violence they had been tempted to commit, the excess of passion, and the force of love; arguments, than which there can be none more powerful to assuage the irritation of the female mind.

X. The women, who had been forcibly carried off, soon became reconciled to their situation; but their parents, still more than at first, endeavoured to rouse their several states to revenge, employing both complaints and tears, and wearing the dress of mourners. Nor did they confine their demands of vengeance within the limits of their own states, but made joint applications from all quarters to Titus Tatius, king of the Sabines, the embassies being addressed to him as the person of the highest renown in all those parts. The people who were the principal sufferers by the outrage, were the Cæninensians, the Crustuminians, and the Antemnatiens. To them, the proceedings of Tatius and the Sabine nation appeared too dilatory; wherefore these three states, uniting in a confederacy, prepared for immediate war. Nor did even the Crustuminians and Antemnatiens exert activity enough for the impatient rage of the Cæninensians. This state, therefore, alone, made an irruption into the Roman territories; but while they carried on their ravages in a disorderly manner, Romulus met them, and, without much difficulty, taught them that rage without strength avails but little. He routed and dispersed their army; pursued it in its flight; slew their king in the battle, and seized his spoils; after which he made himself master of their city at the first as-

sault. From thence he led home his victorious troops; and being not only capable of performing splendid actions, but also fond of displaying those actions to advantage, he marched up in procession to the Capitol, carrying on a frame, properly constructed for the purpose, the spoils of the enemy's general whom he had slain; and there laying them down under an oak, which the shepherds accounted sacred, he, at the same time, while he offered this present, marked out with his eye the bounds of a temple for Jupiter, to whom he gave a new name, saying, "Jupiter Feretrius,* in acknowledgment of the victory which I have obtained, I, Romulus the king, offer to thee these royal arms, and dedicate a temple to thee on that spot which I have now measured out in my mind, to be a repository for those grand spoils, which, after my example, generals in future times shall offer, on slaying the kings and generals of their enemies." This was the origin of that temple which was the first consecrated in Rome. Accordingly, it pleased the gods so to order, that neither the prediction of the founder of the temple, intimating that future generals should carry spoils thither, should prove erroneous, nor that the honour of making such offerings should be rendered common, by being imparted to many. In after times, during so many years, and so many wars, there have been only two instances of the grand spoils being obtained; so rare was the attainment of that high honour.

XL. While the Romans were thus employed, the army of the Antemnians, taking advantage of the opportunity which the country being left without troops afforded them, made an hostile incursion into the Roman territories; but a Roman

* So called, from the *feretrum*. or frame, supporting the spoils. The second *spolia opima*, or grand spoils, were offered by Cornelius Cossus, who killed Tolumnius, king of the Veientians; and the third by Claudius Marcellus, who killed Viridomarus, a king of the Gauls. The spoils, called *spolia optima*, or grand, or chief spoils, were so denominated when they were taken from a king or general-in-chief, commanding an army.

legion,* hastily led out, surprised them, while they straggled through the country. They were routed therefore at the first onset, and their town was taken. While Romulus exulted in this second victory, his consort, Hersilia, teased by the intreaties of the captured women, earnestly petitioned him that he would show favour to their parents, and admit them into the number of his citizens, a measure which could not fail of forming an union satisfactory to all parties. This request was easily obtained. He then marched against the Crustuminians, who were carrying on hostilities: with these he had still less trouble than with the Antemnatiens, because they had been dispirited by the defeats of their allies. Colonies were sent to both countries, but greater numbers were found willing to give in their names for Crustuminum, on account of the fertility of the soil. There were frequent migrations also from those places to Rome, chiefly of the parents and relations of the ravished women. The last war, on this Y. R. 5. occasion, was begun by the Sabines; and it was by B. C. 747. far the most formidable, for none of their operations were directed by rage or passion, nor did they disclose their intentions until they began to act. They employed stratagem, too, in aid of prudence. The Roman citadel was commanded by Spurius Tarpeius. His maiden daughter, who had accidentally gone without the fortifications to bring water for the sacred rites, was bribed by Tatius with gold to admit some of his troops into the citadel. As soon as they gained admittance they put her to death, by throwing their armour in a heap upon her, either because they wished that the citadel should rather appear to have been taken by storm, or for the sake of establishing a precedent that faith was not to be

* So called from *legere*, to choose, to select. The legion consisted, at this time, of 3,000 foot and 300 horse. The number afterwards was generally 4,000 foot and 300 horse, and sometimes augmented to 6,000 foot and 400 horse. It was divided into 10 cohorts, 30 companies, and 60 centuries.

kept with a traitor. The story is told in another manner; that, as the Sabines generally carried on their left arms bracelets of great weight, and wore rings set with precious stones, which made a great show, she bargained for what they wore on their left arms; accordingly, instead of the presents of gold which she expected, they threw their shields upon her. Others say, that, in pursuance of their agreement to deliver up what was on their left arms, she expressly demanded their shields; and this seeming to be done with a treacherous intent, she was put to death by means of the very reward which she required.

XII. The Sabines however kept possession of the citadel; but though, on the following day, the Roman army, in order of battle, filled the whole plain between the Palatine and Capitoline hills, yet they did not come down to the level ground; until the Romans, stimulated by rage and eagerness to recover the citadel, advanced to an assault. The foremost champions of the two parties, who led on the troops, were Mettius Curtius on the side of the Sabines, and Hostus Hostilius on that of the Romans. The latter, in the front of the army, by his spirit and intrepidity, enabled the Romans to support the fight, in spite of the disadvantage of the ground; but, on his falling, the Roman soldiers quickly gave way, and were driven back to the old gate of the Palatium. Romulus himself being forced along by the flying crowd, raised his hands toward heaven, and said, "O Jupiter! by the direction of thy auspices, I, here on the Palatine hill, laid the first foundation of my city. The Sabines are already in possession of our citadel, which they obtained by fraud; from thence they now make their way hither, in arms, and have passed the middle of the valley; but do thou, O father of gods and men! from hence at least repel the enemy; remove dismay from the minds of the Romans, and stop their shameful flight. I vow a temple here to thee, Jupiter Sta-

tor,* as a testimony to posterity of the city being preserved by thy immediate aid." Having prayed thus, as if he had perceived that his supplications were heard, he called out, "Here Romans, Jupiter, supremely good and great, orders you to halt, and renew the fight." The Romans, as if they had heard a voice from heaven, halted, and Romulus himself flew forward to the front. On the side of the Sabines, Mettius Curtius had run down first from the citadel; had driven back the Romans, in disorder, through the whole space at present occupied by the Forum, and was now at no great distance from the gate of the Palatium, crying aloud, "We have conquered these traitors to hospitality, these cowards in war. They now feel that it is one thing to ravish virgins, and another, far different, to fight with men." While he was vaunting in this manner, Romulus attacked him with a band of the most courageous of the youths. Mettius happened at that time to fight on horseback, and on that account was the more easily repulsed: he soon gave way, and was pursued by the Romans: the rest of the Roman troops also, animated by the bravery of their king, put the Sabines to the route. Mettius was plunged into a lake, his horse taking fright at the noise of the pursuers: and this circumstance turned the attention of the Sabines to the danger in which they saw a person of so much consequence to them. However, his friends beckoning and calling to him, he acquired fresh courage from the affection of the multitude, and accomplished his escape. Both parties now renewed the engagement in the plain between the two hills, but the advantage was on the side of the Romans.

XIII. At this crisis the Sabine women, whose sufferings had given cause to the war, with their hair dishevelled and garments torn, their natural timidity being overcome by the sight of such disastrous scenes, had the resolution to throw

* From *stare*, to halt.

themselves in the way of the flying weapons; and, rushing across between the armies, separated the incensed combatants, and assuaged their fury; beseeching, on the one hand their parents, on the other their husbands, “not to pollute themselves with the impious stain of the blood of father-in-law and son-in-law, nor brand with the infamy of parricide their offspring, the children of one, and grandchildren of the other party. If ye wish, said they, to destroy the affinity and connection formed between you by our marriage, turn your rage against us; we are the cause of the war; we are the cause of wounds and death to our husbands and fathers. It is better for us to perish, than to live either widowed by the loss of one party or fatherless by that of the other.” This transaction powerfully affected both the multitude and the leaders: silence suddenly ensued and a suspension of the fight. The commanders then came forward, in order to concert measures for a pacification; and they not only concluded a peace, but

Y. R. 7.
B. C. 745.

combined the two nations into one, associating the two sovereigns in the government, and establishing the seat of empire at Rome. By this accession the number of citizens was doubled; and, as some compliment to the Sabines, the united people were called Quirites, from the town of Cures. To perpetuate the remembrance of that battle, the place where his horse, emerging from the deep of the lake, first brought Curtius to a shallow, was called the Curtian lake.* This happy re-establishment of peace, after a war so distressing, rendered the Sabine women still dearer both to their husbands and parents, and above all to Romulus himself, so that, when he divided the people into thirty Curias,† he gave these the names of

* This name it retained long after it was filled up, and became a part of the Forum.

† He divided the city into three tribes: the Ramnenses, so called from Romulus, being his original followers; the Titienses, from Titus Tatius, composed of the Sabines; and the Luceres, of those who had assembled in the Lucus, or sanctuary, or afterwards joined the Romans. Each tribe, he divided into ten curias, or wards. Each curia had its own priest, cal-

the women. But as the number of the women was undoubtedly greater than that of the Curias, whether those who were to give their names to them were selected on account of their age, or their own dignity, or that of their husbands, or by lot we are not informed. At the same time also, three centuries of knights were enrolled; the Ramnenses, so called from Romulus; the Titienses, from Titus Tatius; and the Luceres, the reason of whose name and origin is unknown. Thenceforward the two kings reigned together, not only with equal power but with concord.

XIV. Several years after, some relations of king Tatius offered violence to the ambassadors of the Laurentians; for which violation of the law of nations, the latter demanded satisfaction: But Tatius paid more regard to the interest and importunities of his relations, and thereby drew upon himself the punishment due to them. For he was slain afterwards at Lavinium, in a tumult raised on his going thither to an anniversary sacrifice. It is said, that Romulus showed less resentment of this proceeding than became him, either because there had been no sincere cordiality between them, while associated in the government, or because he thought that the other deserved the death which he met. He avoided therefore entering into a war on the occasion; but to make some atonement for the ill treatment of the ambassadors, and the murder of the king, the league between the cities of Rome and Lavinium was renewed. Thus, beyond their expectations, the Romans enjoyed peace on that side; but a war broke out from another quarter, much nearer home, and almost at their gates. The Fidenatians, looking with jealousy on the great increase of power in so near a neighbour, determined to make war on them before they should

led curio, and its own place of worship, where, on certain stated days, sacrifices were offered to particular deities; and the people of the curia feasted together. The centuries of knights were named after the tribes out of which they were taken.

arrive at that degree of strength which it was evident they would in time acquire, and sent a body of young men in arms, who laid waste the whole country between Fidenæ and the city. Then, turning to the left hand, because the Tiber confined them on the right, and continuing their depredations, they threw the country people into the utmost consternation, and the sudden alarm spreading from the country into the city, made known what had happened. Romulus instantly led out his forces; for a war so near home admitted no delay, and pitched his camp at the distance of a mile from Fidenæ. Leaving there a small guard, and marching out with all the rest of his troops, he ordered a party to lie in ambush, among the bushes that grew there in abundance; then advancing with the other more numerous body of infantry, and all the cavalry, by riding up almost to the gates and offering battle, in an irregular and insulting manner, he drew the enemy out of the town, as he wished. The cavalry, acting in this manner, answered also another purpose, as it afforded a more specious pretext for the retreat, which he was to counterfeit; and when the foot too began to retire, while the horse seemed irresolute, whether to fight or fly, the enemy rushing suddenly out of the gates in crowds, eager to pursue and press on the Roman army in its retreat, were drawn to the place of the ambuscade. The Romans, now rising suddenly, attacked their line in flank; and the ensigns of those who had been left to guard the camp, advancing at the same time, added to their fears. Dismayed at so many dangers, the Fidenatians fled, before Romulus and the horseman with him, could well turn to pursue them. Thus they, who had lately pursued an enemy, who only pretended to fly, now fled themselves in earnest, with much greater haste, back to the city: but they could not get clear of the enemy; the Romans pressing close on their rear, rushed into the city along with them, before the gates could be shut.

XV. The contagion of the Fidenatian war infected the Veientians. Induced by the relationship subsisting between them and the Fidenatians, (for they also were Etrurians,) and urged on beside by their dangerous vicinity of situation, in case the Roman arms were to be turned against all their neighbours, made an incursion into the Roman territories, in the manner of a predatory, rather than of a regular, war; and thus, without encamping or waiting the approach of the enemy's army, they returned to Veii, carrying home the plunder collected in the country. On the other side, the Roman commander, not finding the enemy in the country, and being prepared for, and determined on, a decisive action, crossed over the Tiber. The Veientians, hearing that he was forming a camp, and that he intended to advance to their city, marched out to meet him; for they chose rather to engage in the open field, than to remain shut up, and fight from the walls and houses. There, unassisted by any stratagem, the Roman King, through the mere force of his veteran troops, obtained the victory, and pursued the routed enemy to their walls. The city was so strong, and so well secured both by art and by nature, that he did not choose to attempt it, but led home his troops, and, in his way, ravaged the enemy's country for the sake of revenge rather than of booty. These devastations having distressed the Veientians no less than the loss of the battle, they sent deputies to Rome to sue for peace. A part of their lands was taken from them, and a truce granted for an hundred years. These were the principal transactions in peace and war, during the reign of Romulus; and none of them was unsuitable to the belief of his divine origin, or to the rank of a divinity, which after his death he was supposed to have obtained. This may be said of the spirit which he showed in recovering the kingdom for his grandfather, as well as of his wise conduct in founding the city, and establishing its power, by the arts both of war and peace; for, by the strength which it

acquired under his management, it became so respectable, that, during forty years after, it enjoyed profound peace and security. He stood, however, much higher in the favour of the people than he did in that of the senate; and was yet more beloved by his army. He established a body guard of three hundred men, whom he called *Celeres*;* and these he kept constantly about his person, in time of peace as well as war.

Y. R. 37. XVI. Such were his achievements in his mortal
B. C. 715. state. One day, while holding an assembly in the plain, on the borders of the lake of Capra, for the purpose of reviewing his army, a sudden storm arose, accompanied with violent thunder and lightning; the king was enveloped in a thick cloud, which hid him from the eyes of the assembly, and was never more seen upon earth. The Roman youth were at length eased of their apprehensions, by the return of calm and serene weather, after such a turbulent day; but when they saw the royal seat empty, though they readily believed the senators, who had stood nearest to him, that he had been carried up on high by the storm, yet they were struck with such dread at being thus left in a manner fatherless, that, for some time, they remained in mournful silence. At last, some few setting the example, the whole multitude saluted Romulus as “a deity, the son of a deity, the king and parent of the city of Rome;” and implored his favour, with prayers, that he would be pleased always “propitiously to watch over the safety of his own offspring.” Some, I believe, even at that time, harboured silent suspicions that the king had been torn in pieces by the hands of the senators. Such a report was

* Or, the Swift, if we suppose them to derive their name from the Latin word. *celer*. This must be allowed to be the most probable origin of the appellation, although it must be admitted to be by no means certain, that they were not so called, as some allege, from the name of their captain, *Celer*; while others contend that they were so called from the Greek word *κατα* which signifies a horseman.

spread abroad, but it was little credited, both on account of the high admiration entertained of the man, and because the general consternation caused the other account to be more universally received. It is farther mentioned, that a contrivance of one particular man procured additional credit to this representation of the matter: for Proculus Julius, a person whose testimony, as we are told, deserved respect in any case, even of the greatest importance, while the public were full of grief for the king, and of displeasure against the senators, came out into an assembly of the people, and said, "Romans, yesterday at the dawn of day, Romulus, the parent of this our city, descending suddenly from heaven, appeared before me; and when, seized with horror, I stood in a worshipping posture, and addressed him with prayers, that I might be allowed to behold him without being guilty of impiety, Go, said he, tell the Romans that it is the will of the gods that my Rome should be the metropolis of the world. Let them therefore cultivate the arts of war; and be assured, and hand this assurance down to posterity, that no human power is able to withstand the Roman arms. After these words, he went up, and vanished from my sight." It was wonderful how readily the story was credited on this man's word; and how much the grief of the people, and of the army, was assuaged, by their being satisfied of his immortality.

XVII. Meanwhile the minds of the senators were agitated by ambition and contention for the vacant throne. Factions had not yet taken their rise from the interests of individuals; for, among a new people, no one yet possessed any eminent superiority over the rest. The contest lay between the different bodies of which the state was composed: those of Sabine descent were anxious that a king should be chosen from among them, apprehensive lest they might lose their claim by disuse, there having been no king of their race since the death of Tatius; although, by the terms of the union.

they were entitled to equal privileges. On the other hand, the original Romans spurned the thought of a foreigner being placed on the throne. Notwithstanding this diversity in their views, yet all concurred in wishing for a king, for they had not yet tasted the sweets of liberty. The senate now began to fear, lest as the sentiments of many of the neighbouring states were very unfriendly towards them, some foreign power might attack them, while the state was destitute of a government, and the army destitute of a commander. Every one therefore was desirous that there should be some head, but no one party could be induced to give way to another. In this difficulty, the senators shared the government among themselves; forming, out of their number, which consisted of an hundred, ten decades, with one president in each, who were to have the direction of public affairs. Each ten governed jointly; the president alone had the lictors and other badges of sovereignty. The time of each holding the government was limited to five days, and the administration went to them all in rotation. In this manner a year passed without a king; and that interval, from this circumstance, was called an Interregnum; which term is still applied to similar interruptions of the regular government. By this time, the people began to murmur, alleging that slavery was multiplied on them; that they had an hundred masters set over them instead of one; and it became evident that they would no longer be satisfied without a king, nor without one chosen by themselves. The senators, perceiving that such schemes were in agitation, judged it prudent to make a voluntary offer of what they could not much longer retain. Yet while they gratified the people in surrendering to them the sovereign power, they took care not to give up a larger share of privilege than they kept in their own hands; for they passed a decree, that, when the people should elect a king, that election should not be valid, unless the senate approved their choice. And, to this day, the same

right is claimed with respect to the enacting of laws, and the appointing of magistrates; though the efficacy of it has been quite taken away: at present, before the people begin to vote, the senate previously declare their approbation of the proceedings of the assembly, and that, even before they are yet resolved upon. The Interrex, then, having called an assembly, said, "Romans! be the event prosperous, fortunate, and happy; elect a king: the fathers have thought proper to decree that it should be so. If ye choose a person worthy to be esteemed a fit successor to Romulus, the fathers will join their approbation." This proceeding was so pleasing to the people, that, lest they might appear to be outdone in generosity, they voted, and ordered, nothing more than that the senate should determine, by their decree, who should be king of Rome.

XVIII. There was at that time a person named Numa Pompilius,* who was universally celebrated for justice and piety: he lived at Cures, in the country of the Sabines; and was as eminently skilled, as any one in that age could be, in all laws human and divine: he was supposed to have been instructed by Pythagoras of Samos; for which supposition there is no other foundation, than its not being known from what other quarter he derived his knowledge: certain it is, that more than an hundred years after this period, in the reign of Servius Tullius, Pythagoras assembled the youth of the remoter parts of Italy, about Metapontum, Heracla, and Croton, and had them instructed under his own direction. From places so remote, even if he had lived in the time of Numa, how could such a character of him have reached the Sabines, as should have inspired them with the desire of receiving his instructions? In what common language could they have communicated? or with what safety could a single man have made his way thither, through so

* He was the son of a Sabine nobleman, and had been married to a daughter of king Tatius, but was now a widower.

many nations differing in their language and manners? I therefore rather believe, that his mind was, by nature, furnished with virtuous dispositions, and that the instructions which he received were, not so much in foreign learning, as in the coarse and severe discipline of the Sabines, than whom no race of men were less corrupted by refinements. On hearing the name of Numa Pompilius, although the Roman fathers saw that the balance of power would incline to the Sabines, if a king were chosen from among them, yet, no one presuming to prefer himself, or any other of his own party, or, in short, any one of the fathers, or citizens, to him, they all, to a man, concurred in voting that the kingdom should be conferred on Numa Pompilius. When he arrived, in consequence of their invitation, he ordered, that, as Romulus, on the founding of the city, had obtained the sovereign power by an augury, so the gods should be consulted, in like manner, concerning himself. Accordingly, being conducted into the citadel by an augur, to which profession was annexed, for ever after, by public authority, the honour of performing that solemn office, he sat down on a stone with his face turned towards the South: the augur took his seat at his left hand, with his head covered, holding in his right hand a crooked wand free from knots, which they called *lituus*; then, taking a view towards the city, and the adjacent country, after offering prayers to the gods, he marked out the regions of the sky from East to West; the parts towards the South, he called the right, those towards the North, the left; and, in front of him, he set, in his mind, a boundary at the greatest distance that his eye could reach. Then, shifting the *lituus* into his left hand, and laying his right on Numa's head, he prayed in this manner:—"Father Jupiter, if it is thy will that this Numa Pompilius, whose head I hold, should be king of Rome, display to us, we beseech thee, clear tokens of the same, within those limits which I have marked out." He then named the particular auspices, which he

wished should be sent; and, these having appeared, Numa was declared king, and came down from the consecrated stand.

XIX. Being thus put in possession of the kingdom, and considering that the city was but of short standing, and had been founded by means of violence and arms, he formed a design of establishing it anew, upon principles of justice, laws, and morals; and, knowing that the minds of the people, rendered ferocious by a military life, would never accommodate themselves to the practice of these, during the continuance of war, he resolved, by a disuse of arms, to mollify the fierceness of their temper. With this view, he built a temple to Janus,* near the foot of the hill Argiletum,† which was to notify a state either of war or of peace: when open, it denoted that the state was engaged in war; when shut, that there was peace with all the surrounding nations. Since the reign of Numa, it has been shut but twice; once, in the consulate of Titus Manlius, upon the conclusion of the first Punic war: the happiness of seeing it once more shut, the gods granted to our own times, when, after the battle of Actium, the emperor Cæsar Augustus established universal peace, on land and sea. This temple he then shut; and having, by treaties and alliances, secured the friendship of all his neighbours, and thereby removed all apprehension of danger from abroad, he made it his first aim, lest the dispositions of the people, which had hitherto been restrain-

* Janus is the most ancient king in Italy, of whom any knowledge has been handed down to posterity; he was the first who introduced civilization, and the useful arts, among the wild inhabitants of that country. He is represented with two faces, as knowing both the past and the future; sometimes with four; in which latter form, one of the many temples dedicated to him at Rome, was erected; having four equal sides, on each side one door and three windows; the four doors were emblematical of the seasons; the twelve windows, of the months; and the whole of the year.

† A small hill, to the east of the Palatine.

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ed by fear of their enemies, and by military discipline, should, in time of tranquillity, grow licentious, to inspire them with fear of the gods; a principle of the greatest efficacy with the multitude, in that rude and ignorant age. And as this did not seem likely to make much impression on their minds, without the aid of some pretended miracle, he made them believe that he had nightly meetings with the goddess Egeria, and that, by her direction, he instituted the sacred rites, most acceptable to the gods, and appointed proper priests for each of the deities. His first undertaking was to divide the year into twelve months, according to the course of the moon: and because the moon does not make up the number of thirty days in each month, and consequently there are some days wanted to fill up the complete year, formed by the revolution of the sun, he managed in such a manner, by inserting intercalary months, that every twenty-fourth year, the space of all the intermediate years being completed, the days coincided with the same position of the sun from whence they had set out. He also appointed days of business, and days of cessation therefrom, foreseeing how expedient it would be in future, that there should be times wherein no business could be brought before the people.

XX. He next turned his thoughts to the appointment of priests, though he performed in person the greatest part of the sacred rites, especially those which now belong to the office of the flamen of Jupiter;* judging, that in such a warlike state, the greater number of kings would resemble Romulus, rather than Numa, and would go abroad themselves to war; therefore, lest the sacred rites, the performance of which pertained to the office of the king, should be neglect-

* For a full account of the duty and office of the different flamens, see Dr. Adam's Roman Antiquities. Also for those of the vestal virgins, and the salii, mentioned in this chapter, see the same learned work, which may be considered as a perpetual commentary upon the Roman historians, in general, and Livy, in particular.

ed, he created a flamen of Jove, who was to attend constantly on the duties of that priesthood, and decorated him with a splendid dress, and a royal curule chair. He created likewise two other flamens; one of Mars, the other of Quirinus. He also selected virgins for the service of Vesta, an order of priesthood derived from Alba, and therefore related, in some sort, to the family of the founder of the city. For these he fixed a stipend, to be paid out of the public treasury, that they might, without interruption, attend to the business of the temple; and by enjoining virginity, and other religious observances, gave them a sanctity of character that attracted veneration. He elected also twelve priests, called salii, for Mars Gradivus; and gave them, as an ornament of distinction, a flowered tunic, and, over the tunic, a brazen covering for the breast. He ordered these to carry the celestial armour, called Ancilia, and to go in procession through the city, singing hymns, with leaping and solemn dancing. He then chose, out of the senators, a pontiff, named Numa Marcius, son of Marcus, and gave him a written and sealed copy of the institutions respecting all the sacred rites, together with directions as to what victims, and on what days, and in what temples, each should be performed; and out of what funds the expenses of them should be defrayed. He also subjected all other religious performances, whether public or private, to the determination of the pontiff; in order that there should be an authorized person to whom the people might, on every occasion, resort for instruction, lest, through their neglect of the rites of their own country, or the introduction of foreign ones, irregularities might take place in the worship of the gods. The same pontiff was also to determine all matters relative, not only to the invocation of the celestial gods, but to funeral solemnities, and the worship of the infernal deities, and when and how such prodigies as appeared either by lightning or any other phenomenon, should be attended to and expiated. For the purpose

of obtaining information of the sentiments of the deities, respecting these matters, he dedicated an altar, on the Aventine, to Jupiter Elicius;* and consulted the god, by auguries, concerning the prodigies that were to be expiated.

XXI. The attention of the whole community being diverted from violence and arms, to the considering and adjusting of these matters, necessarily prevented idleness; whilst reverence towards the gods, with the thought of the deity of heaven interfering in the concerns of mankind, filled their breasts with such a degree of piety, that good faith, and regard to the obligation of oaths, operated as powerfully on their minds, as the dread of the laws and of punishment. And while the people formed their manners after the example of the king, as the most perfect model, the neighbouring powers, who had formerly looked upon Rome, not as a city, but as a camp pitched in the midst of them, for the purpose of disturbing the general peace, were brought to entertain such respect for it, as to deem any one guilty of impiety, who should give trouble to a state entirely occupied in the worship of the gods. There was a grove, in the centre of which, from out of a dark cave, flowed a rivulet, fed by a perpetual spring; thither it was Numa's custom frequently to repair unattended, to meet, as he pretended, the goddess Egeria. He therefore dedicated it to the Muses, they having been, he alleged, of her councils, whom he called his spouse. To Faith, under the designation of Single Faith, he instituted an anniversary festival; in the celebration of which, he ordered the flamens to be carried in a covered chariot, drawn by two horses; and, while employed in the worship of her, to have their hands covered, close down to the fingers, to signify that Faith was to be carefully preserved, and that even its seat, in the right hand, was sacred. He appointed many other sacrifices, and consecrated the

* From *elicere*, to solicit information.

places where they were to be performed, which the priests call Argenses. But the greatest of all his works was the establishment of a permanent peace, which he maintained through the whole course of his reign, with no less care than he employed in securing his own authority. Thus two kings in succession, by different methods, one by warlike, the other by peaceful institutions, contributed to the aggrandizement of the state. Romulus reigned thirty-seven years, Numa forty-three. The nation, by this time, became possessed not only of great strength, but had also attained to a competent knowledge of the arts both of war and peace.

XXII. On the death of Numa, an interregnum Y. R. 82. again took place. After some time, the people elected B. C. 660. to the throne Tullus Hostilius, grandson to that Hostilius who distinguished himself in the battle with the Sabines, at the foot of the citadel; and the senate gave their approbation. He was not only of a temper very different from that of the late king, but more warlike in his disposition than even Romulus himself. His youth and vigour, and at the same time, the renown of his grandfather, stimulated his native courage. Thinking, therefore, that the strength of the state was growing languid, through inactivity, he sought on all sides for an opportunity of stirring up a war. It happened that some Roman and Alban peasants committed mutual depredations on each other's lands: at this time, C. Cluilius held the government of Alba. Ambassadors were sent from both sides, at nearly the same time, to demand restitution. Tullus gave orders to his, that they should attend to nothing else, until they executed their commission: he well knew that the Alban would give a refusal, and then war might be proclaimed, without incurring the charge of impiety. The Albans proceeded with less despatch; being courteously and liberally entertained by Tullus in his palace, they cheerfully enjoyed the pleasures of the king's table. Meanwhile, the Romans had made the first demand of restitution, and, on

the Alban's refusal, had declared war to commence on the thirtieth day after, and returned to Tullus with an account of their proceedings. He then gave the ambassadors an opportunity of proposing the business of their embassy; they, entirely ignorant of what had passed, spent some time, at first, in making apologies; that "it was very disagreeable to them to say any thing that would not be pleasing to Tullus, but that they were compelled by their instructions: they came to demand restitution, and if that were not granted, had orders to declare war." To this Tullus answered: "Tell your king, that the king of Rome appeals to the gods, to judge which of the two states first dismissed, with a refusal, the ambassadors of the other demanding restitution; that, upon that state, they may inflict all the calamities of this war."

Y. R. 85.

B. C. 667.

XXIII. This answer the Albans carried home, and both parties made the most vigorous preparations for a war, which might almost be called a civil war, as it was to be waged, in some manner, between parents and their children, both parties deriving their descent from Troy: for Lavinium owed its origin to Troy, from Lavinium sprung Alba, and, from the race of the Alban kings, the Romans were descended. The issue of the war, however, was such as rendered the dispute less grievous than might have been apprehended; for, without a general engagement, and without any farther damage than the demolition of the houses of one of the cities, the two states were incorporated into one. The Albans first, with very numerous forces, made an irruption into the Roman territories; and, at the distance of no more than five miles from the city, fortified their camp with a trench, which, from the name of their leader, was afterwards called the Cluilian Trench, and retained the name for several ages, until the occasion being in time forgotten, the name too fell into disuse. In this camp, Cluilius the Alban king died, on which the Albans created Mettius Fuffetius

their dictator. Tullus, now, impatient for action, especially after the death of the king, assured his men that the supreme power of the gods, which had already begun with the head, would inflict, upon the whole body of the Albans, the penalty incurred by their having occasioned this impious war; and, marching past the enemy's camp in the night, he advanced with his army ready for action, into the Alban territories. This procedure drew out Mettius from the camp where he lay; he led his troops, by the shorest road, towards the enemy, sending forward an ambassador to tell Tullus, that "it was highly expedient that they should confer together, before they came to an engagement; that, if he would give him a meeting, he was confident that what he had to propose to his consideration would appear to concern the interest of Rome, no less than that of Alba." Tullus, not thinking it proper to decline the proposal, though he saw no probability of any good consequence arising from it, led out his troops into the field; the Albans likewise marched out to meet him. When both parties were drawn up in order of battle, the leaders, attended by a few of the principal officers, advanced into the middle space, where the Alban began thus:—"I understood, from our king Cluilius, that, on our part, injuries sustained, and a refusal of satisfaction, when demanded, were the causes of the present war; and I doubt not that you, Tullus, allege, on your part, the same grounds of quarrel: but if, instead of plausible professions, I may be allowed to declare the truth, it is a thirst for dominion that stimulates two nations, connected by their situation, and by consanguinity, to take up arms against each other. Nor do I examine whether the measures pursued are justifiable or not; the determination of that point was the business of him who commenced the war; for my part, it was for the purpose of carrying it on, that the Albans constituted me their leader. Of this, however, Tullus, I wish to warn you: what a formidable power the Etrurians possess, both in

our neighbourhood and more especially in yours, you, as being nearer to them, know better than we. On land, they are very powerful; on the sea, exceedingly so. Now consider, that, when you shall give the signal for battle, they will enjoy the sight of these two armies engaged as they would a show, and will not fail to attack both the victor and the vanquished together, when they see them fatigued, and their strength exhausted. Wherefore, since we are not content with the certain enjoyment of liberty, but are going to hazard an uncertain cast for dominion or slavery, let us, in the name of the gods, pursue some method, whereby, without great loss, without much blood of either nation, it may be decided which shall have dominion over the other." This proposal was not displeasing to Tullus, though, from his natural disposition, as well as from confidence of success, he was rather inclined to violent measures. Both of them then turning their thoughts to devise some plan, they adopted one, for which accident had already laid the foundation.

XXIV. It happened, that in each of the armies, there were three twin brothers, between whom there was no disparity, in point of age, or of strength. That their names were Horatius and Curiatius, we have sufficient certainty, for no occurrence of antiquity has ever been more universally noticed; yet, notwithstanding that the fact is so well ascertained; there still remains a doubt respecting the names, to which nation the Horatii belonged, and to which the Curatii: authors are divided on the point; finding, however, that the greater number concur, in calling the Horatii, Romans, I am inclined to follow them. To these three brothers, on each side, the Kings proposed, that they should support by their arms the honour of their respective countries; informing them, that the sovereignty was to be enjoyed by that nation, whose champions should prove victorious in the combat. No reluctance was shown on their parts, and time and place were appointed. Previous to the

fight, a league was made between, the Romans and Albans, on these conditions; that, whichever of the two nations should, by its champions, obtain victory in the combat, that nation should, without further dispute, possess sovereign dominion over the other. ¶ Treaties are variously formed, but the mode of ratification is the same in all. The following is the manner in which, as we are told, they proceeded on that occasion; and we have no record of any more ancient treaty. The herald addressed the king in these words: "Dost thou, O king, order me to strike a league with the Pater Patratus* of the Alban nation?" Having received the king's order, he said, "O king, I demand vervain from thee:" the king answered, "Take it pure." The herald brought clean stalks of that herb from the citadel. He afterwards asked the king in these words; "Dost thou, O king, constitute me the royal delegate of the Roman people, the Quirites; including, in my privileges, my attendants and implements." The king replied, "Be it without detriment to me, and to the Roman people, the Quirites, I do constitute thee." The herald was Marcus Valerius, and he made Spurius Fusius Pater Patratus, by touching his head and hair with the vervain. The Pater Patratus is appointed "ad jusjurandum patrandum," that is, to ratify the league; and this he does in a great many words, which being expressed in a long set form, I may be excused from repeating. Then, after reciting the conditions, he said, "Hear thou, O Jupiter! hear thou, Pater Patratus of the Alban nation: hear, ye people of Alba: as those conditions, from first to last, have been recited openly from those tablets, or that wax, without fraud or deceit, in such sense as they are most clearly understood here this day, from those conditions the Roman people will not first depart: if they shall, at any time, first depart from them, under

* The duty of the Pater Patratus was, to attend the making of the treaty, and to ratify it by oath.

authority of the state, through any fraud or deceit, do thou, O Jupiter, on that day, strike the Roman people, in like manner as I shall here, this day, strike this swine; and strike them, thou, with greater severity, in proportion as thy power and ability are greater." - So saying, he struck down the swine with a flint stone. The Albans likewise, by their dictator and their priests, repeated their form of ratification and their oath.

XXV. The league being concluded, the three brothers, on each side, pursuant to the agreement, took arms; the friends of each putting them in mind that "the gods of their country, their country itself, the whole of their countrymen, whether at home or in the army, rested on their prowess the decision of their fate." Naturally bold and courageous, and highly animated besides by such exhortations, they advanced into the midst between the two armies. The two armies sat down before their respective camps, free from all apprehensions of immediate danger to themselves, but not from deep anxiety; no less than sovereign power being at stake, and depending on the bravery and success of so small a number. With all the eagerness therefore of anxious suspense, they fixed their attention on an exhibition, which was far indeed from being a matter of mere amusement. The signal being given, the three youths, who had been drawn up on each side, as in battle array, their breasts animated with the magnanimous spirits of whole armies, rushed forward to the fight, intent on mutual slaughter, utterly thoughtless of their own personal peril, and reflecting, that, on the issue of the contest, depended the future fate and fortune of their respective countries. On the first onset, as soon as the clash of their arms, and the glittering of their swords, were perceived, the spectators shuddered with excess of horror; and their hopes being, as yet, equally balanced, their voice was suppressed, and even their breath was suspended. Afterwards, in the progress of the combat,

during which, not only the activity of the young men's limbs, and the rapid motions of their arms, offensive and defensive, were exhibited to view, the three Albans were wounded, and two of the Romans fell lifeless to the ground. On their fall, the Alban army set up a shout of joy; while the Roman legions were almost reduced to a state of despair, by the situation of their champion, who was now surrounded by the three Curiatii. It happened that he was unhurt; so that, though singly, he was by no means a match for them collectively, yet was he confident of success, against each taken singly. In order therefore to avoid their joint attack, he betook himself to flight, judging from their wounds that they would pursue him with different degrees of speed. He had now fled some way from the place where they had fought, when, looking back, he perceived that there were large intervals between the pursuers, and that one was at no great distance from him: he therefore turned about, with great fury, and while the Alban army called out to the Curiatii to succour their brother, Horatius, having in the mean time slain his antagonist, proceeded victorious to attack the second. The Romans then cheered their champion with shouts of applause, such as naturally burst forth on occasions of unexpected success: on his part, he delayed not to put an end to the combat; for, before the third could come up to the relief of his brother, he had despatched him. And now, they were brought to an equality, in point of number, only one on each side surviving, but were far from an equality either in hopes or in strength; the one, unhurt, and flushed with two victories, advanced with confidence to the third contest; the other, enfeebled by a wound, fatigued with running, and dispirited, besides, by the fate of his brethren, already slain, met the victorious enemy. What followed, could not be called a fight; the Roman, exulting, cried out, "Two of you have I offered to the shades of my brothers, the third I will offer to the cause in which we are

engaged, that the Roman may rule over the Alban;" and, whilst the other could scarcely support the weight of his armour, he plunged his sword downward into his throat; then, as he lay prostrate, he despoiled him of his arms. The Romans received* Horatius with triumphant congratulations, and a degree of joy proportioned to the greatness of the danger that had threatened their cause. Both parties then applied themselves to the burying of their dead, with very different dispositions of mind; the one being elated with the acquisition of empire, the other depressed under a foreign jurisdiction. The sepulchres still remain, in the several spots where the combatants fell; those of the two Romans in one place nearer to Alba, those of the three Albans, on the side next to Rome, but, in different places, as they fought.

XXVI. Before the armies separated, Mettius, in conformity to the terms of the treaty, desired to know from Tullus what commands he would give, and was ordered to keep the young men in readiness, under arms, as he intended to employ them in case of a war breaking out with the Veientians. The two parties then retired to their respective homes. Horatius advanced at the head of the Romans, bearing in triumph the spoils of the three brothers: near the gate Capena he was met by his sister, a maiden who had been betrothed to one of the Curiatii: observing on her brother's shoulder, the military robe of her lover, made by her own hands, she tore her hair, and with loud and mournful outcries, called on the name of her deceased spouse. His sister's lamentations, in the midst of his own triumph, and of so great public joy, irritated the fierce youth to such a degree, that drawing his sword, he plunged it into her breast, at the same time upbraiding her, in these words, " Begone to thy spouse, with thy unseasonable love, since thou couldst forget what is due to the memory of thy deceased brothers, to him who still survives, and to thy native country: so perish every daughter of Rome that shall mourn for its enemy." Both

the senate and people were shocked at the horrid deed; but still, in their opinion, his recent merit outweighed its guilt: he was, however, instantly carried before the king for judgment. The king, unwilling to take on himself a decision of such a melancholy nature, and evidently disagreeable to the multitude, or to inflict the consequent punishment, summoned an assembly of the people, and then said " I appoint two commissioners to pass judgment on Horatius for murder, according to the law." The law was of dreadful import: " Let two commissioners pass judgment for murder; if the accused appeal from the commissioners, let the appeal be tried; if their sentence be confirmed, cover his head, hang him by a rope on the gallows, let him be scourged either within the Pomærium or without the Pomærium." (The two commissioners appointed were of opinion, that according to that law, they were not authorised to acquit him: however small his offence might be; and, after they had found him guilty, one of them pronounced judgment in these words, " Publius Horatius, I sentence thee to punishment as a murderer: go, lictor, bind his hands.") The lictor had come up to him, and was fixing the cord, when Horatius by the advice of Tullus, who wished to give the mildest interpretation to the law, said, " I appeal;" so the trial on the appeal, came before the commons. During this trial, the people were very deeply affected, especially by the behaviour of Publius Horatius the father, who declared that, " in his judgment, his daughter was deservedly put to death; had it not been so, he would, by his own authority as a father, have inflicted punishment on his son." He then besought them that " they would not leave him childless, whom they had beheld, but a few hours ago surrounded by a progeny of uncommon merit." Uttering these words, the old man embraced the youth, and pointing to the spoils of the Curatii, which were hung up in the place where now stands the Horatian column; " O my fellow citizens," he exclaimed, " can you bear to behold him la-

den with chains, and condemned to ignominy, stripes, and torture, whom, but just now, you saw covered with the ornaments of victory, marching in triumph! a sight so horrid, that scarcely could the eyes of the Albans themselves endure it. Go, lictor, bind the arms, which but now wielded those weapons which acquired dominion to the Roman people: cover the head of that man to whom your city owes its liberty: hang him upon the gallows: scourge him within the Pomærium; but do it between those pillars, to which are suspended the trophies of his victory: scourge him, without the Pomærium, but do it between the tombs of the Curiatii. For to what place can ye lead this youth, where the monuments of his glory would not redeem him from the ignominy of such a punishment?" The people could not withstand either the tears of the father, or the intrepid spirit of the youth himself, which no kind of danger could appal, and rather out of admiration of his bravery, than regard to the justice of his cause, they passed a sentence of acquittal. Wherefore, that some expiation might be made for the act of manifest murder, the father was ordered to make atonement for his son at the public expense. After performing expiatory sacrifices, which continued afterwards to be celebrated by the Horatian family, he laid a beam across the street, and, covering the young man's head, made him pass as it were, under the yoke. The beam remains to this day, being constantly kept in repair at the expense of the public, and is called the Sister's beam. A tomb of squared stone was raised for Horatia, on the spot where she fell.

XXVII. The peace with Alba was not of long continuance. The dissatisfaction of the multitude, on account of the power and fortune of the state having been hazarded on three champions, perverted the unsteady mind of the dictator; and as his designs, though honourable, had not been crowned with success, he endeavoured, by others of a different kind, to recover the esteem of his countrymen. With

this view, therefore, as formerly, in time of war, he had sought peace, so now, when peace was established, he as ardently wished for war: but, perceiving that his own state possessed more courage than strength, he persuaded other nations to make war, openly, by order of their governments, reserving to his own people the part of effecting their purposes, by treachery, under the mask of allies. The Fidenatians, a Roman colony, being assured of the concurrence of the Veientians, and receiving from the Albans a positive engagement to desert to their side, were prevailed on to take arms and declare war. Fidenæ having thus openly revolted, Tullus, after summoning Mettius and his army from Alba, marched against the enemy, and passing the Anio, pitched his camp at the conflux of the rivers. Between that place, and Fidenæ, the Veientians had crossed the Tiber, and, in the line of battle, they composed the right wing near the river, the Fidenatians being posted on the left towards the mountains. Tullus drew up his own men facing the Veientians, and posted the Albans opposite to the troops of the Fidenatians. The Alban had not more resolution than fidelity, so that, not daring either to keep his ground, or openly to desert, he fled off slowly towards the mountains. When he thought he had proceeded to a sufficient distance, he ordered the whole line to halt, and being still irresolute, in order to waste time, he employed himself in forming the ranks: his scheme was to join his forces to whichever of the parties fortune should favour with victory. At first, the Romans who stood nearest were astonished at finding their flank left uncovered, by the departure of their allies, and in a short time a horseman at full speed brought an account to the king that the Albans were retreating. Tullus, in this perilous juncture vowed to institute twelve new Salian priests, and also to build temples to Paleness and Terror; then, rebuking the horseman with a loud voice, that the enemy might hear, he ordered him to return to the fight, telling him, that

“ there was no occasion for any uneasiness; that it was by his order the Alban army was wheeling round, in order to fall upon the unprotected rear of the Fidenatians.” He commanded him, also, to order the cavalry to raise their spears aloft; and, this being performed, intercepted, from a great part of the infantry, the view of the Alban army retreating; while those who did see them, believing what the king had said, fought with the greater spirit. The fright was now transferred to the enemy, for they had heard what the king had spoken aloud, and many of the Fidenatians understood the Latine tongue, as having been intermixed with Romans in the colony. Wherefore, dreading lest the Albans might run down suddenly from the hills, and cut off their retreat to the town, they betook themselves to flight. Tullus pressed them close, and after routing this wing composed of the Fidenatians, turned back with double fury against the Veientians, now disheartened by the dismay of the other wing. Neither could they withstand his attack, and the river intercepting them behind, prevented a precipitate flight. As soon as they reached this, in their retreat, some, shamefully throwing away their arms, plunged desperately into the water, and the rest, hesitating on the bank, irresolute whether to fight or fly, were overpowered and cut off. Never before had the Romans been engaged in so desperate an action.

XXVIII. When all was over, the Alban troops, who had been spectators of the engagement, marched down into the plain, and Mettius congratulated Tullus on his victory over the enemy. Tullus answered him, without showing any sign of displeasure, and gave orders that the Albans should, with the favour of fortune, join their camp with that of the Romans, and appointed a sacrifice of purification to be performed next day. As soon as it was light, all things being prepared in the usual manner, he commanded both armies to be summoned to an assembly. The heralds, beginning at the outside, summoned the Albans first; and they, struck with

the novelty of the affair, and wishing to hear the Roman king delivering a speech, took their places nearest to him: the Roman troops, under arms, pursuant to directions previously given, formed a circle round them, and a charge was given to the centurions to execute without delay such orders as they should receive. Then Tullus began in this manner; "If ever, Romans, there has hitherto occurred, at any time, or in any war, an occasion that called on you to return thanks, first, to the immortal gods, and, next, to your own valour, it was the battle of yesterday: for ye had to struggle not only with your enemies, but, what is a more difficult and dangerous struggle, with the treachery and perfidy of your allies: for I will now undeceive you; it was not by my order that the Albans withdrew to the mountains, nor was what ye heard me say, the issuing of orders, but a stratagem, and a pretext of having given orders, to the end that while ye were kept in ignorance of your being deserted, your attention might not be drawn away from the fight; and that, at the same time, the enemy, believing themselves to be surrounded on the rear, might be struck with terror and dismay: but the guilt which I am exposing to you, extends not to all the Albans: they followed their leader, as ye would have done, had I chosen that the army should make any movement from the ground which it occupied. Mettius there was the leader of that march, the same Mettius was the schemer of this war. Mettius it was who broke the league between the Romans and Albans. May others dare to commit like crimes, if I do not now make him a conspicuous example to all mankind." On this the centurions in arms gathered round Mettius, and the king proceeded in his discourse: "Albans, be the measure prosperous, fortunate, and happy to the Roman people, to me, and to you; it is my intention to remove the entire people of Alba to Rome, to give to the commons the privileges of citizens, and to enrol the principal inhabitants among the fathers, to form of the whole one city, one

republic. As the state of Alba, from being one people, was heretofore divided into two, so let these be now re-united." On hearing this, the Alban youth who were unarmed, and surrounded by armed troops, however different their sentiments were, yet, being all restrained by the same apprehensions, kept a profound silence. Tullus then said, "Mettius Fuffetius, if you were capable of learning to preserve faith, and a regard to treaties, I should suffer you to live, and supply you with instructions; but your disposition is incurable: let your punishment, then, teach mankind to consider those things as sacred, which you have dared to violate. As, therefore, you lately kept your mind divided between the interest of the Fidenatians and of the Romans, so shall you now have your body divided and torn in pieces." Then two chariots being brought, each drawn by four horses, he tied Mettius, extended at full length, to the carriages of them, and the horses being driven violently in different directions, bore away on each carriage part of his mangled body, with the limbs which were fastened by the cords. The eyes of all were turned with horror from this shocking spectacle. This was the first, and the last, instance among the Romans, of any punishment inflicted without regard to the laws of humanity. In every other case, we may justly boast, that no nation in the world has shown greater mildness.

Y. R. 87. XXIX. During these proceedings, the cavalry B. C. 665. had been sent forward to Alba, to remove the multitude to Rome. The legions were now led thither, to demolish the city. As soon as they entered the gates, there ensued not a tumult, or panic, as is usual in cities taken by storm, where the gates being burst open, or the walls levelled by the ram, or the citadel being taken by force, the shouts of the enemy, and the troops running furiously through the city, throw all into confusion with fire and sword; but gloomy silence, and dumb sorrow, so stupified the inhabitants, that, not knowing in their distraction what to leave

behind or what to carry with them, and incapable of forming any plan, they stood at their doors, making inquiries of each other, or wandered through their own houses, which they were now to see for the last time. But now, when the horsemen, with shouts, urged them to depart, and the crash of the houses, which the troops were demolishing in the outer parts of the city, assailed their ears, and the dust, raised in distant places, had filled all parts, enveloping them as with a cloud; each of them hastily snatching up whatever he could, and leaving behind his guardian deity, his household gods, and the house wherein he had been born and educated, they began their departure, and soon filled the roads with one continued troop of emigrants. // The sight of each other continually renewed their tears, through the mutual commiseration which it excited in every breast. Their ears were assailed with bitter lamentations, especially from the women, as they passed the temples which they had been used to revere, now filled with armed soldiers, and reflected that they were leaving their gods, as it were, in captivity. When the Albans had evacuated the city, the Romans levelled to the ground all the buildings in every part of it, both public and private, and in one hour ruined and destroyed the work of four hundred years, during which Alba had stood. The temples of the gods, however, they left untouched, for so the king had commanded.

XXX. Meanwhile from this destruction of Alba, Rome received a considerable augmentation. The number of citizens was doubled. The Cælian mount was added to the city; and, in order to induce others to fix their habitations there, Tullus chose that situation for his palace, where, from thenceforth, he resided. The persons of chief note among the Albans, the Tullii, Servilii, Quintii, Geganii, Curiatii, Clælii, he enrolled among the senators, that this part of the state also might receive an addition: and, as a consecrated place of meeting for this body, thus augmented, he built a

senate-house which retained the name of Hostilia, even within the memory of our fathers. And, that every order in the state might receive an accession of strength from this new people, he chose from among the Albans ten troops of horsemen. From among them also he drew recruits, with which he both filled up the old, and formed some new, legions. Encouraged by this formidable state of his forces, he declared war against the Sabines, a nation the most powerful of that age, next to the Etrurians, both in point of numbers, and of skill in arms. Injuries had been offered on both sides, and satisfaction demanded in vain. Tullus complained that some Roman traders had been seized in an open fair at the temple of Feronia. The Sabines, that prior to this, some of their people had fled into the asylum, and were detained at Rome. These were the reasons assigned for the war. The Sabines, reflecting that a great part of their original strength had been fixed at Rome by Tatius, and that the Roman power had been also lately increased, by the accession of the people of Alba, took care, on their part, to look round for foreign aid. Etruria lay in their neighbourhood, and the state of the Etrurians nearest to them was that of the Veientians. From among these they procured a number of volunteers, who were induced to take part against the Romans, principally by the resentment which they still retained on account of their former quarrels. Several also of the populace, who were indigent and unprovided of a settlement, were allured by pay. From the government they received no assistance, and the Veientians, for it was less surprising in others, adhered to the terms of the truce stipulated with Romulus. Vigorous preparations being made on both sides, and it being evident, that, whichever party should first commence hostilities, would have considerably the advantage, Tullus seized the opportunity of making an incursion into the lands of the Sabines. A furious battle ensued at the wood called Malitiosa, in which the Romans obtained the victory. For

this, they were indebted not only to the firm strength of their infantry, but chiefly to the cavalry, which had been lately augmented: since, by a sudden charge of this body, the ranks of the Sabines were thrown into such disorder, that they were neither able to continue the fight, nor to make good their retreat, without great slaughter.

XXXI. After the defeat of the Sabines, the government of Tullus, and the Roman state in general, possessed a large degree of power and of fame. At this time an account was brought to the king and the senate that a shower of stones had fallen on the Alban mount. This appearing scarcely credible, and some persons being sent to examine into the prodigy, there fell from the air in their sight, a vast quantity of stones, like a storm of hail. They imagined also that they heard a loud voice from the grove on the summit of the hill, ordering, that the Albans should perform religious rites according to the practice of their native country. These the Albans had entirely neglected, as if, with their country they had also abandoned its deities, and had adopted the Roman practice, or perhaps, incensed against fortune, had renounced the worship of the gods. On account of the same prodigy the Romans also instituted for themselves, by order of government, a festival of nine days; either in obedience to a voice from heaven, uttered on the Alban mount, for that likewise is mentioned, or by direction of the aruspices. Be this as it may, it is certain, that, whenever an account was received of a similar phenomenon, a festival for nine days was celebrated. In a short time after, the country was afflicted with a pestilence; and though this necessarily rendered men averse to military service, yet the king, in himself fond of war, and persuaded that young men enjoyed better health while employed abroad, than when loitering at home, gave them no rest from arms, until he was seized by a tedious disorder. Then, together with the strength of his body, the fierceness of his spirit was reduced to such a de-

gree, that he, who, lately, thought nothing less becoming a king, than to busy his thoughts in matters of religion, became, at once, a slave to every kind of superstition, in cases either of great or of trifling import, and even filled the minds of the people also with superstitious notions. The generality, comparing the present state of their affairs with that which they had enjoyed under Numa, became possessed of an opinion, that the only prospect left them, of being relieved from the sickness, was, in obtaining pardon and favour from the gods. It is said, that the king himself, turning over the commentaries of Numa, and discovering therein that certain sacrifices, of a secret and solemn nature, had been performed to Jupiter Elicius, shut himself up, and set about the performance of this solemnity; but, not having undertaken, or conducted, the rites in due form, he not only failed of obtaining any notification from the gods, but, through the resentment of Jupiter, for being addressed in an improper manner, was struck with lightning, and reduced to ashes, together with his house. Tullus reigned thirty-two years, highly renowned for his military achievements.

Y. R. 114. XXXII. On the death of Tullus, the direction of B. C. 638. affairs according to the mode adopted from the beginning, fell into the hands of the senate; they nominated an interrex, who presided at the election, when the people created Ancus Marcius king, and the senate approved of their choice. Ancus Marcius was the grandson of Numa Pompilius, by his daughter. As soon as he was in possession of the throne, reflecting on the glory which his grandfather had acquired, and considering that the late reign, though highly honourable in other respects, yet, in one particular, had been very deficient, the affairs of religion having been either quite neglected, or improperly managed, he judged it to be a matter of the utmost consequence, to provide that the public worship, should be performed in the manner instituted by Numa, and ordered the pontiff to make a transcript of every particu-

lar rite, from the commentaries of that king, on white tables, and to expose it to the view of the people. From these proceedings, not only his subjects, whose wishes tended to peace, but the neighbouring states also, conceived hopes that the king would conform himself to the manners and institutions of his grandfather. In consequence of which, the Latines, with whom a treaty had been concluded in the reign of Tullus, assumed new courage, and made an incursion into the Roman territories; and, when the Romans demanded satisfaction, returned a haughty answer, imagining the Roman king so averse to action, that he would spend his reign among the chapels and altars. The genius of Ancus was of a middle kind, partaking both of that of Numa and of Romulus. He was sensible, not only that peace had been more necessary in the reign of his grandfather, to a people who were but lately incorporated and still uncivilized, but also, that the tranquillity, which had obtained at that time, could not now be preserved, without a tame submission to injuries; that they were making trial of his patience, and would soon come to despise it; in short, that the times required a king like Tullus, rather than one like Numa. However, being desirous, that, as Numa had instituted the religious rites to be observed in time of peace, so the ceremonies, to be observed in war, should have himself for their founder, and that wars should not only be waged, but be proclaimed likewise, according to a certain established mode, he borrowed from the ancient race of the *Æquicolæ*, that form of demanding satisfaction which is still used by the heralds. The ambassador, when he comes to the frontiers of the state, from whom satisfaction is demanded, having his head covered with a fillet of wool, says, "O Jupiter, hear me! hear, ye frontiers," (naming the state to which they belong) "let justice hear; I am a public messenger of the Roman people. I come, an ambassador duly authorised, according to the forms of justice and religion; let my words therefore meet with credit." He then makes

his demands, and afterwards appeals to Jupiter: "If I demand that those persons, and those effects, should be given up to me, the messenger of the Roman people, contrary to justice and the law of nations, then suffer me not to enjoy my native country." These words he repeats when he passes over the boundaries; the same, to the first person that he meets, again, when he enters the gate; and lastly, when he enters the Forum, only making the necessary change of a few words, in the form of the declaration and of the oath. If the persons whom he demands are not given up, then, on the expiration of thirty three days, that being the number enjoined by the rule, he declares war in this manner: "O Jupiter, hear me! and thou, Juno, Quirinus, and all ye gods of heaven, and ye of the earth, and ye of the infernal regions, hear, I call you to witness, that that people," naming them, whoever they are, "are unjust, and do not perform what equity requires. But concerning those affairs we will consult the elders in our own country, by what means we may obtain our right." After this, the messenger returned to Rome, in order that the opinion of the government might be taken. The king immediately consulted the senate, nearly in these words: "Concerning those matters, controversies, and arguments which were agitated between the Pater Patratus of the Roman people, the Quirites, and the Pater Patratus of the ancient Latines, and the ancient Latine people, which matters ought to have been granted, performed, and discharged; but which they have neither granted, performed, nor discharged, declare," said he, to the person whose vote he first asked, "what is your opinion." The other then said, "I am of opinion, that the performance of them ought to be exacted in just and regular war, wherefore I consent to and vote for it." The rest were then asked in order, and the majority of those present being of the same opinion, a vote passed for war. It was a customary practice for the herald to carry a spear pointed with steel, or burnt at the point and dipped in blood,

to the frontiers, and there, in the presence of at least three grown-up persons, to say, "Forasmuch as the states of the ancient Latines, and the ancient Latine people, have acted against and behaved unjustly towards the Roman people the Quirites, forasmuch as the Roman people the Quirites have ordered that there should be war with the ancient Latines, and the senate of the Roman people the Quirites have given their opinion, consented, and voted that war should be made with the ancient Latines; therefore I, and the Roman people, do declare and make war against the states of the ancient Latines, and the ancient Latine people;" and saying this, he threw the spear within their boundaries. In this manner was satisfaction demanded from the Latines, at that time, and war declared; succeeding generations adopted the same method.

XXXIII. Ancus, having committed the care of religious affairs to the flamens and other priests, assembled a new army, set out to the war, and took Politorium, a city of the Latines, by storm. Then, pursuing the practice of former kings, who had augmented the power of the Roman state, by receiving enemies into the number of their citizens, he removed the whole multitude to Rome; and, as the original Romans entirely occupied the ground round the Palatium, the Sabines the Capitol with the citadel, and the Albans the Cælian Mount, the Aventine was assigned to this body of new citizens; and in a little time after, on the reduction of Tellenæ and Ficana, an additional number of inhabitants were settled in the same place. Politorium was soon after attacked, a second time, by the Roman forces, the ancient Latines having taken possession of it, when left without inhabitants; and this induced the Romans to demolish that city, that it might not again serve as a receptacle for the enemy. At length, the whole force of the Latine war was collected about Medullia, and the contest was carried on there with various success: for the city was not only well

defended by works, and secured by a strong garrison, but the army of the Latines, having pitched their camp in the open country, fought the Romans several times in close engagement. At last, Ancus, making a vigorous effort with all his force, first defeated them in the field, and then made himself master of the city, from whence he returned, with immense booty, to Rome. On this occasion too, many thousands of the Latines, being admitted into the number of citizens, had ground allotted to them near the temple of Murcia, in order to unite the Aventine to the Palatine hill. The Janiculum also was taken in, not for want of room, but to prevent its serving, at any time, as a place of strength to an enemy; and it was determined that this should be joined to the city, not only by a wall, but likewise, for the convenience of passage, by a wooden bridge, which was then first built over the Tiber. The Quiritian trench also, no inconsiderable defence to those parts, which, from their low situation, are of easy access, is a work of king Ancus. In consequence of these vast accessions to the state, and the numbers of people becoming so very large, many, disregarding the distinctions between right and wrong, committed various crimes, and escaped discovery. In order to suppress by terror the boldness which the vicious assumed from hence, and which gained ground continually, a prison was built in the middle of the city, adjoining the Forum: and not only the city, but the territory also and boundaries of the state, were extended by this king. The Mæsiæ was taken away from the Veientians, the Roman dominion extended as far as the sea, and the city of Ostia built at the mouth of the Tiber, near which, salt-pits were formed; and in consequence of the glorious success obtained in war, the temple of Jupiter Feretrius was enlarged.

Y. R. 121. XXXIV. During the reign of Ancus, a person
 B. C. 631. named Lucumo, of an enterprising spirit, and possessed of great wealth, came and settled at Rome, led princi-

pally by ambition, and hopes of attaining higher honours than he could expect at Tarquinii, where also he was considered as an alien. He was the son of Demaratus a Corinthian, who, having left his native country, in consequence of some intestine commotions, happened to fix his residence at Tarquinii, and marrying there, had two sons. Their names were Lucumo and Aruns. Lucumo survived his father, and inherited all his property. Aruns died before the father, leaving a wife pregnant. The father did not long survive his son, and not knowing that his daughter-in-law was with child, he died, without taking any notice of a grandson in his will, so that the boy, who was born after his grandfather's decease, not being entitled to any share of his property, was called, from the poverty of his situation, Egerius. Lucumo, on the other hand, becoming sole heir, was, by his riches, inspired with elevated notions; and these were much increased by his marriage with Tanaquil, a woman of the highest distinction, who could not endure, with patience, that the rank of the man whom she had married, should remain inferior to that of the family which gave her birth. As the Etrurians looked with contempt on Lucumo, the descendant of a foreign exile, she could not support the indignity, but, disregarding her natural attachment to her country, in comparison with the pleasure of seeing her husband raised to an honourable rank, formed the design of removing from Tarquinii. Rome appeared best suited to her purpose. In a new state, where all nobility was of late date, and acquired by merit, she thought there would be room for a man of spirit and industry. She considered that Tatius, a Sabine, had enjoyed the throne; that Numa had been called to the crown from Cures; and that Ancus was of a Sabine family by his father, and could show only the single image of Numa to entitle him to nobility. It was not difficult to persuade her husband, who was ambitious of honours, and had no natural attachment to Tarquinii, except through his mother, to enter into her de-

signs. Wherefore, carrying their effects along with them, they set out together for Rome. They happened to come through the Janiculum; there, as he sat in the chariot with his wife, an eagle, suspending herself on her wings, stooped gently, and took off his cap, and, after hovering for some time over the chariot, with loud screams, replaced it in its proper position on his head, as if she had been sent by some deity to perform that office; and then, flying up into the air, disappeared. It is said, that this augury was received with great joy by Tanaquil, who was well skilled in celestial prodigies, as the Etrurians generally are. Embracing her husband, she desired him to cherish hopes of high and magnificent fortune, for that such a bird, from such a quarter of the heaven, the messenger of such a deity, portended no less; that it had exhibited the omen on the most elevated part of the human body, and had lifted up the ornament, placed on the head of man, in order to replace it on the same part, by direction of the gods. Full of these thoughts and expectations, they advanced into the city, and having purchased a house there, they gave out his name as Lucius Tarquinius. The circumstance of his being a stranger, and his wealth, soon attracted the general notice of the Romans; nor was he wanting, on his part, in aiding the efforts of fortune in his favour; he conciliated the friendship of all, to the utmost of his power, by his courteous address, hospitable entertainments, and generous acts; at last his character reached even the palace. Having thus procured an introduction there, he soon improved it to such a degree, by his politeness and dexterity in paying his court, that he was admitted to the privileges of familiar friendship, and was consulted in all affairs both public and private, foreign and domestic, and having acquitted himself to satisfaction in all, was at length, by the king's will, appointed guardian to his children. Ancus reigned twenty-four years, equal in renown, and in the arts both of peace and war, to any of the former kings.

XXXV. The sons of Ancus had now nearly reached the age of manhood; for which reason Tarquinius the more earnestly pressed, that an assembly might be convened as speedily as possible for the election of a king. The proclamation for this purpose being issued, when the time approached, he sent the youths to a distance, on a hunting party. He is said to have afforded the first instance of making way to the crown, by paying court to the people, and to have made a speech, composed for the purpose of gaining the affections of the populace; telling them, that "It was no new favour which he solicited; if that were the case, people might indeed be displeased and surprized; that he was not the first foreigner, but the third, who aimed at the government of Rome:—that Tatius, from being not only a foreigner, but even an enemy, was made king, and Numa, entirely unacquainted with the city, and not proposing himself as a candidate, had been, from their own choice, invited to accept the crown:—that he, as soon as he became his own master, had removed to Rome, with his wife and all his substance:—that he had spent the most active part of his life at Rome:—that both in civil and military employments he had learned the Roman laws and Roman customs, under such a master as ought to be wished for, king Ancus himself:—that in duty and obedience to the king, he had vied with all men; in kindness towards others, with the king himself." As these assertions were no more than the truth, the people unanimously consented that he should be elected king. And this was the reason that this man, of extraordinary merit in other respects, retained, through the whole course of his reign, the same affectation of popularity which he had used in suing for the crown. For the purpose of strengthening his own authority, as well as of increasing the power of the commonwealth, he added an hundred to the number of the senate, who afterwards were entitled, "*minorum gentium*," *i. e.* of the younger families, and necessarily constitu-

Y. R. 138.

B. C. 614.

ted a party in favour of the king, by whose kindness they had been brought into the senate. His first war was with the Latines, from whom he took the city Appiolæ by storm; and having brought from thence a greater quantity of booty than had been expected, from a war of so little consequence, he exhibited games in a more expensive and splendid manner than any of the former kings. On that occasion, the ground was first marked out for the circus, which is now called "maximus" (the principal), in which certain divisions were set apart for the senators and knights, where each were to build seats for themselves, which were called *Fori* (benches.) They remained, during the exhibition, on these seats, supported by pieces of timber, twelve feet high from the ground: the games consisted of horse-races, and the performances of wrestlers, collected mostly from Etruria; and from that time continued to be celebrated annually, being termed the Roman, and, sometimes, the great games. By the same king, lots for building were assigned to private persons, round the Forum, where porticoes and shops were erected.

XXXVI. He intended also to have surrounded the city with a stone wall; but a war with the Sabines interrupted his designs. And so suddenly did this break out, that the enemy passed the Anio, before the Roman troops could march out to meet them, and stop their progress. This produced a great alarm at Rome, and, in the first engagement, the victory remained undecided, after great slaughter on both sides. The enemy afterwards having retired to their camp, and allowed the Romans time to prepare for the war anew, Tarquinius, observing that the principal defect of his army was the want of cavalry, resolved to add other centuries to the Ramnenses, Titienses, and Luceres, instituted by Romulus, and to have them distinguished by his own name. As Romulus, when he first formed this institution, had made use of augury, Accius Nævius, a celebrated augur at that

time, insisted that no alteration or addition could be made to it, without the sanction of the birds. The king was highly displeased at this, and, in ridicule of the art said, as we are told, "Come, you diviner, discover, by your augury, whether what I am now thinking of can be accomplished." The other having tried the matter according to the rules of augury, and declared that it could be accomplished, "Well," said he, "what I was thinking of was, whether you could cut a whetstone in two with a razor. Take these, then, and perform what your birds portend to be practicable." On which, as the story goes, he, without any difficulty, cut the whetstone. There was a statue of Accius, with a fillet on his head, in the place where the transaction happened, in the Comitium* or place of assembly, just on the steps, at the left hand side of the senate-house. It is also said, that the whetstone was fixed in the same place, there to remain, as a monument of this miracle, to posterity. This is certain, that the respect paid to auguries, and the office of augurs, rose so high, that, from that time forth, no business either of war or peace was undertaken without consulting the birds: meetings of the people, embodying of armies, the most important concerns of the state, were postponed when the birds did not allow them. Nor did Tarquinius then make any change in the number of the centuries of the knights but doubled the number in each, so that there were one thousand eight hundred men in the three centuries. The additional men were only distinguished by the appellation of the younger, prefixed to the original names of their centuries; and these at present, for they have been since doubled, are called the Six Centuries.

XXXVII. Having augmented this part of his army, he came to a second engagement with the Sabines. And here,

* The Comitium was a part of the Roman Forum, where, in early times, assemblies of the people were held; and the assemblies of the Curie always

besides that the Roman army had an addition of strength, a stratagem also was made use of, which the enemy, with all their vigilance, could not elude. A number of men were sent to throw a great quantity of timber, which lay on the bank of the Anio, into the river, after setting it on fire; and the wind being favourable, the blazing timber, most of which was placed on rafts, being driven against the piers, where it stuck fast, burned down the bridge. This event not only struck terror into the Sabines during the fight, but prevented their retreating when they betook themselves to flight, so that great numbers who had escaped the enemy, perished in the river: and their arms being known at the city, as they floated in the Tiber, gave certain assurance of the victory, sooner almost than any messenger could arrive. In that battle the cavalry gained extraordinary honour. We are told, that being posted on both wings, when the line of their infantry which formed the centre was obliged to give ground, they made so furious a charge on the flanks of the enemy, that they not only checked the Sabine legions, who were vigorously pressing the troops which gave way, but quickly put them to the rout. The Sabines fled precipitately toward the mountains, which but few of them reached. The greatest part, as has been mentioned, were driven by the cavalry into the river. Tarquinius, judging it proper to pursue the enemy closely, before they should recover from their dismay, as soon as he had sent off the booty and prisoners to Rome, and burned the spoils, collected together in a great heap, according to a vow which he had made to Vulcan, proceeded to lead his army forward into the Sabine territories. On the other hand, the Sabines, though they had met with a defeat, and had no reason to hope that they should be able to retrieve it, yet, their circumstances not allowing time for deliberation, advanced to meet him, with such troops as they had hastily levied; and being routed a second time, and reduced almost to ruin, they sued for peace.

XXXVIII. Collatia, and all the land around that city, was taken from the Sabines, and Egerius, son to the king's brother, was left there with a garrison. This was the manner, as I understand, in which the people of Collatia came under the dominion of the Romans, and this was the form of the surrender. The king asked, "Are ye ambassadors and deputies on behalf of the people of Collatia, to surrender yourselves, and the people of Collatia?" "We are."—"Are the people of Collatia in their own disposal?" "They are."—"Do ye surrender yourselves and the people of Collatia, together with your city, lands, waters, boundaries, temples, utensils, all property both sacred and common, under my dominion, and that of the Roman people?" "We do surrender them."—"Well, I receive them." The Sabine war being thus concluded, Tarquinius returned in triumph to Rome.* Soon after this, he made war on the ancient Latines, during which there happened no general engagement. By leading about his army to the several towns, he reduced the whole Latine race to subjection. Corniculum, old Ficulnea, Cameraia, Crustumerium, Ameriola, Medullia, Nomentum, all these, which either belonged to the ancient Latines, or had revolted to them, were taken, and soon after peace was re-established. He then applied himself to works of peace, with a degree of spirit, which even exceeded the efforts that he had made in war: so that the people enjoyed little more rest at home than they had during the campaigns: for he set about surrounding with a wall of stone, those parts of the city which he had not already fortified; which work had been interrupted, at the beginning, by the war of the Sabines. The lower parts of the city about the Forum, and the other hollows that lay between the hills, from whence it was difficult to discharge the water, by rea-

* This is the first instance of a regular triumph mentioned in the Roman History; the invention of which ceremony is, by some, ascribed to Tarquinius. For a full account of the Roman triumph, see Dr. Adam.

son of their situation, he drained, by means of sewers drawn on a slope down to the Tiber. He also marked out, and laid the foundations for inclosing, a court round the temple of Jupiter, in the Capitol, which he had vowed during the Sabine war, his mind already presaging the future magnificence of the place.

XXXIX. About that time a prodigy was seen in the palace, wonderful, both in the appearance and in the event. They relate that, whilst a boy, whose name was Servius Tullius, lay asleep, his head blazed with fire, in the sight of many people; that, by the loud cries of astonishment, occasioned by such a miraculous appearance, the king and queen were alarmed; and that when some of the servants brought water to extinguish it, the queen prevented them; and, having quieted the uproar, forbade the boy to be disturbed until he awoke of his own accord. In a short time, on his awaking the flame disappeared. Then Tanaquil, calling her husband aside, to a private place, said to him, "Do you see this boy, whom we educate in such an humble style? Be assured that he will hereafter prove a light to dispel a gloom which will lie heavy on our affairs, and will be the support of our palace in distress. Let us therefore, with every degree of attention that we can bestow, nourish this plant, which is, hereafter, to become the greatest ornament to our family, and our state." From that time they treated the boy as if he were their own child, and had him instructed in all those liberal arts, by which the mind is qualified to support high rank with dignity. That is easily brought to pass which is pleasing to the gods. The youth proved to be of a disposition truly royal, so that when Tarquinius came to look for a son-in-law, there was not one among the Roman youth who could be set in competition with him, in any kind of merit; and to him Tarquinius betrothed his daughter. This extraordinary honour conferred on him, whatever might be the reason for it, will not let us believe that he was born

of a slave, and had himself been a slave in his childhood. I am rather inclined to be of their opinion, who say, that, when Corniculum was taken, the wife of Servius Tullius, the principal man in that city, being pregnant when her husband was slain, and being known among the rest of the prisoners, and, on account of her high rank, exempted from servitude by the Roman queen, was delivered of a son at Rome, in the house of Tarquinius Priscus; that, in consequence of such kind treatment, an intimacy grew between the ladies, and that the boy also being brought up in the house, from his infancy, was highly beloved and respected; and that the circumstance of his mother having fallen into the enemy's hands, on the taking of her native city, gave rise to the opinion of his being born of a slave.

XL. About the thirty-eighth year of the reign of Tarquinius, Servius Tullius stood in the highest degree of estimation, not only with the king, but with the senate and the commons. At this time, the two sons of Ancus, although they had before this always considered it as the highest indignity, that they should be expelled from the throne of their father, by the perfidy of their guardian, and that the sovereignty of Rome should be enjoyed by a stranger, whose family, so far from being natives of the city, were not even natives of Italy, yet now felt their indignation rise to a higher pitch of violence, at the probability that the crown was not to revert to them even after Tarquinius, but was to continue to sink one step after another, until it fell on the head of a slave: so that, within the space of a little more than an hundred years from the time when Romulus, descended from a deity, and himself a deity, had, during his abode on earth, held the government, a slave, the son of a slave, should now get possession of it. They looked on it as a disgrace to the Roman name in general, and particularly to their own house, if, while there was male issue of king Ancus surviving, the government of Rome should be pros-

tituted not only to strangers, but to slaves. They determined, therefore, to prevent this dishonour by the sword. But resentment for the injury which they had suffered stimulated them strongly to attack Tarquinius himself, rather than Servius, and also the consideration that the king, if he survived, would be able to take severer vengeance for any murder committed than a private person could; and that, besides, were Servius put to death, it was to be expected that whatever other son-in-law he might choose, would be made heir of the kingdom. For these reasons, they formed a plot against the king himself; for the execution of which, two of the most undaunted of the shepherds were chosen, who, armed with the iron tools of husbandmen, which they were used to carry, pretended a quarrel in the porch of the palace, and attracted, by their outrageous behaviour, the attention of all the king's attendants: then both appealing to the king, and their clamour having reached the palace, they were called in and brought before him. At first they both bawled aloud, and each furiously abused the other, until, being rebuked by a lictor, and ordered to speak in their turns, they desisted from railing. Then, as they had concerted, one began to explain the affair; and while the king, attentive to him, was turned quite to that side, the other, raising up his axe, struck it into his head, and leaving the weapon in the wound they both rushed out of the house.

XLI. Whilst the persons present raised up Tarquinius who scarcely retained any signs of life, the lictors seized the assassins, who were endeavouring to escape. An uproar immediately ensued, and the people ran together in crowds, surprised, and eager to be informed of what had happened. Tanaquil, during this tumult, turned out every person from the palace, and ordered the doors to be shut, and at the same time appeared to be very busy in procuring such things as were necessary for the dressing of the wound, as if there were reason to hope; nor did she neglect to provide other means of

safety, in case her hopes should fail. Sending instantly for Servius, and showing him her husband just expiring, she laid hold of his righthand, besought him that he would not suffer the death of his father-in-law to pass unrevenged, nor his mother-in-law to be exposed to the insults of their enemies. "Servius," said she, "if you act as a man, the kingdom is yours and not theirs, who, by the hands of others, have perpetrated the basest of crimes. Call forth your best exertions, and follow the guidance of the gods, who formerly, by the divine fire which they spread around your head, gave an evident indication that it would afterwards be crowned with glory. Now let that heavenly flame rouse you. Now awake to real glory. We, though foreigners, have reigned before you. Consider your present situation, not of what family you are sprung. If the suddenness of this event deprives you of the power of forming plans of your own, then follow mine." When the clamour and violence of the populace could hardly be withstood, Tanaquil addressed them from the upper part of the palace, through the windows facing the new street; for the king resided near the temple of Jupiter Stator. She desired them "not to be disheartened:" told them, that "the king had been stunned by a sudden blow; that the weapon had not sunk deep into his body; that he had come to himself again; that when the blood was wiped off, the wound had been examined, and all appearances were favourable; that she hoped he might be able to show himself to them again in a few days; and that, in the mean time, he commanded the people to obey the orders of Servius Tullius; that he would administer justice, and supply the king's place in other departments." Servius came forth in the robe of state, attended by the lictors, and seating himself on the king's throne, adjudged some causes, and, concerning others, pretended that he would consult the king. Thus, though Tarquinius had already expired, his death was concealed for several days; while Servius, under the appearance of sup-

plying the place of another, strengthened his own interest. Then, at length, the truth being made public, and loud lamentations raised in the palace, Servius, supported by a strong guard, with the approbation of the senate, took possession of the kingdom, being the first who attained the sovereignty without the orders of the people. The sons of Ancus, as Y. R. 176. soon as they found that the instruments of their vil- B. C. 576. lains were seized; and understood that the king was alive, and, that the interest of Servius was so strong, had gone into exile to Suessa Pometia.

XLII. And now Servius laboured to confirm his authority, not only by schemes of a public, but by others of a private nature. And lest the sons of Tarquinius should entertain the same sentiments of resentment against him, which had animated the sons of Ancus against Tarquinius, he joined his two daughters in marriage to the young princes, the Tarquinius, Lucius and Aruns. But by no human devices could he break through the unalterable decrees of fate, or prevent envy of the sovereign power from raising discord and animosity, even among those of his own family. Very seasonably for preserving stability to the present establishment, war was undertaken against the Veientians, the truce with them having expired, and against the other Etrurians. In that war, both the valour and the good fortune of Tullius were very conspicuous: and, after vanquishing a powerful army of the enemy, he returned to Rome, no longer considering his authority as precarious, whether it were to depend on the disposition of the patricians towards himself, or on that of the commons. He then entered on an improvement in civil polity of the utmost importance, intending, that, as Numa had been the founder of such institutions as related to the worship of the gods, so posterity should celebrate Servius, as the author of every distinction between the members of the state; and of that subordination of ranks, by means of which, the limits between the several degrees of dignity and

fortune are exactly ascertained. For he instituted the Census, an ordinance of the most salutary consequence, in an empire that was to rise to such a pitch of greatness; Y. R. 197. according to which the several services requisite in B. C. 555. war and peace were to be discharged, not by every person indiscriminately, as formerly, but according to the proportion of their several properties. He then, according to the Census, formed the plan of the Classes and Centuries, and the arrangement which subsists at present, calculated to preserve regularity and propriety in all transactions either of peace or war.

XLIII. Of those who possessed a hundred thousand *asses*,* or more, he formed eighty Centuries, forty elder, and the same number of younger.† The collective body of these was denominated the first class. The business of the elder was to guard the city; that of the younger, to carry on war abroad. The arms which they were ordered to provide, were a helmet, shield, greaves, coat of mail, all of brass—these for the defence of the body: their weapons of offence were a spear and a sword. To this class were added two Centuries of artificers, who were to serve without arms; the service allotted to them was to attend the machines in war. The fortune fixed for the second class, was from a hundred down to seventy-five thousand *asses*:‡ of these, elder and younger, were formed twenty centuries: the arms for these were, a buckler, instead of a shield, and all the rest, except the coat of mail, the same with the former. The fortune of the third class he fixed at fifty thousand *asses*:§ the number of Centuries was the same, and these regulated by the same distinctions of age; nor was any difference made in their arms, only the greaves were taken from them. In the fourth

* 322*l.* 18*s.* 4*d.* according to Dr. Arbuthnot's calculation.

† The elder, consisted of those who had attained to forty-six years of age; the younger, from seventeen to forty-six.

‡ 242*l.* 3*s.* 9*d.*

§ 161*l.* 9*s.* 2*d.*

class the fortune was twenty-five thousand *asses*:* the same number of Centuries were formed: their arms were different; they were allowed none but a spear and a buckler. The fifth class was larger; it contained thirty Centuries: these carried slings and stones, which they were to throw. Among these, the extraordinaries, trumpeters, and fifers, were distributed into three Centuries. This class was rated at eleven thousand *asses*.† The rest of the populace were comprehended under an estimate lower than this, and of them was formed one Century, exempted from military service. The foot forces being thus distinguished and armed, he enrolled twelve Centuries of horsemen from among the principal persons of the state. He formed likewise six other Centuries, out of the three instituted by Romulus, preserving still the original names under which they had been incorporated. Ten thousand *asses*‡ were given these out of the public funds, to purchase horses; and certain widows were appointed, who were to pay them annually two thousand *asses*§ each, towards the maintenance of their horses. In all these instances, the burthen was taken off from the poor, and laid on the rich. To make the latter some amends, additional honours were conferred on them. For henceforth suffrages were given, not according to the mode established by Romulus, and retained by the other kings, man by man promiscuously, with equal weight, and equal privileges; but degrees of precedency were established in such a manner, that while no one appeared to be excluded from giving his suffrage, still the whole power was lodged in the chiefs of the state: the knights being first called, then the eighty Centuries of the higher class. If there was a difference of opinion among these, which seldom happened, then the Centuries of the second class were to be called; and scarcely ever did an instance occur of their de-

* 80*l.* 14*s.* 7*d.*† 35*l.* 10*s.* 5*d.*‡ 32*l.* 5*s.* 10*d.*§ 6*l.* 9*s.* 2*d.*

scending beyond this, so as to come to the lowest classes. Nor ought it to be wondered at, that the arrangement, which subsists at present, after the tribes had been increased to thirty-five, and the number of them almost doubled, does not agree in the number of Centuries younger and elder, with the amount of those instituted by Servius Tullius: for the city being laid out into four divisions, according to the several quarters and hills (the parts that were inhabited,) these were what he called Tribes, I suppose from the tribute; for the mode of the people's paying their shares of this, in an equal proportion to their rated property, took its rise also from him: nor had these tribes any relation to the number and distribution of the Centuries.

XLIV. When the Census was completed, which he had expedited by the terrors of a law passed concerning such as should neglect to attend it, with denunciations of confinement and death, he issued a proclamation, that all citizens of Rome, horse and foot, should assemble in the Campus Martius at the dawn of day, each in his respective Century; and having there drawn up the whole army in order, he performed the lustration or purification of it, by the ceremonies and sacrifices called *Suovetaurilia*.* This was called the closing of the lustrum, because it was the conclusion of the Census. In that survey eighty thousand citizens are said to have been rated. Fabius Pictor, the most ancient of our writers, adds, that this was the number of those who were able to bear arms. ¶ To accommodate so great a multitude, it was found necessary to enlarge the city in proportion: he added to it, therefore, two hills, the Quirinal and Viminal, and immediately adjoining the latter extended the limits of the Esquilæ, and there fixed his own residence, in order to bring the place into repute. He surrounded the city with a ram-

* So called from the victims, *sus, ovis, taurus*, a swine, a sheep, and bull; which, after being three times led round the army, were offered in sacrifice to Mars. See Adam.

part, trenches, and a wall, and thus extended the Pomœrium. Those who consider merely the etymology of the word, explain Pomœrium, as denoting a space on the outside of the wall, Postmœrium: but it is rather a space on each side of the wall, which the Etrurians, formerly, on the founding of cities, consecrated with the ceremonies used by augurs, in the direction wherein they intended the wall should run, of a certain breadth on both sides of it; with the intention that, on the inside, no buildings should be erected close to the walls, though now they are, in many places, joined to them; and also that, on the outside, a certain space of ground should lie open and unoccupied. This space, which it was unlawful either to inhabit or to till, the Romans called Pomœrium, not because it was on the outside of the wall, any more than because the wall was on the outside of it: and always, on occasion of an addition being made to the city, as far as they intended that the walls should advance outward, so far these sacred limits were extended.

XLV. Having increased the power of the state by this enlargement of the city, and made every internal regulation that appeared best adapted to the exigences both of war and peace, the king, who wished that the acquisition of power should not always depend on the mere force of arms, laid a scheme for extending his dominion, by the wisdom of his counsels, and raising, at the same time, a conspicuous ornament to the city. The temple of Diana at Ephesus was at that time universally celebrated, and it was commonly believed, that it had been built by a general contribution from the several states of Asia: Servius, in conversation with the chief men of the Latines, with whom he had taken pains to form connections of hospitality and friendship, both in his public and private capacity, used frequently in the strongest terms, to recommend concord and a social union between their several gods; and by often repeating the same sentiments, prevailed so far at last, that the Latine states agreed

to build, in conjunction with the Roman people, a temple to Diana at Rome. This was an acknowledgment that Rome was the sovereign head of both nations, a point which had been so often disputed in arms. But though the Latines, finding all their efforts in war ineffectual, seemed now to have thrown aside all concern with regard to that matter, yet among the Sabines one particular person did not neglect an opportunity, which seemed to be thrown in his way by fortune, of recovering independence, by the execution of a scheme which he planned himself. It is related, that this person, the head of a family, had a heifer calf of extraordinary size and beauty produced by one of his cows: her horns, which remained for many ages fixed in the porch of the temple of Diana, were a monument of this wonder. The matter was considered in the light of a prodigy, as it deserved, and the soothsayers declared, that sovereignty would reside in that state whose subject should sacrifice this heifer to Diana; and this prediction had reached the ears of the priest who had the charge of Diana's temple. The Sabine, as soon as he had fixed on a proper day for the sacrifice, drove the heifer to Rome, brought her to the temple of Diana, and placed her before the altar; the priest, suspecting the truth, from the size of the victim, of which he had heard so much, and remembering the prediction, addresses the Sabine thus: "Stranger, what are you preparing to do? To perform sacrifice to Diana without the necessary purification? Why do you not first dip yourself in a running stream? The Tiber flows along in the bottom of that vale." The stranger, struck with the scruple, and anxious to have every thing performed in due order, that the event might answer to the prodigy, went down from the temple to the Tiber. In the mean time the Roman sacrificed the heifer to Diana, a circumstance which gave great pleasure to the king, and to the whole state.

XLVI. Servius, though long possession had now rendered his title to the crown indisputable, yet having heard that

young Tarquinius sometimes threw out insinuations, that he held the government without the order of the people, first ingratiated himself with the commons, by making a general distribution among them of the lands taken from the enemy; and then ventured to propose the question to the people, whether they “ chose and ordered that he should be king?” Whereupon he was declared king, with greater unanimity than had ever before appeared on any similar occasion. But the event did not lessen the hopes, which Tarquinius had conceived, of being able to seat himself on the throne: on the contrary, having observed that the proceedings, relative to the lands for the commons, were highly disagreeable to the patricians, he embraced, the more eagerly, the opportunity which this afforded him, of arraigning the conduct of Servius before them, and of increasing his own influence in the senate. This young man was naturally of a fiery temper, and his restless spirit was continually stimulated at home by his wife Tullia: and the palace at Rome was destined to exhibit a scene of tragical villainy; so that,* disgusted at kings, the people might become more ripe for the asserting of their liberty, and that a reign, founded in wickedness, should prove the last. Whether this Lucius Tarquinius was the son or grandson of Tarquinius Priscus, is not clear; following, however, the authority of the greater number, I have chosen to call him his son. He had a brother Aruns Tarquinius, a youth of a mild disposition: to these two, as has already been mentioned, were married the two Tullias, the king’s daughters, who were also of widely different tempers. It happened, luckily, that the two violent dispositions were not united in wedlock, owing, I presume, to the good fortune of the Roman people, that the reign of Servius being lengthened, the manners of the people might be fully formed. The haughty Tullia was highly chagrined, at finding in her husband no principle either of ambition or enterprise; she turned, therefore, her whole regard towards the other Tarquini-

us; him she admired, him she called a man, and a true descendant of the royal blood; her sister she despised, who, having got a *man* for her husband, showed nothing of that spirit of enterprise which became a *woman*. Similarity of disposition quickly produced an intimacy between them, as is generally the case; evil is fittest to consort with its like. But it was the woman who set on foot the scene of universal confusion which followed. In the many private conversations which she used to hold with her sister's husband, she refrained not from throwing out the most violent reproaches against her own, to his brother, and against her sister, to that sister's husband; affirming, that "it were better that both he and she were unmarried, than to be so unsuitably matched; that, through the stupidity of others, they were condemned to a life of inactivity. If the gods had granted her such a husband, as she deserved, quickly would be seen in her own house, that crown which was now upon her father's head." She soon inspired the young man with notions as desperate as her own. Aruns Tarquinius, and the younger Tullia, dying almost immediately after, and thus leaving room in their families for new nuptials, they were joined in matrimony, Servius rather not obstructing, than approving of, the match.

XLVII. From that time forward, Tullius, now in an advanced age, found himself daily exposed to new disquietudes, and his authority to new dangers; for Tullia now prepared to proceed from one wickedness to another, and never ceased, either night or day, teasing her husband not to let the parricides which they had committed, pass without effect. "She wanted not," she said, "a person, who should give her the name of a wife, or with whom she might, in silence, submit to bondage; what she desired was, one who would consider himself as worthy of the throne; who would remember that he was the son of Tarquinius Priscus; who would prefer the present possession, to distant hopes, of a

kingdom. If you be such a man as I took you for, when I married you, I address you by the titles of my husband, and my king: if not, my condition is now changed so far for the worse, that in you, together with poverty of spirit, I find villainy united. Why not proceed in the business? You are not obliged to set out from Corinth or Tarquini, as your father was, to struggle for foreign kingdoms. The gods of your family, and those of your native country, and your father's image, and the royal palace in which you reside, and the royal throne in that palace, and the name of Tarquinius, these constitute you, and call you king. Or, if you have not a spirit daring enough for such an enterprise, why deceive the nation? Why assume the figure of a youth of royal blood? Get you hence to Tarquini, or to Corinth. Sink back again into the original obscurity of your race; fitter to be compared with your brother, than with your father." With these, and other such reproaches and incentives, she spurred on the young man; nor could she herself, with any degree of patience, endure the reflection, that Tanaquil, a foreign woman, had by her spirited exertions acquired such consequence, as to be able to dispose of the kingdom twice successively; first, to her husband, and next, to her son-in-law; while she, sprung from royal blood, was to have no influence in bestowing it, or taking it away. Tarquinius, hurried on by the phrenzy infused into him by this woman, went round among the patricians, particularly those of the younger families, and solicited their interest; put them in mind of his father's kindness to them, and demanded a requital of it; enticed the young men by presents; and endeavoured to increase his consequence on every occasion, both by magnificent promises on his part, and by heavy charges of misconduct against the king. At length, judging the season ripe for the accomplishment of his purpose, he rushed suddenly into the Forum, attended by a band of armed men, and, while all were struck motionless with terror, proceeded through it,

and then seating himself on the king's throne in the senate-house, ordered the senators to be summoned by a herald, to attend their king Tarquinius. They assembled instantly, some having been prepared before for the occasion, others dreading ill consequences to themselves in case they did not attend; for they were filled with amazement at the novelty and strangeness of the proceeding, and thought the case of Servius utterly desperate. ¶ Then Tarquinius, beginning his invectives with reflections on the king's immediate ancestors, represented him as a "slave, the son of a slave, who, after the untimely death of his parent, without an interregnum being appointed as usual, without an election being held, had taken possession of the throne, not in consequence of a vote of the people, or of the approbation of the senate, but as the gift of a woman. ¶ Being thus descended, and thus created king, ever favouring the lowest class of people, to which he himself belonged, he had, through an antipathy to the honourable descent of others, taken away the lands from the chief men in the state, and distributed them among the very meanest. All the burthens which heretofore had been borne in common, he had thrown on those of highest rank. He had instituted the Census, in order that the fortunes of the more wealthy might be more conspicuously exposed to envy, and become a ready fund, out of which he could, when he chose, give bribes to the most needy."

XLVIII. In the midst of this harangue, Servius, having been alarmed by an account of the disturbance, entered, and immediately, from the porch of the senate-house, called out with a loud voice, "What is the matter here, Tarquinius? How dare you presume, while I am alive, to convene the senate, or to sit on my throne?" To this the other, in a determined tone, replied, "That the seat which he occupied was the seat of his own father: that, as the king's son, he was much better entitled to inherit the throne than a slave; and that he (Servius) had been suffered long enough to in-

sult his masters with arbitrary insolence." A clamorous dispute immediately began between the partizans of each; the people ran together in crowds into the senate-house, and it became evident, that the possession of the throne depended on the issue of this contest. On this, Tarquinius, compelled now, by necessity, to proceed to the last extremity, having greatly the advantage in point of age and strength, caught Servius by the middle, and carrying him out of the senate-house, threw him from the top to the bottom of the stairs, and then returned to keep the senators together. The king's officers and attendants fled immediately. He himself, being desperately hurt, attempted, with the royal retinue, who were terrified almost to death, to retire to his house, and had arrived at the head of the Cyprian street, when he was slain by some, who had been sent thither for that purpose by Tarquinius, and had overtaken him in his flight. It is believed, other instances of her wickedness rendering it credible, that this was done by the advice of Tullia. It is certain, for there is sufficient proof of the fact, that she drove into the Forum in her chariot; and without being abashed at such a multitude of men, called out her husband from the senate-house, and was the first who saluted him king. She was then ordered by him, to withdraw from such a tumult; and when, in her return home, she arrived at the head of the Cyprian street, where the enclosure of Diana lately stood, as the chariot turned to the right towards the Virbian hill, in order to drive up to the Esquilian mount, the person who drove the horses, struck with horror, stopped and drew in the reins and showed his mistress the murdered Servius lying on the ground. Her behaviour on this occasion is represented as inhuman and shocking; and the place bears testimony to it, being thence called the Wicked street, where Tullia, divested of all feeling, agitated by the furies, the avengers of her sister and husband, is said to have driven her chariot over her father's corpse, and to have carried on her bloody vehi-

cle, part of the body and the blood of that parent, with which she herself was also sprinkled and stained, to the household gods of her and her husband's family, through whose resentment followed, shortly after, a train of events suited to the iniquitous commencement of this reign. Servius Tullius reigned forty-four years, during which his conduct was such, that even a good and moderate successor would have found it difficult to support a competition with him. This circumstance also still farther enhanced his fame, that, together with him perished all regular and legal government. Mild and moderate as his administration was, yet, because the government was lodged in the hands of a single person, some authors tell us, he intended to have resigned it, had not the wickedness of his family broken off the designs which he meditated, for establishing the liberty of his country.

XLIX. Thus began the reign of Lucius Tarquinius, who, from his subsequent behaviour, acquired the surname of the Proud; for this unworthy son-in-law prohibited the burial of the king, alleging that Romulus likewise had remained unburied. The principal senators, whom he suspected of favouring the interest of Servius, he put to death; and soon becoming apprehensive, that the precedent of acquiring the crown by wicked means, might be adopted, from his own practice, against himself, he kept an armed band about him, for the security of his person; for he had no kind of title to the crown, but that of force, holding it neither by the order of the people, nor with the approbation of the senate. And besides this, as he could place no reliance on the affection of his subjects, he was obliged to raise, in their fears, a fence to his authority. In order to diffuse these the more extensively, he took entirely into his own hands, the cognizance of capital offences, which he determined without consulting with any person whatever; so that he could put to death, banish, or impose fines, not only on those whom he suspected or disliked, but on persons, with respect

to whom, he could have no other view, than that of plunder. Having, by these means, diminished the number of the senate, against whom his proceedings were chiefly levelled, he determined not to fill up the vacancies; hoping that the smallness of their number would expose that body to the greater contempt; and that they would show the less resentment, at their not being consulted on any business: for he was the first of the kings who discontinued the practice of his predecessors, of consulting the senate upon every occasion. In the administration of public affairs, he advised with none but his own private family. War, peace, treaties, alliances, he of himself, with such advisers as he chose, declared, contracted, and dissolved, without any order, either of the people, or of the senate. He took particular pains to attach the nation of the Latines to his interest, availing himself of foreign aid, the more effectually to ensure his safety at home: and he formed with their chiefs, not only connections of hospitality, but affinities: to Octavius Mamilius of Tusculum he gave his daughter in marriage. Mamilius was of the most illustrious family, by far, of any among the Latines, being descended, if we may give credit to fame, from Ulysses and the goddess Circe. By this match he engaged the support of his numerous friends and relations.

L. Tarquinius now possessed great influence among the Latine chiefs, when he issued orders, that they should assemble on a certain day, at the grove of Ferentina, saying, that he wished to confer with them on some matters of common concern. They accordingly met in great numbers, at the dawn of day: Tarquinius himself observed indeed the day, but did not come until a little before sun-set. Meanwhile, many topics were discussed, and various opinions uttered in the assembly. Turnus Herdonius, of Aricia, inveighed violently against Tarquinius, for not attending. "It was no wonder," he said, "that the surname of proud had been bestowed on him at Rome;" for, at this time, they ge-

nerally gave him that appellation, though only in private discourse. "Could any instance be given of greater pride, than his trifling thus with the whole nation of the Latines? After their chiefs had been brought together by his summons, at so great a distance from home, the very person who called the meeting did not attend. He was certainly making trial of their patience, intending, if they submitted to the yoke, to crush them, when they could not resist. For who did not see plainly, that he was aiming at sovereignty over the Latines? and if his own countrymen had reason to be pleased at having entrusted him with that power; or if, in reality, it had been entrusted to him, and not forcibly seized on through parricide, then the Latines ought also to entrust him with it. But no: not even in that case, because he was a foreigner. Yet, if the Romans repined at his government, exposed as they were to murders, banishment, and confiscations without end, what better prospect could the Latines entertain? If they listened to him, they would depart each to his own home, and would pay no more regard to the day of assembly, than was shown by the person who appointed it." Whilst this man, who was naturally seditious and turbulent, and who had by these means acquired some degree of power at home, was thus haranguing the people, Tarquinius came into the assembly. This put an end to his discourse. Every one turned away from him to salute Tarquinius, who, being advised by his friends to make an apology for having come at that time of the day, when silence was made, told them, that "he had been chosen arbiter between a father and son, and had been detained by the pains which he was obliged to take to bring about a reconciliation; and that, as that business had consumed the day, he would, on the morrow, lay before them what he had to propose." Even this, we are told, was not suffered by Turnus to pass without notice; for he observed, that "there could be no controversy shorter than one between a father

and son, which might be despatched in a few words; if the son did not submit to his father, he should take the ill consequences."

LI. Uttering these reflections against the Roman king, the Arician withdrew from the assembly; and Tarquinius, who was more incensed at his behaviour than he appeared to be, began immediately to contrive schemes for the destruction of Turnus, in order to strike the same terror into the Latines, by which he had depressed the spirits of his subjects at home. And as he could not, of his own mere authority, openly put him to death, he effected, by a false accusation, the ruin of an innocent man. By means of some Aricians, of the opposite faction, he bribed a servant of Turnus to suffer a large quantity of swords to be privately conveyed into his lodging: this part of his scheme being completed, during the course of that same night, Tarquinius, a little before day, called together about him the chiefs of the Latines, as if he had been alarmed by some extraordinary occurrence, and told them, that "his delay yesterday, as if it were the effect of the particular care of the gods, had been the means of preserving him and them from destruction:—that he had received information, that a plan had been laid by Turnus to murder him and the Latine chiefs, in order that he might enjoy alone the government of the Latines:—that he intended to have fallen upon them yesterday, in the assembly, but the business was deferred, because the person who called the meeting, and who was his principal object, was not there: this was the reason of all that abuse thrown on him for being absent; because, by that absence, he had frustrated his design:—that he had no doubt, but, if the intelligence was true, he would, early next morning, when the assembly met, come thither in arms, and attended by an armed force. He was told, that a vast number of swords had been carried to his house; whether that were false or not, might be instantly known, and he requested that they

would go with him directly to Turnus." They saw some grounds of suspicion in the violent temper of Turnus; his discourse the day before, and the delay of Tarquinius; and it seemed not impossible that the massacre might have been deferred on that account. They went, therefore, with minds inclined to believe the report, but at the same time determined, unless the swords were discovered, to consider all the rest as groundless. When they came to the spot, guards were placed round Turnus, who was roused from sleep; and the servants, who, out of affection to their master, prepared to use force, being secured, the swords, which had been concealed, were drawn out from every part of the lodging, and then the affair appeared manifest. Turnus was loaded with chains, and a great tumult ensuing, an assembly of the Latines was immediately summoned. There, on the swords being placed in the midst of them, to such a pitch of fury were they raised, that, not allowing him to make a defence, and using an extraordinary method of execution, they threw him into the reservoir of the water of Ferentina, where a hurdle being placed over him, and a heap of stones cast on that, he was drowned.

LII. Tarquinius, having then re-assembled the Latines, and highly commended them, for having inflicted on Turnus, as one convicted of parricide, the punishment which he had merited by his attempt to overturn the government, spoke to this purpose: "That he might, without doubt, take upon himself to act, in virtue of a right long since established, because all the Latines, deriving their origin from Alba, were comprehended in that treaty, by which, under Tullus, the whole Alban nation, together with their colonies, were subjected to the dominion of the Romans. However, for the sake of the general advantage of all parties, he rather wished, that that treaty should be renewed, and that the Latines should, as partners, enjoy the good fortune of the Roman people, than live always under the apprehension or

endurance of the demolition of their cities, and the devastation of their lands, to which they had, during the reign of Ancus, first, and afterwards, in that of his father, been continually exposed." He found no difficulty in persuading the Latines, though in that treaty the advantage lay on the side of the Romans: they saw, too, that the chiefs of the Latine nation, in their behaviour and sentiments, concurred with the king; and Turnus was a recent instance of the danger to be apprehended by any one who should attempt opposition. The treaty was therefore renewed, and orders were given to the young men of the Latines, that they should on a certain day, according to the treaty, attend in a body under arms, at the grove of Ferentina. And when, in obedience to the edict of the Roman king, they had assembled there, from all the several states, in order that they should not have a general of their own, nor a separate command, or their own colours, he mixed the Romans and Latines together in companies, by dividing every company into two parts, and then, forming two of these divisions, one of each nation, into one company, and having by this means doubled the number of the companies, he appointed centurions to command them.

LIII. Iniquitous as he was, in his conduct as king, his behaviour, at the head of an army, was not equally reprehensible: in that capacity, indeed, he would have equalled his predecessors, had not his degeneracy, in other particulars, detracted from the merit which, in that line, he possessed. He began the war against the Volscians, which lasted for more than two hundred years after his death, and took Suessa Pometia from them by storm; from the sale of the plunder of which place, having amassed silver and gold to the value of forty talents,* he conceived a design of erecting a temple to Jupiter, of such grandeur as should be worthy of the king of gods and men, worthy of the Roman em-

* 7,750*l.*

pire, and of the dignity of the place itself: for the building of this temple, he set apart the money which arose from the spoils. He was soon after engaged in a war, which gave him employment longer than he expected, during which, having in vain attempted, by storm, to make himself master of Gabii, a town in his neighbourhood, and seeing no reason to hope for success from a blockade, after he had been repulsed from the walls, he at length resolved to pursue the attack, not in a method becoming a Roman, but by fraud and stratagem. Accordingly, whilst he pretended to have laid aside all thoughts of proceeding in the war, and to have his attention entirely engaged in laying the foundation of the temple, and the construction of other works in the city, his son Sextus, the youngest of three, pursuant to a plan concerted, fled as a deserter to Gabii, making grievous complaints of his father's intolerable severity towards him, saying, that, "he now made his own family feel the effects of his pride, which hitherto had fallen only on strangers, and was uneasy at seeing a number even of his own children about him, so that he intended to cause the same desolation in his own house, which he had already caused in the senate house, and not to suffer any of his offspring, or any heir of the kingdom, to remain: that he himself had, with difficulty, made his escape from the sword of his father, and could in no place consider himself safe, except among the foes of Lucius Tarquinius. That the war against them, which was pretended to be laid aside, was not at an end; but, on the first opportunity, when he found them off their guard, he would certainly attack them. For his part, if, among them, suppliants could find no refuge, he would traverse every part of Latium, and if rejected there, would apply to the Volscians, the Æquans, and the Hernicians, nor rest, until he found some who were disposed to afford protection to children, from the cruel and unnatural severity of fathers. Perhaps, too, he should meet with those who might be inspired with

ardour to take arms, and wage war, against the proudest of kings, and the most overbearing of nations." The Gabians, supposing that, if they did not show some regard to him, he would go from them, full of resentment, to some other place, received him with every mark of kindness; told him, "he ought not to be surprised, that his father's behaviour towards his children now, was no better than what he had formerly shown towards his subjects and allies; that if other objects could not be found, he would at last vent his rage on himself: assured him, that his coming was very acceptable to them, and that they expected, in a short time, to see the seat of war transferred, with his assistance, from the gates of Gabii, to the walls of Rome."

LIV. He was immediately admitted to a share in their public councils; and on these occasions, while he declared, that in other affairs, he would be guided by the opinion of the Gabian elders, who had better knowledge of those matters than he could have, he took every opportunity of recommending war, in respect of which he assumed to himself a superior degree of judgment, because he was well acquainted with the resources of both nations, and knew how utterly detestable to his subjects the king's pride had become, which even his own children could not endure. Whilst he thus, by degrees, worked up the minds of the Gabian chiefs to a renewal of the war, he used to go out himself, with the boldness of the youth, on expeditions and plundering parties; and, as all his words and actions were framed to the purpose of carrying on the deceit, their ill-grounded confidence in him increased to such a degree, that at length he was chosen commander-in-chief of the army. In this capacity, he fought several slight engagements with the Romans, in which he generally got the advantage: so that the Gabians, from the highest to the lowest, began to consider Sextus Tarquinius as a leader sent to them by the favour of the gods. Among the soldiers particularly, from his readiness to expose him-

self to danger and fatigue, and likewise from the liberal distribution of the spoil, he was so highly beloved, that Tarquinius was not more absolute at Rome, than Sextus was at Gabii. Finding himself, therefore, secure of a support sufficient to carry him through any enterprise, he sent one of his attendants to his father at Rome, to inquire in what manner he would choose that he should proceed, since the gods had granted to him the entire disposal of every thing at Gabii: to this messenger, no answer was given in words, I suppose because he did not seem fit to be trusted. The king, seemingly employed in deep deliberation, walked out into a garden adjoining the palace, followed by the messenger, and walking there in silence, as we are told, struck off with his cane the heads of the tallest poppies. The messenger, weary of repeating the question and waiting for an answer, returned to Gabii without having accomplished his business, as he thought; told what he himself had said, and what he had seen; that the king, either through anger or dislike, or the pride natural to his disposition, had not uttered a word. Sextus, readily comprehending his father's meaning, and what conduct he recommended by those silent intimations, cut off all the principal men of the state; some by prosecutions before the people; others, who, being generally odious, could be attacked with greater safety, he put to death of his own authority; many were executed openly; several, against whom accusations would appear less plausible, were privately murdered; some who chose to fly were not prevented, others were forced into banishment; and the effects of the absentees, as well as of those who had suffered death, were distributed in largesses among the people: by these means, all sense of the public calamity was so entirely drowned in the sweets of bribery, plunder, and private profit, that, at length, the Gabian state, stripped of its counsellors and supporters, was delivered over, without a struggle, into the hands of the Roman king.

LV. Tarquinius, having thus acquired possession of Gabii, concluded a peace with the nation of the Æquans, renewed the treaty with the Etrurians, and then turned his thoughts to the internal business of the city: among which, the object of his principal concern was to leave the temple of Jupiter on the Tarpeian mount a monument of his reign and of his name, to testify, that of two Tarquini both of whom reigned, the father had vowed, and the son completed it. And in order that the ground might be clear from the interference of any of the other gods, and the temple to be erected thereon, be appropriated wholly to Jupiter, he determined to cancel the inauguration of the temples and chapels, several of which had been vowed, first by Tatius during the very heat of the battle against Romulus, and afterwards consecrated there. It is related, that, during the preparations for founding this structure, the gods exerted their divine power, to exhibit indications of the stability of this great empire; for, whilst the birds admitted the cancelling the inaugurations of all the other chapels, they did not give the signs of approbation, in the case of the temple of Terminus; and that omen, and that augury, were deemed to import that the residence of Terminus must not be changed; and his being the only one of the gods who would not submit to be called forth from the boundaries consecrated to him, denoted that all things there were to stand firm and immoveable. After they had received this presage of its perpetual duration, there followed another prodigy, portending the greatness of the empire: a human head, with the face entire, is said to have appeared to those who were opening the foundation of the temple; which appearance denoted, without the help of any far-fetched allusion, that this would be the metropolis of the empire, and the head of the world. Such was the interpretation given of it by the soothsayers, both those who were in the city, and others whom they sent for from Etruria, to hold a consultation on the subject. This encouraged

the king to enlarge the expense, so that the spoils of Pometia, which, according to his first design, were to have completed the edifice, were scarcely sufficient for the foundations. For this reason, besides his being the more ancient writer, I should rather believe Fabius, that these amounted to no more than forty talents,* than Piso, who writes, that forty thousand pounds-weight of silver† were set apart for that purpose; a sum of money, that could not be expected out of the spoil of any one city in that age, and which must have been more than sufficient for laying the foundations even of the most magnificent of our modern structures. Intent on finishing the temple, he sent for workmen from all parts of Etruria, and converted to that use, not only the public money, but the public labour; and although this, which was in itself no small hardship, was added to the toils of military service, yet the people murmured the less, when they considered that they were employing their hands in erecting temples to the gods. They were afterwards obliged to toil at other works, which, though they made less show, were attended with greater difficulty; the erecting seats in the Circus, and conducting under ground the principal sewer, the receptacle of all the filth of the city; two works, to which the magnificence of modern times can scarcely produce any thing equal. After the people had been fatigued by these labours, the king, considering so great a multitude as a burthen to the city, where there was not employment for them, and wishing at the same time to extend the frontiers of his dominions, by means of colonies, sent a number of colonists to Signia and Circeii, to serve as barriers to the city, against an enemy, both by land and sea.

LVI. While he was thus employed, a dreadful prodigy appeared to him; a snake, sliding out of a wooden pillar, terrified the beholders, and made them fly into the palace.

* 7,750*l.*

† 129,166*l.*

This not only struck the king himself with sudden terror, but filled his breast with anxious apprehensions: so that, whereas in the case of public prodigies, the Etrurian soothsayers only were applied to, being thoroughly frightened at this domestic apparition, as it were, he resolved to send to Delphi, the most celebrated oracle in the world; and judging it unsafe to entrust the answers which should be given to indifferent persons, he sent his two sons into Greece, through lands little known at that time, and seas still more so. Titus and Aruns set out, and, as a companion, was sent with them, Lucius Junius Brutus, son to Tarquinia, the king's sister, a young man of a capacity widely different from the appearance which he had put on. Having heard that the principal men in the state, and among the rest, his brother, had been put to death by his uncle, he resolved that the king should find nothing to dread, either from his manners or his means, and to seek security in contempt. He took care, therefore, to fashion his behaviour to the semblance of foolishness, submitting himself and his fortune to the pleasure and rapacity of the king. Nor did he show any dislike to the surname of Brutus, content that, under the cover of that appellation, the genius which was to be the deliverer of the Roman people, should lie concealed, and wait the proper season for exertion. He was, at this time, carried to Delphi by the Tarquini, rather as a subject of sport than as a companion; and is said to have brought as an offering to Apollo, a golden wand, inclosed in a staff of cornel-wood, hollowed for that purpose, an emblem figurative of the state of his own capacity. When they arrived there, and executed their father's commission, the young men felt a wish to inquire to which of them the kingdom of Rome was to belong; and we are told that these words were uttered from the bottom of the cave. "Young men, which ever of you shall first kiss your mother, he shall possess the sovereign power at Rome." The Tarquini ordered that this matter should be kept secret

with the utmost care; that Sextus, who had been left behind at Rome, might remain ignorant of the answer, so as to have no chance for the kingdom. They themselves had recourse to lots to determine which of them should first kiss their mother on their return to Rome: Brutus judged that the expression of Apollo had another meaning, and as if he had accidentally stumbled and fallen, he touched the earth with his lips, considering that she was the common mother of all mankind. On their return from thence to Rome, they found vigorous preparations going on for a war against the Rutulians.

LVII. Ardea was a city belonging to the Rutulians, a nation, considering the part of the world and the age, remarkably opulent; and this very circumstance gave occasion to the war; for the Roman king was earnestly desirous, both of procuring money for himself, his treasury being exhausted by the magnificence of his public works, and also of reconciling, by means of the spoils, the minds of his subjects, who were highly dissatisfied with his government: for, besides other instances of his pride, they thought themselves ill-treated by being engaged, for such a length of time, in the employments of handicrafts, and in labour fit for slaves. An attempt was made to take Ardea by storm, and that not succeeding, he adopted the plan of distressing the enemy by a blockade, and works erected round them. In this fixed post, as is generally the case when the operations of war are rather tedious than vigorous, leave of absence was readily granted, and to the principal officers, more readily than to the soldiers; the young men of the royal family in particular, frequently passed their leisure time in feasting and entertainments. It happened that while these were drinking together, at the quarters of Sextus Tarquinius, where Collatinus Tarquinius, the son of Egerius, also supped, mention was made of their wives; each extolled his own to the skies: on this a dispute arising, Collatinus told them, that "there

was no need of words; it could easily be known, in a few hours, how much his Lucretia excelled the rest: we are young and strong; let us mount our horses, and inspect in person the behaviour of our wives: that must be the most unexceptionable proof which meets our eyes, on the unexpected arrival of the husband." They were heated with wine: "Agreed," was the word; at full speed they fly to Rome. Having arrived there at the first dusk of the evening, they proceeded thence to Collatia, where they found Lucretia, not like the king's daughters-in-law, whom they had seen spending their time in luxurious entertainments among those of their own rank, but busily employed with her wool, though at that late hour, and sitting in the middle of the house, with her maids at work around her: the honour of superiority among the ladies mentioned in the dispute, was of course acknowledged to belong to Lucretia. Her husband, on his arrival, and the Tarquini, were kindly received; and the husband, exulting in his victory, gave the royal youths a friendly invitation. There, Sextus Tarquinius, instigated by brutal lust, formed a design of violating Lucretia's chastity by force, both her beauty and her approved modesty serving as incentives: after this youthful frolic of the night, they returned to the camp.

LVIII. A few days after, Sextus Tarquinius, without the knowledge of Collatinus, went to Collatia, with only a single attendant: he was kindly received by the family, who suspected not his design, and, after supper, conducted to the chamber where guests were lodged. Then, burning with desire, as soon as he thought that every thing was safe, and the family all at rest, he came with his sword drawn to Lucretia, where she lay asleep, and, holding her down, with his left hand pressed on her breast, said, "Lucretia be silent: I am Sextus Tarquinius; my sword is in my hand, if you utter a word, you die." Terrified at being thus disturbed from sleep, she saw no assistance near, and immediate death

threatening her. Tarquinius then acknowledged his passion, intreated, mixed threats with intreaties, and used every argument likely to have effect on a woman's mind; but finding her inflexible, and not to be moved, even by the fear of death, he added to that fear, the dread of dishonour, telling her that, after killing her, he would murder a slave, and lay him naked by her side, that she might be said to have been slain in base adultery. The shocking apprehensions, conveyed by this menace, overpowering her resolution in defending her chastity, his lust became victorious; and Tarquinius departed, applauding himself for this triumph over a lady's honour. But Lucretia, plunged by such a disaster into the deepest distress, despatched a messenger to Rome to her father, with orders to proceed to Ardea to her husband, and to desire them to come to her, each with one faithful friend; to tell them, that there was a necessity for their doing so, and speedily; for that a dreadful affair had happened. Spurius Lucretius came with Publius Valerius, the son of Volens; Collatinus with Lucius Junius Brutus, in company with whom he chanced to be returning to Rome, when he was met by his wife's messenger. They found Lucretia sitting in her chamber, melancholy and dejected: on the arrival of her friends, she burst into tears, and on her husband's asking, "Is all well?" "Far from it," said she, "for how can it be well with a woman who has lost her chastity? Collatinus, the impression of another man is in your bed; yet my person only has been violated, my mind is guiltless, as my death will testify. But give me your right hands and pledge your honour, that the adulterer shall not escape unpunished. He is Sextus Tarquinius, who, under the appearance of a guest, disguising an enemy, obtained here, last night, by armed violence, a triumph deadly to me, and to himself also, if ye be men." They all pledged their honour, one after another, and endeavoured to comfort her distracted mind, acquitting her of blame, as under the compulsion of force,

and charging it on the violent perpetrator of the crime, told her, that "the mind alone was capable of sinning, not the body, and that where there was no such intention, there could be no guilt." "It is your concern," said she, "to consider what is due to him; as to me, though I acquit myself of the guilt, I cannot dispense with the penalty, nor shall any woman ever plead the example of Lucretia, for surviving her chastity." Thus saying, she plunged into her heart a knife, which she had concealed under her garment, and falling forward on the wound, dropped lifeless. The husband and father shrieked aloud.

LIX. But Brutus, while they were overpowered by grief, drawing the knife from the wound of Lucretia, and holding it out reeking with blood, before him, said, "By this blood, most chaste until injured by royal insolence, I swear, and call you. O ye gods, to witness, that I will prosecute to destruction, by sword; fire, and every forcible means in my power, both Lucius Tarquinius the Proud, and his impious wife, together with their entire race, and never will suffer one of them, nor any other person whatsoever, to be king in Rome." He then delivered the knife to Collatinus, afterwards to Lucretius, and Valerius, who were filled with amazement, as at a prodigy, and at a loss to account for this unusual elevation of sentiment in the mind of Brutus. However they took the oath as directed, and converting their grief into rage, followed Brutus, who put himself at their head, and called on them to proceed, instantly to abolish kingly power. They brought out the body of Lucretia from the house, conveyed it to the Forum, and assembled the people, who came together quickly, in astonishment, as may be supposed, at a deed so atrocious and unheard of. Every one exclaimed with vehemence against the villainy and violence of the prince: they were deeply affected by the grief of her father, and also by the discourse of Brutus, who rebuked their tears and ineffectual complaints, and advised them,

as became men, as became Romans, to take up arms against those who had dared to treat them as enemies. The most spirited among the youth offered themselves with their arms, and the rest followed their example. On which, leaving half their number at the gates to defend Collatia, and fixing guards to prevent any intelligence of the commotion being carried to the princes, the rest, with Brutus at their head, marched to Rome. When they arrived there, the sight of such an armed multitude spread terror and confusion wherever they came: but, in a little time, when people observed the principal men of the state marching at their head, they concluded, that whatever the matter was, there must be good reason for it. Nor did the heinousness of the affair raise less violent emotions in the minds of the people at Rome, than it had at Collatia: so that, from all parts of the city, they hurried into the Forum; where, as soon as the party arrived, a crier summoned the people to attend the tribune of the Celeres, which office happened at that time to be held by Brutus. He there made a speech, no way consonant to that low degree of sensibility and capacity, which, until that day, he had counterfeited; recounting the violence and lust of Sextus Tarquinius, the shocking violation of Lucretia's chastity, and her lamentable death; the misfortune of Tricipitinus, in being left childless, who must feel the cause of his daughter's death as a greater injury and cruelty, than her death itself: to these representations he added the pride of the king himself, the miseries and toils of the commons, buried under ground to cleanse sinks and sewers, saying, that "the citizens of Rome, the conquerors of all the neighbouring nations, were, from warriors, reduced to labourers and stone-cutters;" mentioned the barbarous murder of king Servius Tullius, his abominable daughter driving in her carriage over the body of her father, and invoked the gods to avenge the cause of parents. By descanting on these and other, I suppose, more forcible topics, which the heinousness of present injuries suggests at

the time, but which it is difficult for writers to repeat, he inflamed the rage of the multitude to such a degree, that they were easily persuaded to deprive the king of his government and to pass an order for the banishment of Lucius Tarquinius, his wife, and children: Brutus himself, having collected and armed such of the young men as voluntarily gave in their names, set out for the camp at Ardea, in order to excite the troops there to take part against the king. The command in the city he left to Lucretius, who had some time before been appointed by the king to the office of præfect of the city.* During this tumult Tullia fled from her house; both men and women, wherever she passed, imprecating curses on her head, and invoking the furies, the avengers of parents.

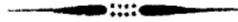
LX. News of these proceedings having reached the camp, and the king, alarmed at such extraordinary events, having begun his march towards Rome, to suppress the commotions, Brutus, informed of his approach, turned into another road, in order to avoid a meeting, and very nearly at the same time, by different roads, Brutus arrived at Ardea, and Tarquinius at Rome. Tarquinius found the gates shut against him, and an order of banishment pronounced. The deliverer of the city was received in the camp with joy, and the king's sons were driven thence with disgrace. Two of these followed their father, and went into exile at Cære, among the Etrurians. Sextus Tarquinius having retired to Gabii, as if to his own dominions, was slain by some persons, who were glad of an opportunity of gratifying old animosities, which he had excited there by his rapine and murders. Lucius Tarquinius Superbus reigned twenty-five years. The government of kings continued, from the building of the

* The præfect of the city was, in these times, a magistrate extraordinary, appointed to administer justice, and transact other necessary business, in the absence of the king, or consuls

city to the establishment of its liberty, two hundred and forty-four years. After that, in an assembly of the Centuries, held by the præfect of the city, were elected, conformably to a plan found in the commentaries of Servius Tullius, two magistrates, called Consuls. These were, Lucius Junius Brutus, and Lucius Tarquinius Colla-
tinus.

Y. R. 245
B. C. 507

THE
HISTORY OF ROME.



BOOK II.

Brutus binds the people, by an oath, never to restore the kingly government; obliges Tarquinius Collatinus, on account of his relationship to the Tarquini, to resign the consulship, and retire from the city; puts to death his own sons, together with some other young men of rank, for a conspiracy in favour of the Tarquini; falls in battle against the Veientians and Tarquinians, together with his antagonist Aruns, son of Superbus. War with Porsena. Exploits of Horatius Cocles, Mutius Scaevola, and Clælia. The Claudian tribe formed, and the number of the tribes increased to twenty-one. The Latines, attempting to restore Tarquinius, are defeated by Aulus Postumius, dictator. The commons, on account of the great numbers confined for debt, secede to the sacred mount; are appeased, and brought back, by the prudence of Menenius Agrippa. Five tribunes of the commons created. Banishment and subsequent conduct of Caius Marcius Coriolanus. First proposal of an Agrarian law. Spurius Cassius, aspiring to regal power, put to death. Oppia, a vestal virgin, convicted of incest, buried alive. The Fabian family undertake the Veientian war, and are all cut off, except one boy. Wars with the Volscians, Æquans, and Veientians. Dissensions between the Patricians and Plebeians.

Y. R. 245. I. HENCEFORWARD I am to treat of the affairs,
B. C. 507. civil and military, of a free people, for such the Romans were now become; of annual magistrates and the authority of the laws exalted above that of men. What greatly enhanced the public joy on having attained to this state of freedom, was, the haughty insolence of the late king: for

the former kings governed in such a manner, that all of them, in succession, might deservedly be reckoned as founders of the several parts at least, of the city, which they added to it, to accommodate the great numbers of inhabitants, whom they themselves introduced. Nor can it be doubted, that the same Brutus, who justly merited so great glory, for having expelled that haughty king, would have hurt the public interest most materially, had he, through an over hasty zeal for liberty, wrested the government from any one of the former princes. For what must have been the consequence, if that rabble of shepherds and vagabonds, fugitives from their own countries, having, under the sanction of an inviolable asylum, obtained liberty, or at least impunity; and uncontrolled by dread of kingly power, had once been set in commotion by tribunitian storms, and had, in a city, where they were strangers, engaged in contests with the Patricians, before the pledges of wives and children, and an affection for the soil itself, which in length of time is acquired from habit, had united their minds in social concord? The state, as yet but a tender shoot, had, in that case, been torn to pieces by discord; whereas the tranquil moderation of the then government cherished it, and, by due nourishment, brought it forward to such a condition, that its powers being ripened, it was capable of producing the glorious fruit of liberty. The origin of liberty is to be dated from that period, rather on account of the consular government being limited to one year, than of any diminution made of the power which had been possessed by the kings. The first consuls enjoyed all their privileges, and all their ensigns of authority; in this respect, only, care was taken, not to double the objects of terror by giving the fasces to both the consuls. Brutus, with the consent of his colleague, was first honoured with the fasces, and the zeal which he had shown as the champion of liberty in rescuing it from oppression, was not greater than that which he afterwards displayed in the character of its

guardian. First of all, while the people were in raptures at their new acquisition of freedom, lest they might afterwards be perverted by the importunities or presents of the princes, he bound them by an oath, that they would never suffer any man to assume the authority of king at Rome. Next, in order that the fullness of their body might give the greater weight to the senate, he filled up the number of the senators, which had been diminished by the king's murders, to the amount of three hundred, electing into that body the principal men of equestrian rank; and hence the practice is said to have taken its rise of summoning to the senate those who are fathers, and those who are conscripti; for they called those who were elected into this new senate conscripti. This had a wonderful effect towards producing concord in the state, and in attaching the affection of the commons to the patricians.

II. People then turned their attention to matters of religion; and because some public religious rites had been usually performed by the kings in person, in order that there should be no want of one on any occasion, they appointed a king of the sacrifices. This office they made subject to the jurisdiction of the pontiff, fearing lest honour, being joined to the title, might in some shape be injurious to liberty, which was then the first object of their concern: I know not whether they did not carry to excess their great anxiety to raise bulwarks to it, on all sides, even in points of the most trivial consequence; for the name of one of the consuls, though there was no other cause of dislike, became a subject of jealousy to the people. It was alleged, that "the Tarquinius had been too long accustomed to the possession of sovereign power: Priscus first began; next indeed reigned Servius Tullius, yet though that interruption occurred, Tarquinius Superbus never lost sight of the crown, so as to consider it the right of another; but, by violent and flagitious means, reclaimed it, as the inheritance of his family. Now, that Superbus had been expelled, the government was in the

hands of Collatinus; the Tarquinius knew not how to live in a private station; the very name itself was displeasing, and dangerous to liberty." These discourses were at first, gradually circulated through every part of the city, for the purpose of trying the disposition of the people. After the suspicions of the commons had, by these suggestions, been sufficiently excited, Brutus called them together: when they were assembled, after first reciting the oath which the people had taken, that "they would never suffer a king at Rome, or any thing else that might be dangerous to liberty;" he told them, that "they must support this resolution with their utmost power; and that no circumstance, of any tendency that way, ought to be overlooked: that from his regard to the person alluded to, he mentioned the matter unwillingly; nor would he have mentioned it at all, did not his affection for the commonwealth outweigh all other considerations. The Roman people did not think that they had recovered entire freedom: the regal family, the regal name remained, not only in the city, but in the government: this was a circumstance, not merely unpropitious, but dangerous to liberty. Do you, Lucius Tarquinius, of your own accord, remove from us this apprehension: we remember, we acknowledge that you expelled the princes: complete your kindness: carry hence their name. Your countrymen, on my recommendation, will not only give you up your property, but if you have occasion for more, will make liberal additions to it. Depart in friendship. Deliver the state from this, it may be groundless, apprehension; but the opinion is deeply rooted in their minds, that, only with the race of the Tarquinius, will kingly power depart hence." Astonishment at this extraordinary and unexpected affair at first deprived the consul of all power of utterance; and when he afterwards began to speak, the principal men of the state gathered round him, and with earnest importunity urged the same request. Others affected him less: but when Spurius Lucretius, his

superior in age, and dignity of character, and his father-in-law besides, began to try every method of persuasion, using by turns, arguments and entreaties, that he would suffer himself to be overcome by the general sense of his countrymen, the consul, fearing lest hereafter, when he should have returned to a private station, the same measures might be used against him, with the addition perhaps of confiscation of his property, and other marks of ignominy, resigned the office of consul, and removing all his effects to Lavinium, withdrew from the territories of the state. Brutus in pursuance of a decree of the senate, proposed to the people, that all who were of the Tarquinian family should be banished; and in an assembly of the Centuries, he elected for his colleague, Publius Valerius, who had been his assistant in expelling the royal family.

III. No person now doubted but war would be immediately commenced by the Tarquini: that event, however, did not take place so soon as was expected. But, what they entertained no apprehension of, liberty was very near being lost, by secret machinations and treachery. There were, among the Romans, several young men of no inconsiderable families, who, during the reign of the king, had indulged their pleasures too freely; and being of the same age, and constant companions of the younger Tarquini, had been accustomed to live in a princely style: the privileges of all ranks being now reduced to one level, these grew uneasy at the restraint hereby laid on their irregularities, and complained heavily among themselves, that the liberty of others had imposed slavery on them. "A king was a human being; from him might a request be obtained, whether right or wrong; with him there was room for favour, and for acts of kindness; he could be angry, and he could forgive; he knew a distinction between a friend and an enemy. But the law was a deaf inexorable being, calculated rather for the safety and advantage of the poor, than of the rich; and admitted of

no relaxation or indulgence, if its bounds were transgressed. Men being liable to so many mistakes, to have no other security but innocence is a hazardous situation." While their minds were in this discontented state, ambassadors arrived from the Tarquini, who, without any mention of their restoration, demanded only their effects: the senate, having granted them an audience, continued their deliberations on the subject for several days, being apprehensive that a refusal to give them up, would afford a plausible reason for a war, and the giving them up, a fund in aid of it. Meanwhile the ambassadors were busily employed in schemes of another nature: whilst they openly demanded the effects, they were secretly forming a plan for recovering the throne, and addressing themselves to the young nobles, seemingly on the business which they were supposed to have in charge, they made trial of their dispositions. To those who lent an ear to their suggestions, they delivered letters from the Tarquini, and concerted measures with them for receiving those princes privately into the city by night.

IV. The business was first intrusted to the brothers of the name of Vitellii, and those of the name of Aquillii; a sister of the Vitellii had been married to the consul Brutus, and there were two sons born of that marriage, now grown up, Titus and Tiberius: these were led in, by their uncles, to take part in the design; and several others of the young nobility were drawn into the conspiracy, whose names, at this distance of time, are unknown. In the meanwhile, the opinion of those, who advised the giving up of the property, having prevailed in the senate, this afforded the ambassadors a pretext for remaining in the city, because they had been allowed time by the consuls to procure carriages for the conveyance of the effects of the princes; all which time they spent in consultations with the conspirators, and had, by pressing instances, prevailed upon them to send letters for the Tarquini; for "without these, how could they be so

fully assured, as an affair of that high importance required, that the report of the ambassadors was not groundless?" These letters, given as a pledge of their sincerity, proved the means of detecting the plot: for the day before that on which they were to return to the Tarquini, the ambassadors happening to sup with the Vitellii, and the conspirators having here in private had much conversation, as was natural, on the subject of their new enterprise, their discourse was overheard by one of the slaves who had, before this, discovered that such a design was in agitation, but waited for this opportunity, until the letters should be given to the ambassadors; because these, being seized, would furnish full proof of the transaction. As soon as he found that they were delivered, he made a discovery of the affair to the consuls. The consuls, setting out from home directly, and apprehending the ambassadors and conspirators in the fact, effectually crushed the affair without any tumult; taking particular care, with regard to the letters, that they should not escape them. They instantly threw the traitors into chains, but hesitated for some time with regard to proceeding against the ambassadors; and though, by their behaviour, they had deserved to be treated as enemies, yet regard to the law of nations prevailed.

V. With respect to the effects of the princes, which they had before ordered to be restored, the business was now laid before the senate for re-consideration; and they, actuated entirely by resentment, decreed, that they should not be restored, but converted to the use of the state. They were, therefore, given up to the commons as plunder, with the intent, that these, after such an act of violence against the princes, as the seizing of their effects, might for ever lose all hope of reconciliation with them. The land of the Tarquini, which lay between the city and the Tiber, being consecrated to the god of war, has, from that time, been called the Field of Mars. It happened, that there was then on that ground

a crop of corn, ripe for the sickle, and because it would be an impiety to make use of this produce of the field, a great number of men were sent in at once, who, having cut it down, carried it in baskets, and threw it, grain and straw together, into the Tiber, whose waters were low at that time, as is generally the case in the middle of summer. The heaps of corn then being frequently stopped for a while in the shallows, and having contracted a covering of mud, sunk, and, remained fixed, and by these means, with the afflux of other materials which the stream is apt to carry down, an island* was gradually formed. I suppose that mounds were afterwards added, and assistance given by art, to raise the surface to its present height, and give it sufficient firmness to support temples and porticoes. After the people had made plunder of the effects of the princes, the traitors were condemned and executed. And the execution was the more remarkable on this account, that his office of consul imposed on a father the severe duty of inflicting punishment on his own sons; and that he, who ought not to have been present as a spectator, was yet the very person whom fortune pitched on to exact the penalty of their offence. The youths, all of the first distinction, stood tied to stakes, but the sons of the consul entirely engaged the eyes of the spectators, as if the others were persons unknown; and people felt compassion, not only for their punishment, but even for the crime by which they had brought it on themselves: to think that “they could, during that year particularly, have been induced to entertain a design of betraying their country, just delivered from tyranny, their father its deliverer, the consulship, which had commenced in the Junian family, the patricians, commons, in a word, whatever Rome held in highest veneration, into the hands of one who was formerly a tyrannical king, now an enraged exile.” The consuls mounted their

* Between the Janiculum and the city. It was afterwards called the Holy Island, from the number of temples built upon it.

throne, and the lictors were sent to inflict the punishment: after stripping the criminals naked, they beat them with rods, and beheaded them; whilst, through the whole process of the affair, the looks and countenance of Brutus afforded an extraordinary spectacle, the feelings of the father often struggling with the character of the magistrate enforcing the execution of the laws. Justice done to the offenders, in order to exhibit a striking example for the prevention of crimes, in their treatment of the several parties, they gave, as a reward to the discoverer of the treason, a sum of money out of the treasury, his freedom, and the rights of a citizen. This man is said to be the first who was made free by the *Vindicta*.* Some think that the term "*Vindicta*" was taken from him, his name having been *Vindicus*: after him, it obtained, as a rule, that whoever was made free in that manner, should be considered and admitted a citizen.

VI. Tarquinius, on being informed of these transactions, became inflamed, not only with grief for the disappointment of such promising hopes, but with hatred and resentment; and finding every pass shut against secret plots, determined to have recourse to open war; and to that end, he went round to all the cities of Etruria, in the character of a suppliant, addressing himself particularly to the people of Veii and Tarquinii, intreating them, "not to suffer him, who was sprung from themselves, and of the same blood; who was lately possessed of so great a kingdom, now exiled and in want, to perish before their eyes, together with the young men his sons. Others had been invited from foreign coun-

* The *vindicta* was a rod, or wand, with which the consul, in early times, afterwards the city-prætor, struck the slave presented to him for enfranchisement, the owner having previously given him a slight blow, and let him go out of his hands. The prætor then gave the rod to a lictor, who likewise struck the person manumitted. He was then registered as a freeman, and assumed the cap, the symbol of liberty, with much ceremony, in the temple of Feronia.

tries to Rome, to fill the throne; but he, when in possession of the government, and while he was employing his arms in extending the limits of the Roman empire, was expelled by a villainous conspiracy of men who were most closely connected with him; who, because no one of their number was qualified to hold the reins of government, had forcibly shared the several parts of it among them, and had given up his property to be plundered by the populace, to the intent that all might be equally guilty. He only wished to be restored to his own country and crown, and to be avenged on his ungrateful subjects. He besought them to support and assist him, and at the same time, to take revenge for the injuries which they themselves had sustained of old, for their legions so often slaughtered, and their lands taken from them." These arguments had the desired effect on the Veientians, every one of whom earnestly, and with menaces, declared that they ought now at least, with a Roman at their head, to efface the memory of their disgraces, and recover, by arms, what they had lost. The people of Tarquinii were moved by his name, and his relation to themselves: they thought it redounded to their honour, that their countrymen should reign at Rome. Thus two armies of two states followed Tarquinius to demand his restoration, and prosecute war against the Romans. When they advanced into the Roman territories, the consuls marched out to meet the enemy. Valerius led the infantry, in order of battle; Brutus, with the cavalry, marched at some distance before them, in order to procure intelligence. In like manner, the vanguard of the enemy was composed of cavalry, under the command of Aruns Tarquinius, the king's son; the king himself followed with the legions. Aruns, perceiving at a distance, by the lictors, that a consul was there, and afterwards, on a nearer approach, plainly distinguishing Brutus by his face, became inflamed with rage, and cried out, "That is the man who has driven us as exiles from our country; see how he marches

in state, decorated with our ensigns: ye gods, avengers of kings, assist me!" He then spurred on his horse, and drove furiously against the consul. Brutus perceived that the attack was meant for him; and as it was at that time reckoned not improper for generals themselves to engage in fight, he eagerly offered himself to the combat; and they advanced against each other with such furious animosity, neither thinking of guarding his own person, but solely intent on wounding his enemy, that, in the violence of the conflict, each of them received his antagonist's spear in his body, through his buckler, and being entangled together by the two spears, they both fell lifeless from their horses. At the same time, the rest of the cavalry began to engage, and were shortly after joined by the infantry: a battle then ensued, in which victory seemed alternately to incline to either party, the advantages being nearly equal: for the right wings of both armies got the better, and the left were worsted. At length the Veientians, accustomed to be vanquished by the Roman troops, were routed and dispersed: the Tarquinians, a new enemy, not only kept their ground, but even, on their side, made the Romans give way.

VII. Though such was the issue of the battle, yet so great terror took possession of Tarquinius and the Etrurians, that, giving up the enterprise as impracticable, both armies, the Veientian and the Tarquinian, retired by night to their respective countries. To the accounts of this battle, writers have added miracles; that, during the silence of the following night, a loud voice was uttered from the Arsian wood, which was believed to be the voice of Sylvanus, in these words: "The number of the Etrurians who fell in the engagement was the greater by one. The Romans have the victory." The Romans certainly departed from the field as conquerors, the Etrurians as vanquished: for when day appeared, and not one of the enemy was to be seen, the consul, Publius Valerius, collected the spoils, and returned in tri-

umph to Rome. He celebrated the funeral of his colleague with the utmost degree of magnificence which those times could afford; but a much higher mark of honour to the deceased, was the grief expressed by the public, singularly remarkable in this particular, that the matrons mourned for him as for a parent, during a whole year, in gratitude for his vigorous exertions in avenging the cause of violated chastity. In a little time, the consul who survived, so changeable are the minds of the populace, from having enjoyed a high degree of popularity, became an object not only of jealousy, but of suspicion, attended with a charge of an atrocious nature: it was given out that he aspired at the sovereignty, because he had not substituted a colleague in the room of Brutus; and besides, was building a house on the summit of Mount Velia, which, in such a lofty and strong situation, would be an impregnable fortress. The consul's mind was deeply affected with concern and indignation, at finding that such reports were circulated and believed; he therefore summoned the people to an assembly, and, ordering the fasces to be lowered,* mounted the rostrum. It was a sight highly pleasing to the multitude, to find the ensigns of sovereignty lowered to them, and an acknowledgment thus openly given, that the majesty and power of the people were superior to those of the consul. Attention being ordered, the consul extolled the good fortune of his colleague, who, "after having accomplished the deliverance of his country, and being raised to the highest post of honour, met with death while fighting in defence of the republic, when his glory had arrived at full maturity, without having excited jealousy: whereas he himself, surviving his glory, was become an object of calumny; and from the character of deliverer of his country, had sunk to a level with the Aquillii

* At the same time, he took the axes out of the fasces, and they were never, afterwards, carried in the fasces of the consuls within the city.

and Vitellii. Will no degree of merit then," said he, "ever gain your confidence, so far as to be secure from the attacks of suspicion? Could I have the least apprehension that I, the bitterest enemy to kings, should undergo the charge of aiming at kingly power? Supposing that I dwelt in the very citadel, and in the Capitol, could I believe that I was an object of terror to my countrymen? Does my reputation among you depend on so mere a trifle? Is my title to your confidence so slightly founded, that it is more to be considered where I am, than what I am? Citizens, the house of Publius Valerius shall be no obstruction to your freedom; the Velian mount shall be secure to you: I will not only bring down my house to the plain, but will fix it under the hill, that your dwellings may overlook that of your suspected countryman. Let those build on the Velian mount to whom ye can better intrust your liberty than to Publius Valerius." Immediately all the materials were brought down from the Velian mount, and the house was built at the foot of the hill, where the temple of victory now stands.

VIII. Some laws were then proposed by the consul, which not only cleared him from all suspicion of a design to possess himself of regal power, but whose tendency was so contrary thereto, that they even rendered him popular, and from thence he acquired the surname of Publicola. Such particularly, was that concerning an appeal to the people against the decrees of the magistrates, and that which devoted both the person and goods of any who should form a design of assuming regal power. These laws were highly acceptable to the populace, and having effected the ratification of them, while alone in office, in order that the credit of them might be entirely his own, he then held an assembly for the election of a new colleague. The consul elected was Spurius Lucretius, who, being far advanced in years, and too feeble to support the duties of his office, died in a few days after. Marcus Horatius Pulvillus was substituted in

the room of Lucretius. In some old writers I find no mention of Lucretius as consul; they place Horatius as immediate successor to Brutus: I suppose he was not taken notice of, because his consulate was not signalized by any important transaction. The temple of Jupiter in the Capitol had not yet been dedicated; the consuls Valerius and Horatius cast lots which should perform the dedication, and it fell to Horatius. Publicola set out to conduct the war against the Veientians. The friends of Valerius showed more displeasure, than the occasion merited, at the dedication of a temple so celebrated being given to Horatius. Having endeavoured, by every means, to prevent its taking place, and all their attempts having failed of success, when the consul had already laid his hand on the door-post, and was employed in offering prayers to the gods, they hastily addressed him with the shocking intelligence, that his son was dead, and insisted that his family being thus defiled, he could not dedicate the temple. Whether he doubted the truth of the intelligence, or whether it was owing to great firmness of mind, we are not informed with certainty, nor is it easy to conjecture; but he was no farther diverted from the business he was engaged in, by that information, than just to give orders that the body should be buried; and, still holding the post, he finished his prayer, and dedicated the temple. Such were the transactions at home and abroad, which occurred during the first year after the expulsion of the royal family. The next consuls appointed Y. R. 246. were, Publius Valerius, a second time, and Titus B. C. 506 Lucretius.

IX. Meanwhile, the Tarquinius had carried their complaints to Lars Porsena, king of Clusium; and there, mixing admonitions with intreaties, they at one time besought him that he would not suffer those, who derived their origin from Etruria, and were of the same blood and name, to spend their lives in poverty and exile; then warned him "not to

let this new practice of dethroning kings proceed without chastisement; adding, that liberty had in itself sufficient sweets to allure others to follow the example, unless kings would show the same degree of vigour, in support of kingly power, which the people exerted to wrest it from them: the highest ranks would be reduced to a level with the lowest: there would be no dignity, no pre-eminence among the several members of society: there would soon be an end of regal authority, which among gods and men had heretofore been held in the highest degree of estimation." Porsena, considering it as highly conducive to the honour of Etruria, that there should be a king at Rome, and also that that king should be of Etrurian race, led an army to Rome, determined to support his pretensions by force of arms. Never on any former occasion were the senate struck with such terror, so powerful was the state of Clusium at that time, and so great the name of Porsena: nor were they in dread of their enemies only, but also of their own countrymen; lest the Roman populace, overcome by their fears, might admit the kings into the city, and for the sake of peace, submit to slavery. The senate, therefore, at this season practised many conciliatory measures toward the commons: their first care was applied to the markets, and people were sent, some to the Volscians, others to Cumæ, to purchase corn; the privilege also of selling salt, because the price had been raised to an extravagant height, was taken out of the hands of private persons, and placed entirely under the management of government; the commons were also exempted from port duties and taxes, that the public expenses might fall upon the rich, who were equal to the burthen, the poor paying tax sufficient if they educated their children. This indulgent care preserved such harmony in the state, even during the people's severe sufferings afterwards, from siege and famine, that the name of king was abhorred by all; nor did any single person, in after

times, ever acquire such a high degree of popularity by artful intrigues, as the whole senate then obtained by their wise administration.

X. As the enemy drew nigh, every one removed hastily from the country into the city, on every side of which strong guards were posted. Some parts seemed well secured by the walls, others by the Tiber running close to them. The Sublician bridge was very near affording the enemy an entrance, had it not been for one man, Horatius Cocles: no other bulwark had the fortune of Rome on that day. He happened to be posted on guard at the bridge, and when he saw the Janiculum taken by a sudden assault, and the enemy pouring down from thence in full speed, his countrymen in disorder and confusion no longer attempting opposition, but quitting their ranks, he caught hold of every one that he could, and, appealing to gods and men, assured them that "it was in vain that they fled, after deserting the post which could protect them; that if they passed the bridge, and left it behind them, they would soon see greater numbers of the enemy in the Palatium and the Capitol than in the Janiculum; wherefore he advised and warned them to break down the bridge, by their swords, fire, or any other effectual means, while he should sustain the attack of the enemy, as long as it was possible for one person to withstand them." He then advanced to the first entrance of the bridge, and being easily distinguished from those who showed their backs in retreating from the fight, by his facing to the front, with his arms prepared for action, he astonished the enemy by such wonderful intrepidity. Shame however prevailed on two to remain with him, Spurius Lartius and Titus Herminius, both of them men of distinguished families and characters: with their assistance he, for a time, supported the first storm, and the most furious part of the fight. Even these he sent back, when the bridge was nearly destroyed, and those who were employed in breaking it down called upon them to re-

tire; then darting fierce menacing looks at each of the leaders of the Etrurians, he sometimes challenged them singly, sometimes upbraided them altogether, as slaves of haughty kings, who, incapable of relishing liberty themselves, had come to wrest it from others. For a considerable time they hesitated, looking about for some other to begin the combat: shame at length put their troops in motion, and, setting up a shout, they poured their javelins from all sides against their single opponent: all which, having stuck in the shield with which he guarded himself, and he still persisting with the same undaunted resolution, and with haughty strides, to keep possession of his post, they had now resolved, by making a violent push, to force him from it, when the crash of the falling bridge, and at the same time a shout raised by the Romans, for joy at having completed their purpose, filled them with sudden dismay, and stopped them from proceeding in the attempt. Then Cocles said, "Holy father, Tiberinus, I beseech thee to receive these arms, and this thy soldier, into thy propitious stream." With these words, armed as he was, he leaped down into the Tiber, and through showers of darts which fell around him, swam safe across to his friends, having exhibited a degree of intrepidity which, in after times, was more generally celebrated than believed. The state showed a grateful sense of such high desert; a statue was erected to him in the Comitium, with a grant of land as large as he could plough completely in one day. The zeal of private persons too was conspicuous, amidst the honours conferred on him by the public; for, great as the scarcity then was, every one contributed something to him, in proportion to the stock of their family, abridging themselves of their own proper support.

XI. Porsena, disappointed of success in this first effort, changed his plan from an assault to a blockade; and, leaving a force sufficient to secure the Janiculum, encamped his main body in the plain along the bank of the Tiber, at the same

time collecting ships from all quarters, at once to guard the passage, that no corn should be conveyed to Rome, and to enable his troops to cross over the river in different places, as occasion offered, to lay waste the country. In a short time he extended his depredations so successfully, through every part of the Roman territories, that people were obliged to convey their effects into the city, as also their cattle, which no one would venture to drive without the gates. The Etrurians were permitted to act in this uncontrolled manner, not so much through fear, as design; for Valerius the consul, intent on gaining an opportunity of making an unexpected attack on a large number of them, at a time when they were unprepared, overlooked trifling advantages, reserving his force for a severe revenge on a more important occasion. With this view, in order to allure the plunderers, he gave orders to his men to drive out some cattle through the Esquiline gate, which was at the opposite side from the enemy; judging that these would soon get information of it, because, during the blockade and the scarcity of provisions, many of the slaves turned traitors and deserted. Accordingly they were informed of it by a deserter, and passed over the river in much greater numbers than usual, in hopes of getting possession of the entire booty. Publius Valerius then ordered Titus Herminius, with a small body of men, to lie concealed near the two-mile stone on the Gabian road; Spurius Lartius, with a body of light armed troops, to stand at the Coline gate until the enemy should pass by, and then to take post in their rear, so as to cut off their retreat to the river: the other consul, Titus Lucretius, with some companies of foot, marched out of the Nævian gate; Valerius himself led down his chosen cohorts from the Cælian mount, and these were the first who were observed by the enemy. Herminius, as as soon as he found that the alarm was taken, rushed out from his ambush, to take his share in the fray, and while the Etrurians were busied in forming an opposition to Valerius,

fell upon their rear; the shout was returned, both from the right and from the left; from the Colline gate on one hand, and the Nævian on the other. The plunderers being thus surrounded, destitute of strength to make head against their adversaries, and shut out from all possibility of a retreat, were cut to pieces. After this the Etrurians confined their ravages to narrower limits.

XII. The siege continued notwithstanding, and provisions becoming exceedingly scarce and dear, Porsena entertained hopes, that, by remaining quiet in his present position, he should become master of the city; when Caius Mucius, a noble youth, filled with indignation on reflecting that the Roman people, while they were in bondage under their kings, were never in any war besieged by any enemy, and that the same people, now in a state of freedom, were held besieged by those very Etrurians whose armies they had often routed, resolved, therefore, by some great and daring effort, to remove such reproach. At first he designed to make his way into the enemy's camp, without communicating his intention; but afterwards, dreading lest, if he should go without the order of the consuls, and the knowledge of any, he might be apprehended by the Roman guards, and brought back as a deserter, an imputation for which the present circumstances of the city would afford plausible grounds, he applied to the senate, and told them, "Fathers, I intend to cross the Tiber, and to enter, if I can, the enemy's camp, not to seek for plunder, or to revenge their depredations in kind; the blow which I meditate, with the aid of the gods, is of more importance." The senate gave their approbation, and he set out with a sword concealed under his garment. When he came into the camp, he took his place close to the king's tribunal, where a very great crowd was assembled. It happened that, at this time, the soldiers were receiving their pay, and a secretary, sitting beside the king, and dressed nearly in the same manner, acted a principal part in the business,

and to him the soldiers generally addressed themselves. Mucius, not daring to inquire which was Porsena, lest his not knowing the king should discover what he was, fortune blindly directing the stroke where it was not intended, slew the secretary instead of the king. Then endeavouring to make his escape through a passage, which with his bloody weapon he cleared for himself among the dismayed crowd, a concourse of the soldiers being attracted by the noise, he was seized by the king's life-guards, and dragged back. Standing there single, among a crowd of enemies, before the king's tribunal, even in this situation, in the midst of fortune's severest threats, showing himself more capable of inspiring terror than of feeling it, he spoke to this effect: "I am a Roman citizen; my name is Caius Mucius. As an enemy, I intended to have slain an enemy, nor is my resolution less firmly prepared to suffer death than to inflict it. It is the part of a Roman both to act and to suffer with fortitude: nor am I the only one who has harboured such designs against you. There is a long list, after me, of candidates for the same glorious distinction. Prepare, therefore, if you choose, for a contest of this sort, wherein you must every hour engage at the hazard of your life, and have the enemy and the sword continually in the porch of your pavilion; this is the kind of war in which we, Roman youths, engage against you; fear not an army in the field, nor in battle; the affair will rest between your single person, and each of us, separately." The king, inflamed with rage, and, at the same time, terrified at the danger, ordered fires to be kindled round him, threatening him with severe punishment unless he instantly explained what those plots were, with which he threatened him in those ambiguous expressions: "Behold," said Mucius, "and perceive what little account is made of the body, by those who have in view the attainment of great glory;" and thrusting his right hand into a chafing-dish of coals which had been kindled for the purpose of a sacrifice. held it there to burn,

as if he were void of all sense of feeling: on which the king, thunderstruck in a manner by such astonishing behaviour, leaped from his seat, ordered the youth to be removed from the altars, and said to him, "Retire in safety, for the treatment which you intended for me, was mild in comparison of that which you have practised on yourself. I should wish increase and success to your bravery, if that bravery were exerted on the side of my own country. However, I dismiss you untouched and unhurt; and discharge you from the penalties, which, by the laws of war, I might inflict." Mucius then, as if to make a return for this act of favour, told him, "Since I find you disposed to honour bravery, that you may obtain from me by kindness what you could not by threats, know that three hundred of us, the principal youths in Rome, have bound ourselves to each other by an oath, to attack you in this manner; my lot happened to be first; the others will be with you, each in his turn, according as the lot shall set him foremost, until fortune shall afford an opportunity of succeeding against you."

XIII. Mucius, who afterwards got the surname of Scævola, or the left handed, from the loss of his right hand, being thus dismissed, was followed to Rome by ambassadors from Porsena. The king had been so deeply affected by the danger to which he had been exposed, in the first attempt, from which nothing had protected him but the mistake of the assailant; and by the consideration that he was to undergo the same hazard, as many times as the number of the other conspirators amounted to, that he thought proper, of his own accord, to offer terms of accommodation to the Romans. During the negotiation, mention was made, to no purpose, of the restoration of the Tarquinian family to the throne; and this proposal he made, rather because he had not been able to refuse it to the Tarquinii, than from entertaining the slightest expectation of its being accepted by the Romans. He carried the point, respecting the giving up of the

lands taken from the Veientians, and compelled the Romans to submit to give hostages, if they wished to see his forces withdrawn from the Janiculum. Peace being concluded on these terms, Porsena withdrew his troops from the Janiculum, and retired out of the Roman territories. To Caius Mucius, as a reward of his valour, the senate gave a tract of ground on the other side of the Tiber, which was afterwards called the Mucian meadows; and, such honour being paid to courage, excited even the other sex to merit public distinctions. A young lady called Clælia, one of the hostages, (the camp of the Etrurians happening to be pitched at a small distance from the banks of the Tiber,) evaded the vigilance of the guards, and, at the head of a band of her companions, swam across the Tiber, through a shower of darts discharged at them by the enemy, and restored them all, in safety, to their friends at Rome. When the king was informed of this, being at first highly incensed, he sent envoys to Rome, to insist on the restoration of the hostage Clælia; as to the rest, he showed little concern. But his anger, in a little time, being converted into admiration, he spoke of her exploit as superior to those of Cocles and Mucius; and declared that as, in case the hostage should not be given up, he would consider the treaty as broken off; so, if she should be surrendered, he would send her back to her friends in safety. Both parties behaved with honour; the Romans, on their side, returned the pledge of peace, agreeably to the treaty, and with the Etrurian king merit found, not security only, but honours. After bestowing high compliments on the lady, he told her that he made her a present of half of the hostages, with full liberty to choose such as she liked. When they were all drawn out before her, she is said to have chosen the very young boys, which was not only consonant to maiden delicacy, but, in the universal opinion of the hostages themselves, highly reasonable, that those who were of such an age as was most liable to injury, should in preference, be

delivered out of the hands of enemies. Peace being thus re-established, the Romans rewarded this instance of intrepidity, so uncommon in the female sex, with a mark of honour as uncommon, an equestrian statue. This was erected at the head of the sacred street.

XIV. Very inconsistent with this peaceful manner, in which the Etrurian king retired from the city, is the practice handed down from early times, and continued, among other customary usages, even in our own days, of proclaiming at public sales, that they are selling the goods of king Porsena: which custom must necessarily either have taken its rise originally, during the war, or it must be derived from a milder source than seems to belong to the expression, which intimates that the goods for sale were taken from an enemy. Of the several accounts which have been given, this seems to be the nearest to truth: that Porsena, on retiring from the Janiculum, made a present to the Romans of his camp, which was plentifully stored with provisions collected from the neighbouring fertile lands of Etruria, the city at that time labouring under a scarcity, in consequence of the long siege; and lest the populace, if permitted, might seize on them, as the spoil of an enemy, they were set up to sale, and called the goods of Porsena; the appellation denoting rather gratitude for the gift, than an auction of the king's property, which, besides, never came into the power of the Romans. After he had put an end to the war with Rome, Porsena, that he might not appear to have led his troops into those countries to no purpose, sent his son Aruns, with half of his forces, to lay siege to Aricia: the unexpectedness of the attack struck the Aricians at first with dismay; but afterwards having collected aid, both from the Latine states and from Cumæ, they assumed such confidence, as to venture an engagement in the field. At the beginning of the battle, the Etrurians rushed on so furiously, that at the very first onset they put the Aricians to the rout: the cohorts from

Cumæ, opposing art to force, moved a little to one side; and when the enemy, in the impetuosity of their career, had passed them, faced about, and attacked their rear. By these means the Etrurians, after having almost gained the victory, were surrounded and cut to pieces: a very small part of them, their general being lost, and no place of safety nearer, made the best of their way to Rome, without arms, and in their circumstances and appearance merely like suppliants; there they were kindly received, and provided with lodgings: when their wounds were cured, some of them returned home, and gave an account of the hospitality and kindness which they had experienced. A great number remained at Rome, induced by the regard which they had contracted for their hosts and for the city: they had ground allotted to them for building houses, which was afterwards called the Tuscan street.

XV. The next elected consuls were Publius Lucretius, and Publius Valerius Publicola a third time. Y. R. 247. B. C. 505.

During this year, ambassadors came from Porsena, for the last time, about restoring Tarquinius to the throne. The answer given to them was, that the senate would send ambassadors to the king; and accordingly, without delay, a deputation, consisting of the persons of the highest dignity among the senators, was sent with orders to acquaint him, that "it was not because their answer might not have been given in these few words, that the kings would not be admitted, that they had chosen to send a select number of their body to him, rather than to give the answer to his ambassadors at Rome, but in order that an end might be put for ever to all mention of that business; and that the intercourse of mutual kindness, at present subsisting between them, might not be disturbed by the uneasiness which must arise to both parties, if he were to request what would be destructive of the liberty of the Roman people; and the Romans, unless they chose to comply at the expense of their own ruin.

must give a refusal to a person, to whom they would wish to refuse nothing: that the Roman people were not under regal government, but in a state of freedom, and were fully determined to open their gates to declared enemies, rather than to kings: that this was the fixed resolution of every one of them; that the liberty of the city, and the city itself, should have the same period of existence; and, therefore, to intreat him that, if he wished the safety of Rome, he would allow it to continue in its present state." The king, convinced of the impropriety of interfering any farther, replied, "Since this is your fixed and unalterable resolution, I will neither tease you by a repetition of fruitless applications on the same subject, nor will I disappoint the Tarquini, by giving hopes of assistance, which they must not expect from me. Let them, whether they look for war or for quiet, seek some other residence in their exile, that there may subsist no cause of jealousy, to disturb, henceforward, the good understanding, which I wish to maintain between you and me." To these expressions he added acts still more friendly; the hostages, which remained in his possession, he restored, and gave back the Veientian land, of which the Romans had been deprived by the treaty at the Janiculum. Tarquinius, finding all hopes of his restoration cut off, retired for refuge to Tusculum, to his father-in-law, Mamilius Octavius. Thus peace and confidence were firmly established between the Romans and Porsena.

Y. R. 249. XVI. The next consuls were Marcus Valerius and B. C. 503. Publius Postumius. During this year, war was carried on, with success, against the Sabines, and the consuls had the honour of a triumph. The Sabines, afterwards, preparing for a renewal of hostilities in a more formidable manner; to oppose them, and, at the same time, to guard against any sudden danger which might arise from the side of Tusculum, where, though war was not openly declared, there was reason to apprehend that it was intended, Publius Valerius, a fourth time,

and Titus Lucretius, a second time, were chosen con-
 suls. A tumult which arose among the Sabines, be-
 tween the advocates for peace and those for war, was the means
 of transferring a considerable part of their strength to the side
 of the Romans. For Atta Clausus, called afterwards at Rome
 Appius Claudius, being zealous in favour of peaceful mea-
 sures, but overpowered by the turbulent promoters of war,
 and unable to make head against their faction, withdrew from
 Regillum to Rome, accompanied by a numerous body of ad-
 herents.* These were admitted to the rights of citizens,
 and had land assigned them beyond the Anio. They have
 been called the old Claudian tribe, to distinguish them from
 the new members, who, coming from the same part of the
 country, were afterwards added to that tribe. Appius was
 elected into the senate, and soon acquired a reputation among
 the most eminent. The consuls, in prosecution of the war,
 marched their army into the Sabine territories, and, after
 reducing the power of the enemy, by wasting their lands,
 and afterwards in battle, to such a degree, that there was
 no room to apprehend a renewal of hostilities in that quarter
 for a long time to come, returned in triumph to Rome. In
 the ensuing year, when Agrippa Menenius and
 Publius Postumius were consuls, died Publius
 Valerius, a man universally allowed to have excelled all
 others, in superior talents both for war and peace, full of
 glory, but in such slender circumstances, that he left not
 sufficient to defray the charges of his funeral. He was buried
 at the expense of the public, and the matrons went into
 mourning for him, as they had done for Brutus. During
 the same year, two of the Latine colonies, Pometia and Cora
 revolted to the Auruncians, and war was undertaken against
 that people; a very numerous army, with which they boldly
 attempted to oppose the consuls, who were entering their

* Not less than five thousand families accompanied him

borders, was entirely routed, and the Auruncians compelled to make their last stand at Pometia: nor was the carnage less after the battle was over, than during its continuance; there were greater numbers slain than taken, and those who were made prisoners, were in general put to death; nay, in the violence of their rage, which ought to be confined to foes in arms, the enemy spared not even the hostages, three hundred of whom had been formerly put into their hands. During this year also there was a triumph at Rome.

Y. R. 252. XVII. The succeeding consuls, Opiter Virginius and Spurius Cassius, attacked Pometia, at first by storm, afterwards by regular approaches.* The Auruncians, actuated rather by implacable hatred, than by any hope of success, and without waiting for a favourable opportunity, resolved to assail them; and, sallying out, armed

* Orig. *Vi, deinde vineis, alisque operibus.* The great difficulty of translation consists in the impossibility of finding corresponding terms. The modern art of war differs, so entirely, from the ancient, owing to the various improvements that have been introduced into that destructive science, during a period of more than two thousand years, and principally to the invention of gunpowder, that the ancient modes of attack and defence, as well as the various military machines, are not only now disused, but even no equivalent terms can, in any of the modern languages, be found for them. Thus, in the above passage, wherein the translator has taken the liberty, rather of describing the operation, than translating the original, the word *vineæ* occurs; this, as Vegetius informs us, was a machine constructed of timbers, strongly framed together, mounted on wheels and covered with hurdles, over which was put a quantity of earth; the assailants, thus protected against the missile weapons of the enemy, moved forward the machine; and, under cover of it, endeavoured to beat down, or undermine, the walls. The translator here begs leave, once for all, to observe, that he will often take the liberty he has done in this place, of dropping terms, which cannot be translated; and which, if left untranslated in the text, could convey no idea whatever to the English reader: endeavouring however, he hopes not unsuccessfully, by a short description, or slight circumlocution, to make his author's meaning sufficiently intelligible.

with fire and sword, they filled every place with slaughter and conflagration; and, besides burning the machines, and killing and wounding great numbers of their enemies, were very near killing one of the consuls, (which of them, writers do not inform us,) who was grievously wounded, and thrown from his horse. The troops, thus foiled in their enterprise, returned to Rome, leaving the consul, whose recovery was doubtful, together with a great number of wounded. After a short interval, just sufficient for the curing of their wounds, and recruiting the army; the Romans renewed their operations against Pometia, with redoubled fury and augmented strength; and when they had a-new completed their military works, the soldiers being just on the point of scaling the walls, the garrison capitulated. However, although the city had surrendered, the chiefs of the Auruncians were from all parts dragged to execution, with the same degree of cruelty, as if it had been taken by assault: the other members of the colony were sold by auction: the town was demolished, and the land set up to sale. The consuls obtained a triumph, rather in consideration of their having gratified the people's resentment by severe revenge, than of the magnitude of the war which they had brought to a conclusion.

XVIII. The following year the consuls were Y. R. 253. Postumus Cominius and Titus Lartius; when B. C. 499. some Sabine youths having, through wantonness, used violence to certain courtezans at Rome, during the celebration of the public games, and a mob assembling, a scuffle ensued, which might almost be called a battle; and, from this trifling cause, matters seemed to have taken a tendency towards a renewal of hostilities. Besides the apprehension of a war with the Sabines, there was another affair which created much uneasiness: undoubted intelligence was received, that thirty states had already formed a conspiracy, at the instigation of Octavius Mamilius. While Rome remained in this perplexity, looking forward with anxious apprehension to

the issue of such a perilous conjuncture, mention was made, for the first time, of creating a dictator.* But in what year, or who the consuls were, who could not be confided in, because they were of the Tarquinian faction, for that also is related, or who was the first person created dictator, we have no certain information. In the most ancient writers, however, I find it asserted, that the first dictator was Titus Lartius, and that Spurius Cassius was appointed master of the horse. They chose men of consular dignity, as ordered by the law enacted concerning the creating of a dictator. For this reason, I am the more induced to believe, that Lartius, who was of consular dignity, and not Manius Valerius, son of Marcus, and grandson of Voesus, who had not yet been consul, was placed over the consuls, as their director and master, as, even if it had been thought proper, that the dictator should be chosen out of that family, they would rather have elected the father, Marcus Valerius, a man of approved merit, and of consular dignity. On this first establishment of a dictator at Rome, the populace, seeing the axes carried before him, were struck with such terror, as made them more submissive to rule; for they could not now, as under consuls who were equal in authority hope for protection, from one of them, against the other; but prompt obedience was required of them, and in no case was there any appeal. Even the Sabines were alarmed at the appointment of a dictator by the Romans, the more so, because they supposed that he had been named to act against them;

* The dictator was an officer endued with absolute authority over all orders and bodies of men whatever; and from whom there was, in the early times of the republic, no appeal. He could not hold the office longer than six months, nor go out of Italy, nor could he march on horseback without leave previously obtained from the people. It became the practice, that one of the consuls, in the night, within the territory of the republic, named the dictator; and it was required that the nomination should be confirmed by auspices.

they therefore sent ambassadors to treat of an accommodation; who, requesting of the dictator and senate, that they would pardon the misconduct of thoughtless young men, were answered, that pardon might be granted to young men, but not to the old, who made it their constant practice to kindle one war after another. However, a negotiation was entered into for an adjustment of affairs, and it would have been concluded, if the Sabines had been willing to reimburse the costs expended on the war, for that was the condition required. War was proclaimed, but still a suspension of hostilities continued during the remainder of the year.

XIX. The consuls of the next year were Servius Y. R. 254. Sulpicius, and Manius Tullius. B. C. 498. Nothing worth mention occurred. Then succeeded Titus Æbutius and Caius Vetusius. In their consulate, Fidenæ was besieged, Crustumera taken, Præneste revolted from the Latines to the Romans, and a Latine war, the seeds of which had, for several years past, been growing to maturity, could not now be choaked. Aulus Postumius dictator, and Titus Æbutius master of the horse, marching out a numerous Y. R. 255 army of cavalry and infantry, met the forces of the B. C. 497. enemy at the lake Regillus, in the territory of Tusculum; and, as it was known that the Tarquini were in the army of the Latines, the rage of the Romans could not be restrained, but they insisted on engaging instantly; for this reason, too, the battle was unusually obstinate and bloody; for the generals not only performed the duty of directing every thing, but, exposing their own persons, mixed with the combatants, and shared the fight; and scarcely one of the principal officers of either army left the field without being wounded, except the Roman dictator. As Postumius was encouraging and marshalling his men in the first line, Tarquinius Superbus, though now enfeebled by age, spurred on his horse furiously against him; but receiving a blow, was quickly surrounded by his own men, and car-

ried off to a place of safety. On the other wing, Æbutius, the master of the horse, made an attack on Octavius Mamilius; nor was his approach unobserved by the Tusculan general, who advanced in full career to meet him, and each aiming his spear at his antagonist, they encountered with such violence, that the arm of Æbutius was pierced through, and Mamilius received a wound in his breast; the latter was received by the Latines in their second line; while Æbutius, disabled by the wound in his arm from wielding a weapon, retired from the fight. The Latine general, not in the least dispirited by his wound, continued his vigorous exertions; and perceiving his men begin to give ground, sent for a cohort of Roman exiles, commanded by Lucius the son of Tarquinius; these, fighting under the impulse of keen resentment, on account of their having been deprived of their property, and of their country, kept the battle for some time in suspense.

XX. The Romans were now on one side giving way, when Marcus Valerius, brother of Publicola, observing young Tarquinius, with ostentatious fierceness, exhibiting his prowess in the front of the exiles, and inflamed with a desire of supporting the glory of his house, and that those who enjoyed the honour of having expelled the royal family, might also be signalized by their destruction, set spurs to his horse, and, with his javelin presented, made towards Tarquinius; Tarquinius avoided this violent adversary, by retiring into the body of his men, and Valerius rashly pushing forward into the line of the exiles, was attacked, and run through, by some person on one side of him, and as the horse's speed was in no degree checked by the wound of the rider, the expiring Roman sunk to the earth, his arms falling over his body. Postumius the dictator, seeing a man of such rank slain, the exiles advancing to the charge with fierce impetuosity, his own men disheartened and giving way, issued orders to his cohort, a chosen band which he kept about his

person as a guard, that they should treat as an enemy, every man of their own army whom they should see retreating. Meeting danger thus on both sides, the Romans, who were flying, faced about against the enemy, and renewed the fight; the dictator's cohort then, for the first time, engaged in battle; and, with fresh strength and spirits, falling on the exiles who were exhausted with fatigue, made great slaughter of them. On this occasion another combat between two general officers took place; the Latine general, on seeing the cohort of exiles almost surrounded by the Roman dictator, ordered several companies from the reserve to follow him instantly to the front; Titus Herminius, a lieutenant-general, observing these as they marched up, and, among them, knowing Mamilius, who was distinguished by his dress and arms, encountered him with a strength so much superior to what had been shown a little before, by the master of the horse, that with one blow he slew Mamilius, driving the spear through his side. Thus was he victorious; but having received a wound from a javelin, while he was stripping the armour from his adversary's body, he was carried off to the camp, and expired during the first dressing of it. The dictator then flew to the cavalry, entreating them, as the infantry were now fatigued, to dismount and support the engagement: they obeyed his orders, leaped from their horses, flew forward to the van, and covering themselves with their targets, took post as the front line: this instantly revived the courage of the infantry, who saw the young men of the first distinction foregoing every advantage in their manner of fighting, and taking an equal share of the danger. By these means, the Latines were at length overpowered, their troops were beaten from their ground, and began to retreat: the horses were then brought up to the cavalry, in order that they might pursue the enemy, and the line of infantry followed. At this juncture, the dictator, omitting no means of engaging the aid both of gods and men, is said to have vowed

a temple to Castor; and to have proclaimed rewards to the first, and to the second of the soldiers who should enter the enemy's camp; and so great was the ardour of the Romans, that they never remitted the impetuosity of the charge, by which they had broken the enemy's line, until they made themselves masters of the camp. Such was the engagement at the lake Regillus. The dictator and master of the horse, on their return to the city, were honoured with a triumph.

Y. R. 256. XXI. During the three ensuing years, there was
B. C. 496. neither war, nor yet a security of lasting peace.

The consuls were, Quintus Clælius and Titus Lartius: then
Y. R. 257. Aulus Sempronius and Marcus Minutius, in whose
B. C. 495. consulate the temple of Saturn was dedicated, and the festival called Saturnalia instituted. After them, Aulus

Y. R. 258. Postumius and Titus Virginius were made con-
B. C. 494. suls. I find it asserted by some writers, that the

battle at the lake Regillus was not fought until this year, and that Aulus Postumius, because the fidelity of his colleague was doubtful, abdicated the consulship, and was then made dictator. Such perplexing mistakes, with regard to dates, occur from the magistrates being ranged in different order, by different writers, that it is impossible, at this distance of time, when not only the facts, but the authors who relate them, are involved in the obscurity of antiquity, to trace out a regular series of the consuls as they succeeded each other, or of the transactions as they occurred in each

Y. R. 259. particular year. Appius Claudius and Publius Ser-
B. C. 493. vilius were next appointed to the consulship. This year was rendered remarkable by the news of Tarquinius's death; he died at Cumæ, whither, on the reduction of the power of the Latines, he had retired for refuge, to the tyrant Aristodemus. By this news, both the patricians and the commons were highly elated; but the former suffered their exultation on the occasion to carry them to unwarrantable lengths; and the latter, who, until that time, had been treated

with the utmost deference, began to feel themselves exposed to insults from the nobility. During the same year, the colony of Signia, which Tarquinius had founded in his reign, was re-established, by filling up its number of colonists. The tribes of Rome were increased to the number of twenty-one. The temple of Mercury was dedicated on the ides of May.

XXII. During these proceedings against the Latines, it could hardly be said that there was either war or peace with the nation of the Volscians: for, on the one hand, these had got troops in readiness, which they would have sent to the assistance of the Latines, if the Roman dictator had not been so quick in his measures; and, on the other, the Roman had used this expedition, in order that he might not be obliged to contend against the united forces of the Latines and Volscians. In resentment of this behaviour, the consuls led the legions into the Volscian territory: the Volscians, who had no apprehensions of punishment, for a design which had not been put in execution, were confounded at this unexpected proceeding, insomuch that, laying aside all thoughts of opposition, they gave three hundred hostages, the children of the principal persons at Cora and Pometia; in consequence whereof, the legions were withdrawn from thence, without having come to an engagement. However, in a short time after, the Volscians being delivered from their fears, resumed their former disposition, renewed secretly their preparations for war, and prevailed on the Hernicians to join them; they also sent ambassadors through every part of Latium, to stir up that people to arms. But the Latines were so deeply affected by their recent disaster, at the Lake Regillus, and so highly incensed at any persons attempting to persuade them to engage in a war, that they even offered violence to the ambassadors: seizing the Volscians, they conducted them to Rome, and there delivered them to the consuls, with information, that the Volscians and Hernicians were preparing to make war on the Romans. The affair being laid before

the senate, the conduct of the Latines was so acceptable to the senators, that they restored to them six thousand of the prisoners, and made an order, besides, that the new magistrates should proceed in the business relative to an alliance, a point which had been almost absolutely refused them. The Latines then highly applauded themselves for the part which they had acted, and the friends of peaceful measures were held in high estimation: they sent to the capitol a golden crown, as a present to Jupiter, and, together with the ambassadors, and the present, came a great multitude of attendants, consisting of the prisoners who had been sent back to their friends. These proceeded to the several houses of the persons, with whom each of them had been in servitude, returned thanks for their generous behaviour and treatment of them, during the time of their calamity, and formed mutual connexions of hospitality. Never, at any former time, was the Latine nation more closely united to the Roman government; by ties both of a public and private nature.

- XXIII. But, besides being immediately threatened with a Volscian war, the state itself was torn in pieces by intestine animosities, between the patricians and commons, on account principally of persons confined for debt:* these complained loudly, that after fighting abroad for freedom and empire, they were made prisoners and oppressed by their countrymen at home, and that the liberty of the commons was more secure in war than in peace, amongst their foes than amongst their own countrymen. This spirit of

* If a debtor did not discharge his debt, within thirty days after it was demanded, he was summoned before the prætor, who gave him up into the hands of the creditor. He was kept in chains by him for sixty days; and then, on three successive market days, was brought to the prætor's tribunal, where a crier proclaimed the debt, and sometimes, wealthy persons redeemed the poor, by discharging their debts; but, if that did not happen, the creditor, after the third market day, had a right to sell him, or keep him a slave in his own house. This slavery was afterwards changed into imprisonment.

discontent, of itself increasing daily, was kindled into a flame, by the extraordinary sufferings of one man. A person far advanced in years, whose appearance denoted severe distress, threw himself into the Forum; his garb was squalid, and the figure of his person still more shocking, pale and emaciated to the last degree; besides, a long beard and hair had given his countenance a savage appearance: wretched as was the plight in which he appeared, he was known notwithstanding; several declared, that he had been centurion in the army, and, filled with compassion for him, mentioned publicly many other distinctions, which he had obtained in the service; he himself exhibited scars on his breast, as testimonies of his honourable behaviour in several actions. To those who inquired the cause of that wretched condition, both of his person and apparel, (a crowd meantime having assembled round him, which resembled, in some degree, an assembly of the people,) he answered, that “while he served in the army during the Sabine war, having not only lost the produce of his farm by the depredations of the enemy, but his house being burnt, all his goods plundered, his cattle driven off, and a tax being imposed at a time so distressing to him, he was obliged to run in debt; that this debt, aggravated by usury, had consumed, first, his farm, which he had inherited from his father and grandfather; then, the remainder of his substance; and lastly, like a pestilence, had reached his person; that he had been dragged by a creditor not into servitude, but into a house of correction, or rather a place of execution.” He then showed his back disfigured with the marks of fresh stripes: on this sight, after such a relation, a great uproar arose; and the tumult was no longer confined to the Forum, but spread through every part of the city: those who were then in confinement, and those who had been released from it, forced their way into the public street, and implored the protection of their fellow-citizens: there was no spot which did not afford a voluntary associate to

add to the insurrection; from all quarters they ran in bodies, through every street, with great clamour, into the Forura. The situation of the senators who happened to be there at that time, and who fell in the way of this mob, became highly perilous, for they would certainly have proceeded to violence, had not the consuls, Publius Servilius and Appius Claudius, hastily interposed their authority. To them the multitude turned their applications; showed their chains, and other marks of wretchedness; said, this was what they had deserved; and reminding them of their former services in war, and in various engagements, insisted, with menaces rather than supplications, that they should assemble the senate; they then placed themselves round the senate-house, that they might act as witnesses, and directors of the councils of government. A very small number of the senators, whom chance threw in the way, and these against their will, attended the consuls: fear kept the rest at a distance; so that nothing could be done by reason of the thinness of the meeting. The populace then conceived an opinion, that there was a design to elude their demands by delay; that the absence of certain of the senators was occasioned, not by chance, nor by fear, but by their wishes to obstruct the business; that the consuls themselves showed a backwardness, and that their miseries were manifestly made a matter of mockery. The affair had now nearly arrived at such a state, that even the majesty of the consuls, it was feared, might be insufficient to restrain the rage of the people. At length the senators, beginning to doubt, whether they should incur the greater danger, by absenting themselves, or by attending, came to the senate; and when, after all this delay, a proper number had assembled, not only the senators, but even the consuls themselves, differed widely in opinion. Appius, a man of a violent temper, thought that the riot ought to be quelled by the weight of the consular authority, and that when one or two were taken into custody, the rest would be

quiet: Servilius, more inclined to gentle remedies, maintained that, as the people's spirits were already wound up to such a pitch of ill-humour, it would be both the safer and the easier method, to bend, than to break them. To add to these perplexities, they were threatened with still greater peril from another quarter.

XXIV. Some Latine horsemen arrived, in the utmost haste, with the alarming intelligence, that the Volscians, in hostile array, were coming to attack the city; which news, so entirely opposite were the views of the parties into which the state was split, affected the patricians and the commons in a very different manner. The commons exulted with joy; said the gods were coming to take vengeance for the tyranny of the patricians, and encouraged each other in the resolution not to enrol themselves; saying, "it was better that all should perish together, than that they should be the only victims; let the patricians serve as soldiers; let the patricians take arms, that those who reap the advantages of war, may also undergo its severities and hazards." On the other hand, the senate, dejected and confounded on finding themselves thus encompassed by dangers, from their countrymen on one side, and from the enemy on the other, besought the consul Servilius, whose temper was adapted to conciliate the regard of the people, that he would find means to extricate the commonwealth from the dreadful apprehensions with which it was beset. Whereupon the consul, dismissing the senate, went forth to the assembly of the people; there he assured them, that the senators were solicitous that care should be taken of the interest of the commons; but that their "fears for the safety of the commonwealth, in general, had interrupted their deliberations, concerning that part of the state, which, though it must be allowed to be the largest, was still but a part; nor could they, while the enemy was just at the gates, allow any business to take place of the necessary provisions for the war, nor, even if

they were allowed a little respite, would it be either for the honour of the commons, to have refused to take arms in defence of their country, unless on condition of first receiving hire for it; nor could it fail of injuring the reputation of the senators themselves, if they should appear to have now applied their attention to the good of their countrymen, through fear, rather than afterwards through inclination." He gave proof of his sincerity in this discourse, by an edict, whereby he ordained, that "no person should hold any Roman citizen in bonds or confinement, so as to prevent his giving in his name to the consuls; that no person should take possession, or make sale, of the goods of a soldier, while upon service; nor detain in custody either his children or grandchildren." On the publication of this edict, such debtors under arrest, as were present, instantly gave in their names, and crowds of others, in every part of the city, rushing out of their confinement, when the creditors had no longer a right to detain them, ran together to the Forum, to take the military oath: these composed a large body of troops, and none, during the Volscian war, displayed a greater share of bravery and activity. The consul led out his army against the enemy, and pitched his camp at a small distance from theirs.

XXV. The following night, the Volscians, expecting great advantages from the dissensions of the Romans, approached their camp, in hopes that, in the surrounding darkness, some might desert or betray their posts. They were, however, perceived by the sentinels; the troops were called up, and, the signal being given, they ran to arms; and by these means frustrated the attempt of the Volscians: the remainder of the night was dedicated to repose by both parties. Next day, at the first dawn, the Volscians, having filled up the trenches, assaulted the rampart, and were proceeding to demolish the fortifications on every side, when the consul, having delayed for some time in order to try the

ry occasion, at random, and without a plan. The consuls, considering this as a very dangerous proceeding, which it really was, proposed it to the consideration of the senate, but were not allowed, after proposing it, to take the votes regularly, a great tumult arising on the mention of it among the senators, who exclaimed, and expressed the highest indignation at the consuls attempting to throw on that body the odium of an affair which ought to have been quelled by the consular authority. They told them, that "if there really had been magistrates in the commonwealth, there would have been no council at Rome, but the public one. At present the government was divided and dispersed into a thousand senate houses, and assemblies, some meetings being held on the Esquiline mount, others on the Aventine. That they had no doubt, but one man, such as Appius Claudius, would have dispersed those meetings in a moment's time." The consuls, on receiving this rebuke, asked the senate, what then they would have them do? for they were resolved, they said, to act with all the activity and vigour which the senate might recommend. A decree then passed, that they should enforce the levies with the utmost strictness; for that the commons were grown insolent through want of employment. Dismissing the senate the consuls mounted the tribunal, and cited the younger citizens by their name. No answer being made, the multitude which stood round, like a general assembly, declared, that "the commons could be no longer deceived; and that not a single soldier should be raised, until the public engagements were fulfilled. That every man must have his liberty restored, before arms were put into his hands, that the people might be convinced they were to fight for their country and fellow-citizens, not for their masters." The consuls saw clearly enough what the senate expected from them; but of those who spoke with the greatest vehemence within the walls of the senate-house, not one was present to stand the brunt of the contests, and every thing

threatened a desperate one with the commons. It was resolved, therefore, before they should proceed to extremities, to consult the senate again; the consequence of which was, that all the younger senators rushed up hastily to the seats of the consuls, desiring them to abdicate the consulship, and lay down a command which they wanted spirit to support.

XXIX. Having made sufficient trial of the dispositions of both sides, the consuls at length spoke out: "Conscript fathers, lest ye should hereafter say that ye were not forewarned, know that a dangerous sedition is ready to break out. We demand that those who are the most forward to censure us for inactivity, may assist us by their presence, while we hold the levy. We will proceed in the business in such a manner as shall be approved by the most strenuous advocates for vigorous measures, since such is your pleasure." They then went back to the tribunal, and ordered, purposely, one of those, who were within view, to be cited: finding that he stood mute, and that a number of people had formed in a circle round him, to prevent any force being used, the consuls sent a lictor to him, who being driven back, those of the senators who attended the consuls, exclaiming against the insolence of such behaviour, flew down from the tribunal to assist the lictor. The populace then, quitting the lictor, to whom they had offered no other opposition than that of hindering him from making the seizure, directed their force against the senators; but the consuls interposing quickly, put an end to the scuffle, in which as neither stones nor weapons had been used, there was more clamour and rage than mischief. The senate called tumultuously together, proceeded in a manner still more tumultuous; those who had been beaten, demanding an inquiry into the affair; and the most violent of them endeavouring to carry their point by clamour and noise, rather than by vote. At length, when their rage had somewhat subsided, the consuls, reproaching them with being equally disorderly in the senate-house as in the Forum,

began to collect the votes. There were three different opinions; Publius Virginius thought that "the case did not extend to the whole body of the commons, and that those only were to be considered, who, relying on the promises of the consul Publius Servilius, had served in the Volscian, Auruncian, and Sabine wars." Titus Largius was of opinion, that "the present juncture required something more than the making a return for services performed; that the whole body of the commons were overwhelmed with debt, nor could the progress of the evil be stopped, unless the advantages of the whole were attended to. On the contrary, if distinctions were made, this would add fuel to the dissensions, instead of extinguishing them." Appius Claudius, whose temper naturally harsh, was roused to a degree of ferocity by his hatred to the commons on the one hand, and the applause of the patricians on the other, affirmed that "all these disturbances were excited, not by the people's sufferings, but their licentiousness; and that the commons were actuated by a spirit of wantonness, rather than by resentment of injuries: this was the consequence of giving them a right to appeal; for all that a consul could do, was to threaten, he could not command, when people are allowed to appeal to those who have been accomplices in their transgressions. Come, said he, let us create a dictator, from whom there is no appeal: this madness, which has set the whole state in a flame, will quickly sink into silence. Let me then see, who will strike a lictor, when he knows that the very person whose dignity he insults, has the sole and entire disposal of his person and of his life."

XXX. To many, the expedient recommended by Appius appeared too rough and violent, and justly so; on the other hand, the propositions of Virginius and Largius were considered as tending to establish a bad precedent; particularly that of Largius, which was utterly subversive of all credit. The advice of Virginius was deemed to be the farthest from

excess on either side, and a just medium between the other two. But, through the spirit of faction, and men's regard to their private interests, (things which ever did and ever will impede the public councils,) Appius prevailed, and was himself very near being created dictator; which proceeding, beyond any other, would have highly disgusted the commons, at a very critical juncture, when the Volscians, the Æquans, and the Sabines, happened to be all in arms at the same time. But the consuls and the elder part of the senate took care that a command, in itself uncontrolable, should be intrusted to a person of a mild disposition; and accordingly they chose for dictator Manius Valerius, son of Volesus. Although the commons saw that the dictator was created in opposition to them, yet, as by his brother's law, they enjoyed the privilege of appeal, they dreaded nothing harsh or overbearing from that family. Their hopes were farther encouraged by an edict which the dictator published, of the same tenor in general with the edict of the consul Servilius; but as they thought that they had now securer grounds of confidence, both in the man himself, and in the power with which he was invested, they desisted from the contest, and gave in their names. Ten legions were completed, a force greater than had ever been raised before; of these, three were assigned to each of the consuls, the other four were commanded by the dictator. War could now be no longer deferred: the Æquans had invaded the territories of the Latines; and these by their ambassadors petitioned the senate, that they would either send troops to protect them, or permit them to take arms themselves, to defend their frontiers. It was judged the safer method to defend the Latines without their own assistance, than to allow them to handle arms again: the consul Vetusius was therefore sent thither, who put an end to the depredations. The Æquans retired from the plains, and provided for their safety on the tops of the mountains, relying more on the situation than on their arms.

The other consul who marched against the Volscians, not choosing that his time should be wasted in like manner, used every means, particularly by ravaging the country, in order to provoke the enemy to approach nearer, and to hazard an engagement. They were drawn up in order of battle in a plain between the two camps, each party before their own rampart. The Volscians had considerably the advantage in point of numbers; they therefore advanced to the fight, in a careless manner, as if despising the enemy. The Roman consul did not suffer his troops to move, nor to return the shout, but ordered them to stand with their javelins fixed in the ground, and as soon as the enemy should come within reach, then to exert at once their utmost efforts, and decide the affair with their swords. The Volscians, fatigued with running and shouting, rushed upon the Romans, whom they believed to be benumbed with fear; but when they found a vigorous resistance, and the swords glittering before their eyes, struck with consternation, just as if they had fallen into an ambuscade, they turned their backs: nor had they strength left to enable them to make their escape, having exhausted it by advancing to the battle in full speed. The Romans, on the other hand, having stood quiet during the first part of the engagement, had their vigour fresh, and easily overtaking the wearied fugitives, took their camp by assault, and pursuing them, as they fled from thence to Velitræ, the victors and the vanquished composing, as it were, but one body, rushed into the city together. People of every kind were put to the sword, without distinction, and there was more blood spilt than even in the fight: a small number only, who threw down their arms, obtained quarter.

XXXI. While these things passed in the country of the Volscians, the Sabines, who were by far the most formidable enemy, were routed, put to flight, and beaten out of their camp by the dictator. He had at first, by a charge of his cavalry, thrown the centre of the enemy's line into dis-

order; which, while they extended their wings too far, had not been sufficiently strengthened by a proper depth of files. Before they could recover from this confusion, the infantry fell upon them, and continued their attack, without intermission, until they made themselves masters of their camp, and put a conclusion to the war. Since the battle at the lake Regillus, there had not been obtained in those times, a more glorious victory than this: the dictator entered the city in triumph, and besides the accustomed honours, there was a place in the circus assigned to him and his posterity, for a seat, and a curule chair fixed in it. From the vanquished Volscians the lands of the district of Velitræ were taken, for which inhabitants were sent from the city, and a colony established there. Soon after this, a battle was fought with the Æquans, against the inclination indeed of the consul, who considered the disadvantage of the ground which the troops had to traverse; but the soldiers, accusing him of protracting the business, in order that the dictator might go out of office before they should return to the city, and so his promises fall to the ground without effect, as had those of the former consul, they at length prevailed on him to march up his army, at all hazards, against the steep of the mountain. Rash as this undertaking was, yet, through the cowardice of the enemy, it was crowned with success; for, before a weapon could be thrown, struck with amazement at the boldness of the Romans, they abandoned their camp, which they had fixed in a very strong position, and ran down precipitately into the vallies, on the opposite side: there the Romans gained a bloodless victory, and abundance of booty. Though their arms were thus attended with success, in three different quarters, neither patricians nor commons were free from anxiety respecting the issue of their domestic affairs. With such powerful influence, and with such art also, had the lenders of money concerted their measures, that they were able to disappoint not only the commons, but even the

dictator himself: for Valerius, on the return of the consul Vetusius, took care that the first business which came before the senate should be that of the people, who had returned home victorious; and proposed the question, what did they think proper to be done with respect to the persons confined for debt? and when they refused to take the matter into consideration, he said, " My endeavours to restore concord are, I see, displeasing to you: believe me when I solemnly declare, that the time will shortly come when you will wish, that the commons of Rome had just such patrons as I am: as to myself, I will neither be the means of farther disappointments to the hopes of my countrymen, nor will I hold the office of dictator without effect. Intestine discord and foreign wars made it necessary for the commonwealth to have such a magistrate: peace has been procured abroad, at home it is not suffered to take place: it is my determination then, in time of sedition, to appear in the character of a private citizen, rather than that of dictator." They withdrawing from the senate-house, he abdicated the dictatorship. The case appeared to the commons, as if he had resigned his office out of resentment of the treatment shown to them, and therefore, as if he had fulfilled his engagements, it not having been his fault that they were not fulfilled, they attended him, as he retired to his house, with approbation and applause.

XXXII. The senate were then seized with apprehensions, that if the citizens should be discharged from the army, their secret cabals and conspiracies would be renewed; wherefore, supposing that, though the levy was made by the dictator, yet as the soldiers had sworn obedience to the consuls, they were still bound by that oath, they ordered the legions, under the pretext of hostilities being renewed by the Æquans, to be led out of the city: which step served only to hasten the breaking out of the sedition. It is said that the plebeians, at first, entertained thoughts of putting the consuls to death,

in order that they might be thereby discharged from the oath; but being afterwards informed that no religious obligation could be dissolved by an act of wickedness, they, by the advice of a person called Sicinus, retired without waiting for orders from the consuls, to the sacred mount, beyond the river Anio, about three miles from the city. This account is more generally credited than that given by Piso, who says, the secession was made to the Aventine. In this place, without any commander, having fortified their camp with a rampart and trench, they remained quiet for several days, taking nothing from any one but necessary subsistence, neither receiving nor giving offence. Great was the consternation in the city; all was fearful suspense and mutual apprehension: the plebeians, who were left behind by their brethren, dreaded the violence of the patricians; the patricians dreaded the plebeians who remained in the city, not knowing whether they ought to wish for their stay, or for their departure: but “how long could it be supposed that the multitude which had seceded would remain inactive? And what would be the consequence, if, in the mean time, a foreign war should break out? No glimpse of hope could they see left, except in concord between the citizens, which must be re-established in the state on any terms, whether fair or unfair.” They determined, therefore, to send as ambassador to the plebeians, Menenius Agrippa, a man of eloquence, and acceptable to the commons, because he had been originally one of their body. He, being admitted into the camp, is said to have related to them the following fable, delivered in antiquated language, and an uncouth style:—“At a time when the members of the human body did not, as at present, all unite in one plan, but each member had its own scheme, and its own language; the other parts were provoked at seeing that the fruits of all their care, of all their toil and service, were applied to the use of the belly; and that the belly meanwhile remained at its ease, and did nothing but enjoy the pleasure

provided for it: on this they conspired together, that the hand should not bring food to the mouth, nor the mouth receive it if offered, nor the teeth chew it. While they wished, by these angry measures, to subdue the belly through hunger, the members themselves, and the whole body, were, together with it, reduced to the last stage of decay: from thence it appeared that the office of the belly itself was not confined to a slothful indolence; that it not only received nourishment, but supplied it to the others, conveying to every part of the body, that blood, on which depend our life and vigour, by distributing it equally through the veins, after having brought it to perfection by digestion of the food." Applying this to the present case, and showing what similitude there was between the dissension of the members, and the resentment of the commons against the patricians, he made a considerable impression on the people's minds.

XXXIII. A negotiation was then opened for a reconciliation; and an accommodation was effected, on the terms, that the plebeians should have magistrates of their own, invested with inviolable privileges, who might have power to afford them protection against the consuls; and that it should not be lawful for any of the patricians to hold that office. Accordingly, there were two tribunes of the commons created, Caius Licinius and Lucius Albinus; and these created three colleagues to themselves, among whom was Sicinius, the adviser of the secession: but who the other two were, is not agreed: some say that there were only two tribunes created on the sacred mount, and that the devoting law* was passed

* Which declared, that any person who should violate the person or privileges of a plebeian tribune, should be devoted to Ceres, with his property; and any one might put him to death with impunity." These tribunes; at their first institution, could not properly be called magistrates, having no particular tribunal, nor any jurisdiction over their fellow citizens. Dressed like private men, and attended only by one officer, or beadle, called Viator, they sat on a bench without the senate. into which they

Y. R. 261. there. During the secession of the commons, Spu-
 B. C. 491. rius Cassius and Postumus Cominius entered on the
 consulship. In their consulate the treaty with the Latines
 was concluded; for the purpose of ratifying this, one of the
 consuls remained at Rome, and the other, being sent with an
 army against the Volscians, defeated and put to flight those
 of Antium; and having driven them into the town of Lon-
 gula, pursued the blow, and made himself master of the
 town. He afterwards took Polusca, another town belonging
 to the same people; then with all his force attacked Corioli.
 There was then in the camp, among others of the young no-
 bility, Caius Marcius, a youth of quick judgment and lively
 courage, who was afterwards surnamed Coriolanus. The
 Roman army, while engaged in the siege of Corioli, applying
 their whole attention to the garrison, which they kept shut
 up in the town, without any fear of an attack from without,
 were assaulted on a sudden by the Volscian legions, who had
 marched thither from Antium, and at the same time the
 enemy sallied out from the town: Marcius happened to be
 then on guard, and being supported by a chosen body of men,

were not admitted. except when the consuls required their attendance, to
 give their opinion on some affair which concerned the interest of the ple-
 beians. Their sole function was to protect the plebeians, by interposing in
 case of any grievance or imposition attempted by their superiors; and
 their power extended no farther than one mile round the city. Yet they
 afterwards found means, under various pretences, and by almost imper-
 ceptible degrees, to draw to themselves, and to the commons, the larger
 share of the power of government; introducing a great degree of de-
 mocracy into the polity of the state, which, since the expulsion of the
 kings, had been a kind of aristocracy. They were not allowed to be ab-
 sent from the city one whole day, except during the Latine festivals, and
 were obliged to keep their doors open, night and day, to admit complain-
 ants. At the same time were elected two other plebeian officers, called
 assistants to the tribunes; but being afterwards charged with the care of
 the public buildings, and the cognizance of a like nature, which had before
 belonged to the consuls, they got the title *Ædites*; (ab ædibus curandis,)
 from inspecting the public edifices.

he not only repelled the attack of the sallying party, but rushed furiously in at the open gate; and putting all to the sword in that part of the city, laid hold of the first fire which he found, and threw it on the houses adjoining the wall; on which the shouts of the townsmen mingling with the cries of the women and children, occasioned by the first fright, served both to add courage to the Romans, and to dispirit the Volscians, as they perceived that the town was taken which they had come to relieve. By this means the Volscians of Antium were defeated, and the town of Corioli taken; and so entirely did the glory of Marcius eclipse the fame of the consul, that, were it not that the treaty with the Latines, being engraved on a brazen pillar, remained to testify that it was ratified by Spurius Cassius alone, the other consul being absent, it would not have been remembered that Postumus Cominius was appointed to conduct the war. This year died Menenius Agrippa, through the whole course of his life equally beloved by the patricians and the plebeians; and after the secession, still more endeared to the latter. This man, who, in the character of mediator and umpire, had re-established concord among his countrymen, the ambassador of the senate to the plebeians, the person who brought back the Roman commons to the city, was not possessed of property sufficient for the expense of a funeral. He was buried at the charge of the commons; by a contribution of a sextans* from each person.

XXXIV. The consuls who succeeded, were Titus Y. R. 262.
Greganius and Publius Minucius. During this year, B. C. 490.
when the state was undisturbed by foreign wars, and the dissensions at home had been healed, a more grievous calamity of another nature fell upon it: at first a scarcity of provisions, occasioned by the lands lying untilled during the secession of the commons; and afterwards, a famine, not less severe

* About one half-penny each.

than what is felt in a besieged city. This without doubt would have increased to such a degree that the slaves, and also many of the commons, must have perished, had not the consuls taken measures to remedy it, by sending to all quarters to buy up corn; not only into Etruria on the coast to the right of Ostia, and by permission of the Volscians, along the coast on the left as far as Cumæ, but even to Sicily; for the hatred entertained against them by their neighbours compelled them thus to look for aid to distant countries. After a quantity of corn had been purchased at Cumæ, the ships were detained by the tyrant Aristodemus, as the property of the Tarquinius, whose heir he was. Among the Volscians, and in the Pomptine district, it could not even be purchased, the persons employed in that business being in danger of their lives from the violence of the inhabitants. From Etruria, some corn was conveyed by the Tiber, by which the people were supported. At this unseasonable time, while thus distressed by the scarcity, they were in danger of being farther harassed by war, had not a most destructive pestilence attacked the Volscians, when they were just ready to commence hostilities. By this dreadful calamity the enemy were so dispirited, that, even after it had abated, they could not entirely rid their minds of the terror which it had occasioned. Besides, the Romans not only augmented the numbers in their settlement at Velitræ, but sent a new colony into the mountains of Norba, to serve as a barrier in the Pomptine territory. In the succeeding consulate of Marcus Y. R. 263. Minucius and Aulus Sempronius, a great quantity B. C. 489. of corn was brought from Sicily, and it was debated in the senate, at what price it should be given to the commons. Many were of opinion, that now was the time to humble the commons, and to recover those rights which, by the secession and violence had been extorted from the patricians; Marcius Coriolanus particularly, an avowed enemy of the power of the tribunes, said, "If they wish to have provisions

at the usual price, let them restore to the patricians their former rights: why am I obliged, after being sent under the yoke, after being ransomed, as it were, from robbers, to behold plebeian magistrates, to behold Sicinius invested with power and authority? Shall I submit to such indignities longer than necessity compels me? Shall I, who could not endure Tarquinius on the throne, endure Sicinius? Let him now secede, let him call away the commons: the road is open to the sacred mount, and to other hills: let them carry off the corn from our lands, as they did two years ago: let them make the best of the present state of the market, which they have occasioned by their own madness. I affirm with confidence, that when they are brought to reason by their present sufferings, they will themselves become tillers of the lands, rather than take arms and secede, to prevent their being tilled." Whether such a measure were expedient, is not now easy to say; but, in my opinion, it was very practicable for the patricians, by insisting on terms for lowering the price of provisions, to have freed themselves from the tribunitian power, and every other restraint imposed on them against their will.

XXXV. The method proposed appeared to the senate to be too harsh, and incensed the commons to such a degree, that they were very near having recourse to arms. They complained, that, "as if they were enemies, attempts were made to destroy them by famine: that they were defrauded of food and sustenance; that the foreign corn, the only support which, unexpectedly, fortune had given them, was to be snatched out of their mouths, unless the tribunes were surrendered up in bonds to Caius Marcius; unless he were gratified by the personal sufferings of the Roman commons; a new kind of executioner had come forward, who gave them no alternative but death or slavery." They would have proceeded to violence against him as he came out of the senate-house, had not the tribunes very opportunely summoned him

to a trial. This suppressed their rage, when every one saw himself a judge, and empowered to decide on the life and death of his foe. At first, Marcius heard the threats of the tribunes with scorn: "The authority given to their office," he said, "extended only to the affording protection, not to the inflicting of punishment. That they were tribunes of the commons, not of the patricians." But the whole body of the commons had taken up the cause with such implacable animosity, that the patricians were under the necessity of devoting one victim to punishment for the general safety. They struggled however, notwithstanding the weight of the public hatred which they had to contend with, and not only each particular member, but the whole collective body exerted their utmost efforts; and first they tried, whether, by posting their clients in divers places convenient for the purpose, they could not deter the several plebeians from attending the meetings and cabals, and thereby put a stop to farther proceedings. Afterwards, they all came forth in a body, addressing the commons with intreaties and supplications; one would have thought that every patrician was going to stand his trial. They besought them, if they did not think proper to acquit Marcius as innocent, yet considering him as guilty, to grant as a favour, on their request, the pardon of one citizen, one senator. However, as he himself did not appear on the day appointed, they persisted in their resentment. He was condemned in his absence, and went into exile to the Volscians, uttering menaces against his country, and breathing already the resentment of an enemy. The Volscians received him kindly, and daily increased their attention and respect, in proportion as they had opportunities of observing the violence of his anger towards his countrymen, against whom he would often utter complaints, and even threats. He lodged in the house of Attius Tullus, who was then the man of by far greatest consequence among the Volscians, and an inveterate enemy to the Romans: so that the one, being stimu-

lated by an old animosity, the other, by fresh resentment, they began to concert schemes for bringing about a war with Rome. They judged, however, that it would be a difficult matter to prevail on their people to take arms, which they had so often tried without success; that by the many wars which they had sustained at different times, and lately by the loss of their young men in the pestilence, their spirits were broken; and that it was necessary to make use of art, in order that their hatred, which had now lost its keenness through length of time, might be thereby whetted anew.

XXXVI. It happened that preparations were then making at Rome for a repetition of the great games. The reason of repeating them was this: on the morning of the day when the games were to have been celebrated, before the shows began, a master of a family, after lashing his slave loaded with a neck-yoke, had driven him across the middle of the circus; the games were afterwards exhibited, as if this affair had no relation to religion. Some short time after, Titus Atinius, a plebeian, had a dream; he imagined Jupiter to have said to him, that "the dancer, who performed previously to the games, had been displeasing to him, and unless those games were repeated, and that in a magnificent manner, the city would be in danger; and ordered him to go and tell this to the consuls." Although the man's mind was under the influence of a considerable degree of superstition, yet the awe which he felt at the high dignity of the magistrates, and his own apprehensions lest he should be treated by them, and the public, as an object of ridicule, overcame his religious fears: this delay cost him dear; for within a few days he lost his son; and, lest the cause of that sudden disaster should be doubtful, while he was overwhelmed with grief, the same phantom appeared to him in his sleep, and seemed to ask him, "whether he had gotten a sufficient reward for his contempt of the deity?" telling him that "a still greater awaited him, unless he went immediately and deli-

vered the message to the consuls." This made a deeper impression on his mind, and yet he hesitated and delayed, until at length he was attacked by a grievous disorder, a stroke of the palsy. He then submitted to the admonitions of the divine displeasure: and, wearied out by his past sufferings, and the apprehension of others which threatened him, he called a council of his intimate friends; and, after acquainting them with the several things which he had seen and heard, and with Jupiter's having appeared to him so often in his sleep, and likewise the anger and threats of the deity, so speedily fulfilled in the calamities which had befallen him, he was, in pursuance of the clear and unanimous opinion of all present, carried in a litter into the Forum, to the consuls: from thence he was conveyed, by their order, into the senate-house; where, when he had related the same accounts, to the utter astonishment of all, behold another miracle; it is recorded that he, who had been carried thither incapable of using any of his limbs, had no sooner discharged his duty, than he was able to walk home without assistance.

XXXVII. The senate decreed that the games should be exhibited in the most splendid manner. To these games, in consequence of a plan laid by Attius Tullus, a vast number of the Volscians repaired. Before the commencement of the exhibition, Tullus, according to a scheme concerted at home with Marcius, came to the consuls, told them that he wished to confer with them, in private, on some matters which concerned the commonwealth, and every other person having retired, he addressed them thus: "It is painful to me in the extreme, to say any thing of my countrymen that is not to their honour: I do not come, however, to charge them with having committed any wrong act, but to guard against such being committed. That the dispositions of our people are fickle, to a degree infinitely beyond what might be wished, numerous disasters have given sensible proofs; for, to your forbearance it is owing, and not to our own deserts,

that we have not been utterly destroyed. There are great numbers of the Volscians now in Rome; there are games to be celebrated, the public will be intent on the exhibition, I well remember the outrage which was committed in this city, by the Sabine youths, on a similar occasion. I shudder with apprehension, lest some inconsiderate and rash deed may ensue; thus much I thought it my duty, both for our own sake, and for yours, to mention beforehand to you, who are consuls; for my own part, I intend instantly to return home, lest, if I should be present, my character might be stained with the imputation of some improper word or action." After this discourse he departed. The consuls proposed the matter to the consideration of the senate; a matter, indeed, unsupported by proof, but yet coming from a person whose authority was of great weight. The authority then, rather than any reason appearing in the case, as it often happens, determined them to use precautions, even though they might be unnecessary; and a decree being passed, that the Volscians should retire from the city, criers were despatched to every quarter, to order them all to remove before night. At first, they were struck with great terror, as they ran up and down to their lodgings, to take away their effects: indignation afterwards filled their minds, when they were beginning their journey; they considered themselves stigmatized as persons infamous and polluted; driven away from the converse of men and gods; from public games, on the day of a festival.

XXXVIII. As they formed in their journey almost one continued train, Tullus, who had proceeded to the fountain of Ferentina, accosted the chief persons among them as each arrived; and, by asking questions, and expressing indignation, while they greedily listened to expressions which favoured their resentment, led them on, and by their means, the rest of the multitude, to a plain that lay near the road, and there began to harangue them, as if at a general assem-

bly: "Although," said he, "ye should forget all the injurious treatment which ye formerly received from the Roman people, the calamities of the Volscian race, and every other matter of the kind, with what degree of patience do ye bear this insult thrown on you, when they commenced their games by exhibiting us to public ignominy? Did ye not perceive, that they performed a triumph over you this day? That, as ye were retiring, ye served as a spectacle to all their citizens, to foreigners, to so many of the neighbouring nations? That your wives and your children were led captives before the eyes of the public? What do ye suppose were the sentiments of those who heard the words of the crier, of those who beheld you departing, or of those who met this disgraceful cavalcade? What else but that we must be some polluted wretches, whose presence at the shows would contaminate the games, and render an expiation necessary; and that therefore we were driven away from the mansions of a people of such purity of character, from their meeting and converse? And besides, does it not strike you, that we should not now be alive, if we had not hastened our departure? if indeed it ought to be called a departure, and not a flight. And do ye not consider as enemies the inhabitants of that city, wherein, had ye delayed for one day, ye must, every one of you, have perished? It was a declaration of war against you; for which, those who made it will suffer severely, if ye have the spirit of men." Their anger, which was hot before, was by this discourse, kindled to a flame, in which temper they separated to their several homes; and each taking pains to rouse those of his own state to vengeance, they soon effected a general revolt of the whole Volscian nation.

XXXIX. The commanders appointed for this war, by the unanimous choice of all the states, were Attius Tullus and Caius Marcius the Roman exile; on the latter of whom they reposed by far the greater part of their hopes; nor did he

disappoint their expectations, but gave a convincing proof that the commonwealth was more indebted for power to its generals, than to its troops. Marching to Circeii, he first expelled the Roman colonists, and delivered the city, after restoring it to freedom, into the hands of the Volscians: turning thence across the country towards the Latine road, he deprived the Romans of their late acquisitions, Satricum Longula, Polusca, and Corioli. He then retook Lavinium, and afterwards made a conquest of Corbio, Vitellia, Trebia, Lavici, and Pedum, one after another. From Pedum, lastly he led his forces towards Rome, and pitching his camp at the Cluilian trenches, five miles from the city, sent parties to ravage the lands; at the same time appointing persons among the plunderers to take care that the possessions of the patricians should be left unmolested; either because his anger was levelled principally against the plebeians, or with the design of causing thereby a greater dissension between these different orders; and this would, no doubt, have been the consequence, so powerfully did the tribunes, by their invectives against the patricians, excite the resentment of the commons, which was sufficiently too violent before, but that, however full their minds were of mutual distrust and rancour, their dread of a foreign enemy, the strongest tie of concord, obliged them to unite: in one point only did they disagree; the senate and consuls placing their hopes entirely in arms, the commons preferring all other measures to war. By this time Spurius Nautius and Sextus Furius were con-

Y. R. 266.
B. C. 486.

suls. While they were employed in reviewing the legions, and posting troops on the walls, and in other places, where it was thought proper to fix guards and watches, a vast multitude of people assembling, and insisting on peace, terrified them, at first, by their seditious clamours, and, at length, compelled them to assemble the senate, and there propose the sending of ambassadors to Caius Marcius. The senate, finding that they could not depend on the support of

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the commons, took the matter into consideration, and sent deputies to Marcius to treat of an accommodation: to these he replied in harsh terms, that "if the lands were restored to the Volscians, a treaty might then be opened for an accommodation; but if they were resolved to enjoy, at their ease, what they had plundered from their neighbours in war, he would not forget either the injustice of his countrymen, or the kindness of his hosts, but would take such steps as should show the world, that his courage was irritated by exile, not depressed." The same persons being sent a second time, were refused admittance into the camp. It is related, that the priests, afterwards, in their sacred vestments, went as suppliants to the camp of the enemy, but had no more influence on him than the ambassadors.

XL. The matrons then assembled in a body about Veturia, the mother of Coriolanus, and Volumnia his wife; whether this was a scheme of government, or the result of the women's own fears, I cannot discover. It is certain that they carried their point, and that Veturia, who was far advanced in years, and Volumnia, leading two little sons whom she had by Marcius, went to the camp of the enemy; so that women, by tears and prayers, preserved the city which the men were not able to preserve by arms. When they arrived at the camp, and Coriolanus was informed that a great procession of women was approaching, he, who had not been moved, either by the majesty of the state, represented in its ambassadors, or by the awful address made by the ministers of religion both to his sight and his understanding, at first resolved to show himself still more inflexible against female tears: but soon after, one of his acquaintance knowing Veturia, who was distinguished above the rest by an extraordinary degree of sadness; as she stood between her daughter-in-law and grand-children, said to him, "unless my eyes deceive me, your mother with your wife and children are coming." Coriolanus, in a transport of amazement, and almost distrac-

ted, sprang from his seat to embrace his mother as she advanced, who, instead of intreaties, addressed him with angry reproofs: "Let me know," said she, "before I receive your embrace, whether I am come to an enemy or to a son; whether I am in your camp a prisoner, or a mother. Was it for this, that age has been lengthened out, that I might behold you an exile, and afterwards an enemy; could you lay waste this land, which gave you birth and education; whatever degree of anger, whatever thirst of vengeance, might have occupied your mind on your march, did you not, on entering its borders, feel your passion subside? When you came within sight of Rome, did it not recur to you,— Within those walls are my house and guardian gods, my mother, my wife, my children? Had I never been a mother, then Rome would not have been now besieged: had I not a son, I might have died free, and left my country free; but, for my part, there is no suffering to which I can be exposed, that will not reflect more dishonour on you, than misery on me; and be my lot as wretched as it may, I am not to endure it long; let these claim your regard, who, if you persist, can have no other prospect, but either untimely death or lasting slavery." His wife and children then embraced him; and the whole crowd of women, uttering bitter lamentations, and deploring their own and their country's fate, at length got the better of his obstinacy: so that, after embracing and dismissing his family, he removed his camp to a greater distance from the city. In a short time he drew off the troops entirely from the Roman territories, which is said to have incensed the Volscians so highly against him, that he perished under the effects of their resentment; by what kind of death writers do not agree. In the account given by Fabius, the most ancient writer by far, I find that he lived even to old age; he mentions positively, that, when Marcius became far advanced in years, he used frequently to utter this remark, that "the evils of exile bore much the heavier on

the aged." The men of Rome were not sparing in bestowing on the women the honours which they had earned; so distant were the manners of that age from the practice of detracting from the merits of others: they even erected and dedicated a temple to Female Fortune, as a lasting monument of their meritorious conduct. The Volscians afterwards, in conjunction with the Æquans, made another inroad into the Roman territories; but the Æquans soon became dissatisfied at being commanded by Attius Tullus; and in consequence of the dispute, whether the Volscians or the Æquans should give a general to the combined army, a separation ensued, and soon after a furious battle. There the good fortune of the Roman people wasted the two armies of its enemies, in a contest no less bloody than obstinate.

Y. R. 267. The consuls of the next year were Titus Sicinius B. C. 469. and Caius Aquillius. The Volsoians were allotted, as a province, to Sicinius; the Hernicians, for they also were in arms, to Aquillius. The Hernicians were subdued in that year. The operations against the Volscians ended without any advantage being gained on either side.

Y. R. 268. XLI. The next consuls elected were Spurius B. C. 484. Cassius and Proculus Virginius. A league was made with the Hernicians. Two-thirds of their lands were taken from them, one half of which the consul Cassius intended to distribute among the Latines, the other half among the commons. To this donation he proposed to add a considerable tract of land, which belonged, he said, to the public, though possessed by private persons. Many of the patricians, who were themselves in possession of this land, were hereby alarmed for their property, and besides, that body in general was seized with anxiety for the safety of the people; observing that the consul, by these donatives, was forming an influence at once dangerous to liberty and to right. This was the first proposal of the agrarian law, which, from that time to the present age, has never been

agitated without the most violent commotions in the state. The other consul opposed the donations; and in this, he was supported by the patricians; nor did all the commons oppose him: at first, they began to despise a gift, which was not confined to themselves, but extended to the allies, in common with the citizens: then they were accustomed to hear the consul Virginius in the assemblies frequently, as it were prophesying, that “the donatives of his colleagues were full of infectious poison; that those lands would bring slavery on such as should receive them; that he was paving the way to arbitrary power; for why should the allies and the Latine nation be thus included? What was the intent of restoring a third part of the lands, taken in war, to the Hernicians, who so lately were enemies, only that these nations might set Cassius at their head as a leader, instead of Coriolanus.” Whoever argued and protested against the agrarian law, as thus proposed, was sure of popularity: and, from that time, both the consuls vied with each other in humouring the commons. Virginius declared, that he would allow the lands to be assigned, provided they were not made over to any other than citizens of Rome. Cassius, finding that, by his pursuit of popularity among the allies, which he had betrayed in the proposed distribution of the lands, he had lowered himself in the estimation of his countrymen, and, hoping to recover their esteem by another donative, proposed an order that the money received for the Sicilian corn should be refunded to the people. But this the commons rejected with as much disdain, as if he were avowedly bartering for arbitrary power: so strongly were they influenced by their inveterate suspicions of his ambition, that they spurned at all his presents, as if they were in a state of affluence: and no sooner did he go out of office, than he was condemned and executed, as we are informed by undoubted authority. Some say that it was his father who inflicted this punishment on him; that having, at home, held an in-

quiry into his conduct, he scourged him, and put him to death, and consecrated the allowance settled on his son,* to Ceres; that out of this a statue was erected, with this inscription, "Given from the Cassian family." I find in some writers, and it is the more credible account, that he was prosecuted for treason by the quæstors Cæso Fabius and Lucius Valerius; that he was found guilty on a trial before the people, and his house razed by a public decree: it stood on the spot which is now the area before the temple of Tellus. However, whether the trial was private or public, Y. R. 269. he was condemned in the consulate of Servius B. C. 483. Cornelius and Quintus Fabius.

XLII. The anger which the people had conceived against Cassius, was not of long continuance. The alluring prospects, held out by the agrarian law, were sufficient, of themselves, now the proposer of it was removed out of the way, to make a lively impression on their minds; and their eagerness, in pursuit of them, was inflamed, by an act of unreasonable parsimony in the patricians, who, when the Volscians and Æquans were vanquished in that year, deprived the troops of the booty: the whole of what was taken from the enemy, the consul Fabius sold, and lodged the produce of it in the treasury. The name of Fabius was odious to the commons, on account of this conduct; yet the patricians had influence Y. R. 270. enough to procure the election of Cæso Fabius to B. C. 482. the consulship, with Lucius Æmilius. This farther exasperated the people, who, by raising a sedition at home, encouraged foreign enemies to attack them: but war, put a stop to intestine dissensions. The patricians and plebeians united, and under the conduct of Æmilius, with little

* By the Roman law, a father had full and absolute power, even to life and death, over his children, who were in a state of absolute slavery; even what property they might acquire, belonged not to them, but to their father

loss to themselves, overthrew in battle the Volscians and Æquans, who had revived hostilities. On this occasion the enemy lost greater numbers during their retreat, than in the battle; for, after they were broken, they were pursued by the cavalry to a vast distance. In the same year, on the ides of July, the temple of Castor was dedicated: it had been vowed, during the Latine war, by Postumius the dictator, and his son, being appointed duumvir for the purpose, performed the dedication. This year also the people were tempted to new exertions, by the charms of the agrarian law. The tribunes wished to enhance the importance of their office, by promoting that popular decree. The patricians, convinced that the multitude were, of themselves, too much inclined to desperate measures, looked with horror on such largesses, as incitements to acts of temerity; and they found in the consuls, leaders as active as they could wish, in opposing those proceedings. Their party consequently prevailed; and that, not only for the present, but they were unable to appoint as consuls for the approaching year Marcus Fabius, brother to Cæso, and Lucius Verus, who Y R. 271. was still more odious to the plebeians, on account of B C. 481. his having been the prosecutor of Spurius Cassius. In that consulship, there was another contest with the tribunes; the law in question was considered as a vain project, and the proposers of it disregarded as claiming merit from holding out to the people's view, advantages which were not attainable. The name of Fabius was now held in the highest estimation after three successive consulates, all of which had been uniformly distinguished by opposition to the tribunitian power; and, for that reason, this dignity was continued in the same family, for a considerable time, from a general persuasion that it could not be placed in better hands. Soon after this, war was undertaken against the Veientians. The Volscians also renewed hostilities. For security against foreign

enemies, the strength of the Romans was more than sufficient; but they perverted it to a bad purpose, namely, to the support of quarrels among themselves. To add to the general disquiet, several prodigies appeared; the sky, almost daily, exhibiting threatening portents, both in the city and in the country. The soothsayers, employed as well by the state, as by private persons, after consulting both entrails, and birds, declared that no other cause of the displeasure of the deity existed, than that the worship of the gods was not duly performed. All their apprehensions however ended in this; Oppia, a vestal, was convicted of a breach of chastity, and suffered punishment.

Y. R. 272. XLIII. Quintus Fabius, a second time, and Caius B. C. 480. Julius, then succeeded to the consulship. During this year, the domestic dissensions abated not of their acrimony, and the war abroad wore a more dangerous aspect. The Æquans took up arms. The Veientians even carried their depredations into the territories of the Romans. And as these wars appeared every day more alarming, Cæso Fabius and Spurius Furius were made consuls. The Y. R. 273. B. C. 479. Æquans laid siege to Ortona, a Latine city. The Veientians, now satiated with booty, threatened to besiege Rome itself: yet all these dangers which surrounded them, instead of restraining the ill-humour of the commons, only served to augment it. They resumed the practice of refusing to enlist as soldiers, not indeed of their own accord, but by the advice of Spurius Licinius, a plebeian tribune, who, thinking that this was the time to force the Agrarian law on the patricians, when it would be impossible for them to make opposition, had undertaken to obstruct the preparations for war. However, all the odium excited by this exertion of the tribunitian power rested solely on the author; nor did the consuls unite their efforts against him with more eager zeal, than did his own colleagues, by whose assistance the levy was completed. Armies were raised for the two wars at

the same time; the command of one was given to Fabius, to be led against the Æquans; of the other to Furius, against the Veientians. In the expedition against the latter, nothing memorable was performed. Fabius met with a great deal more trouble from his countrymen, than from the enemy: that single man, by his conduct, as consul, supported the commonwealth, which the troops, out of aversion to him as far as lay in their power, treacherously betrayed to ruin: for, after numberless other instances of military skill, which he had displayed, both in his preparatory measures, and in his operations in the field, and when he had made such a disposition of his forces, that, by a charge of his cavalry alone, he put the enemy to rout, the infantry refused to pursue their broken troops; nor could any motive, not to mention the exhortations of the general, whom they hated, nor even the immediate consequence of infamy to themselves, and disgrace to the public, nor the danger to which they would be exposed, should the enemy resume their courage, prevail on them to quicken their pace, or even to stand in order of battle, so as to resist an attack. Without orders, they faced about; and, with countenances as dejected as though they had been vanquished, retired to their camp, execrating, at one time, the general, at another, the exertions of the cavalry. The consul, however, sought not any remedy against so pestilent an example, showing by one instance among many, that men of the most transcendent abilities are more apt to be deficient in regard to the discipline of their own troops, than in conquering an enemy. Fabius returned to Rome, having reaped little fresh glory from the war, but having irritated and exasperated, to a high degree, the hatred of the soldiers against him. The patricians, notwithstanding, had influence enough to continue the consulship in the Fabian family: they elected Marcus Fabius to that office, and Cneius Manlius was appointed his colleague.

Y. R. 274.

B. C. 478.

XLIV. This year also produced a tribune, hardy enough

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to make another attempt at carrying the agrarian law. This was Titus Pontificius, who pursued the same method, as if it had succeeded, with Spurius Licinius, and for some time obstructed the levy: the patricians being hereby again perplexed, Appius Claudius asserted, that "the plan adopted last year had effectually subdued the tribunitian power, for the present, by the very act, and, to all future times, by the example, which it had established; since it was discovered, how that power might be deprived of efficacy, through the very means supplied by its own strength; for there would, at all times, be one among them, desirous of procuring to himself a superiority over his colleague, and, at the same time, the favour of the better part of the community, by promoting the good of the public. They would even find more than one tribune, if more were necessary, ready to support the consuls, though one would be sufficient against all the rest: only let the consuls, and principal senators, exert themselves, to secure in the interest of the commonwealth and of the senate, if not all the tribunes, yet as many at least as they could." Convinced of the propriety of Appius's advice, the patricians in general addressed the tribunes with civility and kindness; and those of consular dignity employed whatever personal influence they had over each of them; and thus, partly by conciliating their regard, and partly by the weight of their influence, they prevailed on them to let their powers be directed to the advantage of the state: while the consuls, being supported by four tribunes, against one opposer of the public interest, completed the levy. They then marched their army against the Veientians, to whom auxiliaries had flocked from all parts of Etruria, induced to take arms, not so much from affection to the Veientians, as in the hope that the Roman state might be brought to ruin by intestine discord. Accordingly, in the assemblies of each of the states of Etruria, the leading men argued warmly, that "the power of the Romans would be

everlasting, unless civil dissension armed them with rage against each other. This was the only infection, the only poison that operated, so as to set limits to the duration of great empires. This evil, whose progress had been long retarded, partly by the wise management of the patricians, and partly by the patient conduct of the commons, had now proceeded to extremity: out of the one, were formed two distinct states, each of which had its own magistrates, and its own laws. At first, though they used to give a loose to their rancorous animosities, when troops were to be levied, yet these very men, as long as war continued, paid obedience to their officers; and while military discipline remained in force, whatever might be the state of affairs in the city, ruin might be deferred. But now, the Roman soldier carried with him to the field, the custom of refusing submission to superiors: during the last war, in the very heat of battle, the troops conspired to make a voluntary surrender of victory to the vanquished Æquans; deserted their standards, forsook their general, and, in despite of orders, retreated to their camp. Without doubt, if proper exertions were made, Rome might be subdued by means of its own forces: nothing more was necessary, than to make a declaration, and a show of war. The fates and the gods would of themselves accomplish the rest." Such prospects as these had allured the Etrurians to arm, notwithstanding the little success they had experienced in their wars.

XLV. The Roman consuls had no other dread than of the power, and the arms, of their countrymen. When they reflected on the very dangerous tendency of their misbehaviour in the last war, they were deterred from bringing themselves into a situation where they would have two armies to fear at the same time: to avoid therefore being exposed to this double danger, they kept the troops confined within the camp, in hopes that delay, and time itself might perhaps soften their resentment, and bring them back to a

right way of thinking. This encouraged their enemies the Veientians and Etrurians, to act with greater precipitation: at first, they endeavoured to provoke the foe to fight, by riding up to the camp, and offering challenges; and, at length, finding that this had no effect, by reviling both the consuls and the army; telling them, that “the pretence of dissensions among themselves, was an artifice contrived to cover their cowardice; that the consuls were more diffident of the courage of their troops than of their disposition to obey orders: that was a strange kind of sedition, which showed itself in silence, and inaction, among men who had arms in their hands:” throwing out, besides, many reproaches, some true, and some false, on their upstart origin. Such invectives, though uttered with great vociferation, close to the very rampart and the gates, gave the consuls no manner of uneasiness: but the minds of the uninformed multitude were strongly agitated, at one time by indignation, at another by shame, which diverted them from reflecting on domestic quarrels: they could not bear the thoughts of suffering the enemy to insult them unrevenged, neither could they wish success either to the consuls, or the patricians. Thus there was a struggle in their breasts, between their animosity against foreigners, and that which inflamed them against their countrymen: the former at length prevailed, in consequence of the haughty and insolent scoffs of the enemy: they assembled in crowds at the Prætorium,* demanding the fight, and requiring the signal to be given. The consuls held a consultation together, as if deliberating on the demand, and conferred for a considerable time: they wished to fight; but it was necessary to restrain and conceal that wish, in order, by opposition and delay, to add to the alacrity which had now sprung up in the minds of the troops: they returned for answer, that “the measure was premature: it

* The general's quarters.

was not yet a proper time for meeting the enemy. That they must keep within the camp." They then issued orders, that "all should refrain from fighting; declaring, that if any should engage without orders, they would be punished." After the troops were thus dismissed, their ardour for battle increased, in proportion to the aversion, which they supposed, in the consuls: besides, the enemy approached with much greater boldness, as soon as it became known that it was determined not to come to an engagement. They thought they might continue their insults with perfect safety; that the soldiers would not be intrusted with arms, that the business would end in a desperate mutiny; and that the final period of the Roman empire was arrived. Buoyed up with these hopes, their parties pressed forward to the very gates, heaped reproaches on the troops, and hardly refrained from assaulting the camp. But now, the Romans could no longer endure such insults; from every quarter of the camp, they ran hastily to the consuls, and did not, as before, propose their demand regularly, through the principal centurions, but joined in one general clamour. The affair was now ripe; yet still the consuls showed a backwardness: but at length beginning, from the increasing uproar, to dread a mutiny, Fabius, with the consent of his colleague, having caused silence by sound of trumpet, said, "Cneius Manlius, that those men are able to conquer, I know; but they themselves have given me reason to doubt, whether it is their wish: for which reason I am determined not to give the signal, unless they swear that they will return from the battle with victory. Soldiers have once deceived a Roman consul in the field, but they will never deceive the gods." There was a centurion, called Marcus Flavoleius, who was among the foremost in demanding battle; he cried out, "Marcus Fabius, I will return victorious from the field;" and, at the same time, imprecated on himself the anger of Father Jupiter, of Mars Gradivus, and the other gods, if he did not perform his

promise: after him the whole army severally took the same oath. As soon as they had sworn, the signal was given; instantly they marched out to battle, full of rage and of confidence. They bade the Etrurians now throw out their reproaches, now let the enemy, who was so bold in words, come in the way of their arms. There was not a man, on that day, either plebeian or patrician, who did not display an uncommon degree of valour: the Fabian name, and Fabian race, shone forth with peculiar lustre: they were determined to recover, in that battle, the affection of the commons, which, during the many quarrels of the parties at home, had been withdrawn from them. The line was formed, nor did their Veientian enemy or the Etrurian legions decline the combat.

XLVI. These expected, and indeed firmly believed, that the Romans would show no more willingness to fight with them, than they had with the Æquans: nay, considering the high ferment of their passions, and that, in the present case, the issue of a battle was the more uncertain, they did not despair of obtaining some important advantage. In this they were entirely disappointed, for in no former war did the Romans enter the field, inflamed with keener animosity; so highly were they exasperated by the taunts of the enemy on one side, and the delay of the consuls on the other. The Etrurians had scarcely time to form their ranks, before they found themselves engaged in close fight, hand to hand with swords, the most desperate method of deciding a battle, the javelins having in the first hurry been thrown at random, rather than aimed at the enemy. Among the foremost, the Fabian family particularly attracted the notice of their countrymen, and encouraged them by their example: as one of these, Quintus Fabius, who had been consul two years before, advanced before the rest against a thick body of the Veientians, a Tuscan, who assumed resolution from a confidence in his strength and skill in arms, came up to him unobserved, while

he was busily engaged with a number of foes, and thrust him through the breast with his sword; on the weapon's being drawn out of the wound, Fabius fell to the ground. Both armies felt the fall of this one man, and the Romans were in consequence of it beginning to give ground, when Marcus Fabius the consul leaped over the body where it lay, and opposing his buckler to the enemy, called out, "Soldiers, is this what ye bound yourselves to perform? Was it that ye would return to the camp in flight? Are ye so much more afraid of the most dastardly enemy, than of Jupiter and Mars, by whom ye swore? But for my part, though bound by no oath, I will either return victorious, or die here, fighting beside thee, Quintus Fabius." On this, Cæso Fabius, consul of the former year, said, "Brother, do you expect by words to prevail on them to fight? The gods by whom they have sworn will prevail on them. Let us, as becomes our noble birth, as is worthy of the Fabian name, animate the men by deeds of valour, rather than by exhortations." The two Fabii then rushed forward to the front with their presented spears, and drew the whole line along with them.

XLVII. By these means, the battle was renewed on that side; nor, in the other wing, was Cneius Manlius, the consul, less strenuous in his efforts against the enemy. Here, too, a like course of events took place: for as the soldiers followed Quintus Fabius with alacrity, so did they here follow the consul Manlius, while he pressed, and almost routed the enemy: and when he was compelled by a severe wound to retire from the field, supposing him slain, they began to shrink. They would indeed have given way entirely, had not the other consul, riding up to the place at full speed with some troops of horse, revived their drooping courage; calling out, that his colleague was alive, and that he was come to their support, having defeated the enemy in the other wing: Manlius also showed himself, in order to encourage them to return to the fight. The sight of the two consuls rekindled the

courage of the soldiers, and by this time, too, the enemy's line was considerably weakened; for, confiding in the superiority of their numbers, they had drawn off a part, and sent them to attack the camp: these met but little resistance in the assault, but wasted time afterwards, being more intent on plunder than on fighting. The Roman Triarii,* however, who had not been able to prevent their breaking in at first, and who had despatched to the consuls an account of their situation, returned in a compact body to the Prætorium, and without waiting for aid, of themselves renewed the combat. At the same time, the consul Manlius having rode back to the camp, posted troops at all the gates, and blocked up every passage by which the enemy could retreat. The desperate situation in which the Etrurians then saw themselves, inspired them not only with boldness, but with fury; so that, after they had made several fruitless efforts, attempting every place where they saw any prospect of gaining a passage, one band of their young men made an attack on Manlius himself, whom they distinguished by his armour. His attendants covered him from the first discharge of their weapons; but could not long withstand their force: the consul, receiving a mortal wound, fell, and his defenders were entirely dispersed. This added new confidence to the Etrurians, and so dispirited the Romans, that they fled in dismay, through all parts of the camp; and would probably have been utterly ruined, had not the lieutenant-generals, hastily removing the consul's body, opened a passage for the enemy by one of the gates. Through this they rushed out; and, as they were retreating in the utmost disorder, fell in with Fabius, who was flushed with success. In this second encounter many were cut off, and the rest fled different ways. The victory was complete, but the joy, which it occasioned, was greatly damped by the death of two such illustrious persons as Fa-

* The Triarii were veteran soldiers, of approved valour: they formed the third line, hence their name.

bius and Manlius: for which reason the consul, when the senate were proceeding to vote him a triumph, told them, that “if the army could triumph without their general, he would readily consent to it, on account of their extraordinary good behaviour in that war: but as to himself, while his own family was overwhelmed with grief, for the death of his brother Quintus Fabius, and the commonwealth bewailed the loss of a parent, as it were, in that of one of its consuls, he would not accept of the laurel, blasted both by public and private mourning.” A triumph refused on such grounds, redounded more to his honour, than if he had actually enjoyed it: so true it is, that fame prudently declined, often breaks forth with increased lustre. He then celebrated the two funerals of his colleague and his brother, one after the other, and took upon himself the office of pronouncing the panegyric of both; in which he attributed to them the merit of his own performances, in such a manner, as showed him to be entitled to the greatest share of any. Not losing sight of the design which he had conceived at the beginning of his consulate, of recovering the affection of the commons, he distributed the wounded soldiers among the patricians, to be taken care of, until they were cured. The greater number were given to the Fabii, and by no others were they treated with more attention. Henceforward the Fabii grew high in the favour of the people, and that without any practices prejudicial to the state.

XLVIII. With the same view, Cæso Fabius, Y. R. 275.
whose election to the consulship, with Titus Vir- B. C. 477.
ginius, was owing as much to the support of the commons, as to that of the patricians, would enter on no business, either of wars or levies, or any other matter, until the hopes of concord, which had already made some progress, should be ripened into a perfect union between the plebeians and patricians. In the beginning of the year therefore he proposed, that “before any tribune should stand forth to press the

agrarian law, the senate should seize the opportunity, and take to themselves the merit of conferring that favour: that they should distribute among the commons, in as equal proportion as possible, the lands taken from their enemies: for it was but just that they should be enjoyed by those whose blood and labour acquired them." The senate rejected the proposal with disdain; some of them even complained, that the talents of Cæso, formerly so brilliant, were, through a surfeit of glory, become heavy and languid. No disputes ensued between the factions in the city. The Latines were harassed by incursions of the Æquans; Cæso being sent thither, with an army, retaliated on the Æquans, by ravaging their territories. They retired into the towns, and kept themselves within the walls; consequently, there was no battle of any importance. But, from the arms of the Veientians, a severer blow was received, through the rashness of the other consul: and the army would have been utterly destroyed, had not Cæso Fabius arrived seasonably to its support. From that time there was properly neither peace nor war with the Veientians, whose proceedings were more like those of a banditti, than of regular troops. On the approach of the Roman legions, they retreated into the town, and when they understood that those were withdrawn, they made incursions into the country; shifting alternately from war to quiet, and from quiet to war. For this reason, nothing could be brought to a conclusion. There was also apprehension of other wars, two of which were just ready to break out, that is, with the Æquans and Volscians, who only remained inactive, until the smart of their late disaster should wear off. And besides, it was evident that the Sabines, ever hostile, and all Etruria, would soon be in motion. But the Veientians kept the Romans in continual uneasiness, rather indeed by frequent insults, than by any enterprise which threatened danger, yet this was such a business as would neither allow them to neglect it at any time, nor to turn their attention to other matters. While affairs were in this state, the Fabian

family addressed the senate; the consul, in the name of the whole, speaking in this manner:—"Conscript fathers, ye know that the Veientian war requires rather an established, than a strong force, on the frontiers: let your care be directed to other wars: commit to the Fabii that against the Veientians. We pledge ourselves, that the majesty of the Roman name shall be safe on that side: that war, as the particular province of our family, we propose to wage at our own private expense. The state shall not be troubled either for men or money to support it." The warmest thanks were given to them, and the consul coming out of the senate, returned to his house, accompanied by the Fabii in a body, who had stood in the porch of the senate house, waiting the senate's determination. They received orders to attend next day in arms, at the consul's gate, and then retired to their respective homes.

XLIX. The report of this conduct spread immediately over the whole city, and all extolled the Fabii with the most exalted encomiums; that "a single family had undertaken to sustain the burthen of the state; that the Veientian war was become a private concern, a private quarrel. If there were two other families of equal strength in the city, one of them might claim the Volscians for their share, the other the Æquans; thus all the neighbouring states might be subdued, and the majority of Roman people, in the mean time, enjoy perfect tranquillity." Next day the Fabii took arms, and assembled in the place appointed. The consul, coming forth in his military robe,* saw his whole family in the court-yard, drawn up in order of march, and being received into the centre, commanded them to set forward. Never did an army, either smaller in number, or more highly dis-

* Before a consul set out on any expedition, he offered sacrifices and prayers in the Capitol; and then, laying aside his consular gown, marched out of the city, dressed in a military robe of state, called *Paludamentum*.

tinguished in fame, and the general admiration of all men, march through the city. Three hundred and six soldiers, all of them patricians, not one of whom would be judged unfit for supreme command by the senate at any time whatever, proceeded on their way, threatening destruction to the state of the Veientians, by the prowess of one family. A crowd attended them, composed, partly, of their own connections, relations, and particular acquaintances, who held no moderation either in their hopes or anxieties; and partly, of such as were attracted by zeal for the public interest, all enraptured with esteem and admiration. They bade "the heroes to proceed; to proceed with happy fortune, and to obtain success proportioned to the merit of their undertaking: desiring them to expect afterwards, consulships, triumphs, every reward, every honour, which was in the power of the public to bestow." As they passed by the Capitol, the citadel, and other sacred places, whatever deities occurred to the people's sight or thoughts, to them they offered up their prayers, that they would "crown that band with success and prosperity, and soon restore them in safety to their country and their parents." But their prayers were made in vain. Passing through the right hand postern of the Carmental gate, they arrived at the river Cremera, which they judged to be a proper situation for securing a post by fortifications. Lucius Æmilius Y. R. 276. and Caius Servilius were soon after elected consuls. B. C. 476. As long as the operations of the war were confined to predatory expeditions, the Fabii were not only sufficiently able to defend their post, but by their excursions, along the common boundaries, they both effectually secured their own frontiers, and spread terror and devastation in those of the enemy, through the whole tract, as far as the Etrurian territories join the Roman. Their mutual depredations were soon after discontinued, though but for a short time, for the Veientians having collected a reinforcement from Etruria, laid siege to the post at the Cremera; and the Roman legions

led thither by the consul Lucius Æmilius, fought a close engagement with the Etrurians in the field, in which, however, the Veientians had scarcely time to form their troops; for in the midst of the hurry, while they were taking their posts under their several banners, and placing bodies of reserve, a brigade of Roman cavalry charged them suddenly on the flank, in such manner as to put it out of their power either to make a regular onset, or even to stand their ground. Being thus compelled to retreat to the Red Rocks, where they had their camp, they humbly sued for peace: yet after it had been granted, they renounced it, before the Roman guard was withdrawn from the Cremera; such was their natural inconstancy, and such their bad faith.

L. The contest, then, again lay between the Fabii and the Veientian state, unsupported by any additional forces on either side. There passed between them not only incursions into each other's territories, and sudden attacks on the parties employed in those incursions, but several pitched battles in the open field; in which a single family of the Roman people often obtained victory over a state, at that time the most powerful in Etruria. This, at first, stung the Veientians with grief and indignation; afterwards they formed a design, suggested by the present circumstances, of ensnaring their enemy, elated with success; and they even observed, with pleasure, the confidence of the Fabii daily increasing, from a series of successful attempts. In pursuance of this design, cattle were frequently driven in the way of the plundering parties, as if they had come there by chance; the fields were deserted, by the flight of the peasants, and the bodies of troops, sent to repel the invaders, retreated with pretended, oftener than real, fear. The Fabii had now contracted such a contempt of the enemy, that they thought their own arms invincible, and not to be withstood in any place or on any occasion. This presumption carried them so far, that on seeing, from Cremera, some cattle at a distance—a long tract

of country lying between, in which, however, but few of the enemy's troops appeared,—they ran down to seize them, and pressed forward with such careless haste, as to pass by the Veientians, who lay in ambush on each side of the very road through which they marched. They then dispersed themselves on all sides to collect the cattle, which ran up and down, as was natural on being frightened; when, suddenly, the soldiers rose from their concealments, and appeared not only in front, but on every side of them. The shout first struck them with terror, and in a little time, they were assailed by weapons on all sides. As the Etrurians closed in upon them, they were obliged, hemmed in as they were, by one continued line of troops, to contract the circle which they had formed, into a narrower compass; which circumstance showed plainly, both the smallness of their number, and the great superiority of the Etrurians, whose ranks were multiplied as the space grew narrower. They then changed their method of fighting, and instead of making head on all sides, bent their whole force towards one point; where, forming in the shape of a wedge, and exerting every effort of their bodies and arms, they at length forced a passage. Their course led to a hill of moderate acclivity; there, first, they halted; and then the advantage of the ground affording them a little time to breathe, and to recover from the consternation into which they had been thrown, they afterwards even repulsed an attack of the enemy; and this little band would probably, with the aid of the ground, have come off victorious, had not a body of Veientians sent round the ridge of the hill, made their way to the summit: by which means the enemy became again superior; the Fabii were all cut off to a man, and their fort taken. It is agreed on all hands, that the three hundred and six perished; and that only one single person, then quite a youth, was left, as a stock for the propagation of the Fabian race; and who was, afterwards, on many emergences, both in peace and war, to prove the firmest support of the state.

LI. At the time when this disaster happened, Y. R. 277. Caius Horatius and Titus Menenius were in the B. C. 475. consulship. Menenius was immediately sent against the Etrurians, elated with their victory. He also was worsted in battle, and the enemy took possession of the Janiculum; nor would the city, which, besides the war, was distressed also by scarcity, have escaped a siege, the Etrurians having passed the Tiber, had not the consul Horatius been recalled from the country of the Volscians. So near, indeed, did the enemy approach to the walls, that the first engagement was at the temple of Hope, in which little was gained on either side; and the second at the Coline gate, in which the Romans obtained some small advantage; and this, though far from decisive, yet by restoring to the soldiers their former courage, qualified them the better to contend with the enemy in future. Aulus Virginius and Spurius Servilius were next elected consuls. After the loss sustained in the last battle, the Veientians avoided coming again to an engagement. They employed themselves in committing depredations, by sending out parties from the Janiculum, Y. R. 278. which served them as a fortress; and these parties scoured B. C. 474. every part of the Roman territories, so that neither the cattle nor the husbandmen, could any where remain in safety. At last they were entrapped by the same stratagem by which they had circumvented the Fabii: pursuing some cattle, which had been purposely thrown in their way as a temptation, they fell into an ambuscade. In proportion as their numbers were greater, so was the slaughter. The violent rage which this overthrow excited, gave cause to one of greater magnitude: for, having crossed the Tiber by night, they made an assault on the camp of the consul Servilius; and being repulsed with great loss, with difficulty effected a retreat to the Janiculum. The consul immediately passed the Tiber, and fortified a camp at the foot of the Janiculum. Next day, as soon as light appeared, partly led by the confidence inspired by his

success in the fight of the day before, but chiefly because the scarcity of corn made it expedient to adopt even dangerous measures, provided they were expeditious, he rashly marched up his troops against the steep of the Janiculum, to the camp of the enemy: there he met with a repulse, more shameful than that which he had given them the preceding day; and both he and his army owed their preservation from destruction to the timely intervention of his colleague. The Etrurians, now inclosed between the two armies, to one or other of which their rear was by turns exposed, were entirely cut off. Thus, through a fortunate act of temerity, the Veientians were effectually overpowered, and the war brought to a conclusion.

LII. Together with peace, plenty returned to the city, corn being brought from Campania; and every one, as soon as he was freed from the dread of impending famine, producing the stores which he had concealed. In this state of abundance and ease, the people began again to grow licentious, and not finding abroad any cause of complaint, sought for it, as usual, at home. By infusing into their minds the usual poison, the agrarian law, the tribunes threw the people into a ferment, at the same time rousing their resentment against the patricians, who opposed it; and, not only against that body in general, but against particular members of it. Quintus Considius and Titus Genucius, the present proposers of the agrarian law, lodged an accusation against Titus Menenius; the charge brought against him was, the loss of the fort of Cremera, when he, the consul, was encamped in a fixed post at no great distance. Him they crushed, although the patricians struggled in his cause with no less zeal than they had shown for Coriolanus, and though his father Agrippa's title to the favour of the public was not yet forgotten. The tribunes, however, went no farther than to impose a fine, though they had carried on the prosecution as for a capital offence. On his being found guilty, they fixed the mulct at two thou-

sand *asses*.* This proved fatal to him; for we are told that he could not bear the ignominy and anguish of mind which it occasioned, and that this threw him into a disorder which put an end to his life. Another was soon after brought to trial, Spurius Servilius, against whom, as soon as he went out of the consulship, in the beginning of the year in which Y. R. 279. Caius Nautius and Publius Valerius were consuls, a B. C. 473. prosecution was commenced by two tribunes, Lucius Cædicius and Titus Staius. He did not, like Menenius, meet the attacks of these tribunes with supplications from himself and the patricians, but with the utmost confidence, inspired by innocence, and by the justice of his claim to the favour of the public. He was charged with misconduct in the battle with the Etrurians at the Janiculum; but being a man of an intrepid spirit, as he had done formerly in the case of public peril, so now in one that threatened himself, he dispelled the danger by facing it with boldness. In a speech full of undaunted fortitude, he retorted on both tribunes and commons, and upbraided them with the condemnation and death of Titus Menenius, the son of that man, to whose good offices the people stood indebted for the restoration of their privileges, for those very laws and magistrates, which enabled them now to let loose their passions in this unreasonable manner. His colleague Virginus too, being produced as a witness, greatly assisted his cause, by attributing to him a share of his own merit; but what did him the most essential service was, the sentence passed on Menenius; so great a change had taken place in the minds of the people.

LIII. No sooner had these domestic disputes subsided, than a new war broke out with the Veientians, with whom the Sabines had united their forces. After auxiliaries had been brought from the Latines and Hernicians, the consul Valerius, being sent with an army to Veii, instantly attacked

* Five pounds sterling

the Sabine camp, which they had pitched under the walls of their allies. This occasioned such consternation among the Sabines, that while they ran different ways in small parties, to repel the enemy's assault, the gate, first attacked, was taken; and afterwards, within the rampart, there was rather a carnage than a battle. From the tents the alarm spread into the city, and the Veientians ran to arms in as great a panic as if Veii itself were taken: some went to support the Sabines, others fell upon the Romans, whose whole force and attention were employed on the camp. For a little time the latter were put to a stand and disordered; but soon forming two fronts, they faced the enemy on both sides; and, at the same time, the cavalry being ordered by the consul to charge, routed and dispersed the Etrurians. Thus were overcome in the same hour, two armies of the two greatest and most powerful of the neighbouring states. During these transactions at Veii, the Volscians and Æquans had encamped in the Latine territories, and laid waste the country. The Latines, however, being joined by the Hernicians, without the aid either of Roman general or troops, beat them out of their camp, and there, besides recovering their own effects, got possession of immense booty. The consul Caius Nautius was, however, sent against the Volscians from Rome, where, I suppose, it was considered as improper, that the allies should get a custom of carrying on wars, with their own forces and under their own direction, without a Roman general and troops. Every kind of severity and indignity was practised against the Volscians, yet they could not be brought to an engagement in the field.

Y. R. 280. LIV. The next consuls were Lucius Furius and B. C. 472. Aulus Manlius. The Veientians fell to the lot of Manlius as his province; but the war with that people did not continue. At their request a truce for forty years was granted them, and they were obliged to furnish corn, and to pay the soldiers. No sooner was peace restored abroad, than

discord began at home. The commons were set in a flame at the instigation of the tribunes, on their constant subject, the agrarian law, which the consuls, not deterred by the condemnation of Menenius, or the danger incurred by Servilius, opposed with all their might. On this account, as soon as they went out of office, Titus Genucius, the tribune, laid hold of them. They were succeeded in the consulship by Lucius Æmilius and Opiter Virginus. In some annals, instead of Virginus, I find Vopiscus Julius set down for consul. During this year, whoever were the consuls, Furius and Manlius being summoned to a trial before the people, went about in the garb of suppliants, addressing not only the commons, but the younger patricians. The latter they advised and cautioned to "keep at a distance from public employments, and the administration of affairs, and to look on the consular fasces, the prætexta, and curule chair, as nothing better than the decorations of a funeral, for those splendid badges, like the fillets of victims, were placed on men who were doomed to death. But, if there were such charms in the consulship, let them, once for all, be convinced, that the office was crushed, and held in captivity by the tribunician power; that a consul must act in every thing according to command, and, like a bailiff, be obedient even to the tribune's nod. If he should exert himself, if he should show any respect to the patricians, if he should suppose that there was any powerful part in the state but the commons alone, let him place before his eyes the banishment of Caius Marcius, with the penalty and death of Menenius." By such discourses the patricians were fired with indignation, and from that time they no longer held their consultations publicly, but in private, and suffered but now to be privy to them: and here, however they might differ in other points, in this they were unanimous, that the accused should be rescued from danger by any means possible, whether right or wrong; and the most violent method pro-

posed, was the most acceptable. Nor were they at a loss for an actor to perpetrate any, the most atrocious deed: on the day of trial, therefore, the people, standing in the Forum, in eager expectation of the tribune's appearing, first began to wonder that he did not come down; then beginning from his delay, to suspect something amiss, they supposed that he had been terrified from attending by the nobles, while some complained that the cause of the public was deserted and betrayed by him. At length, an account was brought of the tribune's being found dead in his house. As soon as this report had spread through the assembly, every one separated different ways, just as an army disperses on the fall of its leader. The tribunes, particularly, were seized with the greatest terror, warned by the death of their colleague, how very little security the devoting laws afforded them. The patricians, on the other side, exulted with too little moderation: and so far were they from feeling any compunction at the deed, that even those who were clear of the crime, wished to be considered as the perpetrators of it; and they declared openly, that the tribunitian power must be subdued by severity.

LV. Soon after this victory had been obtained, by means which furnished a precedent of the worst tendency, a proclamation was issued for a levy of soldiers: and the tribunes being awed into submission, the consuls accomplished the business without any interruption. The commons, on this, were highly enraged, more on account of the acquiescence of the tribunes, than of the execution of the orders of the consuls; they declared that "there was an end of their liberty; that they were reduced again to their old condition, for the tribunitian power had expired with, and was buried in the grave of Genucius. Other means must be devised and practised, to put a stop to the tyranny of the patricians. There remained now only one method to be pursued; which was, that the commons, since they were destitute of every other protection, should undertake their own defence. The

retinue of the consuls consisted of twenty-four lictors, and even these were plebeians; no force could be more contemptible, or less capable of resistance, if people had but the spirit to despise them; but every one magnified those matters, and made them objects of terror to himself." While they thus spurred on each other with such discourses as these, it happened that a lictor was sent by the consul to a plebeian of the name of Volero Publilius, who had insisted, that, having been a centurion, he could not be compelled to enlist as a common soldier. Volero appealed to the tribunes; but none of them supporting him, the consuls ordered the man to be stripped, and the rods to be got ready: "I appeal to the people," said Volero; "the tribunes choose rather that a Roman citizen should be beaten with rods before their eyes, than that themselves should be murdered in their beds by your faction." The more vehemently he exclaimed, the more violently did the lictor proceed in tearing off his clothes, and stripping him. Then Volero, who was a man of great bodily strength, and aided also by those who took part with him, drove away the lictor, and retired into the thickest part of the crowd, where he heard the loudest expressions of indignation at the treatment which he received; at the same time crying aloud, "I appeal, and implore the protection of the commons. Support me, citizens; support me, fellow-soldiers. You have nothing to expect from the tribunes, who themselves stand in need of your support." The people, inflamed with passion, prepared themselves as for a battle: and there was every appearance of the contest proceeding to such extremity, as that no regard whatever would be paid either to public or private rights. The consuls, having undertaken to face this violent storm, quickly experienced that dignity, unsupported by strength, is not exempt from danger. Their lictors were abused, the fasces broken, and themselves forced to take refuge in the senate-house, uncertain how far Volero would push his victory. In

some time after, the tumult subsiding, they assembled the senators, and complained to them of the ill-treatment which they had suffered, of the violence of the commons; and the audacious behaviour of Volero. Though many harsh methods of proceeding were proposed, the opinion of the elder members prevailed; who recommended to the senate, not to let their conduct be as strongly marked by passionate resentment, as that of the commons was by inconsiderate violence.

LVI. The commons, interesting themselves warmly in favour of Volero, chose him at the next election tribune for Y. R. 282. the year: the consuls being Lucius Pinarius and B. C. 470. Publius Furius. And now, contrary to the expectation of all men, who supposed that he would give a loose to the reins of the tribunitian power, in harassing the consuls of the preceding year; postponing his own resentment, and affecting only the public interest, without uttering even a word to offend the consuls, he proposed a law that plebeian magistrates should be elected in assemblies where the votes were given by tribes. This, though covered under an appearance which, at first view, showed not any evil tendency, was considered as a matter of no trivial consequence; as it would entirely deprive the patricians of the power of electing such tribunes as they liked, by means of the votes of their dependents. To prevent this proposition, which was highly pleasing to the commons, from passing into a law, the patricians strained every nerve; and though neither the influence of the consuls nor that of themselves could prevail on any one of the college of tribunes to protest against it, that being the only power that could effectually stifle it; yet, as it was in itself an affair of great weight, and required long and laborious exertions, the obstacles thrown in its way were sufficient to delay it until the following year. The commons re-elected Volero to the tribuneship; and the patricians, judging that this business would not end without

the severest struggle, procured the consulship for Appius Claudius, son of Appius, who both hated, and was Y. R. 283. hated by the commons, in consequence of the con- B. C. 469. tentions between them and his father. Titus Quintius was given him for colleague. The law was the first matter agitated in the beginning of the year; and though Volero was the author of it, yet Lætorius his colleague, from having more recently joined in the business, became in consequence the more eager for its adoption: his renown in war inspired him with confidence, for there was no one of that age possessed of more personal prowess. Volero contented himself with arguing in favour of the law, and avoided all abuse against the consuls; but Lætorious began with severe invectives against Appius and his family, charging them with having always shown a disposition in the highest degree overbearing and cruel: asserting that the patricians had elected him not for a consul, but an executioner, to torment and torture the plebeians. Being however a rough soldier, unskilled in the art of speaking, he was at a loss for expressions suited to the boldness of his thoughts; and finding himself unable to proceed in his discourse, he said, "Citizens, since I cannot speak with the same readiness with which I can perform what I have spoken, I request your attendance to-morrow. Either I will lose my life, here in your presence, or I will carry the law." Next day the tribunes took possession of the temple; and the consuls and nobles placed themselves among the crowd, in order to oppose the law. Lætorius ordered all persons to retire, except those who were to vote; but the younger nobility kept their seats, and paid no regard to the officer; on which Lætorius ordered some of them to be taken into custody. The consul Appius insisted, that "a tribune had no power over any but the plebeians; for he was not a magistrate of the people at large, but of the commons; that even he himself could not, conformably to ancient usage, of his own authority, compel

people to withdraw, the words in use being, *If ye think proper, Romans, retire.*" It was easy for him to disconcert Lætorius in arguing, even thus contemptuously, about his authority; the tribune therefore, inflamed with anger, sent one of his officers to the consul, while the consul sent a licitor to the tribune, calling out that he was but a private person without command and without magistracy; nor would the tribune have escaped ill-treatment, had not the whole assembly joined, with great warmth, in taking his part against the consul; and at the same time, the alarm having spread among the populace, brought a great concourse from all parts of the city to the Forum. Appius, notwithstanding, inflexibly withstood the violence of the storm; and the dispute must have terminated in blood, had not Quintius the other consul, giving it in charge to the consulars to take away his colleague from the Forum by force, if they could not do it otherwise, now soothing the enraged plebeians with intreaties, then begging the tribunes to dismiss the assembly, so as to "give time for their anger to cool," telling them, that "delay would not diminish aught of their power, but would afford them the advantage of uniting prudence with that power; that the patricians would still be under the direction of the people, and the consul under that of the patricians."

LVII. With great difficulty the commons were pacified by Quintius; and with much greater, was the other consul quieted by the patricians; and the assembly of the people being at length dismissed, the consuls convened the senate. There, fear and anger prevailing by turns, produced for some time a variety of opinions; but having gained time for reflection, in proportion as passion gave place to reason, they became more and more averse from inflammatory measures; in so much, that they returned thanks to Quintius, for having by his exertions put a stop to the quarrel. Appius they requested to "be satisfied with such a degree of defe-

rence to the consular authority, as was compatible with concord between the several parts of the state; for, whilst the tribune and consuls violently drew all power, each to their own side, there was none left in the other members of the community. The object of the dispute was not the safety of the commonwealth, but who should have the disposal of it, mangled and torn as it was." On the other hand, Appius appealed to gods and men that "the state was betrayed and deserted through cowardice; that the consul was not wanting in support of the senate, but the senate in support of the consul; and that they were submitting to more grievous laws than those which were imposed at the sacred mount." Yielding, however, to the unanimous judgment of the senate, he desisted, and the law was carried through without farther opposition.

LVIII. Then, for the first time, were the tribunes elected in an assembly of the people, voting by tribes. Piso relates also, that there were three added to their number, having before been but two. He even names the tribunes, Caius Sicinius, Lucius Numitorius, Marcus Duilius, Spurius Icilius, Lucius Mecilius. During the dissensions at Rome, war commenced with the Æquans and Volscians, who had committed depredations on the Roman lands, with design that if the commons should again think proper to secede they might find a refuge with them. When the differences in the city were afterwards composed, they removed their camp to a greater distance: Appius Claudius was sent against the Volscians, the Æquans fell to Quintius as his province. The same severity, which Appius had shown at home, he practised at the head of the army abroad, and even with less reserve, as he was out of the reach of any control from the tribunes. He detested the commons to a degree of rancour, even beyond what he inherited from his father; and considered himself as vanquished by them; for that when he had been set up as the only person, who, in the character of con-

sul, was qualified to oppose the tribunitian power, that law had been carried which the former consuls had been able to prevent, though they made not such strenuous exertions as himself against it, nor did the patricians expect so much from them. His anger and indignation hereby excited, he sought to wreak on the army every kind of rigour which the command had put in his power: but no degree of violence was able to subdue the temper of the troops, such an unconquerable spirit of opposition had they imbibed. In every part of their business they showed indolence and carelessness, negligence and stubbornness; neither shame nor fear had any effect on them. If he wished that the army should proceed with more expedition, they marched the slower; if he came to encourage them to hasten their work, every one relaxed the diligence which he had used before; when he was present, they cast down their eyes; as he passed by, they muttered curses against him; so that while he seemed invulnerable to popular dislike, his mind was occasionally affected with disagreeable emotions. After trying every kind of harsh treatment without effect, he renounced all intercourse with the soldiers, declaring that the army was corrupted by the centurions, whom, in a gibing manner, he sometimes called plebeian tribunes, and Voleroes.

LIX. Not one of these circumstances was unknown to the Volscians, who, for that reason, pressed forward their operations the more vigorously, in hopes that the Roman army would be animated with the same spirit of opposition against Appius, which they had formerly displayed against Fabius, when consul; and in fact, in Appius's case, it showed itself with a much greater degree of inveteracy than in that of Fabius; for they were not only unwilling to conquer, like Fabius's troops, but even chose to be conquered. When led out to the field, they fled shamefully to their camp, nor made a halt, until they saw the Volscians advancing to the rampart, and committing great slaughter on the rear of the

army. The necessity of repelling the victorious enemy from the rampart, then prevailed on them to fight, which, however, they did in such a manner, as made it evident, that they acted only because Roman soldiers would not suffer their camp to be taken: in other respects, they rejoiced at their own losses and disgrace. All this had so little effect towards softening the stubborn fierceness of Appius, that he resolved to exhibit farther examples of severity; but when he had summoned an assembly for the purpose, the lieutenant-generals and tribunes gathered hastily about him, and cautioned him "not to hazard a trial of the extent of an authority whose whole efficacy depended on the will of those who were to obey it: informed him, that the soldiers in general declared that they would not attend the assembly; and that in every quarter, they were heard loudly demanding that the camp should be removed out of the Volscian territories. They reminded him that the conquering army had approached almost to the gates and to the rampart, and that if he persisted, there was not only reason to apprehend, but every certain indication of a most grievous calamity ensuing." At length yielding to persuasion, as nothing but a delay of punishment could be the consequence, he prorogued the assembly; gave orders that the troops should be in readiness to march next day; and, at the first dawn, gave, by sound of trumpet, the signal for setting out. When the army had scarcely got clear of the camp, and while they were just forming in order of march, the Volscians, as if they had been summoned by the same signal, made an attack on their rear; and, the alarm spreading from thence to the van, caused such consternation, as threw both the battalions and ranks into confusion, so that neither could orders be heard, nor a line formed. No one now thought of any thing but flight, and with such precipitation did they make their way through the ranks, that the enemy ceased to pursue sooner than the Romans to fly. In vain did the consul follow his men, call-

ing on them to halt. But when he had at length collected them together, he encamped in a peaceful part of the country; and there, having summoned an assembly, after uttering severe and just reproaches against the army as betrayers of military discipline, and deserters from their posts, asking each where were their standards? where were their arms? he beat with rods, and beheaded, the soldiers who had thrown away their swords, the standard-bearers who had lost their ensigns, and also such of the centurions, and of the privates as had quitted their ranks. Of the rest of the multitude every tenth man was drawn by lot and punished.

LX. In a very different manner were matters conducted in the country of the Æquans. There seemed a mutual contest carried on between the consul and his troops, who should exceed the other in civility and good offices. Quintius was naturally of a milder disposition, and besides, the ill consequences attending the harshness of his colleague made him feel the greater satisfaction in indulging his own temper. The Æquans, not daring to meet, in the field, a general and army so cordially united, suffered them to carry their depredations through every part of the country; and in no former war was a greater abundance of booty brought off from thence, all which was distributed among the soldiers. Their behaviour was also rewarded with praises, in which the minds of soldiers find as much delight as in gain. The troops returned home in better temper towards their general, and, on the general's account, towards the patricians also; declaring, that the senate had given to them a parent, to the other army a master. This year, during which they experienced a variety of fortune in their military operations, and furious dissensions both at home and abroad, was particularly distinguished by the assemblies of the people voting by tribes; a matter which derived its seeming importance rather from the honour of the victory obtained by one party over the other, than from any real advantage accruing from it. For the

share of power, which was either gained by the commons, or taken from the patricians, was trifling, in proportion to the great degree of dignity of which the assemblies themselves were deprived by the exclusion of the patricians.

LXI. The following year, the consulate of Lucius Valerius and Tiberius Æmilius was disturbed by more violent commotions, both in consequence of the struggles between the different orders of the state concerning the agrarian law, and also of the trial of Appius Claudius; who, having taken a most active part, in opposition to the law, and supported the cause of those who were in possession of the public lands, as if he were a third consul, and thought it his duty, had a criminal prosecution instituted against him by Marcus Duilius and Caius Sicinius. Never hitherto had a person, so odious to the commons, been brought to trial before the people, overwhelmed as he was with their hatred, on his father's account, besides the load which his own conduct had drawn on him; and hardly ever did the patricians exert such strenuous efforts in favour of any other, seeing this champion of the senate, the assertor of its dignity, their bulwark against all the outrageous attempts both of tribunes and commons, exposed to the rage of the populace, only for having in the contest exceeded, in some degree, as they conceived, the bounds of moderation. Appius Claudius himself was the only one among the patricians, who looked with scorn on the tribunes and commons, even affecting a disregard as to his own trial. Neither the threats of the commons, nor the intreaties of the senate, could ever prevail on him either to change its garb,* or use a suppliant address, or even to soften and relax, in any degree, the usual harshness of his language, when he was to plead his cause before the people. He still preserved the same expression of countenance, the same stubborn fierceness in his looks, and the

* It was usual for persons under accusation to put on a mourning dress, and to let their hair and beard grow.

same vehemence in his discourse; so that a great many of the commons felt no less dread of Appius, while he stood a culprit at their bar, than they had done when he was consul. He pleaded in his defence, and that with all the haughtiness which he could have shown, had he been the accuser, just as he used to behave on every other occasion; and, by his intrepidity, so astonished the tribunes and commons, that, of their own choice, they adjourned the trial to another day, and afterwards suffered the business to cool. The day of adjournment was not very distant, yet, before it arrived, he was seized with a disorder and died. The tribunes endeavoured to prevent his being honoured with a funeral panegyric, but the commons would not allow that the last day of so great a man should be defrauded of the usual glories. They listened to the encomiums pronounced on him after his death with as favourable an attention as they had shown to the charges brought against him when alive, and, in vast numbers, attended his funeral.

LXII. During this year, the consul Valerius marched with an army against the Æquans; and, finding it impracticable to entice them to an engagement, made an assault on their camp. A violent storm of thunder and hail obliged him to desist, and people's surprise was increased, when, as soon as the signal for retreat had been given, the weather became perfectly calm and clear; so that they were deterred by a religious scruple from again attacking a camp which had been defended by an evident interposition of some divinity, and vented all their rage in devastations on the enemy's lands. The other consul Æmilius conducted the war in the country of the Sabines, and there also, the enemy keeping within their walls, the lands were laid waste; at length, by the burning, not only of the country-houses, but of the villages, which in that populous country were very numerous, the Sabines were provoked to give battle to the troops employed in the depredations; and, being obliged to retreat

without having gained any advantage, removed their camp, next day, to a place of greater safety. This appeared to the consul a sufficient reason to consider the enemy as vanquished, and to cease any farther operations; he accordingly withdrew his men, without having made any progress in the war.

LXIII. While these wars still raged abroad, and party divisions at home, Titus Numicius Priscus Y R. 285. B. C. 467. and Aulus Virginius were elected consuls. There was reason to believe that the commons would not endure any farther delay with respect to the agrarian law, and every degree of violence was ready to be committed, when it was discovered, by the smoke from the burning of the country-houses, and by the inhabitants flying to the city, that the Volscians were at hand; this incident repressed the sedition, when just ripe, and on the point of breaking forth. The consuls were instantly ordered by the senate to lead out the youth from the city against the enemy; and this made the rest of the commons less turbulent. On the other side, the assailants, without performing any thing farther than alarming the Romans by the destruction of some few buildings, retired with great precipitation. Numicius marched to Antium against the Volscians; Virginius against the Æquans. Here, the army falling into an ambuscade, and being in the utmost danger of a total overthrow, was rescued by the bravery of the soldiers from the imminent peril to which the carelessness of the consul had exposed them. The operations against the Volscians were better conducted; in the first engagement, the enemy were routed, and compelled to fly into Antium, which, considering those times, was a city of great strength; the consul therefore not choosing to venture to attack it, took from the Antians another town called Ceno, which was not near so strong. Whilst the Æquans and Volscians gave employment to the Roman armies, the Sabines carried depredation to the very gates of the city; however, they

themselves, in a few days after, suffered, from the two Roman armies, greater losses than any which they had occasioned; both the consuls, provoked at their proceedings, having marched into their territories.

LXIV. Towards the close of the year, there was some interval of peace, but disturbed, as was always the case, by struggles between the patricians and plebeians. The latter were so incensed, that they refused to attend the assembly held for the election of consuls, so that by the votes of the patricians and their dependants, Titus Quintius and Quintus Servilius were appointed to the consulship. These Y. R. 286. experienced a year similar to the preceding; the be- B. C. 466. ginning of it filled with civil broils, which were afterwards repressed by the breaking out of foreign wars. The Sabines, marching across the plains of Crustumium with great rapidity, carried fire and sword through all the country on the banks of the Anio; and though, when they had advanced almost to the Colline gate, and the walls of the city, they met with a repulse, yet they carried off a vast booty both of men and cattle. The consul Servilius marched in pursuit, with design to bring them to an engagement: but, not being able to overtake their main body in the champaign country, he spread devastation to such an extent, as to leave nothing unmolested, and returned with a quantity of spoil, exceeding, by many degrees, what the enemy had carried off. In the campaign against the Volscians also, the arms of the state were remarkably successful, through the conduct both of the general and of the soldiers: first, they fought a pitched battle, on equal ground, with great loss of blood on both sides. The Romans, however, whose small number made them feel the loss more sensibly, would have quitted the field, had not the consul, by a happy feint, re-animated the troops, calling out, that the enemy were flying on the other wing: they then returned to the charge, and the opinion that victory was on their side, was the means of their obtaining it in reality. But Titus fearing lest, if he pressed the fugitives too

far, he might have the battle to fight over again, gave the signal for retreat. After this, an interval of some few days passed, during which both parties reposed, as if they had tacitly agreed to a suspension of arms; and, in the mean time, vast multitudes from every state of the Volscians and Æquans flocked to their camp, not doubting but that the Romans, when informed of their numbers, would make their retreat by night. About the third watch, therefore, they came to attack the camp. Quintius, after appeasing the tumult which the sudden alarm had excited, and ordering the soldiers to stay quiet in their tents, led out a cohort of Her-nicians to form an advanced guard, mounted the trumpeters, with others of their band, on horses, and ordered them to sound their instruments before the rampart, so as to keep the enemy in suspense until day-light. During the remainder of the night, every thing was quiet in the camp, so that the Romans were not even prevented from sleeping. The Volscians, on the other hand, expecting every instant an attack, were kept in a state of earnest attention by the appearance of the armed infantry, whom they believed to be Romans, and whom they also conceived to be more numerous than they really were, from the bustle and neighing of the horses, and which, being under the management of riders with whom they were acquainted, and having their ears continually teased with the sound of the instruments, made in their trampling a considerable noise.

LXV. When day appeared, the Romans, marching into the field in full vigour, after being thoroughly refreshed with sleep, at the first onset overpowered the Volscians, fatigued with standing and want of rest. However, the enemy might be said to retire, rather than to be routed; for some hills, which lay behind them, afforded a safe retreat to all the troops that were stationed to the rear of the first line, whose ranks were still unbroken. On coming to this place, where the height of the ground was against him, the consul order-

ed his men to halt: but it was with great difficulty that they could be restrained; they called out, and insisted on being allowed to pursue the advantage which they had gained: while the horsemen, collected round the general, were still more ungovernable, loudly declaring that they would advance before the front line. While Titus hesitated, between the confidence which he knew he might place in the valour of his men, and the difficulty of the ground, all cried out, with one voice, that they would proceed; and they instantly put their words in execution; sticking their spears in the ground, that they might be lighter to climb the steeps, they ran forward in full speed. The Volscians having at the first onset discharged their missive weapons, began to pour down on them, as they approached. The incessant blows from the stones of the higher ground, and which lay among their feet, so galled and disordered the Romans, that their left wing was by this means almost overborne; when the consul, just as they were beginning to give way, reproaching them with their rashness, and at the same time with want of spirit, made their fears give place to shame. At first, they stood their ground with determined firmness; then, as they recovered strength to renew the attack, in spite of the disadvantage of situation, they ventured to advance, and raising the shout anew, moved forward in a body. Rushing on again in full career, they forced their way, and when they had reached almost to the summit of the hill, the enemy turned their backs, and the pursuers and pursued, exerting their utmost speed, both rushed into the camp together, almost in one body. In this consternation of the Volscians, their camp was taken. Such of them as could make their escape, took the road to Antium; thither also the Roman army marched; and, after a siege of a few days, the town surrendered, not because the force of the besiegers was stronger now than in the former attack, but because the spirits of the besieged were broken by the late unsuccessful battle, and the loss of their camp.

THE HISTORY OF ROME.

BOOK III.

Dissensions about the agrarian laws. The Capitol seized by exiles and slaves. Quintus Cincinnatus called from the cultivation of his farm, to conduct a war against the Æquans; vanquishes them and makes them pass under the yoke. The number of the tribunes of the people augmented to ten. Ten magistrates, called decemvirs, invested with the authority of the consuls, and of all other magistrates, are appointed for the purpose of digesting and publishing a body of laws. These having promulgated a code of laws, contained in ten tables, obtain a continuation of their authority for another year, during which, they add two more to the former ten tables. They refuse to resign their office and retain it a third year. At first they act equitably and justly; afterwards, arbitrarily and tyrannically. At length the commons, provoked by a base attempt of one of them, Appius Claudius, to violate the chastity of a daughter of Virginius, seize upon the Aventine mount, and compel them to resign. Appius and Oppius, two of the most obnoxious, are thrown into prison, where they put an end to their own lives; the rest are banished. War with the Sabines, Volscians, and Æquans. Unjust determination of the Roman people, who, being chosen arbitrators in an affair between the people of Ardea and Aricia, concerning some disputed lands, adjudge them to themselves.

I. Soon after the taking of Antium, Titus Æmi- Y.. R. 287.
lius and Quintus Fabius were elected consuls .B. C. 465.
This Quintus was the single one of the Fabii who remained
alive when the family were cut off at the Cremera. Æmilius
had before, in his former consulate, recommended the distribu-
tion of lands among the commons: now, therefore, on his be-

ing a second time invested with that office, those, who expected the lands, conceived sanguine hopes of the law being passed. The tribunes, supposing that an affair for which such struggles had often been made, in opposition to both the consuls, might probably be accomplished now, when one of those magistrates was an advocate for it, set the business on foot; and the consul continued in the same sentiments. The possessors of the lands, and most of the patricians, complaining loudly that a person at the head of the state aimed to distinguish himself by intrigues more becoming a tribune courting popularity, by making donations out of other people's property, removed the odium of the whole transaction from the tribunes to the consul. A desperate contest would have ensued, had not Fabius struck out an expedient to prevent it, by a plan disagreeable to neither party; which was, that, as a considerable tract of land had been taken from the Volscians in the preceding year, under the conduct and auspices of Titus Quintius, a colony should be led off to Antium, a town at no great distance, convenient in every respect, and a sea-port; by these means, the commons might come in for lands, without any complaints from the present possessors at home, and harmony might be preserved in the state. This proposition was approved of, and he had commissioners, called triumvirs, appointed to distribute the same; these were Titus Quintius, A. Virginius, and Publius Furius; and such as chose to accept of those lands, were ordered to give in their names. The gratification of their wishes, as is generally the case, instantly begat disgust; and so few subscribed to the proposal, that, to fill up the colony, they were obliged to take in a number of the Volscians. The rest of the populace chose rather to prosecute claims of land at Rome, than to receive immediate possession of it elsewhere. The Æquans sued to Quintus Fabius for peace, for he had gone against them with an army; yet they them-

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selves broke it, by a sudden incursion into the Latine territories.

II. In the year following, **Quintus Servilius**, Y. R. 288.
 who was consul with **Spurius Postumius**, being B. C. 464.
 sent against the **Æquans**, fixed his camp in the Latine territory, a post which he intended to retain. Here the troops were compelled, by sickness, to remain inactive within their lines; by which means the war was protracted to the third year, in which **Quintus Fabius** and **Titus Quintus** were consuls. Y. R. 289.
 As **Fabius**, in consequence of B. C. 463.
 his former successes there, had granted peace to the **Æquans**, that province was now particularly assigned to him. He set out with confident expectations, that the splendor of his name would be sufficient to induce the **Æquans** to put an end to hostilities, and sent ambassadors to the general meeting of that nation, with orders to tell them, that "**Quintus Fabius**, consul, gave them notice, that, as he had brought peace to Rome from the **Æquans**, so now he brought war to the **Æquans** from Rome; having armed for war the same hand which he had formerly given to them as a pledge of peace. Which of the parties had, by perjury and perfidy, given occasion to this rupture, was known to the gods, who would soon prove avengers of the crime: yet, notwithstanding this, he was still more desirous that the **Æquans** should, of their own accord, repent of their misconduct, than suffer the evils of war. If they repented, they should find safety in that clemency which they had already experienced: if they chose to persist in a conduct which involved them in the guilt of perjury, they must expect, in the progress of the war, to find the resentment of the gods even greater than that of their enemies." So far were these declarations from producing the desired effect on them, that the ambassadors narrowly escaped ill-treatment, and an army was sent to **Algidum** against the Romans. When the news of these transactions was brought to Rome, the indignity of the affair, rather than

the danger, called out the other consul from the city, and the two consular armies advanced to the enemy in order of battle, prepared for an immediate engagement. But this happening rather late in the day, a person called out from one of the enemy's posts, "Romans, this is making an ostentatious parade, not waging war: ye draw up your forces for battle, when night is at hand. We require a greater length of day-light to decide the contest which is to come on: return into the field to-morrow at sun-rise; ye shall have an opportunity of fighting, doubt it not." The soldiers were led back into camp until the next day, highly irritated by those expressions, and thinking the approaching night would appear too long, which was to occasion a delay to the combat: the intervening hours, however, they employed in refreshing themselves with food and sleep. Next morning, as soon as it was light, the Roman army were the first, by a considerable time, to take their post in the field. At length, the Æquans also came forward. The battle was fought with great fury on both sides, for the Romans were stimulated both by anger and hatred, while the Æquans, conscious that the dangers to which they were exposed were the consequence of their own crimes, and despairing of ever being treated with confidence in future, felt a necessity of making the most desperate exertions. However, they were not able to withstand the Roman troops. They were driven from the field, and retreated to their own territories; where the outrageous multitude, not at all the more disposed to peace from their failure, censured their leaders for having hazarded success in a pitched battle; a manner of fighting in which the Romans possessed superior skill. The Æquans, they said, were better fitted for predatory expeditions; and there was greater reason to hope for success, from a number of detached parties acting separately, than from one army of unwieldy bulk.

III. Leaving therefore a guard in the camp, they marched

out, and fell upon the Roman frontiers with such fury, as to carry terror even to the city. Such an event caused the greater uneasiness, because it was entirely unexpected; for nothing could be less apprehended, than that a vanquished enemy, almost besieged in their camp, should entertain a thought of committing depredations. The country people, in a panic, pouring into the gates, and, in the excess of their fright, exaggerating every thing, cried out, that they were not small ravaging parties, nor employed in plundering; but that the legions, and the entire army of the enemy, were approaching, marching rapidly towards the city, and prepared for an assault. The first who heard these rumours, spread them about among others, unauthenticated as they were, and therefore the more liable to exaggeration; which caused such a hurry and confused clamour, every one calling to arms, as, in some measure, resembled the consternation of a city taken by storm. Luckily Quintius the consul had returned from Algidum; this proved a remedy for their fears; he calmed the tumult, upbraiding them with being afraid of a vanquished people, and posted guards at the gates. He then convened the senate, and having, by their directions, issued a proclamation for a cessation of all civil business,* marched out to protect the frontiers, leaving Quintus Servilius to command in the city; but he found no enemy in the country. The other consul encountered the Æquans with extraordinary success; for he attacked them on the road while heavily laden with booty, which so embarrassed their motions, as to render them unfit for action, and took severe revenge for the devastations which they had committed. He succeeded so effectually, that few made their escape, and the whole of the booty was recovered. On this the consul Quintius returned to the city, and took off the prohibition of business, when it

* *Justitium; quia jus sistebatur.* In cases of great and immediate danger, all proceedings at law were suspended; the shops also were shut, and all civil business stopped, until the alarm was over.

had continued four days. The general survey was then held, and the lustrum was closed by Quintius;* the number of citizens rated in the survey, being one hundred and twenty-four thousand two hundred and fourteen, besides the orphans of both sexes. Nothing memorable passed afterwards in the country of the Æquans; they took shelter in their towns, abandoning their surrounding possessions to fire and devastation. The consul, after having repeatedly carried hostilities and depredations through every part of the enemy's country, returned to Rome with great glory, and abundance of spoil.

Y. R. 290. IV. The next consuls were Aulus Postumius B. C. 462. Albus and Spurius Furius Fusus. The Furii, some writers have called Fusii: this I mention, lest any should think there was a difference in the persons, when it is only in the name. There was no doubt entertained, but that one of the consuls would march an army against the Æquans; these, therefore, requested assistance from the Volscians of Ecetra, who gladly complied with the request; and so inveterate was the hatred which those states bore towards the Romans, that they eagerly vied with each other, in making the most vigorous preparations for war. This coming to the knowledge of the Hernicians, they gave notice to the Romans, that the people of Ecetra had revolted to the Æquans. The colony of Antium was also suspected, because on that town being taken, a great multitude had fled thence for refuge to the Æquans; and while the war with that people

* The *lustrum* was a period of five years, at the expiration of which a general review of the people was held, and their number, state, and circumstances inquired into. The senate also was reviewed by one of the censors: and if any one, by his behaviour, had rendered himself unworthy of a place in that body, or had sunk his fortune below the requisite qualification, his name was passed over by the censor, in reading the roll of senators; and thus he was held to be excluded from the senate. When the business was done, the censor, to whose lot it fell, *condidit lustrum*, closed the lustrum, by offering a solemn sacrifice in the Campus Martius.

lasted, these proved the most valiant soldiers in their army. Afterwards, when the Æquans were driven into their towns, this rabble withdrawing privately, and returning to Antium, seduced the colonists there, from their allegiance to the Romans, which, even before that time, was not much to be relied on. Before the business was yet ripe, on the first information being laid before the senate of their intention to revolt, directions were given to the consuls to send for the heads of the colony, and inquire into the truth of the matter. These having readily attended, and being introduced to the senate by the consuls, answered the questions put to them in such a manner, that the suspicions against them were stronger when they were dismissed, than before they came. War was then considered as inevitable. Spurius Furius, to whose lot that province had fallen, marching against the Æquans, found the enemy in the country of the Hernicians, employed in collecting plunder; and, being ignorant of their numbers, because they had never been seen all together, he rashly hazarded an engagement, though his army was very unequal to the forces of the enemy. At the first onset, he was driven from his ground, and obliged to retreat to his tents; nor did the misfortune end there: in the course of the next night, and the following day, his camp was surrounded on all sides, and attacked so vigorously, that there was no possibility even of sending a messenger from thence to Rome. The Hernicians brought an account both of the defeat, and of the consul and the army being besieged, which struck the senate with such dismay, that by a decree, in that form which has been always deemed to be appropriated to cases of extreme exigency, the other consul Postumius was charged to "take care, that the commonwealth should receive no detriment." It was judged most expedient, that the consul himself should remain at Rome, in order to enlist all who were able to bear arms; and that Titus Quintius should be sent as proconsul to the relief of the camp, with

an army composed of the allies; to complete the number of which, the Latines, Hernicians, and the colony at Antium, were ordered to supply Quintius with subitary soldiers; this was the appellation then given to auxiliaries called out on a sudden emergency.

V. For some time there was a great variety of movements, and many attempts made, both on one side and on the other; for the enemy, relying on their superiority in number, endeavoured to weaken the force of the Romans, by obliging them to divide it into many parts, in hopes that it would prove insufficient to withstand them on every different quarter. At the same time that the siege of the camp was carried on, a part of their forces was sent to ravage the lands of the Romans, and to attempt even Rome itself, if a favourable occasion should offer. Lucius Valerius was left to guard the city, and the consul Postumius was sent to protect the frontiers from the enemy's incursions. No degree of vigilance and activity was left unemployed in any particular: watches were stationed in the town, out-posts before the gates, and guards along the walls; and, as was necessary in a time of such general confusion, a cessation of civil business was observed for several days. Meanwhile at the camp, the consul Furius, after having endured the siege for some time, without making any effort, burst forth, from the Decuman gate,* on the enemy, when they least expected him; and though he might have pursued their flying troops with advantage, yet, fearing lest an attack might be made on the camp from the opposite side, he halted. Another Furius, who was a lieutenant-general, and brother to the consul, hastily pushed forward too far; and so eagerly intent was he on the pursuit, that he neither perceived his own party retreating, nor the enemy intercepting him behind: being thus shut out from assistance, and having often in vain essayed, by

* The Decuman gate was in the rear of the encampment. For the order and disposition of a Roman camp, see Adam's Roman Antiquities.

every kind of effort, to open himself a passage, he fell, fighting with great bravery. The consul on the other hand, hearing that his brother was surrounded, turned back on the enemy, and while, forgetting all caution, he rushed too precipitately into the thick of the fight, he received a wound, and was, not without difficulty, carried off by his attendants. This both damped the courage of his own men, and rendered the enemy more daring; and so highly were the latter elated by the death of the lieutenant-general, and the consul's being wounded, that no force could afterwards withstand them, so as to prevent their driving the Romans back to their camp, and compelling them to submit again to a siege, with both strength and hopes considerably diminished; they were even in danger of utter destruction, had not Titus Quintius, with the troops supplied by the Latines and Hernicians, come to their relief. He attacked the Æquans on their rear, whilst their attention was employed on the Roman camp, and as they were insultingly exhibiting to view the head of the lieutenant-general; and a sally being made from the camp at the same time, on a signal given by him at some distance, a great number of the enemy were surrounded and cut off. Of the Æquans who were employed in the Roman territories, the number slain was less, but their defeat and dispersion was more complete. Being divided into separate parties, and busied in collecting plunder, they were attacked by Postumius in several places, where he had posted troops in convenient situations; when, not knowing what course to take, and pursuing their flight in great disorder, they fell in with Quintius, who, after his victory, was returning home with the wounded consul. Then did the consular army, exerting themselves with extraordinary alacrity, take full vengeance for the consul's wound, and for the loss of the lieutenant-general and the cohorts. Many heavy losses were sustained on both sides in the course of that campaign: but it is difficult, at this distance of time, to assign, with any degree of

certainty, the precise number of those who were engaged, and of those who fell. Yet Valerius Antias undertakes to estimate them, affirming that, of the Romans, there fell in the country of the Hernicians five thousand three hundred; that, of the plundering parties of the Æquans, who spread themselves over the Roman territories, two thousand four hundred were slain by the consul Aulus Postumius; that the other body of them, who, while they were carrying off the spoil, fell in with Quintius, escaped not without a much greater loss, there being slain of these, four thousand (and pretending exactness, he adds) two hundred and thirty. After this, the troops returned to Rome, and the order for cessation of civil business was discharged. The sky appeared as on fire in many places, and other portents either occurred to people's sight, or were formed by terror in their imaginations. To avert the evils which these foreboded, a proclamation was issued for a solemn festival, to be observed for three days, during which all the temples were filled with crowds, both of men and women, supplicating the favour of the gods. The cohorts of the Latines and Hernicians were then dismissed by the senate to their respective homes, with thanks for their spirited behaviour. During the campaign, a thousand men, who came from Antium after the battle, but too late to be of any service, were sent off in a manner little less than ignominious.

Y. R. 291 VI. The elections were then held, and Lucius Æbu-
 B. C. 461. tius and Publius Servilius being chosen consuls, entered on their office, on the calends of August, which was at that time considered as the beginning of the year with respect to them. This was a season of great distress; for, during this year, a pestilential disorder spread itself, not only through the city, but over the country, affecting both men and cattle with equal malignity; the violence of the disorder was increased by admitting into the city the cattle, and also the inhabitants of the country, who fled thither for shelter from the

enemy's ravages. Such a collection of animals of every kind nearly suffocated the citizens by the intolerable stench; while the country people, crowded together in narrow apartments, suffered no less from the heat, the want of rest, and their attendance on each other; besides which, mere contact served to propagate the infection. While they could scarcely support the weight of the calamities under which they laboured ambassadors from the Hernicians suddenly arrived with intelligence, that the Æquans and Volscians in conjunction had encamped in their territory, and from thence were ravaging the country with very numerous forces. Besides the proof, which the thinness of the senate afforded to the observation of the allies, of the low state to which the commonwealth was reduced by the pestilence, the answer which they received, demonstrated a great dejection of spirits: that "the Hernicians themselves, with the assistance of the Latines, must provide for their own safety. That the city of Rome, through the sudden anger of the gods, was depopulated by sickness. If they (the Romans) should find any respite from that calamity, they would, as they had done the year before, and on all occasions, give assistance to their allies." Thus the ambassadors departed, carrying home the most sorrowful intelligence; as they now found themselves obliged, with their own single strength, to support a war, to which they had hardly been equal, even when assisted by the power of Rome. The enemy remained not long in the country of the Hernicians, but proceeded thence, with hostile intentions, into the Roman territory; which, without the injuries of war, was now become a desert. Without meeting there one human being even unarmed, and finding every place through which they passed destitute, not only of troops, but of the culture of the husbandman, they yet came as far as the third stone on the Gabian road. By this time Æbutius the Roman consul was dead, and his colleague Servilius so ill, that there was very little hope of his recovery; most of the leading men

were siezed by the distemper, as were the greater part of the patricians, and almost every one of military age, so that they wanted strength, not only to form the expeditions which were requisite in a conjuncture so alarming, but even to mount the guards, where no exertion was necessary. The duty of the watches was performed by such of the senators in person, as by their age and strength were qualified for it: the care of posting and visiting these, was intrusted to the plebeian ædiles; on them devolved the whole administration of affairs, and the dignity of the consular authority.

VII. The commonwealth in this forlorn state, without a head, without strength, was saved from destruction by its guardian deities, who inspired the Volscians and Æquans with the spirit of banditti, rather than of warriors; for so far were they from conceiving any hope, either of mastering, or even of approaching, the walls of Rome, and such an effect had the distant view of the houses and adjacent hills, to divert their thoughts from the attempt, that murmurs spread through all the camp, each asking the other, why they should throw away their time without employment, and without booty, in a waste and desert country, among the putrid carcasses of men and cattle; when they might repair to places that had felt no distress; to the territory of Tusculum, where every kind of opulence abounded?" and accordingly, they hastily put themselves in motion, and, crossing the country, passed on through the territory of Lavici, to the Tusculan hills; and to that quarter was the whole storm and violence of the war directed. Meanwhile, the Hernicians and Latines, prompted not only by compassion, but also by the shame which they must incur, if they neither gave opposition to the common enemy, marching to attack the city of Rome, nor even when their allies were besieged, afforded them any assistance, united their forces, and proceeded to Rome. Not finding the enemy there, and pursuing their tracks by such intelligence as they could procure, they met them coming

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down from the heights of Tusculum to the Alban vale. There an engagement ensued, in which they were by no means a match for the combined forces, and the fidelity of the allies proved, for the present unfortunate to them. The mortality occasioned by the distemper at Rome was not less than what the sword caused among the allies. The consul Servilius, with many other illustrious persons, died: namely, Marcus Valerius and Titus Virginius Rutilus, augurs; Servius Sulpicius, principal curio; while, among persons of inferior note the virulence of the disorder spread its ravages on every side. The senate, unable to discover a prospect of relief in any human means, directed the people to have recourse to vows and to the deities: they were ordered to go, with their wives and children, to offer supplications and implore the favour of the gods; and all being thus called out by public authority, to perform what each man was strongly urged to by his own private calamities, they quickly filled the places of worship. In every temple, the prostrate matrons, sweeping the ground with their hair, implored a remission of the displeasure of heaven, and deliverance from the pestilence.

VIII. From that time, whether it was owing to the gods having become propitious, or to the more unhealthy season of the year being now past, the people began to find their health gradually restored. And now their attention being turned to public business, several interregna having expired, Publius Valerius Publicola, on the third day after he had entered on the office of interrex, caused Lucius Lucretius Tricipitinus and Titus Veturius, or Vetusius, Geminius to be elected consuls. These assumed their office on the third of the ides of August, at which time the state had recovered its strength so far as to be able not only to repel an attack but to act offensively on occasion. Wherefore, on the Hernicians sending information, that the enemy had made an irruption into their frontiers, they cheerfully promised to assist them. Two consular armies were raised. Veturius was

Y. R. 292

B. C. 460

sent to carry on an offensive war against the Volscians. Tri-
cipitinus being appointed to protect the territories of the al-
lies from all incursions, proceeded no farther than the coun-
try of the Hernicians. Veturius, in the first engagement,
routed and dispersed his enemy. While Lucretius lay en-
camped among the Hernicians, a party of plunderers, unob-
served by him, marched over the Prænestine mountains, and
from thence descended into the plains. These laid waste all
the country about Præneste and Gabii, and from the latter
turned their course towards the high grounds of Tusculum.
Even Rome was very much alarmed, more so by the unex-
pectedness of the affair, than that they wanted strength to
defend themselves. Quintus Fabius had the command in
the city. He armed the young men, posted guards, and
soon put every thing into a state of safety and tranquillity.
The enemy therefore not daring to approach the walls, but
hastily carrying off whatever they could find in the adjacent
places, set out on their return, making a long circuit and
while their caution relaxed, in proportion as they removed
to a greater distance, they fell in with the consul Lucretius,
who, having procured intelligence of all their motions, lay
with his troops drawn up and impatient for the combat.
These the consul, with premeditated resolution, attacked.
who, terrified and thrown into disorder by this sudden ap-
pearance of danger, and though considerably greater in num-
ber, were easily routed and put to flight. He then drove
them into deep vallies, from which being surrounded by his
troops, it was difficult to escape. On this occasion the Vol-
scian race was nearly extinguished. I find in some histories,
that there fell in the field and the pursuit, thirteen thousand
four hundred and seventy; that one thousand two hundred
and fifty were made prisoners; and that twenty-seven milita-
ry standards were taken. However, though, in those ac-
counts, the numbers may be somewhat exaggerated, the
slaughter certainly was very great. The victorious consul,

possessed of an immense booty, returned to his former post. The consuls then made a junction of their forces. The Volscians and Æquans also united their shattered troops. On which ensued the third battle in the course of that campaign. The same good fortune attended the Romans, the enemy being routed with the loss of his camp.

IX. Thus did the course of affairs at Rome return into its former channel, and successes abroad immediately excited commotions at home. Caius Terentillus Arsa was tribune of the people that year. He, taking advantage of the absence of the consuls, as an opportunity favourable to tribunitian intrigues, entertained the commons for several days with railings against the arrogance of the patricians; but levelled his invectives chiefly against the consular government, as possessing an exorbitant degree of power, and intolerable in a free state: "in name," he said, "it was less odious than regal government; while, in fact, it was rather more oppressive: as, instead of one tyrant, two had been set over them, invested with immoderate and unlimited rule; who, while they themselves were privileged and uncontrolled, directed every terror of the laws, and every kind of severity against the commons. Now, in order to prevent their continuing for ever to possess this arbitrary influence, he would propose, that five commissioners be appointed to compose a set of laws for the regulation of the consular government. Whatever share of authority the people should think proper to intrust in the hands of the consuls, such they should enjoy; but they should not hold their own will and absolute determinations, as law." When this decree was published, the patricians were filled with dread, lest, in the absence of the consuls, the yoke might be imposed on them: the senate was called together by the præfect of the city, Quintus Fabius, who inveighed against the proposition, and the author of it, with such vehemence, as to omit no kind of threats, or means of intimidation, which could have been

applied, had both the consuls, provoked to the highest, stood beside the tribune. He urged, that "this man had lain in ambush, and watching his opportunity, had made an assault on the commonwealth. If the gods, in their anger, had sent a tribune like him, during the last year, while sickness and war raged together, his designs could not have been prevented. When both the consuls were dead, and the enfeebled state lay overwhelmed in universal anarchy and confusion, he would probably have introduced laws for abolishing the consular government, and would have become a leader to the Volscians and Æquans in an attack upon the city. And, after all, where was the occasion for such a law? If a consul, in his behaviour towards the citizens, proved himself arbitrary or cruel, was it not in the tribune's power to bring him to a trial? to prosecute him, where his judges would be those very persons, against one of whom the injury was committed? His manner of acting tended to render, not the consular government, but the office of tribune, odious and intolerable, because, from being in a state of peace and amity with the patricians, he was forcing it back into the old evil practices. But it was not intended to beseech him to desist from proceeding as he had begun. Of you, the other tribunes," said Fabius; "we request, that ye will, first of all, consider, that your office was instituted for the protection of individuals, and not for the destruction of any part of the community; that ye were created tribunes of the commons, not foes of the patricians. It reflects as much dishonour on you, as it does concern on us, that the commonwealth should be invaded in the absence of its chief magistrates. Take measures with your colleague, that he may adjourn this business until the arrival of the consuls, ye will not hereby lessen your rights, but ye will lessen the odium which such proceedings must excite. Even the Æquans and Volscians, when the consuls were carried off last year by the sickness, refrained from adding to our

afflictions by a cruel and implacable prosecution of war." The tribunes accordingly made application to Terentillus, and the business being suspended, in appearance, but, in reality, suppressed, the consuls were immediately called home.

X. Lucretius returned with a very great quantity of spoil, and much greater glory. He added to the glory which he had acquired, by exposing, on his arrival, all the spoil in the field of Mars, in order that every one should have an opportunity, during three days, to recognize and carry home his share of the same. The remainder, not having claimants, was sold. All men agreed in opinion, that a triumph was due to the consul; but the consideration of that matter was postponed, because the tribune had renewed his attempts to carry his law; and this was deemed by the consul an affair of more importance. The business was canvassed during several days, both in the senate, and the assembly of the people: at length, the tribune yielded to the weight of the consul's authority, and desisted. Then was paid to the consul and his army, the honour which they so justly merited. He triumphed over the Volscians and Æquans, his own legions attending him in the procession. To the other consul, was granted the honour of entering the city in ovation,* unattended by the troops. In the following year, the law of Terentillus, supported by the concurrence of all the tribunes, again assailed the consuls. These were Pub- Y R. 293.
lius Volumnius and Servius Sulpicius. In this year the B. C. 459
sky appeared on fire, and a violent earthquake happened; it was also now believed that an ox spoke, an incident to which in the last year credit had been refused. Among other prodigies, a shower of flesh fell, which, as was reported, was

* The ovation was an inferior kind of triumph, in which the victorious general entered the city, crowned with myrtle, not with laurel; and instead of bullocks, as in the triumph, sacrificed a sheep, *ovis*; hence the name.

in a great measure intercepted in its fall by a vast number of birds flying about the place, and what escaped them, lay scattered on the ground for several days, without any degree of putrefaction, or being even changed in smell. The books* were consulted by the *duumviri* presiding over sacred rites, and it was predicted that dangers impended from a concourse of foreigners, that an attack was to be made on the higher parts of the city, and lives lost in consequence; among other things, warning was given, that all seditious practices should be avoided. This the tribunes cried out against, as a forgery, contrived for the purpose of hindering the passing of their law; and matters were tending to a desperate contest; when, lo! that things might revolve in the same circle every year, the Hernicians brought an account, that the Volscians and Æquans, notwithstanding their late defeat, were recruiting their armies; that their chief dependence was upon Antium; that the people of that colony held meetings openly at Ecetra; that they were the first movers of the war, and composed the greatest part of the forces. As soon as this intelligence was communicated to the senate, an order was passed for levying troops, and the consuls were directed to take the management of the war between them,

* These were the famous sibylline books, purchased, it was said, by Tarquinius Superbus, from an old woman whom nobody knew, and who was never seen again. These books, which were supposed to contain prophetic information of the fate and fortune of the Roman state, were carefully repositied in a stone chest, in a vault under the Capitol, and two officers chosen from the order of patricians, called *duumviri sacrorum*, appointed to take care of them. The number of these was afterwards increased to ten, half of whom were plebeians; then to fifteen, upon which occasion they were called *Quindecemviri*; which name they retained when augmented to sixty. Upon occasions of extreme danger, of pestilence, or the appearance of any extraordinary prodigies, these officers were ordered by the senate to consult, or to pretend to consult, the books, and they reported what expiations and other rites were necessary to avert the impending evil.

so that one should have the Volscians as his province, the other the Æquans. The tribunes exclaimed loudly to their faces in the Forum that "this Volscian war was but a concerted farce; that the Hernicians had been instructed how to act their part in it; that now the Roman people were not deprived of liberty by manly efforts, but cheated out of it by cunning. That because it was incredible, that the Volscians and Æquans, who were almost exterminated, could of themselves commence hostilities, new enemies had been sought for, and slanders thrown on a loyal colony closely connected with Rome; that the war was proclaimed, indeed, against the unoffending people of Antium, but waged against the commons of Rome, whom they intended to lead out of the city with precipitate haste, loaded with arms, thus wreaking their vengeance on the tribunes by the expulsion and banishment of the citizens. That by these means, and let not people think there was any other design, all efforts in favour of the law would be effectually overpowered, if they did not, before matters proceeded farther, while they were yet at home, and retained the garb of citizens, adopt such measures as would prevent their being driven out of possession of the city, and obliged to submit to the yoke. If they had spirit, they should not want support; the tribunes were all unanimous in their favour; there was no danger, no reason of apprehension from abroad. The gods had taken care the year before, that they might now stand up with safety in defence of their liberty." Such was the language of the tribunes.

XI. But, on the other side, the consuls, fixing their chairs within view of them, began to proceed in the levy; thither the tribunes hastened, and drew the assembly with them. A few were cited by way of experiment, and immediately outrages commenced. Whenever a lictor, by the consul's command, laid hold of any person, a tribune ordered him to be set at liberty. Nor did either party confine themselves within

the limits of that authority, to which their office entitled them; every measure taken was to be supported by force. The same line of conduct, which the tribunes had observed in obstructing the levy, was followed by the consuls in their opposition to the law, which was brought forward on every day whereon an assembly could be held. The riot was continued by the patricians refusing to withdraw, after the tribunes had ordered the people to proceed to the place of voting. The elder citizens hardly ever attended the meetings on this affair, by reason that they were not regulated by prudence, but abandoned to the direction of rashness and violence; and the consuls generally kept out of the way, lest, in such general confusion, they should expose their dignity to insult. There was a young man, called Cæso Quintius, full of presumption, on account both of the nobility of his descent, and his personal size and strength; to these qualifications bestowed by the gods, he added many warlike accomplishments, and had evinced a considerable degree of eloquence in the Forum, insomuch that no person in the state was deemed to possess greater abilities, either for acting or speaking. This man having placed himself in the midst of the body of the patricians, conspicuous in stature above the rest, and as if he carried in his eloquence and bodily strength, every power of the consulship or dictatorship, withstood by his single efforts the attacks of the tribunes, and the whole popular storm. In consequence of his exertions, the tribunes were often driven out of the Forum, and the commons routed and dispersed. Such of them as came in his way, he caused to be stripped, and otherwise severely handled; so that every one saw, that if he were allowed to proceed in this manner, it would be impossible to carry the law. At this juncture, when the tribunes were almost reduced to despair, Aulus Virginius, one of their body, instituted a criminal prosecution on a capital charge against Cæso. But by this proceeding he rather irritated than repressed his

impetuous temper: he thence became the more vehement in his opposition to the law, persecuted the commons, and harassed the tribunes, in a manner, with open hostilities. The prosecutor suffered the accused to run headlong to ruin, and to draw down on himself such a degree of public displeasure, as would serve to inflame men's minds on the charges which he had brought against him, and in the meantime frequently introduced the law, not so much in hope of carrying it through, as with design to provoke the rashness of Cæso. Many inconsiderate expressions and actions, which often passed on these occasions among the young men, were all, through the general prejudice against him, imputed to Cæso's violent temper. The law, however, was still opposed, and Aulus Virginius frequently observed to the people, "Do ye not perceive, Romans, that it is impossible for you to have, at the same time, Cæso among the number of your citizens, and this law which ye wish for? Though why do I speak of this law? Your liberty is endangered by him; he surpasses, in tyrannical pride, all the Tarquini together: wait until he is made consul or dictator, whom ye now behold in a private station, exerting all the prerogatives of royalty." He was supported in these invectives by great numbers, who complained of being personally abused by Cæso, and importuned the tribune to go through with the prosecution.

XII. The day of trial now approached, and it was manifest that the people in general had conceived an opinion, that the existence of their liberty depended upon the condemnation of Cæso. Then at length he was compelled, though not without indignation, to solicit the favour of each: he was followed by his relations, who were the principal persons in the state. Titus Quintius Capitolinus, who had been thrice consul, after recounting many honourable achievements of his own, and of his family, affirmed, that "there never had appeared, either in the Quintian family, or in the Roman state, any person possessed of such a capacity, and who ex-

hibited so early, such displays of valour. That he served his first campaign under himself, and had often in his sight fought with the enemy." Spurius Furius declared that "he had, by order of Quintius Capitolinus, come to his relief, when in a dangerous situation; and that there was no one person to whom he thought the public so much indebted for the restoration of their affairs." Lucius Lucretius, consul the preceding year, in the full splendour of fresh glory, attributed to Cæso a share of his own merits; enumerated the battles he had been engaged in; related extraordinary instances of his good behaviour, both on expeditions and in the field; advised and warned them, rather "to preserve among themselves, than to drive into a foreign country, a youth of such extraordinary merit, endowed with every accomplishment which nature and fortune could bestow, and who would prove a vast accession to the interest of any state, of which he should become a member. That the only parts in his character which could give offence, heat and vehemence, diminished daily, as he advanced in age; while the only requisite wanting, namely, prudence, was continually gathering strength: that as his faults were on the decline, and his virtues advancing to maturity, they should allow a man of such rare talents to become an old member of their community." Along with these, his father, Lucius Quintius, surnamed Cincinnatus, not dwelling on his praises, for fear of heightening the public displeasure, but intreating their forgiveness for his mistakes and his youth, besought them to pardon the son for the sake of him who, neither in word or deed, had ever given offence to any. But some, either through respect or fear, avoided listening to his intreaties; while others, complaining of the ill treatment which they and their friends had received, showed beforehand, by their harsh answers, what their sentence would be.

XIII. Besides the notorious instances of the ill conduct of the accused, there was one charge which bore heavily on

him: Marcus Volscius Fictor, who some years before had been tribune of the people, stood forth and testified, that “ a short time after the pestilence in the city, he met with a number of young men rioting in the Suburra;* that a scuffle ensued, and that his brother, who was advanced in years, and not thoroughly recovered from the disorder, received from Cæso a blow of his fist, which felled him to the ground; that he was carried home from thence, and that he believed this blow was the cause of his death; but that he was prevented from prosecuting him for such an atrocious act, by the consuls of the preceding years.” The loud asseverations of Volscius on the matter so enraged the people, that they could hardly be restrained from falling on Cæso, and putting him to death. Virginius ordered him to be seized and carried to prison: the patricians opposed force to force. Titus Quintius exclaimed, that “ a person formally accused of a capital crime, whose trial was shortly to come on, ought not, before trial, and without sentence passed, to suffer violence.” The tribune declared, that “ he had no intention of inflicting pains before condemnation, but that he would keep him in custody until the day of trial, that the Roman people might have it in their power to punish the man who had been guilty of murder.” The other tribunes being appealed to, resolved on a middle course, and thereby avoided every impeachment of their right to give protection: they forbade his being put in confinement, and declared it as their determination, that Cæso should give bail for his appearance, and that a sum of money should be secured to the people, in case of his failing so to do. The sum in which it was reasonable that the sureties should be bound, came then to be discussed; it was referred to the senate; and until they should come to a resolution, the accused was detained in the public assembly. It was determined that he should find sureties, and that each

* A part of the town, so called.

surety should be bound to the amount of three thousand *asses*.* the number of sureties to be furnished was left to the decision of the tribunes; they fixed it at ten, and on that number being bound, the prosecutor consented that the offender should be admitted to bail. He was the first who gave bail, in this manner, where the penalty was to be applied to the use of the public. Being dismissed from the Forum, he went the night following into exile among the Etrurians. On the day appointed for his trial it was pleaded in his favour, that he had gone into exile; nevertheless, Virginius presiding in the assembly, his colleagues, on being appealed to, dismissed the meeting, and the forfeited money was exacted from his father with such severity, that all his property being sold, he lived for a long time in an obscure cottage beyond the Tiber, as if banished from his country. This trial, and the proceedings about the law, gave full employment to the state. There was no disturbance from foreign enemies.

XIV. The tribunes, flushed with this success, imagined, from the dismay into which the patricians had been thrown by the exile of Cæso, that the passing of the law was almost certain. But though the elder patricians had in fact relinquished the administration of affairs, the younger part of them, especially those who were Cæso's friends, instead of suffering their spirits to droop, assumed a higher degree of vehemence in their rage against the commons. Yet in one particular they improved their plan exceedingly, which was by moderation. The first time, indeed, after Cæso's banishment, when the law in all their proceedings became the question, having prepared themselves for the occasion, and formed in a body with a great band of their dependents, they, as soon as the tribunes afforded a pretext by ordering them to retire, attacked the people furiously, and all exerted

* 9l. 13s. 6d.

themselves with activity so equal, that no one carried home a greater share than another, either of honour or of ill-will; while the commons complained, that a thousand Cæsos had started up in the room of one. During the intermediate days, however, in which the tribunes brought forward no proceedings respecting the law, nothing could be more mild and peaceable than these same persons; they saluted the plebeians kindly; entered into conversation with them; invited them to their houses; took care of their affairs in the Forum, and allowed even the tribunes themselves to hold meetings for any other purposes without interruption. In a word, they showed no kind of incivility to any, either in public or private, except when the business of the law began to be agitated. On other occasions, as I have said, the behaviour of the young patricians was popular, and the tribunes not only executed the rest of their business without disturbance, but were even re-elected for the following year without one offensive expression, much less any violence being used. By thus soothing and managing the commons, they rendered them, by degrees, more tractable, and by these methods the passing of the law was evaded during that whole year.

XV. The succeeding consuls, Caius Cladius, Y. R. 294. son of Appius, and Publius Valerius found, on en- B. C. 458.tering on the office, the commonwealth in a state of perfect tranquillity. The new year had brought no change in affairs. The thoughts of every member of the state were occupied, either in wishes for the passing of the law, or in apprehensions of being obliged to submit to it. The more the younger patricians endeavoured to insinuate themselves into the favour of the commons, the more earnestly did the tribunes strive to counteract them; exciting suspicions to their prejudice in the minds of the populace; and asserting, that there was a conspiracy formed. They maintained likewise, that Cæso was at Rome; that plans had been concerted for putting the tribunes to death, and massacring the commons:

that the elder patricians had engaged the younger to abolish the office of tribune, and to reduce the state to the same form which had subsisted before the secession to the sacred mount. While fears were entertained of an attack from the Volscians and Æquans, which had now become a stated matter, and occurred regularly almost every year, a new danger made its appearance nearer home. A number of exiles and slaves, amounting to four thousand five hundred, under the command of Appius Herdonius a Sabine, seized on the Capitol and citadel by night, and put to death all those in the latter, who refused to join the conspiracy, and take arms along with them. Some, during this tumult, ran down to the Forum with all the precipitance which their fright inspired, and the cries of, "to arms," and "the enemy are in the city," resounded alternately. The consuls were afraid either to arm the commons, or let them remain without arms, not knowing what this peril was, which had so suddenly assailed the city; whether it was occasioned by foreign or domestic forces; whether by the disaffection of the commons, or the treachery of the slaves. They exerted themselves to quiet the tumults; but, not unfrequently, these very endeavours served but to exasperate them the more: for it was impossible, in such a state of terror and consternation, to make the populace obey command. They gave them arms notwithstanding, but not to all without distinction, only to such as they could safely rely on in all emergencies, not yet knowing with what enemy they had to contend. The rest of the night was passed in posting guards in proper places all over the city, the magistrates still remaining in anxious suspense, and unable to find out who the enemy were, or what their number. Daylight then arriving, made a discovery of the insurgents, and of their leader: Appius Herdonius from the Capitol invited the slaves to liberty, telling them that "he had undertaken the cause of all the unfortunate, with intent of restoring to their country those who had

been unjustly driven into banishment, and of delivering those who groaned under the grievous yoke of slavery. He rather wished that this might be accomplished by the voluntary act of the Roman people: but if it was not to be so effected, he would rouse the Volscians and Æquans in the cause, and would persevere in the attempt to the utmost extremity."

XVI. The affair appeared now to the consuls and senate in a less formidable light, yet they still dreaded lest, besides the purposes which were declared, that this might be a scheme of the Veientians or the Sabines; and that the disaffected might, in consequence of a concerted plan, be supported presently by the Sabine and Etrurian legions; and that their everlasting enemies, the Volscians and Æquans, might come, not, as formerly, to ravage the country, but to seize on the city, which their favourers already possessed in part. Many and various were their fears, the principal of which was their dread of the slaves, lest every one should find in his own house an enemy, whom it was neither safe to trust, nor, by apparent distrust, to provoke to infidelity and hate. So critical, indeed, was their situation, that, had perfect harmony subsisted in the state, they could scarcely hope to be extricated from it. But amidst the crowd of dangers which started up on every side, no one had any apprehensions from the turbulence of the tribunes or the commons: that was deemed an evil of a milder nature; and which, as it always began to operate in times undisturbed by foreign affairs, they supposed would now be at rest. Yet this alone proved the heaviest aggravation of their distress; for such madness possessed the tribunes, that they insisted that they were not enemies, but people under the appearance of enemies, who had seized on the capitol, for the purpose of diverting the attention of the commons from the business of the law; and that these guests and dependants of the patricians, if the law were once passed, and it were perceived that the tumults,

which they raised, had not answered their purpose, would depart in greater silence than they came. They then called away the people from their arms, and held an assembly for passing the law. In the mean time, the consuls convened the senate, more terrified by the danger apprehended from the tribunes, than from the exiles and slaves.

XVII. On hearing that the people were laying down their arms, and quitting their posts, Publius Valerius, leaving his colleague to preside in the senate, rushed forth from the senate-house, and came to the assembly of the tribunes, whom he thus accosted: "What mean ye, tribunes, by these proceedings? Do ye intend, under the command and auspices of Appius Herdonius, to overturn the commonwealth? Has he been successful in corrupting you, though he had not authority sufficient to influence the slaves? Do ye think this a proper time, when the foe is within our walls, for arms to be laid aside, and laws to be proposed?" Then directing his discourse to the populace, "If, Romans, ye are unconcerned for the city and for yourselves, yet pay respect to the gods of your country, now taken captive. Jupiter supremely good and great, Juno queen of heaven, Minerva, with the other gods and goddesses, are held in confinement: a band of slaves occupies the residence of the tutelar deities of the state. Do ye think this method of acting consistent with sound policy? These slaves have a powerful force, not only within the walls, but in the citadel, looking down on the Forum and the senate-house; meanwhile, in the Forum, are assemblies of the people; in the senate-house, the senate sitting; just as in time of perfect tranquillity the senator gives his opinion, the other Romans their votes. Ought not every man, as well of the patricians as commoners, the consul, tribunes, citizens, all in short, to have snatched up arms in such a cause, to have run to the capitol, to have restored to liberty and peace that most august residence of the supremely good and great Jupiter? O father Romulus, grant to thine

offspring that spirit, by which thou formerly recoveredst the citadel from these same Sabines, when they had got possession of it by means of gold. Direct them to pursue the same path, in which thou ledst the way, and which thine army followed. Lo, I as consul will be the first to follow thee and thy footsteps, as far as a mortal can follow a divinity." The conclusion of his speech was, that "he now took up arms, and summoned every citizen of Rome to arms. If any one should attempt to prevent the execution of this order, he would never," he said, "regard the extent of the consular authority, nor of the tribunitian power, nor the devoting laws; but, be he who he might, or where he might, whether in the capitol, or in the Forum, he would treat him as an enemy. Let the tribunes, then, give orders for arming against Publius Valerius the consul, since they had forbidden it against Appius Herdonius, and he would not hesitate to use those tribunes, in the same manner which the founder of his family had the spirit to show towards kings." On this declaration, every one expected the utmost degree of violence, and that the enemy would be gratified with the sight of a civil war among the Romans. Yet neither could the law be carried, nor the consul march to the capitol; night coming on, put a stop to the contests; and the tribunes dreading the armed attendants of the consuls, retired. And as soon as the fomenters of sedition had withdrawn, the patricians went about among the commons, and introducing themselves into their circles of conversation, threw out discourses adapted to the juncture, advising them to "consider well into what hazards they were bringing the commonwealth;" telling them, that "the contest was not between the patricians and plebeians, but whether the patricians and plebeians together the fortress of the city, the temples of the gods, and the guardian deities of the state, and of private families, should all be given up into the hands of the enemy." While these measures were employed in the Forum

to appease the dissensions, the consuls had gone to visit the gates and walls, lest the Sabines or Veientians might make any hostile attempt.

XVIII, The same night, messengers arrived at Tusculum, with accounts of the citadel being taken, the capitol seized, and of the other disturbances which had taken place in the city. Lucius Mamilius was at that time dictator at Tusculum. He instantly assembled the senate, and introducing the messengers, warmly recommended, that "they should not wait until ambassadors might arrive from Rome to request assistance, but instantly send it; the danger and distress of their allies, with the gods, who witnessed their alliance, and the faith of treaties, demanded it. That the deities would never afford them again perhaps so good an opportunity of engaging the gratitude of so powerful a state, and so near a neighbour." It was immediately resolved, that assistance should be sent; and the youth were enrolled and armed. Coming to Rome at day-break, they were at a distance taken for enemies; it was imagined that they were the Æquans or the Volscians; but this groundless alarm being removed, they were received into the city, and marched down in a body to the Forum, where Publius Valerius, having left his colleague to secure the gates, was employed at the time in drawing up the people in order of battle. They had been prevailed on to arm by the confidence placed in his promises, when he assured them, that, "as soon as the capitol should be recovered, and peace restored in the city, if they would suffer themselves to be convinced of the dangerous designs that lurked under the law proposed by the tribunes, he would give no obstruction to the assembly of the people, mindful of his ancestors, mindful of his surname, by which, attention to promote the interest of the community was handed down to him, as an inheritance from his ancestors." Led by him, then, and notwithstanding that the tribunes cried out loudly against it, they directed their

march up the steep of the capitol. They were joined by the troops of Tusculum; and citizens and allies vied with each other for the glory of recovering the citadel; each leader encouraging his own men. The besieged, on this, were greatly terrified, having no reliance on any thing but the strength of the place; and while they were thus disconcerted, the Romans and allies pushed forward to the assault. They had already broken into the porch of the temple, when Publius Valerius, leading on the attack, was slain at the head of his men. Publius Volumnius, formerly consul, saw him fall, and charging those about him to cover the body, rushed forward to take the place and the office of the consul. The ardour and eagerness of the soldiers were such, as hindered their perceiving so great a loss, and they gained the victory, before they knew that they were fighting without their leader. Many of the exiles defiled the temple with their blood; many were taken alive; Herdonius was slain. Thus was the capitol recovered. Punishments were inflicted on the prisoners, suitable to their several conditions either of freemen or slaves. Thanks were given to the Tusculans. The capitol was cleansed and purified. It is said, that the plebeians threw into the consul's house a quadrans each, that his funeral might be solemnized with the greater splendour.

XIX. Peace being re-established, the tribunes earnestly pressed the senate to fulfil the promise of Publius Valerius, and pressed Claudius to acquit the shade of his colleague of breach of faith, and suffer the business of the law to proceed. The consul declared, that he would not listen to the matter, until he should have a colleague appointed in the room of the deceased. The disputes on this subject lasted until the assembly was held for substituting a consul. In the month of December, in consequence of very zealous efforts of the patricians, Lucius Quintus Cincinnatus, father of Cæso, was elected consul, to enter on his office without delay. The

commons were quite dismayed, on finding, that they were to have for consul a person highly incensed against them, and whose power was strengthened by the support of the patricians, by his own merit, and by three sons, no one of whom was inferior to Cæso in greatness of spirit, while they excelled him in prudence and moderation on proper occasions. When he came into office, in the frequent harangues which he made from the tribunal, he showed not more vehemence in his censures of the commons, than in his reproofs to the senate, "through the indolence of which body," he said, "the tribunes, now become perpetual, by means of their harangues and prosecutions, exercised sovereign authority, as if they were not in a republic of Roman citizens, but in an ill regulated family. That, together with his son Cæso, fortitude, constancy, and every qualification that gives ornament to youth, either in war or peace, had been driven out and banished from the city of Rome; while talkative, seditious men, sowers of dissension, twice and even thrice re-elected tribunes, spent their lives in the most pernicious practices, and in the exercise of regal tyranny. Did Aulus Virginius," said he, "because he was not in the Capitol, deserve less severe punishment than Appius Herdonius would have merited? More, undoubtedly, if we judge fairly of the matter. Herdonius, though nothing else could be said in his favour, by announcing himself an enemy gave out public orders in such a manner, that ye necessarily would take arms. The other, denying that there were enemies to be opposed, took the arms out of your hands, and exposed you defenceless to your slaves and exiles. And did ye, notwithstanding, (I wish to speak without offence to Caius Claudius, or in detriment to the memory of Publius Valerius) lead your troops to an attack on the Capitoline hill, before ye had expelled these enemies from the Forum? It is scandalous in the sight of gods and men, that when a host of rebels was in the citadel, in the Capitol, and when a lea-

der of exiles and slaves, profaning every thing sacred, took up his habitation in the shrine of Jupiter supremely good and great, it is disgraceful, I say, that arms were taken up at Tusculum sooner than at Rome. It actually appeared doubtful, whether Lucius Mamilius, a Tusculan general, or Publius Valerius and Caius Claudius, consuls, should have the honour of recovering the Roman citadel. Thus we who, heretofore, would not suffer the Latines to take up arms, not even in their own defence, and when they had the enemy within their territories, should have been taken and destroyed, had not these very Latines afforded us assistance of their own accord. Is this, tribunes, your duty towards the commons, to unarm and expose them to slaughter? Surely, if any, even the lowest person among these commons of yours, whom from being a part ye have broken off, as it were, from the body of the people, and made a republic peculiar to yourselves; if any one of these should inform you that his house was surrounded by an armed band of slaves, surely ye would think that he ought to go to his assistance. And was the supremely good and great Jupiter, when hemmed round by the arms of exiles and slaves, unworthy of any human aid? Yet these men expect to be held sacred and inviolable, who esteem not the gods themselves as either sacred or inviolable. But it seems, contaminated as ye are with the guilt of your offences against gods and men, ye give out that ye will carry through your law before the end of this year. It would then, indeed, be an unfortunate day to the state, on which I was created consul, much more so, than that on which the consul Valerius perished, if ye should carry it. Now, first of all, Romans, my colleague and I intend to march the legions against the Volscians and Æquans. I know not by what fatality we find the gods more propitious, while we are employed in war than during peace. How great the danger from those nations would have been if they had known that the Capitol was in the possession of exiles.

it is better that we should conjecture from the past than feel from experience."

XX. The consul's discourse had a considerable effect on the commons: and the patricians recovering their spirits, looked on the commonwealth as restored to its proper state. The other consul, showing more eagerness in promoting than in forming a design, readily allowed his colleague to take the lead in the preparatory proceedings on so weighty an affair; but in the execution of the plan, claimed to himself a share of the consular duties. The tribunes mocking these declarations, proceeded to ask, "by what means the consuls would be enabled to lead out an army, when no one would suffer them to make a levy? To this Quintius replied, "We have no occasion for a levy, because when Publius Valerius gave arms to the commons, for the recovery of the Capitol, they all took an oath to him, that they would assemble on an order from the consul, and would not depart without his permission. We therefore publish our orders, that every one of you who have taken the oath, attend tomorrow, under arms, at the lake Regillus." The tribunes then began to cavil, and alleged, that "the people were absolved of that obligation, because Quintius was in a private station, at the time when the oath was taken." But that disregard of the gods, which prevails in the present age, had not then taken place; nor did every one, by his own interpretations, accommodate oaths and the laws to his particular views, but rather adapted his practice to them. The tribunes, therefore, finding no hope of succeeding in their opposition on that ground, endeavoured to delay the marching of the troops; and in this they were the more earnest, because a report had spread, that orders had been given for the augurs also to attend at the lake Regillus, and that a place should be consecrated by them, in order that the people might transact business with the benefit of auspices, so that any measures enacted at Rome through means of the

violence of the tribunes, might be repealed in an assembly held there. It was urged, however, that any one would vote there, just as the consuls chose; for at any greater distance from the city than that of a mile, there was no appeal: and even should the tribunes come thither, they would, among the crowd of other citizens, be subject to the consular authority. This alarmed them. But what excited their strongest apprehensions was, that Quintius used frequently to say, that "he would not hold an election of consuls: that the distemper of the state was not such as could be stopped by the usual remedies: that the commonwealth stood in need of a dictator, in order that any person who should stir one step towards raising disturbances, might feel, that the power of that magistrate was above an appeal."

XXI. The senate was sitting in the Capitol; thither came the tribunes, attended by the commons, who were full of perplexity and fear: the populace, with loud clamours, implored the protection, at one time, of the consuls, at another of the senate; yet they could not prevail on the consul to recede from his resolution, until the tribunes promised that they would be directed by the senate. The consul then laid before the senate the demand of the tribunes and commons, and it was decreed, that "the tribunes should not introduce the law during that year; and that, on the other hand, the consuls should not lead out the troops from the city. For the time to come, it was the judgment of the senate, that re-electing the same magistrates, and re-appointing the same tribunes, was injurious to the interest of the commonwealth." The consuls conformed to the decisions of the senate; but the tribunes, notwithstanding the remonstrances of the consuls, were re-appointed. The senate likewise, not to yield to the commons in any particular, on their side wished to re-elect Lucius Quintius consul. On no occasion during the whole year, did the consul exert himself with more warmth. "Can I wonder," said he, "conscript fathers, if

your authority is lightly regarded among the commons? ye yourselves deprive it of its weight. For instance, because the commons have broken through a decree of the senate with respect to the re-election of their magistrates, ye wish to break through it also, lest ye should fall short of the populace in rashness; as if superiority of power in the state consisted in superior degrees of inconstancy and irregularity; for it is, certainly, an instance of greater inconstancy and irregularity, for us to counteract our own decrees and resolutions, than those of others. Go on, conscript fathers, to imitate the inconsiderate multitude; and ye, who ought to show an example to the rest, rather follow the steps of others in a wrong course, than guide them into the right one. But let me not imitate the tribunes, nor suffer myself to be declared consul in contradiction to the decree of the senate. And you, Caius Claudius, I exhort, that you, on your part, restrain the Roman people from this licentiousness; and be persuaded, that, on my part, I shall regard your conduct therein in such a light, that I shall not consider you as obstructing my attainment of honour, but as augmenting the glory of my refusal, and protecting me against the ignominy which I should incur by being re-elected." They then issued their joint orders, that "no person should vote for Lucius Quintius being consul; and that, if any one did, they would not allow such vote."

Y. R. 295. XXII. The consuls elected were Quintus Fabius B. C. 457. Vibulanus, a third time, and Lucius Cornelius Maluginensis. The general survey was performed that year. The lustrum could not be closed, consistently with the rules of religion, on account of the Capitol having been taken and the consul slain. In the beginning of the year, in which Quintus Fabius and Lucius Cornelius were consuls, various disturbances arose. The tribunes excited commotions among the commons. The Latines and Hernicians gave information of a formidable war being commenced against them by the Volscians and Æquans; that the legions of the Volscians were at Antium; and that there were strong apprehensions

of that colony itself revolting. With difficulty the tribunes were prevailed on to allow the business of the war to be first attended to. The consuls then divided the provinces between them: Fabius was appointed to march the legions to Antium, Cornelius to remain at Rome, for the protection of the city, in case any party of the enemy, as was the practice of the Æquans, should come to make depredations. The Hernicians and Latines were ordered to supply a number of men in conformity to the treaties; and of the army, two parts were composed of the allies, the third consisted of natives. The allies arriving on the day appointed, the consul encamped outside the Capuan gate; and, after purifying the army, marched from thence to Antium, and sat down at a small distance from the city, and the post occupied by the enemy; where the Volscians, not daring to risk an engagement, because the troops from the Æquans had not yet arrived, endeavoured to screen themselves within their trenches. Fabius, next day, forming his troops, not in one body, composed of his countrymen and the allies intermixed, but in three separate bodies, consisting of the three several nations, surrounded the rampart of the enemy. Placing himself in the centre with the Roman legions, he commanded all to look for the signals from thence, in order that the allies and his own forces might begin the action at the same time, and also retire together, if he should sound a retreat: in the rear of each division, he also placed their own cavalry. Having thus surrounded the camp, he assaulted it in three different places, and pressing them vigorously on every side, beat down the Volscians from the rampart, who were unable to withstand his force: then advancing within the fortifications, he drove them before him in confusion and dismay towards one side, and at length compelled them to abandon their works. After which, the cavalry, who could not easily have passed over the rampart, and had hitherto stood as spectators of the fight, coming up with them, as they fled in disorder in the open

plain, and making great havoc of their affrighted troops, enjoyed a share in the honour of the victory. The number of slain, both within the camp, and on the outside of the fortifications, was great, but the spoil was much greater; for the enemy were scarcely able to carry off their arms, and their army would have been entirely destroyed, had not the woods covered them in their flight.

XXIII. During these transactions at Antium, the Æquans, sending forward the main strength of their youth, surprized the citadel of Tusculum by night; and, with the rest of their army, sat down, at a little distance from the walls of that town, for the purpose of dividing the force of their enemies. Intelligence of this being carried to Rome, and from Rome to the camp at Antium, the Romans were not less deeply affected, than if they had been told that the Capitol was taken. Their obligations to the Tusculans were recent, and the similarity of the danger seemed to demand a requital, in kind, of the aid which they had received. Fabius, therefore, neglecting every other business, having hastily conveyed the spoils from the camp to Antium, and left a small garrison there, hastened to Tusculum by forced marches. The soldiers were allowed to carry nothing but their arms, and what food they had ready dressed; the consul Cornelius sent supplies of provision from Rome. The troops found employment at Tusculum for several months. With one half of the army, the consul besieged the camp of the Æquans; the other he gave to the Tusculans to effect the recovery of the citadel; but they never could have made their way into it by force. Famine, however, compelled the enemy to give it up: and when they were reduced to that extremity, the Tusculans sent them all away unarmed and naked under the yoke. But as they were attempting their ignominious flight, the Roman consul overtook them at Algidum, and put every man to the sword. After this success, he led back his army to a place called Columen, where he pitched his camp. The other consul also, the city being no

longer in danger, after the defeat of the Æquans, marched out from Rome. Thus the two consuls entering the enemy's territories on different sides, vied eagerly with each other in making depredations, the one on the Volscians, the other on the Æquans. I find, in many writers, that the people of Antium revolted this year, that Lucius Cornelius, consul, conducted the war against them, and took their city. I cannot venture to affirm this as certain, because in the earlier writers there is no mention of such a transaction.

XXIV. No sooner was this war brought to a conclusion, than a tribunitian commotion at home alarmed the senate. The tribunes exclaimed, that "the detaining of the troops abroad was a mere artifice, calculated to frustrate their endeavours respecting the law. But that they were determined, nevertheless, to go through with the business which they had undertaken." However, Publius Lucretius, præfect of the city, so managed matters, that the proceedings of the tribunes were postponed until the arrival of the consuls. There arose also a new cause of disturbance: Aulus Cornelius and Quintus Servilius, quæstors, commenced a prosecution against Marcus Volscius for having manifestly given false evidence against Cæso: a discovery having been made, supported by many proofs, that the brother of Volscius, from the time when he was first taken ill, had not only never appeared in public, but that he never rose from his sick bed, where he died of a disorder, which lasted many months; and also that, at the time when the witness had charged the fact to have been committed, Cæso had not been seen at Rome. Those who had served in the army with him also affirmed that he, at that time, regularly attended in his post along with them, without having once obtained leave of absence. Many in private stations challenged Volscius, in their own names, to abide the decision of the judge,* content to submit to the

* As the prætors could not attend the trial of every cause, they always had a list of persons properly qualified, called *judices selecti*, out of whose
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penalty, if they should fail in proof. As he did not dare to stand the trial, all these circumstances concurring together, no more doubt was entertained of the condemnation of Volscius, than there had been of Cæso's, after Volscius had given his testimony. The business, however, was put a stop to by the tribunes, who declared, that they would not suffer the quæstors to hold an assembly on the business of the prosecution, until one was first held on that of the law; and thus both affairs were deferred till the arrival of the consuls. When these entered the city in triumph, with their victorious army, silence being observed with respect to the law, people from thence imagined that the tribunes were struck with fear. But they, directing their views to the tribuneship for the fourth time, it being now the latter end of the year, had changed the direction of their efforts, from the promoting of the law, to canvassing for the election; and although the consuls struggled against the continuing of that office in the same hands with no less earnestness than if the act had been proposed for the purpose of lessening their own dignity, the tribunes got the better in the contest. The same year, peace was, on petition, granted to the Æquans; and a

number, as occasion required, they delegated judges to act in their stead. These select judges were chosen in an assembly of the tribes, five out of each tribe; and the prætor, according to the importance or the difficulty of the cause in dispute, appointed one or more of them to try it. This office was, at first, confined to the senators; but was, afterwards, transferred to the knights; and was, at different times, held sometimes by one of these bodies, sometimes by the other, and sometimes in common between them both. The usual method of proceeding was this: the plaintiff either named the judge, before whom he summoned the defendant to appear, which was termed *ferre judicem*; or he left the nomination to the defendant, *ut judicem diceret*, and when they had agreed on the judge, *quum judicem convenisset*, they presented a joint petition to the prætor, praying that he would appoint, *ut daret*, that person to try the cause; and, at the same time, they bound themselves to pay a certain sum of money, the plaintiff, *ni ita esset*, if he should not establish his charge; the defendant, if he should not acquit himself.

survey which had been begun in the former one, was now finished, the lustrum being closed, which was the tenth from the founding of the city. The number of citizens rated, was one hundred and thirty-two thousand four hundred and nine. The consuls acquired great glory this year, as well in the conduct of the war, as in the establishing of peace while at home: though the state enjoyed not perfect concord, yet the dissensions were less violent than at other times.

XXV. Lucius Minucius and Caius Nautius, who Y. R. 296. were next elected consuls, found on their hands B. C. 456. the two causes in dispute, which lay over from the last year. The consuls obstructed the passing of the law, and the tribunes the trial of Volscius, with equal degrees of activity. But the new quæstors were possessed of greater power and influence. Together with Marcus Valerius, son of Manius Valerius, grandson of Volesus, Titus Quintius Capitolinus, who had been thrice consul, was quæstor. Although Cæso could not be thereby restored to the Quintian family, and, in him, one of the most valuable of the young Romans, to the state, yet with a rigour dictated by justice and duty, he prosecuted the false witness, by whose means an innocent person had been deprived of the liberty of making his defence. The tribunes, and particularly Virginius, endeavouring to procure the passing of their law, the consuls were allowed the space of two months to examine it, on condition that when they should have informed the people of the dangerous designs which were concealed under the propositions which it contained, they would then allow them to give their votes on it. This respite of proceedings being acceded to, rendered matters quiet in the city. But the Æquans did not allow them long to enjoy rest; for, violating the league which had been made the preceding year with the Romans, they conferred the chief command on Gracchus Clælius, a man at that time of by far the greatest consequence among them; and, headed by him, carried hostile depredations into the

district of Lavici; from thence into that of Tusculum; and then, loaded with booty, pitched their camp at Algidum. To that camp came Quintus Fabius, Publius Volumnius, and Aulus Postumius, ambassadors from Rome, to complain of injuries, and demand redress, in conformity to the treaty. The general of the Æquans bade them deliver to that oak whatever message they had from the Roman senate, while he should attend to other business: a very large oak tree hung over the prætorium, and under its shade afforded a pleasant seat: to this, one of the ambassadors, as he was going away, replied, "Let that consecrated oak, and all the deities, bear witness, that the treaty has been broken by you, and so favour both our complaints at present, and our arms hereafter, as that we avenge the violated rights of gods and men." On the return of the ambassadors to Rome, the senate ordered one of the consuls to lead an army to Algidum against Gracchus; and gave to the other, as his province, the ravaging the territories of the Æquans. The tribunes, according to their usual custom, obstructed the levy, and might, perhaps, have effectually prevented it, but that a new and sudden alarm excited stronger apprehensions of danger.

XXVI. A very large body of Sabines, spreading devastations around, advanced almost to the walls of Rome. The fields were deserted, and the city struck with terror. The commons then cheerfully took arms, while the tribunes in vain attempted to dissuade them from it. Two large armies were raised. Nautius led one against the Sabines, and, pitching his camp at Eretum, by detaching small parties, especially on incursions by night, he caused such desolation in the country of the Sabines, that, compared to it, the injuries sustained in the Roman territories seemed trifling. Minucius neither met the same success, nor showed the same ability in the conduct of his business: for, having encamped at a little distance, without experiencing any considerable loss, he kept his men confined within the trenches. When the enemy

perceived this, they assumed new boldness from the others' fears, and made an assault on the camp by night; but finding that they were not likely to succeed by open force, they began, next day, to inclose it by lines of circumvallation. Before this work could be completed, and the passes thereby entirely shut up, five horsemen were despatched, who, making their way between the enemy's posts, brought intelligence to Rome, that the consul and his army were besieged. Nothing could have happened so unexpected, or so contrary to people's hopes; and the fright and consternation, in consequence of it, were not less than if the city were surrounded and threatened, instead of the camp. They sent for the consul Nautius, yet not supposing him capable of affording them sufficient protection, resolved that a dictator should be chosen to extricate them from this distress, and Lucius Quintus Cincinnatus was accordingly appointed with unanimous approbation. Here, they may receive instruction, who despise every quality which man can boast, in comparison with riches; and who think, that those who possess them can alone have merit, and to such alone honours and distinctions belong. Lucius Quintus, the now sole hope of the people, and of the empire of Rome, cultivated a farm of four acres on the other side of the Tiber, at this time called the Quintian meadows, opposite to the very spot where the dock-yard stands. There he was found by the deputies, either leaning on a stake, in a ditch which he was making, or ploughing; in some work of husbandry he was certainly employed. After mutual salutations, and wishes on the part of the commissioners, "that it might be happy both to him and the commonwealth," he was requested to "put on his gown, and hear a message from the senate." Surprised, and asking if "all was well?" he bade his wife Racilia bring out his gown quickly from the cottage. When he had put it on, after wiping the sweat and dust from his brow, he came forward, when the deputies congratulated him, and saluted him dic-

tator; requested his presence in the city, and informed him of the alarming situation of the army. A vessel had been prepared for Quintius by order of government, and on his landing on the other side, he was received by his three sons, who came out to meet him; then by his other relations and friends, and afterward; by the greater part of the patricians. Surrounded by this numerous attendance, and the lictors marching before him, he was conducted to his residence. The plebeians likewise ran together from all quarters; but they were far from beholding Quintius with equal pleasure, for they thought the powers annexed to his office too unlimited, and the man still more arbitrary. During that night, no farther steps were taken than to post watches in the city.

XXVII. Next day, the dictator coming into the Forum before it was light, named Lucius Tarquinius master of the horse; he was of a patrician family, but though, by reason of the narrowness of his circumstances, he had served among the foot, yet he was accounted by many degrees the first in military merit among all the young men of Rome. Attended, then, by his master of the horse, Quintius came to the assembly of the people, proclaimed a cessation of civil business, ordered the shops to be shut in all parts of the city, and that no one should attend to any private affairs. He then issued orders that all who were of the military age should attend, under arms, in the field of Mars, before sun-set, with victuals for five days, and twelve palisades each; and that those whose age rendered them unfit for service, should dress that victuals for the soldiers who lived near them, while they were preparing their arms, and procuring the military pales. Immediately the young men ran different ways to look for palisades, which every one without molestation took, wherever he could find them; and they all attended punctually according to the dictator's order. The troops being then formed in a such a manner as was not only proper for a march,

but for an engagement also, if occasion should require it, the dictator set out at the head of the legions, and the master of the horse at the head of his cavalry. In both bodies such exhortations were used, as the juncture required; that "they should quicken their pace; that there was a necessity for expedition, in order to reach the enemy in the night; that the Roman consul and his army were besieged; that this was the third day of their being invested; that no one could tell what any one night or day might produce; that the issue of the greatest affairs often depended on a moment of time." The men too, to gratify their leaders, called to each other "standard-bearer, advance quicker; soldiers follow." At midnight they arrived at Algidum, and when they found themselves near the enemy, halted.

XXVIII. The dictator then having rode about, and examined as well as he could in the night, the situation and form of the enemy's camp, commanded the tribunes of the soldiers to give orders that the baggage should be thrown together in one place; and then that the soldiers, with their arms and palisades, should return into the ranks. These orders were executed; and then with the same regularity in which they had marched, he drew the whole army in a long column, and directed that, on a signal being given, they should all raise a shout, and that on the shout being raised, every man should throw up a trench in front of his post, and fix his palisades. As soon as these orders were communicated, and the signal given, the soldiers performed what they were commanded: the shout resounded on every side of the enemy, and reaching beyond their camp, was heard in that of the consul, exciting terror in the one, and the greatest joy in the other. The Romans observing to each other, with exultation, that this was the shout of their countrymen, and that assistance was at hand, took courage, and from their watch-guards and outposts issued threats. The consul likewise declared, that "they ought not to lose time, for that the

shout then heard was a signal, not only that their friends were arrived, but that they had entered upon action; and they might take it for granted, that the camp was attacked on the outside." He therefore ordered his men to take arms, and follow him; these falling on the enemy before it was light, gave notice by a shout to the dictator's legions, that on their side also the action was begun. The Æquans were now preparing measures to hinder themselves from being surrounded with works; when being attacked within, they were obliged, lest a passage might be forced through the midst of their camp, to turn their attention from those employed on the fortifications, to the others who assailed them on the inside, and thus left the former at leisure, through the remainder of the night, to finish the works, and the fight with the consul continued until morn appeared. At the break of day, they were entirely encompassed by the dictator's works, and while they were hardly able to support the fight against one army, their trenches were assaulted by Quintius's troops, who instantly, on completing those works, had returned to their arms. Thus they found themselves obliged to encounter a new enemy, and the former never slackened their attack. Being thus closely pressed on every side, instead of fighting, they had recourse to entreaties, beseeching the dictator on one side, and the consul on the other, to be content with the victory without their entire destruction, and to permit them to retire without arms. By the consul they were referred to the dictator, and he, highly incensed against them, added ignominy to their defeat. He ordered their general, Gracchus Clælius, and the other leaders, to be brought to him in chains, and the town of Corbio to be evacuated; then told them, that "he wanted not the blood of the Æquans; that they were at liberty to depart; but he would send them under the yoke, as an acknowledgment, at length extorted, that their nation was conquered and subdued." The yoke is formed of three spears, two being fixed

upright in the ground, and the other tied across between the upper ends of them. Under this yoke the dictator sent the *Æquans*.

XXIX. Having possessed himself of the enemy's camp, which was filled with plenty, for he had sent them away naked, he distributed the entire booty among his own troops. Reprimanding the consular army and the consul himself, he said to them, "Soldiers, ye shall share no part of the spoil of that enemy, to whom ye were near becoming a prey; and as to you, Lucius Minucius, until you begin to show a spirit becoming a consul, you shall command those legions with the rank of lieutenant-general only." Accordingly Minucius resigned the consulship, and, in obedience to orders, remained with the army. But so well were people then disposed to obey, without repining, the commands of superiors, that this army, regarding more the benefit which he had conferred, than the disgrace which he had inflicted on them, not only voted a golden crown of a pound weight to the dictator, but at his departure saluted him as their patron. At Rome, the senate, being convened by Quintus Fabius, præfect of the city, ordered that Quintus on his arrival should enter the city in triumph, without changing his order of march. The generals of the enemy were led before his chariot, the military ensigns carried before him, and his army followed, laden with spoil. It is said that tables were laid out with provisions before every house, and that the troops, partaking of the entertainment, singing the triumphal hymn, and throwing out their customary jests, followed the chariot like revellers at a feast. The same day, the freedom of the state was, with universal approbation, conferred on Lucius Mamilius of Tusculum. The dictator would have immediately resigned his office, but was induced to hold it some time longer on account of the assembly for the trial of Volscius, the false witness. Their dread of the dictator, prevented the tribunes from obstructing it, and Volscius being sentenced to exile,

departed into Lanuvium. Quintius, on the sixteenth day resigned the Dictatorship, which he had received for the term of six months. About the same time, the consul Nautius engaged the Sabines at Eretum with great success; a heavy blow to the Sabines after the devastation of their country: Fabius Quintus was sent to Algidum in the room of Minucius. Toward the end of the year, the tribunes began to agitate the affair of the law; but as two armies were then abroad, the patricians carried the point, that no business should be proposed to the people. The commons prevailed so far as to appoint the same tribunes the fifth time. It was reported that wolves had been seen in the Capitol, and were driven away by dogs: and, on account of that prodigy, the Capitol was purified: such were the transactions of that year.

Y. R. 297. XXX. Quintus Minucius and Caius Horatius Pulvillus succeeded to the consulship. In the beginning of this year, while the public were undisturbed by any foreign enemy, the same tribunes and the same law occasioned seditions at home; and these would have proceeded to still greater lengths, so highly were people's passions inflamed, but that, as if it had been concerted for the purpose, news was brought, that by an attack of the Æquans, in the night, the garrison at Corbio was cut off. The consuls called the senate together, by whom they were ordered to make a hasty levy of troops, and to lead them to Algidum. The contest about the law was now laid aside, and a new struggle began about the levy; in which the consular authority was in danger of being overpowered by the force of tribunitian privileges, when their fears were more effectually roused by an account of the Sabine army having come down into the Roman territories to plunder, and nearly advanced to the city. This struck such terror, that the tribunes suffered the troops to be enlisted, yet not without a stipulation, that since they had been baffled for five years, and as their office, as it stood, was but a small protection to the commons, there should for the fu-

ture be ten tribunes of the people appointed. Necessity extorted a concession from the senate: they only made one exception; that the people should not, hereafter, re-elect the same tribunes. An assembly was instantly held for the election of those officers, lest, if the war was once ended, they might be disappointed in that, as in other matters. In the thirty-sixth year from the first creation of the tribunes of the people, the number ten were elected, two out of each of the classes; and it was established as a rule, that they should thenceforth be elected in the same manner. The levy being then made, Minucius marched against the Sabines, but did not come up with them. Horatius, after the Æquans had put the garrison of Corbio to the sword, and had also taken Ortona, brought them to an engagement in the district of Algidum, killed a great number, and drove them not only out of that district, but from Corbio and Ortona. Corbio he razed to the ground, in revenge for the treachery practised there against the garrison.

XXXI. Marcus Valerius and Spurius Virginius Y. R. 298.
 were next elected consuls. Quiet prevailed both B. C. 454.
 at home and abroad. The price of provisions was high, in consequence of an extraordinary fall of rain. A law passed for disposing of the Aventine as public property. The same tribunes of the people were continued in office. These, during the following year, which had for consuls Titus Romilius and Caius Veturius, warmly recommended the law in all their harangues. "They must be ashamed of Y. R. 299.
 the useless addition made to their number, if that B. C. 453
 affair were to lie, during the course of their two years, in the same hopeless state, in which it had lain for the last five." While they were most earnestly engaged in this pursuit, messengers arrived, in a fright, from Tusculum, with information that the Æquans were in the Tusculan territory. The recent services of that people made the tribunes ashamed of throwing any delay in the way of assistance being given them. Both

the consuls were sent with an army, and found the enemy in their usual post, in the district of Algidum. There they fought; above seven thousand of the Æquans were slain, the rest dispersed, and vast booty was acquired. This the consuls sold on account of the low state of the treasury; which proceeding excited a general dissatisfaction among the soldiery, and also afforded grounds to the tribunes for bringing an accusation against the consuls before the commons. Accordingly, as soon as they went out of office, Spurius Y. R. 300. Tarpeius and Aulus Alterius having succeeded them B. C. 452. a charge was instituted against Romilius by Caius Claudius Cicero, tribune of the people, and against Veturius, by Lucius Allienus, plebeian ædile. To the great mortification of the patricians they were both sentenced to fine, Romilius to pay ten thousand *asses*,* Veturius fifteen thousand.† The sufferings of these consuls, however, did not lessen the activity of their successors; they said, they were able to support a similar sentence, while both tribunes and commons combined, were insufficient to carry the point. The tribunes now desisting from farther prosecution of the law, with regard to which, in the length of time since its publication, people's ardour had cooled, applied to the senate in amicable terms, requesting that they would at length "put an end to all contentions: and, since it was disagreeable to them, that laws should be proposed by plebeians, would permit lawgivers to be chosen in common, out of the plebeians, and out of the patricians, in order to the framing of such as would be advantageous to both parties, and tend to establish liberty on an equal footing." This proposal the senate did not disapprove of, but declared that no one, except a patrician, should have the propounding of laws. As they agreed with regard to the necessary statutes, and only differed about the persons to propose them, ambassadors were sent to Athens, namely, Spurius Postumius Albus, Aulus Manlius, and Servius Sul-

* 25*l*† 37*l*. 10*s*.

picius Camerinus, who were ordered to procure a copy of the famous laws of Solon, and to make themselves acquainted with the institutions, customs, and laws of the other states of Greece.

XXXII. This year passed undisturbed by any foreign wars. The following also, in which Publius Curiatius and Sextus Quintilius were consuls, was still more quiet: the tribunes observing uninterrupted silence, which was owing, at first, to their waiting for the arrival of the ambassadors who had gone to Athens, for copies of the laws of that state; and, afterwards, to two heavy calamities, which fell on them at once, famine and pestilence making dreadful havoc among both men and cattle. The country was desolated, the city exhausted, by a continual succession of deaths. Many illustrious houses were in mourning: Servilius Cornelius, Flamen Quirinalis died, and Caius Horatius Pulvillus, augur, in whose room the augurs elected Caius Veturius, with the greater satisfaction, because he had been condemned by the commons. The consul Quintilius also died, and four tribunes of the people. Such a multiplicity of losses made it a melancholy year, but there was no disturbance from any enemy. The next consuls were Caius Menenius and Publius Sestius Capitolinus. Neither during this consulate was there any foreign war: at home, however, some commotions arose. The ambassadors had now returned with the Athenian laws, and the tribunes therefore pressed more earnestly, that the buisness of compiling and settling their own laws might be begun. It was at last resolved, that ten magistrates, to be called decemvirs, should be created, from whom no appeal should lie, and that there should be no other appointed during that year. It was disputed for some time, whether plebeians should be admitted among them. At length, that point was given up to the patricians, provided that the Icilian law concerning the Aventine, and others, called the devoting laws, should not be repealed.

Y. R. 301.

B. C. 451.

Y. R. 302.

B. C. 450.

XXXIII. Thus, in the three hundred and first year from the building of Rome, the form of the government underwent a second change; the supreme power being transferred from consuls to decemvirs, as it had formerly been from kings to consuls. This new form, however, was not of long duration; for the happy beginnings of that government terminated in extravagant licentiousness, which hastened its dissolution; and recourse was had to the former practice of intrusting the power and consular title to two persons. The decemvirs created were, Appius Claudius, Titus Genucius, Publius Sestius, Lucius Veturius, Caius Julius, Y. R. 303. B. C. 449. Publius Sestius, Lucius Veturius, Caius Julius, Aulus Manlius, Servius Sulpicius, Publius Curvius, Titus Romilius, and Spurius Postumius. Claudius and Genucius being consuls elect, this honour of being of the decemvirate was conferred on them as a compensation for the loss of the other; and on Sestius, one of the consuls of the former year, because he had proposed this business to the senate, against the will of his colleague. Next to these, were considered the three who had gone ambassadors to Athens, that the honour might serve as a recompense for such a distant embassy, and, at the same time, it was supposed, that they, having acquired a knowledge of the laws of foreign countries, would be useful in digesting the new proposed regulations. It is said, that in choosing the remainder, they pitched upon persons far advanced in years, with intent that there should be the less warmth in any opposition which might be made to the opinions of the others. The direction of the whole business of government, however, was lodged in the hands of Appius Claudius, through the favour of the people; for he had assumed a demeanour so entirely new, that from a harsh and severe prosecutor of the commons, he became, on a sudden, a zealous promoter of their interests, and an eager candidate for popular applause. Each of them administered justice one in day in ten. On that day, the twelve fasces attended him who presided in the court of justice; his

nine colleagues being attended each by a beadle; and, while perfect harmony subsisted among themselves, although such union between governors is sometimes found prejudicial to the governed, they observed the strictest equity towards all. It will be sufficient to produce a single proof of their moderation and fairness. Though by the terms of their appointment there could be no appeal from their decisions; yet upon occasion of a dead body being found buried in the house of Publius Sestius, a man of patrician family, and of the decemvirate, (and which dead body was produced in a public assembly, in a case as clear as it was atrocious,) Caius Julius, a decemvir, also commenced a criminal process against Sestius, and appeared before the people as prosecutor when he might legally have sat as judge; departing from his own right, that, while he took away from the power of the magistracy, he might add, in proportion, to the liberty of the people.

XXXIV. Whilst the highest and the lowest alike experienced this prompt execution of justice, impartial, as if dictated by an oracle, the decemvirs at the same time employed themselves assiduously in framing the laws; and at length, after people's expectations had been raised to the utmost height, they produced for public inspection ten tables; and then, summoning an assembly of the people, after praying that "it might prove fortunate and advantageous, and happy to the commonwealth, to themselves, and to their posterity;" ordered them, "to go and read the laws which were exhibited; declared, that they had placed the rights of all on an equal footing, and in as precise a manner as could be devised by the abilities of ten men; but that the understandings and judgments of a larger number might, perhaps, strike out improvements; desired them to examine rigorously each particular in their own minds, canvass it in conversation, and bring it to public discussion, should any deficiency or excess appear in any article. They were resolved," they

said, "that the Roman people should be bound only by such laws as the whole community, with general consent, might appear, not so much to have ratified, when proposed, as to have proposed from themselves." When, according to the reports of the people, respecting each head of the laws, they appeared sufficiently correct, then, in an assembly voting by centuries, were ratified the laws of the ten tables, which even at this present time, after all which have been added, continue to be the source of all our jurisprudence, respecting either public or private affairs. It was afterwards said, that there were two tables wanting, and that by the addition of these, a body, as it were, of the whole Roman law might be completed. The expectation of this, when the day of election of officers approached, raised a wish that decemvirs should be chosen a second time; and the commons, besides that they hated the name of consuls, as much as they did that of kings, felt, at the present, no loss even of the support of the tribunes, because the decemvirs in turn allowed an appeal to their colleagues.

XXXV. But when the assembly for electing decemvirs was proclaimed to be held on the third market-day, the minds of many were so fired with ambition of obtaining the office, that even persons of the first dignity in the state, dreading, I suppose, lest if it should be left unoccupied by them, an opening might be given for improper persons to obtrude themselves in a post of such high authority, solicited votes, humbly suing for a power, the establishment of which they had with their utmost efforts before opposed, and from those same plebeians, against the gratification of whose wishes they had hitherto so strenuously contended. Persons of advanced age, and who had passed through dignified stations, thus lowering their pride to hazard a contest of this sort, made Appius Claudius redouble his exertions. It were difficult to determine whether he should be reckoned among the decemvirs, or among the candidates: he appeared sometimes more

like a person petitioning for, than one who was invested with, the office: he aspersed the characters of the candidates of high rank, and extolled the most insignificant and the lowest. Surrounded by the Icili and Duilii, who had been tribunes, he bustled about the Forum, and through their means recommended himself to the commons; until even his colleagues, who till that time had been entirely attached to his interests, looked on him with amazement, wondering what his intentions could be. They were convinced, that there was no sincerity in his professions; that such affability, in one who had always evinced a haughty mind, could not be without some interested views; that lowering himself to the common level in this extraordinary manner, and mixing on an equal footing with the private citizens, did not look like haste to quit the office, but rather like seeking for means to be continued in it. Not daring, however, openly to oppose his wishes, they endeavoured to baffle his efforts by a seeming desire to gratify him; and agreed among themselves to appoint him, as the youngest of their body, to the office of presiding at the election. This was an artifice to prevent his returning himself, which no one had ever done, except in the case of tribunes of the people; and, even there, it was deemed a most pernicious precedent. However, he declared, that, with the favour of fortune, he would preside at the election; and he laid hold of the intended obstruction to his design, as the lucky means of effecting its accomplishment. Having, by means of a coalition which he formed, foiled he pretensions of the two Quintii, Capitolinus and Cincinnatus; of his own uncle Caius Claudius, a most steady supporter of the cause of the nobility; and of other citizens of the same high rank, he promoted to the decemvirate persons of very inferior condition in life. And among the first raised, was himself: an act highly disapproved of by all men of honourable minds, and which no one had believed that he would dare to be guilty of. Together with him were elected

Marcus Cornelius Maluginensis, Marcus Sergius, Lucius Minucius, Quintus Fabius Vibulanus, Quintus Pætilius, Titus Antonius Merenda, Cæso Duilius, Spurius Oppius Cornicen, and Manius Rabuleius.

XXXVI. Now the mask, which Appius had assumed, fell off. He began to live according to his natural disposition; and to form his new colleagues early to his own plan of proceeding before they should enter on the administration of their office. They held daily cabals, remote from witnesses; wherein, being furnished with schemes of tyranny, digested among themselves, and without the knowledge of any, they no longer dissembled their arrogance; became difficult of access, morose to such as addressed them, and continued this behaviour until the ides of May, the then usual time for entering on office. At the beginning, then, of their magistracy, they distinguished the very first day of it by an exhibition which excited the greatest alarm: for whereas the former decemvirs had observed a rule, that only one should have the fasces, and that this emblem of royalty should pass in rotation with them all, that is, to each in his turn, but these unexpectedly made their appearance, attended severally by twelve fasces. One hundred and twenty lictors filled the Forum, and carried axes bound up with those ensigns, the decemvirs alleging that, as, by the terms of their appointment, there lay not any appeal, there could be no reason why the axe should be taken away. Thus these ten magistrates appeared as so many kings, and thus they multiplied terrors, not only among the lower classes, but among the principal patricians; every one being persuaded, that they wanted only a pretext to begin the work of death, so that should any one, either in the senate, or in a meeting of the people, utter an expression favourable to liberty, the rods and axes would instantly be got ready, to strike terror into the rest. For, besides that there was no hope of protection from the people, an appeal to them having been pro-

Y. R. 304.

B. C. 448.

hibited, they had, by agreement, also prohibited themselves from interfering with each other's decrees; whereas the former decemvirs had allowed their decrees to be amended by an appeal to a colleague, and had referred to the public decision several matters which might seem to belong to their own jurisdiction. For some time the danger seemed to threaten equally all ranks of men, but began, by degrees, to be directed entirely against the commons. They avoided giving offence to the patricians, while they treated the lower ranks with arbitrary cruelty. Interest having usurped in their breasts the place of justice, they on every occasion regarded the person, not the cause. Their decisions they adjusted privately at home, and afterwards pronounced them in the Forum. If an appeal was made from any one of them to his colleagues, the treatment he met from those to whom he appealed was always such as made him repent of not having abided by the former sentence. An opinion had also gone abroad, though without known authority, that they had conspired in this scheme of iniquity, not merely for the present year, but that a clandestine league had been struck among them, and ratified by an oath, that they would not call an assembly for elections, but, perpetuating the decemvirate, keep a lasting hold of the power which they had now in their hands.

XXXVII. The plebeians now began to watch the countenances of the patricians; and though they had been accustomed to dread being enslaved by them, and, influenced by that dread, had brought the commonwealth into its present situation; yet they now anxiously looked to those patricians for some ray of hope which might guide them to liberty. The principal of these, while they hated the decemvirs, bore no less hatred toward the commons; and, though they did not approve the proceedings of the former, thought the latter suffered no more than they had deserved; and had no inclination to give assistance to men who, through their intemperate

eagerness in pursuit of liberty, had fallen into slavery. On the contrary, they heaped injuries on them, in hopes, that, being thoroughly disgusted with the present state of affairs, they might wish for the restoration of the former government by consuls. The greater part of the year was now past; and two tables of laws had been added to ten of the former year; so that there was not any circumstance, if these laws were once ratified in assembly of the centuries, which could make the now form of government necessary to the commonwealth. People were in continual expectation of an assembly being called for the election of consuls, and the thoughts of the commons were solely employed in devising a revival of that bulwark of liberty, the tribunitian office, which had been laid aside so long. In the meantime, not the least mention was made of an election, and the decemvirs, who, at first, had exhibited themselves to the commons, for the purpose of gaining their favour, surrounded by men who had been tribunes, now collected about them crowds of young patricians. These encompassed every tribunal; they seized, and drove about at will, the commons and their effects; the most powerful being sure of success, in possessing himself of any man's property, in which he saw any thing desirable, while even their persons were not secure from injury. Some were beaten with rods; others felt the stroke of the axe; in a word, cruelty and profit went hand in hand, for a grant of his effects to some of their partizans ever followed the execution of the owner. The young nobility, corrupted by such bribes, not only declined making opposition to the injustice, but openly demonstrated that they preferred the indulgence of their own licentiousness to the establishment of the general liberty.

Y. R. 305. XXXVIII. The ides of May came. The offices of the state not having been filled up by election, men, invested with no public character, made their appearance as decemvirs, retaining still the same spirit to en-

force their authority, and the same emblems to support the splendor of their station. This was held the height of arbitrary government, and the loss of liberty was deplored as irrecoverable. No one champion stood forth in its cause, nor was there a prospect of any such appearing: so that the people not only sunk into despondence, but began to be despised by the neighbouring nations, who thought it would reflect shame on themselves, if a state which had forfeited its own liberty, should be allowed to retain its dominion over others. The Sabines, with a numerous army, made an irruption into the Roman territories; and, having spread devastation through a great part of the country, and collected, without loss, a great booty of men and cattle, they recalled their forces from the various parts in which they were dispersed, and pitched their camp at Eretum, grounding their hopes on the dissensions at Rome, which they trusted would prevent the raising of troops. Besides the couriers that arrived, the country people, flying into the city, caused a general alarm. The decemvirs held a consultation on the measures necessary to be taken; and, while they were left destitute of support on every side, being equally detested by the patricians and the commons, another circumstance occurred which aggravated their fears by presenting an additional danger to their view: the Æquans on the opposite side had encamped in the district of Algidum, and ambassadors, who came from Tusculum to request assistance, brought accounts, that their lands were ravaged by detachments from thence. The decemvirs were so thoroughly frightened, on finding the city surrounded by two enemies at once, that they determined to have recourse to the advice of the senate; accordingly they ordered the senators to be summoned to a meeting, though they well knew what a storm of public resentment threatened to break upon themselves; that all men would heap on their heads, the blame of the devastations of the country, and of all the dangers by which

they were encompassed; and that, on these grounds, attempts would be made to deprive them of their office, if they did not firmly unite in the support of their cause; and, by enforcing their authority with severity, on a few of the most intractable tempers, repress the forwardness of others. When the voice of the crier was heard in the Forum, summoning the senators to attend the decemvirs in the senate-house, it excited no less wonder than if it were a matter entirely new; "what could have happened now," the people said, "that those who had, for a long time past, laid aside the custom of consulting the senate, should now revive it? But they might, no doubt, thank the war, and their enemies, for any thing being done that was formerly usual with them as a free state." They looked about the Forum for senators, yet could hardly discover one. They then turned their eyes to the senate-house, remarking the solitude which appeared round the decemvirs, who, on their part, attributed the non-attendance of the summoned to the general detestation of their government; while the commons found a reason for it, in the want of authority in private persons to convene them, observing at the same time, that a head was now formed for those who wished for the recovery of liberty, if the people generally would let their endeavours accompany those of the senate; and if, as the fathers refused to attend in senate, they should in like manner refuse to enlist. Such were the general topics of discourse among the commons; while of the senators, there was scarcely one in the Forum, and very few in the city. Disgusted with the times, they had retired to their country-seats; and, being deprived of their share in the administration of the public business, attended solely to their private affairs; thinking, that, by removing to a distance from the meeting and converse of their tyrannic masters, they were out of the reach of ill-treatment. Not meeting according to summons, apparitors were despatched to all their houses, to levy the penalties, and at

the same time to discover whether their non-attendance was owing to design; and these brought back an account that the members of the senate were in the country. This gave less pain to the decemvirs, than if they had heard that they were in town, and refused to obey their commands. They then gave orders, that every one of them should be summoned, and proclaimed a meeting of the senate on the day following, when the members assembled in much greater numbers than the decemvirs themselves had hoped. This raised a suspicion in the minds of the commons, that the senators had deserted the cause of liberty, since they had paid obedience, as to a legal summons, to the order of men whose office had expired, and who, except so far as force prevailed, were nothing more than private citizens.

XXXIX. * But, by all accounts, they showed more obedience in coming to the house, than servility in delivering their sentiments. It is related, that after Appius Claudius had proposed the business to be considered, and before the opinions were demanded in order, Lucius Valerius Potitus occasioned a great ferment, by insisting on being allowed to speak on the state of the commonwealth; and, when the decemvirs endeavoured to prevent him, by declaring, that he would go out and apply to the commons. It is likewise said that Marcus Horatius Barbatus entered the lists with no less boldness, calling them "ten Tarquinii, and putting them in mind, that the Valerii and Horatii were among the foremost in effecting the expulsion of the Kings. Nor was it the title merely, which had then given people so much offence; for it was one which was properly applied to Jupiter, one which had been applied to Romulus, the founder of the city, and to the princes his successors; and which was still retained in the religious institutions, and even considered as material to the performance of the sacred rites. It was the haughtiness, the violence of Tarquin, which then filled them with abhorrence; and if these were not to be borne, in

a person who was, at the time, a king, and the son of a king, who would bear them in so many private citizens? Let them take care, lest, by forbidding men to speak with freedom in the senate-house, they might oblige them to utter their sentiments in another place. Nor did he see how he, in his private capacity, had less right to call the people to an assembly, than they, to convene the senate. Let them try, whenever they chose, how much more forcibly a sense of injuries would operate in vindication of liberty, than ambition in retaining usurped authority. They had proposed the Sabine war as the business to be considered: as if the Roman people had any more important war on their hands, than against those, who, having been created for the purpose of framing laws, had left no law remaining in the state; who had abolished elections; abolished annual magistrates; abolished the regular changing of the chief magistrate, the only means of preserving the balance of liberty; who, standing in the rank of private citizens, kept possession of the fasces and of regal sovereignty. After the expulsion of the kings, there were patrician magistrates; afterwards, on the secession of the commons, plebeian magistrates were created. Of which party were the decemvirs?" he asked, "Were they of the popular party? In what business did they ever look for the concurrence of the people? Were they of that of the nobility? who, during almost a whole year, never held a meeting of the senate; and, now, hold it in such a manner, that people are not allowed to speak of the state of the commonwealth. Let them not rely too much on the timidity of their fellows; for men feel more sensibly the weight of present sufferings, than of such as exist only in apprehension."

XL. While Horatius was exclaiming in this manner, and the decemvirs knew not how either to gratify their anger, or to pass over the provocation, nor could judge how the business would end, Caius Claudius, uncle to Appius, addressed him in a speech, fraught with intreaties rather than

reproaches; besought him by the shade of his own brother, the decemvir's father, "to pay more regard to the rights of that civil society in which he was born, than to a confederacy, formed on the most flagitious principles. This he requested, more earnestly on Appius's account, than even on that of the commonwealth; for the commonwealth would, doubtless, be abundantly able to assert its own rights, in spite of any resistance which the then magistrates could make; but that, as great contests generally excited great animosities, he could not, without horror, think of what might be the consequence." Although the decemvirs had refused liberty to speak on any subject, but the business which they had proposed, yet such was their respect for Claudius, that they did not interrupt him; he proceeded, therefore, in his discourse, which he concluded, with moving a resolution, that no decree of the senate should be passed. This was considered by every one, as importing that, in the judgment of Claudius, they were but private citizens, and many of the consulars expressed their approbation. Another measure was proposed, more harsh in appearance, but much less efficacious; it was, to order the patricians to assemble and appoint an interrex: for that the passing of any resolution would be an acknowledgment that the persons, who convened the senate, were invested with some office; whereas the member, who recommended that no resolution should pass, meant thereby to declare them private citizens. When the cause of the decemvirs was thus sinking into ruin, Lucius Cornelius Maluginensis, brother to Marcus Cornelius, the decemvir, having been purposely reserved from among the consulars to close the debate, under the pretence of anxiety about the war, supported his brother and his colleagues thus: "He wondered," he said, "by what fatality it happened, that those, who had been themselves candidates for the decemvirate, were the persons who, either as secondaries or principals, waged this attack on the decemvirs; and why they should now, at this

particular time, when the enemy were just at the gates, take such pains to sow dissension among the citizens; while during so many months, wherein the attention of the state had been disengaged, no one ever made it a matter of dispute, whether those, who held the administration of the government, were legal magistrates or not; unless it were because they supposed, that, in a state of confusion, their conduct would not be so easily seen through. However, it was highly improper in any one to attempt to prejudice a cause of that magnitude, while men's minds were occupied by more urgent concerns. It was his opinion, then, that the plea urged by Valerius and Horatius, that the office of decemvirs had expired on the *ides* of May, should be taken into consideration, and discussed by the senate, when the wars with which they were then threatened should be brought to a conclusion, and tranquillity restored to the state: that Appius Claudius should consider himself as having now received sufficient notice, that he must be ready to give an account of the proceedings of the assembly in which he, in quality of decemvir, had presided, and in which the decemvirs were elected, whether they were appointed for one year, or until the laws, then wanting, should be ratified. It was also his opinion, that, for the present, every other business, except the war, should be laid aside; and that, if they imagined that the reports concerning it were propagated without foundation, and that not only the couriers, but the Tusculan ambassadors, had conveyed false intelligence, then that scouts should be despatched to procure more certain information; but that, if they gave credit to the couriers and the ambassadors in that case, troops should be levied without delay, and the decemvirs should lead armies to whatever places each should think proper. He repeated, that no other business ought to take place, until this was disposed of."

XLI. This resolution was carried, on a division, by means of the young patricians. Valerius and Horatius then, with

greater vehemence, renewed their efforts, and loudly demanded permission to speak more particularly on the state of the commonwealth, declaring, that “if by a faction they were prevented from delivering their sentiments in the senate, they would appeal to the people; for that private men had no right to hinder them from speaking, either in the senate house, or in a general assembly, nor would they give way to those men’s imaginary fasces.” Appius then, thinking the juncture so critical, that the authority of the decemvirate must be overpowered, unless the violence of their opposers were resisted with an equal degree of boldness, called out, that “whoever uttered a sentence, except on the business proposed, should have cause to repent;” and, on Valerius insisting that he would not be silenced by a private citizen, ordered a lictor to advance: Valerius, from the door of the senate-house, implor’d the protection of the citizens; when Lucius Cornelius embracing Appius, through concern for an effect so different from what he intended, put a stop to the contest, and procured Valerius permission to say what he chose. This producing nothing beyond words in favour of liberty, the decemvirs carried their point; and even the consulars and elder patricians, from inveterate hatred to the tribunitian office, which they supposed the people wished for with much more eagerness than for the consular government, would have been rather better pleased that the decemvirs themselves should, at some future time, voluntarily resign their office, than that, through means of the indignation of the public against them, the commons should rise again to consequence. They hoped, too, that if, by gentle management, the consular government should be restored, without the turbulent interposition of the populace, they might, either by the intervention of wars, or by the moderation of the consuls in the exercise of their authority, induce the commons to forget their tribunes. No objection being made by the patricians, a levy was proclaimed, and the young

men, there being no appeal from the present government, answered to their names. When the legions were filled up, the decemvirs settled among themselves, who should go out with the troops, and who command the several armies. The leading men among the decemvirs were Quintus Fabius and Appius Claudius. It was evident that there would be a greater war at home than abroad. The violence of Appius was thought the better calculated for suppressing commotions in the city, as the disposition of Fabius had long been considered as rather wanting in good pursuits, than strenuous in bad; yet this man, hitherto highly distinguished both in civil and military conduct, was so entirely changed by his office of decemvir and the example of his colleagues, that he now chose rather to be like Appius, than like himself. To him was given in charge the war against the Sabines; and, along with him, were sent his colleagues Manius Rabuleius and Quintus Pætilius. Marcus Cornelius was sent to the territory of Algidum, with Lucius Minutius; Titus Antonius, Cæso Duilius, and Marcus Sergius, and it was determined that Spurius Appius should assist Appius Claudius in the management of affairs in the city, where they should have full authority, as if all the decemvirs were present.

XLII. Public affairs were conducted with no better success in war than at home. In this, the leaders were no farther to blame, than for having rendered themselves odious to their countrymen; in other respects, the fault lay entirely in the soldiery, who, rather than that any enterprise should succeed under the conduct and auspices of the decemvirs, suffered themselves to be overcome, to the disgrace of both. The armies were routed, both by the Sabines at Eretum, and by the Æquans in the country of Algidum. From Eretum the troops made a retreat in the dead of the night, and fortified a camp nearer to the city, on a high ground, between Fideneæ and Crustumeria, and, being pursued by the enemy, would not risk a battle on equal ground, but provided far-

ther safety by the nature of the place and a rampart, not by valour and arms. In the country of Algidum greater disgrace and greater loss were sustained: even the camp was taken; and the soldiers, deprived of all their utensils, betook themselves to Tusculum, depending, for the necessaries of life, on the good faith and compassion of their hosts, who, on this occasion, did not disappoint their expectations. Such terrifying accounts were brought to Rome, that the senate, dropping the prosecution of their hatred to the decemvirs, passed an order, that watches should be held in the city; commanded all, who were of an age to bear arms, to mount guard on the walls, and to form outposts before the gates; they also decreed a supply of arms to be carried to Tusculum; that the decemvirs should come down from the citadel of Tusculum, and keep their troops encamped; and that the other camp should be removed from Fidenæ into the country of the Sabines, to the end that the enemy, feeling themselves attacked at home, might be deterred from operations against the city.

XLIII. To the calamities inflicted by the enemy, the decemvirs added two most flagitious deeds, one at home, and the other in the army. In the army which acted against the Sabines, a person, called Lucius Siccius, taking advantage of the general aversion from the decemvirs, and having frequently, in private conversation with the common soldiers, made mention of a secession, and of electing tribunes, they sent him on a party of observation, to choose ground for a camp, and gave instructions to the men whom they sent to attend on the expedition, that they should fall upon him in some convenient place, and put him to death. He did not fall unrevenged; for, though surrounded on all sides, he stood on his defence; and being possessed of extraordinary personal strength, and of spirit equal to his strength, he slew several of the assassins. The rest, on the return, gave out in the camp, that they had fallen into an ambush, and that

Siccus was lost, after fighting with great bravery, and some of the soldiers with him. At first this story was believed: but afterwards, a cohort, which went, with permission of the decemvirs, to bury those who had fallen, observing that none of them were stripped; that Siccus, with his arms, lay in the middle, with the faces of all the others turned towards him, while not a trace could be found of the enemy having retreated from thence; they brought back the body, with an account that he was evidently slain by his own men. The camp was now filled with indignation; and it was resolved, that Siccus should be carried directly to Rome, which would have been put in execution, had not the decemvirs, as speedily as possible, buried him with military honours, at the public expense. His funeral was attended with great grief of the soldiery, and a general belief of guilt in the decemvirs.

XLIV. There followed, in the city, another atrocious proceeding, which took its rise from lust, and was not less tragical in its consequences than that which, through the injured chastity and violent death of Lucretia, had occasioned the expulsion of the Tarquinius from the throne and the city; so that the government of the decemvirs not only ended in the same manner as that of the kings, but was lost through the same cause. Appius Claudius was inflamed with a criminal passion towards a young woman of plebeian rank. The father of this young woman, Lucius Virginius, held an honourable rank among the centurions, in the camp near Algidum, a man of exemplary good conduct, both as a soldier and a citizen, and by the same principles were the behaviour of his wife, and the education of his family regulated. He had betrothed his daughter to Lucius Icilius, who had been tribune, a man of spirit, and of approved zeal in the cause of the commons. This maiden, in the bloom of youth, and of extraordinary beauty, Appius, burning with desire, had attempted to seduce by bribes and pro-

mises; but, finding every avenue to his hopes barred by modesty, he resolved to have recourse to violence. He gave instructions to Marcus Claudius, one of his dependents, that he should claim the young woman as his slave, and not submit to any demand which should be made, of her being left at liberty until the decision of the suit, thinking that the absence of the damsel's father afforded the fittest opportunity for the injury which he meditated. As Virginia came into the Forum, (for the schools of learning were held there in sheds,) this minister of the decemvir's lust laid his hand on her, and affirming that "she was a slave, and born of a woman who was his slave," ordered her to follow him; threatening, in case of refusal, to drag her away by force. While the girl stood motionless through fright and astonishment, a crowd was collected by the cries of her nurse, who implored the protection of the citizens. The popular names of her father Virginius, and her spouse Icilius, were heard on every side. Their acquaintances were engaged in favour of the maiden, by their regard for them; and the multitude in general, by the heinousness of the proceeding. She was now secured from violence, when the claimant said "there was no occasion for raising a mob, he was proceeding by law, not by force," and summoned the maiden to a court of justice. She being advised, by those who appeared in her favour, to follow him, they arrived at the tribunal of Appius. The claimant rehearsed the concerted farce before the judge, alleged that "the girl was born in his house, and had been clandestinely removed from thence to that of Virginius, her supposed father; that of this he had sufficient evidence, and would prove it even to the satisfaction of Virginius himself, the principal sufferer in the case; and it was reasonable," he added, "that in the meantime, the servant should remain in the custody of her master." The advocates for Virginia, pleading that Virginius was absent on business of the state, and would, were notice sent him, attend in two days' time,

and that it was unreasonable that a suit concerning his child should be carried on in his absence, demanded of Appius to adjourn all proceedings in the cause, until the father's arrival; that, in conformity to the law which he himself had framed, he should leave her in the meantime in the enjoyment of her liberty; and not suffer a young woman of ripe age to encounter the hazard of her reputation, before the case of her freedom was determined.

XLV. Appius prefaced his decree with observing that "the very law, which Virginius's friends held out as the foundation of their demand, was a proof how much he was inclined to favour liberty: however, that law could afford no firm security to liberty, if it were not invariable in the tenor of its operation, without regard either to causes or persons. In the case of those who, from servitude, claimed a right to freedom, the privilege mentioned was allowed, because any citizen can act in their behalf; but in the case of her, who was in the hands of her father, there was no other person to whom the owner should yield the custody of her. It was, therefore, his determination, that the father should be sent for; that, in the meantime, the claimant should suffer no loss of his right, but should take the maiden into his custody, and give security for her appearance, on the arrival of him who was alleged to be her father." Whilst all murmured against the injustice of this decree, though not one had courage to oppose it, Publius Numitorius, the maiden's uncle, and Icilius, her betrothed spouse, arrived at the spot. The crowd having readily made way for them, because they were of opinion, that if any thing could stop the proceedings of Appius, it would be the interference of Icilius, the lictor called out, that "sentence was passed;" and, on Icilius making loud remonstrances, ordered him to retire. Even a cool temper would have been inflamed by such gross ill treatment; Icilius said, "Appius, you must drive me hence with the sword, before you shall accomplish, in silence, what you

wish to be concealed. This young woman I intend to wed, and expect to find in her a lawful and a chaste wife. Call together then even all the lictors of your colleagues, order the rods and axes to be got ready: the spouse of Icilius shall not remain in any other place than her father's house. Though you have taken from us the protection of tribunes, and an appeal to the Roman people, the two bulwarks which secured our liberty, yet there has been no grant made, to your lust of absolute dominion over our wives and daughters. Vent your fury on our persons and our lives; let chastity, at least, find safety. If any violence is offered to her, I shall appeal for succour to the citizens now present, in behalf of my spouse; Virginus will appeal to the soldiers in behalf of his only daughter; and all of us to the gods, and to all mankind: nor shall you ever carry that sentence into effect, while we have life to prevent it. I charge you, Appius, consider again and again to what lengths you are proceeding: let Virginus, when he comes, determine what measures he will pursue in regard to his daughter; only of this I would have him assured, that if he submits to this man's claim of obtaining the custody of her, he must seek another match for his daughter: as for me, in vindication of the liberty of my spouse, I will forfeit my life sooner than my honour."

XLVI. The passions of the multitude were now raised, and there was every sign of a violent contest ensuing. The lictors had gathered round Icilius, but proceeded, however, no farther than threats, when Appius said, "that the defence of Virginia was not the motive which actuated Icilius; but, turbulent by nature, and breathing, at that instant, the spirit of the tribuneship, he was seeking an occasion of sedition. He would not however, at that time, give him matter to work on: but, in order to convince him at once that this indulgence was granted, not to his petulance, but to the absent Virginus, to the name of father, and to liberty, he would not then decide the cause, nor interpose any de-

cree; he would even request of Marcus Claudius to depart somewhat from his right, and suffer the maiden to be bailed until the next day. But if, on the next day, the father did not attend, he now gave notice to Icilius, and to persons like Icilius, that, as its founder, he would not fail to support his own law; nor, as decemvir, to show a proper degree of resolution: nor should he call together the lictors of his colleagues, to check the efforts of the fomenters of sedition, but be content with his own lictors." The execution of his iniquitous design being thus deferred, the advocates of the girl having retired, resolved, first of all, that the brother of Icilius and the son of Numitorius, active young men, should set off directly, and with all possible haste call home Virginius from the camp, acquainting him that "the safety of the maiden depended on his being present in time next day to protect her from injury." They set out the instant they received their directions, and, with all the speed their horses could make, carried the account to her father. In the meantime, the claimant of the maiden urged Icilius to profess himself a defendant in the cause, and to produce sureties. This, however, Icilius delayed, in order that the messengers despatched to the camp might gain the longer time for their journey, telling him that he was preparing to do so. The whole multitude on this held up their hands, and every one showed himself ready to be surety to Icilius. To them he replied, tears at the same time filling his eyes, "I am thankful for your goodness; to-morrow I will claim your assistance; at present, I have sufficient sureties." Virginia was then admitted to bail on the security of her relations. Appius, after remaining on the tribunal for a short time lest he should seem to have sat merely for the sake of the present business, and finding that no one applied to him, the general anxiety about Virginia calling their attention from every other subject, retired to his house, and wrote to his colleagues in camp not to allow Virginius to leave it, and even to keep

him in confinement. This wicked scheme, as it deserved, was too late to succeed; for Virginius, having already got leave of absence, had set out at the first watch; so that the letter for detaining him, which was delivered in the morning, necessarily produced no effect.

XLVII. In the city, a vast multitude of citizens were assembled in the Forum at day break, full of anxious expectation. Virginius, clad in mourning, and accompanied by a great number of advocates, led his daughter into the Forum, habited in weeds, denoting her distress, and attended by a number of matrons. There he began to solicit each man's favour; and not only requested their aid, as a boon granted to his prayers, but demanded it as his due, reminding them, that, "he stood daily in the field of battle, in defence of their wives and children; nor was there any man who had given greater proof of valour and intrepidity in action than he had done. Yet what did this avail, if, while the city was secure from danger, their children were exposed to calamities as grievous as could be dreaded, if it were taken by an enemy?" With such discourses, uttered in a manner as if he were addressing a public assembly, he applied to the people individually. Icilius addressed them with like arguments; and the female attendants, by their silent tears, affected them more deeply than any words could do. Appius, whose mind was hardened against all such occurrences, violent madness, rather than love, having perverted his understanding, ascended the tribunal; and when the claimant had just begun to urge, that, "through partiality, he had refused yesterday to pronounce judgment in the cause;" Appius, without allowing him to proceed in stating his claim, or giving Virginius an opportunity of answering, delivered his sentence. The discourse with which he introduced his decree some ancient writers have set down, perhaps with truth; but as I no where find any one that seems likely to have been used on occasion of such an iniquitous business, I think it best to represent the plain fact, of which there is no doubt: he decreed,

that she should be held in bondage until the final decision. At first, all were struck motionless with astonishment at such an atrocious proceeding. Silence then prevailed for some time. afterwards, when Marcus Claudius went to seize the maiden, where she stood in the midst of the matrons, and was opposed by the women with lamentable cries of grief, Virginius, stretching forth his hands in a menacing attitude towards Appius, said, " Appius, I betrothed my daughter to Icilius, not to thee; and I have educated her for a wife, not for a harlot. Do you intend that men shall indulge their lust promiscuously like cattle and wild beasts? Whether these present will endure such things I know not: but those who carry arms, I hope, never will." The claimant of the maiden being forced back, by the crowd of women and advocates who stood round her, silence was commanded by the crier.

XLVIII. The decemvir, whose mind was warped by his ungovernable lust, said, that " the abusive language of Icilius yesterday, and the violence of Virginius, now the whole Roman people were witnesses of, but that he had learned on good authority, that, during the whole night, cabals had been held for the purpose of stirring up sedition. Wherefore being aware of the disputes likely to ensue, he had come down with a band of men in arms, not with a design of injuring any person who should demean himself, but of punishing, in a manner suited to the majesty of government such as should presume to disturb the tranquillity of the state. It will, therefore (said he,) be your better way to remain quiet. Go, lictor, remove the crowd, and make way for the owner to seize his slave." When, bursting with passion, he had thundered out these words, the multitude of themselves voluntarily separated, and the maiden stood forsaken a prey to injustice. Virginius then seeing no prospect of assistance from any quarter, said " Appius, I entreat you first, to make allowance for a father's grief, if I have made use of too harsh expressions towards you; and next, to allow

me here, in the presence of the maiden, to inquire of her nurse the truth of this affair; that, if I have been falsely called her father, I may depart hence with the more resignation." Permission being granted, he drew the maiden and her nurse aside, to the sheds near the temple of Cloacina, now called the new sheds, and there, snatching a knife from a butcher, plunged it into his daughter's breast, with these words: "In this manner, my child, the only one in my power, do I secure your liberty." Then looking back on Appius, "With this blood, Appius," said he, "I devote thee and thine head to perdition." Appius alarmed by the cry raised at such a horrid deed, ordered Virginius to be seized. But he, clearing a passage with the weapon wherever he went, and protected also by a great number of young men who escorted him, made his way to the gate. Icilius and Numitorius raised up the lifeless body, and exposed it to the view of the people, deploring the villainy of Appius, the fatal beauty of the maiden, and the necessity which had urged the father to the act. The matrons who followed joined their exclamations: "were these the consequences of rearing children? were these the rewards of chastity?" with other mournful reflections, such as are suggested by grief to women, and which, from the greater sensibility of their tender minds, are always the most affecting. The discourse of the men, and particularly of Icilius, turned entirely on their being deprived of the protection of tribunes, and consequently of appeals to the people, and on the indignities thrown upon all.

XLIX. The passions of the multitude were strongly excited, partly by the villainy of the decemvir, partly by their hopes that the occasion might be improved to the recovery of liberty. Appius now ordered Icilius to be called before him; then, on his refusing to attend, to be seized: at last, when the beadles were not suffered to come near him, he himself, with a band of young patricians, pushing through the crowd, ordered him to be taken into confinement. By this time, there had collected round Icilius, not only the mul-

titude, but persons fit to head that multitude, Lucius Valerius and Marcus Horatius, who, driving back his lictor, told Appius, that “ if he meant to proceed in a legal way, they would be security for Icilius, against any charge which he, as a private citizen, should bring. If he should attempt to make use of force, in that point too they would not be his inferiors.” A furious scuffle ensued. The decemvir’s lictor attacked Valerius and Horatius. The fasces were broken by the people. Appius then mounted the tribunal, whither he was followed by Horatius and Valerius; to these the assembly paid attention, but drowned the decemvir’s voice with noise. Valerius now assumed authority to order the lictors to depart from one who was but a private citizen; and then Appius, bereft of courage, and dreading for his life, covered his head, and, unobserved by his adversaries, made his escape into a house near the Forum. Spurius Oppius rushing into the Forum from the other side, in order to assist his colleague, saw their authority overpowered by force. After revolving several expedients, confused by listening to a multitude of advisers on every side, he at last commanded the senate to be summoned. This step calmed the minds of the populace, by giving them hopes, that as the conduct of the decemvirs seemed displeasing to the greater part of the patricians, their government would be abolished through the means of the senate. The senate gave their opinion, that the commons should not be farther exasperated; and that, above all things, care should be taken to hinder disturbances being excited in the camp on the arrival of Virginius.

L. Accordingly some of the younger patricians were sent to the camp, which, at that time, was on mount Vecilius, to caution the decemvirs to use their utmost efforts for preventing a mutiny among the soldiers. Here, Virginius caused greater commotions than he had left in the city: for, besides the notice which he attracted, by coming attended by a band of near four hundred men; who, incensed at the scandalous injustice done him, had accompanied him from the city; the

unsheathed weapon, and himself being besmeared with blood, engaged the general attention, while gowns* being observed in many different parts of the camp, made the number of people from the city appear much larger than it was. Being asked the reason of all this, grief for a long time prevented Virginius from uttering a word. At length, when the crowd grew still, and silence took place, he related every circumstance in order as it passed. Then raising his hands towards heaven, besought his fellow-soldiers "not to impute to him the guilt which belonged to Appius Claudius, nor to abhor him as the murderer of his child. Declaring, that the life of his daughter was dearer to him than his own, could she have lived with honour and liberty. When he saw her dragged as a slave to violation, he thought it better that his child should be lost by death than by dishonour. Actuated by compassion, he had fallen under the appearance of cruelty: nor would he have survived his daughter, had he not looked to the aid of his fellow-soldiers, with hopes of revenging her death: for they also had daughters, sisters, wives; and the lust of Appius Claudius was not extinguished by the death of Virginia, but would be encouraged, by impunity, to rage with less restraint. They had now warning given them, in the calamity of another, to guard themselves against the like injury. As to what concerned himself, his wife had been torn from him by fate; his daughter, because she could not longer preserve her chastity, had fallen by an unfortunate but honourable death. There was now in his house no object for Appius's lust; and from any other kind of violence which he could offer he would defend his own person with the same spirit with which he had rescued that of Virginia. Let others take care of themselves and of their children." To these representations, uttered by Virginius in a loud voice, the multitude replied, with shouts, that they would not be backward in vindicating either his wrongs or their own liberty. At the same time, the gown-

* The citizen's dress, different from that of the military.

men intermixed with the crowd of soldiers, relating with sorrow the same circumstances, and observing how much more shocking they appeared to the sight than hearing, acquainting them also that the affairs of the decemvirs at Rome were desperate; while some, who came later, averred that Appius, having with difficulty escaped with life, was gone into exile. All this had such an effect on the soldiery, that they cried out, To arms! snatched up the standards, and marched towards Rome. The decemvirs, exceedingly alarmed, as well by the transactions which they saw, as by those which they heard had passed at Rome, ran to different parts of the camp, in order to quell the commotion. While they acted with mildness, they received no answer. If any of them offered to exert authority, he was answered, That they were men; and besides, had arms. The soldiers proceeded in a body to the city, and posted themselves on the Aventine, exhorting the commons, whenever they met any of them, to resume their liberty, and create plebeian tribunes. No other violent expression was heard. Spurius Oppius held the meeting of the senate, when it was resolved, that no harsh measures should be used, because themselves had given occasion to the insurrection. Three consulars were sent as deputies to the mount, Spurius Tarpeius, Caius Julius, and Servius Sulpicius, to ask, in the name of the senate, by whose orders they had quitted the camp; or what was their intention in posting themselves, in arms, on the Aventine; in changing the direction of their hostile operations from the enemy, and by seizing a strong post in their native country. The revoltors were at no loss what to answer; but they were at a loss for a person to give the answer, having not yet appointed any particular leader, and individuals not being very forward to take on themselves the invidious, and perhaps dangerous, office. The multitude only called out with one voice, that Lucius Valerius and Marcus Horatius might be sent, and to them they would give their answer.

L.I. When the deputies were dismissed, Virginius reminded the soldiers, "how much they had been embarrassed in a case of no extraordinary difficulty, in consequence of their being a multitude without a head; and that the answer given, though not inexpedient, was the result rather of an accidental concurrence, than of a concerted plan: he recommended to them, therefore, to elect ten persons, who should preside in the direction of their affairs, and, in the style of military dignity, be called tribunes of the soldiers." This honour being offered, in the first place, to himself, he said, "Reserve to a juncture more happy, both to you and me, such expressions of your good opinion of me. It is neither possible for me, while my daughter is unrevenge'd, to reap satisfaction from any honour, nor is it expedient for you, in the present disordered state of the commonwealth, to have those at your head who are most obnoxious to party malice. If I can be of any service, my remaining in a private capacity will in no degree prevent it." They accordingly elected ten military tribunes. Nor was the army in the country of the Sabines inactive. There also, at the instance of Icilius and Numitorius, a secession from the decemvirs was made; men being no less strongly agitated by having the murder of Siccius recalled to their memory, than by the recent account of the barbarous attempt against the chastity of Virginia. When Icilius heard that tribunes of the soldiers had been elected on the Aventine, he feared lest the assembly of election in the city might follow the lead of the military assembly, and choose the same persons tribunes of the commons. Being well versed in popular intrigues, and aiming himself at that office, he took care that, before they proceeded to the city, the same number of soldiers, with equal powers, should be elected by the party then with him. They entered the city, in military array, through the Colline gate, and continued their march in a body through the middle of the city to the Aventine. There, in conjunction with the other army, they gave directions to the twenty tribunes of the soldiers to

choose two out of their number, who were to hold the command in chief: they chose Marcus Oppius and Sextus Manilius. The senate were alarmed for the general safety, but though they sat every day, they spent more time in wrangling than in deliberation: the decemvirs were upbraided with the murder of Siccius, the lust of Appius, and the disgraces which they had incurred in war. It was resolved, at length, that Valerius and Horatius should proceed to the Aventine: but they refused to go thither, on any other terms than those of the decemvirs resigning the badges of office, their title to which had expired a year before. The decemvirs, remonstrating against the severity of degrading them to the common level, declared that they would not resign their authority, until the purpose of their election should be fulfilled, by the ratification of the laws.

LII. The commons, on being informed by Marcus Duilius, who had been plebeian tribune, that the time was passed by the patricians in continual disputes, and no business done, removed from the Aventine to the sacred mount: for Duilius had assured them, that "the senate would never attend seriously to the business, until they saw the city deserted; that the sacred mount would remind them of the firmness of the commons, and that they would then discover, that the re-establishment of concord was impracticable, without the restoration of the tribunitian office." Marching along the Nomentan road, then called the Ficulnean, they encamped on the sacred mount, imitating the moderation of their fathers, in refraining from every act of violence. The army was followed by the commons, not one, whose age would permit him, refusing to go. Their wives and children attended their steps, asking, in melancholy accents, to whose care they were to be left, in such a city, where neither chastity nor liberty was safe? So general a desertion, beyond what was ever known, left every part of the city void, not a creature being even seen in the Forum, except a few very old men, when the senators were called into their house.

Thus the Forum appearing entirely forsaken, many others, with Horatius and Valerius, began to exclaim, "Conscript fathers! how long will ye delay? If the decemvirs will not desist from their obstinacy, will ye suffer every thing to sink into ruin? And ye, decemvirs, what is this power which ye so positively refuse to part with? Do ye intend to administer justice to bare walls and empty houses? Are ye not ashamed, that the number of your lictors should exceed that of all the other citizens in the Forum? What do ye propose to do, should the enemy advance to the city? What, if the commons, finding that we are not moved by their secession, should presently come in arms? Do ye choose that your command should be terminated by the fall of the city? The case stands thus; either we must lose the commons, or they must have their tribunes. We would sooner part with our patrician magistrates, than they with the plebeian. The office of tribunes, when it was a thing unknown and untried, they extorted from our fathers; and it is much more improbable that, after having tasted the sweets of it, they will put up with its loss, especially as we do not exercise authority with such moderation, as to prevent their standing in need of protection." Assailed by such arguments from every quarter, and overpowered by the united opinions of all, the decemvirs declared, that since it was judged necessary, they would submit to the orders of the senate. This only they requested, that they would afford them protection from the rage of the opposite party: warning them at the same time, not to suffer the commons, by the spilling of their blood, to come into the practice of inflicting punishment on patricians.

LIII. Valerius and Horatius were then deputed to invite the commons to return, on such conditions as they should judge proper, and to adjust all matters in dispute. They were ordered also to take measures, for securing the decemvirs from the rage and violence of the populace. On their arrival at the camp, they were received with excessive joy, as having evidently proved themselves the patrons of liberty,

both at the commencement of the disturbances, and on the determination of the business. For this, they received thanks on their coming, Icilius addressing them in the name of the whole; and when they began to treat about conditions, the same person, on the deputies inquiring what were the demands of the commons, proposed, in pursuance of a plan which had been adjusted before their arrival, such terms as plainly evinced, that they grounded their expectations on the equity of their cause, rather than on their strength: for they only required the restitution of the tribunitian office, and the privilege of appeal, by which the rights of the commons had been guarded, before the creation of decemvirs; and, that no one should suffer for having instigated the soldiery, or the commons, to procure the restoration of liberty, by a secession. They were intemperate only in respect to the punishment of the decemvirs: for they expected that they should be delivered into their hands, and they threatened to burn them alive. In reply, the deputies said, "such of your demands, as have been the result of deliberation, are so equitable, that they ought to be voluntarily offered to you: for the object of them is the attainment of a security for liberty, not for unbounded licence to violate the rights of others. But the dictates of your resentment, we must rather pardon than indulge: for, through your detestation of cruelty, ye are precipitating yourselves into the very vice which ye abhor; and before ye can well be said to be free yourselves, ye wish to act the tyrant over your adversaries. Is our state never to enjoy rest from punishments, either inflicted by the patricians on the Roman commons, or by the commons on the patricians? Ye stand in need of a shield, rather than of a sword. It is abundantly sufficient to humble a man so far as that he shall live on an equal footing with the rest of his countrymen, neither offering nor enduring injury. Besides, should ye ever choose to render yourselves objects of terror, when ye shall have recovered your magistrates, and your laws, and shall have the power, in your hands, of deciding

on our lives and fortunes, then ye will determine according to the merit of each case; at present it is sufficient to require the restoration of liberty."

LIV. Having, with universal consent, received permission to act as they thought proper, the deputies assured them that they would speedily bring back a final settlement of the business; and, returning, reported to the senate the message from the commons. On which the other decemvirs, finding that, beyond their hopes, no mention was made of any punishment being reserved for them, raised no objection. Appius, stern in his nature, conscious that he was the object of particular detestation, and measuring the rancour of others towards him by his own towards them, said, "I am not blind to the fate which hangs over me. I see that violent proceedings against us are deferred until our arms are surrendered into the hands of our adversaries. Blood must be offered to the rage of the populace. I myself no longer demur to resign the office of decemvir." A decree of the senate was then made, that "the decemvirs should, without delay, resign their office. That Quintus Furius, chief pontiff, should hold an election of plebeian tribunes, and that no one should suffer, on account of the secession of the soldiers and commons." As soon as these decrees were finished, the senate was dismissed, and the decemvirs coming forth to the comitium, made a resignation of their office, to the extreme joy of all. News of this was carried to the commons. Whatever people there were remaining in the city, escorted the deputies. This was met by another procession from the camp, exulting with joy; and they mutually congratulated each other on the re-establishment of liberty and concord in the state. The deputies addressed the assembly thus: "Be it advantageous, fortunate, and happy to you, and to the commonwealth. Return into your native city, to your household gods, your wives and children: the same moderation, with which ye have behaved here, where, notwithstanding the great consumption

of necessaries in so large a multitude; no man's field had been injured, that moderation carry with you into the city. Go to the Aventine, whence ye removed. In that auspicious place, where ye took the first step towards liberty, ye shall elect tribunes of the commons: the chief pontiff will attend and preside in the assembly." Great were the applauses given, and the cheerfullest approbation was shown of every thing which was done. They then hastily raised the standards; and, as they marched towards Rome, vied with such as they met in expressions of joy. They proceeded under arms, in silence, through the city to the Aventine. There, the chief pontiff holding an assembly, they instantly elected tribunes of the commons; first, Lucius Virginius; then Lucius Icilius, and Publius Numitorius, uncle of Virginia, the first advisers of the secession; then Caius Sicinius, a descendant of that man who is recorded as the first tribune of the commons, elected on the sacred mount; with Marcus Duilius, who had distinguished himself by his conduct in the tribuneship, before the creation of the decemvirs, and who, during the contest with them, had not failed to exert himself in the support of the common cause. At the same time were elected, rather on account of hopes entertained of their future conduct, than of their previous deserts, Marcus Titinius, Marcus Pomponius, Caius Apronius, Publius Villius, and Caius Oppius. Lucius Icilius, as soon as he entered on the office of tribune, proposed to the commons, and the commons ordered, that no person should suffer on account of the secession from the decemvirs. Immediately after, Duilius carried a proposition for electing consuls, with privilege of appeal. All this was transacted in an assembly of the commons in the Flaminian meadows, now called the Flaminian circus.

Y. R. 306. LV. After this, under the direction of an interrex, B. C. 446. consuls were elected. These were Lucius Valerius and Marcus Horatius, who entered immediately upon the exercise of their office. Their consulate was popular. But though

unattended by any actual ill treatment of the patricians, it yet incurred their displeasure; for they imagined that whatever added to the liberty of the commons, was necessarily a diminution of their own power. First of all, as if it were a point in controversy, whether the patricians were bound by regulations enacted in an assembly of the commons, a law was passed in an assembly of the centuries, "that whatever was ordered by the commons collectively, should bind the whole people." A law which gave the keenest edge to such propositions as might be introduced by the tribunes. Another law, introduced by a consul, concerning the right of appeal, (a singular security to liberty, and which had been subverted by the power granted to the decemvirs,) they not only revived, but guarded for the time to come, by further enacting, "That no magistrate should ever be chosen, from whom there should not be a right of appeal; and that if any person should cause the election of such, then it should be lawful and right to put that person to death, and the killing of him should not be accounted a capital offence." When they had provided sufficient barriers for the commons, by the right of appeal on one side, and the aid of the tribunes on the other, they renewed to the tribunes themselves the privilege of being deemed sacred and inviolable, a matter which now had been almost forgotten, reviving also, for the purpose, certain ceremonies which had been long disused; and they not only rendered them inviolable by this religious institution, but by a law, enacting, that "whoever should offer injury to the tribunes of the commons, the ædiles, the judges, his person should be devoted to Jupiter, and his property confiscated at the temple of Ceres, Liber, and Libera." Lawyers deny, than any one is thus rendered sacred and inviolable; but admit, that the person who does injury to any of the above-named, is deemed to be devoted. Accordingly, an ædile is sometimes seized, and put in confinement by superior magistrates; which, though it is not a legal proceeding, as offend-

ing against a person exempted by this law, is yet a sufficient proof that such person is not deemed sacred and inviolable. It is alleged, however, by some, that the tribunes became sacred and inviolable, in consequence of the old oath taken by the commons when they first created that office; while other expositors have supposed, that, by this Horatian law, the same exemptions were extended to the consuls also, the consuls being termed judges; and to the prætors, as being elected under the same auspices with the consuls. But that exposition is refuted by this argument, that in those times, it was not the custom, as it has been since, to call a consul, judge, but prætor. These were the laws proposed by the consuls. A regulation was also made by the same consuls, that the decrees of the senate should be deposited with the plebeian ædiles, in the temple of Ceres; they had hitherto been frequently suppressed and altered at the pleasure of the consuls. Marcus Duiius, plebeian tribune, afterwards proposed to the commons, and the commons enacted, that "whoever should cause the commons to be left without tribunes, or any magistrate to be elected from whom there was no appeal, should be punished with stripes and beheaded." All these transactions, though highly disagreeable to the patricians, passed without opposition from them, because no severity was yet aimed at any particular person.

LVI. The tribunitian office and the liberty of the commons being thus fixed on a solid foundation, the tribunes, judging it now seasonable and safe to attack individuals, singled out Virginius as the first prosecutor, and Appius defendant. Virginius, having preferred a charge against Appius, and the latter coming to the Forum, attended by a crowd of young patricians, the sight of him and his attendants instantly recalled to every mind his shocking abuses of authority. Virginius then said, "Long speeches are only of use in cases of a doubtful nature. I shall, therefore, neither waste time in descanting before you on the guilt of this man,

from whose cruelty ye have rescued yourselves by force of arms; nor will I suffer him to add impudence to his crimes, in endeavours to exculpate himself. Wherefore, Appius Claudius, I remit to you all the impious and flagitious deeds, which, during two years past you have dared to commit in constant succession. With respect to one charge, unless you name a judge, and engage to acquit yourself of having, contrary to the laws, sentenced a free person to slavery, I order that you be taken into custody." Neither in the protection of the tribunes, nor in a sentence of the people, could Appius place any hope: yet he called on the tribunes for aid, and when that was disregarded, and he was seized by the bailiff, cried out, "I appeal." This expression, the peculiar safeguard of liberty, uttered from that mouth which had so lately threatened the subversion of liberty, caused a general silence; whilst all with earnestness observed one to another, that "at length it appeared that there were gods, and that they did not disregard the affairs of mankind. That the punishments which attended pride and cruelty, though they might come late, were not light. That he now pleaded for the right of appeal, who had abolished that right: he implored the protection of the people, who had trodden under foot all the people's rights; and he, who had so lately doomed a free person to slavery, was himself refused the privilege of liberty, and dragged to prison." Amidst these murmurs of the assembly, Appius's voice was also heard imploring the protection of the people. He enumerated "the services of his ancestors to the state, both in peace and war; his own unfortunate zeal for the interest of the Roman commons, when, for the sake of obtaining equitable laws, he resigned the consulship, to the high displeasure of the patricians: mentioning his own laws; and that while they yet remained in force, the framer of them was to be dragged to prison. But the peculiar advantages or disadvantages attending his case, he would endeavour to set in a proper light, when he

should be allowed to make his defence. At present, by the common right of every member of the state, he, a Roman citizen, accused of an offence, demanded liberty of speaking in his own behalf, and the benefit of a trial before the Roman people. That his apprehensions from the popular rage were not so great as to deprive him of all hope from the equity and compassion of his countrymen. But if he was led to prison without being heard, he again called on the tribunes of the commons, and warned them not to follow the example of those who were the objects of their hatred. But should the tribunes acknowledge themselves to have combined in the same kind of confederacy, for abolishing the right of calling for their protection, which they charged the decemvirs with having formed, then he appealed to the people, and implored the benefit of the laws concerning appeals, passed that very year at the instance of the consuls and of the tribunes. For who was to appeal, if that privilege was refused to a person on whom no sentence was passed, and who had not been heard in his defence? What plebeian or person in a low station could expect to find protection in the laws, if Appius Claudius found none? His case would afford a proof, whether, by the new regulations, tyranny or liberty was established; and whether appeals to the tribunes and people, against the injustice of magistrates, were effectually granted, or only held out in show, to amuse the people with empty words."

LVII. Virginius, on the other hand, affirmed, that Appius Claudius was the only person who was not entitled to any of the privileges of the laws, nor of civil nor even of human society: desired people to "look at the tribunal, that fortress, where every kind of wickedness had been exercised with impunity, where that perpetual decemvir, venting his fury on the goods, the persons; and lives of the citizens, threatening all with his rods and axes, showing an utter contempt both of gods and men, encompassed with executioners, not

lictors, changing at length his pursuits from rapines and murders to the gratifications of lust, had, before the eyes of the Roman people, torn a free-born maid from the embraces of her father, as if she had been a captive taken in war, and given her as a present to one of his clients, the pander of his secret pleasures; where, by a cruel decree, and a decision dictated by the blackest villainy, he armed the hand of a father against his child; where, more strongly affected by the disappointment of his unruly passion than by her untimely death, he had ordered the uncle and spouse of the maid, while employed in raising her lifeless body, to be dragged to prison. The prison was built for him as well as for others, though he used to call it the mansion of the Roman commons. Wherefore, however frequently he might appeal, he would as frequently insist on his abiding the decision of a judge, on the charge of his having sentenced a free person to slavery. And if he declined appearing before a judge, would now order him, as convicted, to be carried into confinement." Accordingly he was thrown into prison, a step, which, though disapproved by none in point of justice, yet gave occasion to much serious reflection; the commons themselves considering their power as carried rather too far, in the punishment inflicted on a person of such consequence. The tribune deferred the trial to a distant day. Meanwhile ambassadors came to Rome from the Latines and Hernicians, with congratulations on the re-establishment of concord between the patricians and commons, and, as an offering on that account to Jupiter, supremely good and great, carried to the Capitol a golden crown, of small weight, as riches at that time did not abound, and the worship of the gods was performed with greater piety than magnificence. The same persons also brought information that the Æquans and Volscians were preparing for war with the utmost vigour. The consuls were, therefore, ordered to divide the provinces between them. The Sabines fell to Horatius, the Æquans and

Volscians to Valerius: and so highly were they regarded by the commons, that, on proclaiming a levy of troops for those wars, not only the younger men, but even a great number of those who had served out the legal time, attended, mostly as volunteers, to give in their names. Thus the strength of the army was increased beyond what was usual, not only in respect of number, but also of the kind of soldiers that composed it: a considerable proportion of them being veterans. Before they marched out of the city, they engraved on brass, and fixed up, in public view, the laws of the decemvirs, which are called the "Twelve Tables;" some writers, however say, that this business was performed by the ædiles, in pursuance of orders from the tribunes.

LVIII. Caius Claudius, uncle to Appius, detesting the iniquitous proceedings of the decemvirs, and, above all, disgusted at the arrogant conduct of his nephew, had retired to Regillum, the country of his ancestors. Alarmed, however, at the danger which now threatened the man whose vices he had fled to avoid the sight of, old as he was, he returned, in hopes of deprecating the impending mischief. He appeared in the Forum, clad in a mourning habit, and surrounded by his relations and dependants, implored the favour and protection of every individual citizen he met with, and besought them, "not to throw such a stain upon the Claudian family, as to show that they thought them deserving of imprisonment and chains; represented to them, that a person, whose image would be revered among posterity, as distinguished by the highest honours, the framer of their laws, the founder of the Roman jurisprudence, lay in fetters among common thieves and robbers. He begged that they would for a while suspend resentment, and employ their thoughts in candid examination and cool reflection; and grant to the intercession of such a number of Claudii, the pardon of one individual, rather than through hatred towards that one, reject the prayers of a multitude: declaring, that he himself, in his present

conduct, was actuated merely by a regard to the race and to the name: for he had not renewed any friendly intercourse with him for whose wretched situation he wished to find a remedy: that, by fortitude, liberty had been recovered; and by clemency, harmony might be established among the several orders of the state." He brought several to incline to his side, rather in consideration of such laudable attachment to his family, than of the merits of him whose cause he espoused. On the other hand, Virginus besought them, "rather to bestow their compassion on himself and daughter. He prayed them not to listen to the supplications of the Claudian family, but to those of the near relations of Virginia, the three tribunes; who, having been elected for the protection of the commons, now, in their own cause, implored from those commons favour and protection." The tears of the latter seemed the more entitled to pity. Wherefore Appius, precluded from all hope, voluntarily put an end to his life, before the day arrived to which the trial had been adjourned. Immediately after, Publius Numitorius arraigned Spurius Oppius, who stood next in the way of the public indignation, as having been present in the city when the unjust sentence was pronounced by his colleague. However, an act of injustice, committed by himself, drew on Oppius greater weight of resentment than his conduct in regard to Appius. A soldier stood forward, who reckoned up twenty-seven campaigns, in which he had served; during which service, he proved that he had been eight times particularly distinguished by honourable rewards. These rewards he produced to the view of the people; and then, throwing open his garment, he showed his back mangled with stripes; begging no other terms of favour, than that "unless the accused (Spurius Oppius) could name any one offence of which he (the soldier) had ever been guilty, he then should have liberty, though a private citizen, to repeat the same cruel treatment towards him." Oppius was thrown into prison, and before

the day of trial put an end to his life. The tribunes confiscated the property of Appius and Oppius. Their colleagues went into exile, and their property was confiscated. Then Marcus Claudius, who laid claim to Virginia, was brought to trial and condemned; but Virginius himself agreeing to a mitigation of the sentence, so far as it affected his life, he was discharged, and also went into exile to Tibur. And now the shade of Virginia, whose cause was best supported after her death, having roamed through so many families in quest of vengeance, rested in peace, none of the guilty being left unpunished.

LIX. The patricians were now filled with dreadful apprehensions,—for the tribunes seemed to wear the same countenance which had formerly marked the decemvirs,—when Marcus Duilius, tribune of the commons, imposed a salutary restraint on their power, tending, as it was, to excess, by telling them, “ We have proceeded to a sufficient length, both in asserting our liberty, and in punishing our enemies. Wherefore, during the remainder of this year, I will not suffer any person either to be brought to trial, or to be put into confinement. For I think it highly improper, that old crimes, now buried in oblivion, should be again dragged forth to notice, and after recent ones have been expiated by the punishment of the decemvirs. Add to this, that we have sufficient security, in the unremitting attention ever shown by both our consuls to the interests of liberty, that no instance of misconduct will henceforth occur, which can require the interposition of the tribunitian power.” This moderation of the tribune first dissipated the fears of the patricians; and, at the same time, increased their ill-will towards the consuls; for they had been so entirely devoted to the interest of the commons, that even a plebeian magistrate had shown more readiness to consult the liberty and safety of the patricians, than they who were themselves of that order. Indeed their enemies were weary of inflicting punishments on

them, before the consuls showed any intention of opposing the violence of those measures; and many said, that the senate had betrayed a want of firmness in giving their approbation to the laws proposed: in fact, there was not a doubt, but that in this troubled state of the public affairs, they had yielded to the times.

LX. After all business in the city was adjusted, and the rights of the commons firmly established, the consuls departed to their respective provinces. Valerius prudently delayed engaging with the armies of the Æquans and Volscians, who had by this time formed a junction in the district of Algidum. Had he attempted to bring the matter to an immediate decision, such was the state of mind, both of the Romans and of their enemies, in consequence of the misfortunes which had attended the auspices of the decemvirs, that I know not whether the contest could have been decided without a heavy loss. Pitching his camp at the distance of a mile from that of the united army, he kept his men quiet. The enemy filled the middle space, between the two camps, with their troops, in order of battle, and gave several challenges to fight, to which no Roman returned an answer. Fatigued at length with standing, and waiting in vain for an engagement, the Æquans and Volscians, considering this as almost equivalent to an acknowledgment of the victory in their favour, detached several parties to make depredations, some against the Hernicians, others against the Latines; leaving rather a guard to the camp, than such a force as could contend with the Romans. As soon as the consul understood this, he retorted the menaces which they had before used to him, and drawing up his troops, advanced to provoke them to battle: and when, in consequence of so great a part of their force being absent, they declined to fight, the Romans instantly assumed fresh courage, and looked upon those troops as already vanquished, who, through fear, kept within their rampart. After remaining the

*Todd Difford me legit in anno domini MMLI George
Bush Minorle preside.*

whole day in readiness for action, they retired at the close of it. The Romans, on their part, full of confidence, employed the night in refreshing themselves, while the enemy, very differently affected, despatched messengers in the utmost hurry to every quarter, to call in the plundering parties. Such as were in the nearest places returned with speed; those who had gone to a greater distance could not be found. At the first dawn, the Romans marched out of their camp, resolved to assault the enemy's rampart, if they should refuse to fight, and, when a great part of the day had passed, and no movement was made by the enemy, the consul ordered the troops to advance. On the army beginning to march, the Æquans and Volscians, indignant that victorious troops were to be defended by a rampart, rather than by valour and arms, demanded the signal for battle, in which they were gratified by their leaders. And now, half of them had got out of the gates, and the rest followed in regular order, marching down each to his own post, when the Roman consul, before the enemy's line could be completed, and strengthened with their whole force, advancing to the engagement, fell on them, and thus encountering an unsteady multitude, who were hurrying from one place to another, and throwing their eyes about on themselves and their friends, he added to their confusion by a shout, and a violent onset. They at first gave ground, but afterwards collected their spirits, their leaders on every side asking them in reproach, if they intended to yield to vanquished enemies; and the fight was renewed.

LXI. On the other side, the Roman consul desired his troops to reflect, that, "on that day, for the first time, they as free men, fought for Rome, as a free city; that they were to conquer for themselves, and not in order to become a prize to the decemvirs; that they were not acting under the orders of Appius, but of their consul Valerius, descended from the deliverers of the Roman people, and, himself, one of their deliverers. He bade them show, that in the former

battles the failure of victory had been owing to the leaders, not to the soldiers. He told them, it would be scandalous to evince a greater courage against their countrymen than against their enemies, and to be more afraid of slavery at home, than abroad; that Virginia had not, perhaps, been the only person whose chastity was in danger in time of peace; but that Appius, their countryman, was the only one from whose lust danger was to be dreaded; and that, should the fortune of war turn against them, the children of every one of them would be in like hazard, from so many thousands of enemies. That he was unwilling, on account of the omen, to mention such things, as neither Jupiter, nor Father Mars, would suffer to happen to a city built under such auspices." He put them in mind of the Aventine and sacred mounts, and that "they ought to bring back dominion unimpaired to that spot, where a few months ago they had obtained liberty; to show that the Roman soldiers retained the same abilities after the expulsion of the decemvirs, which they had possessed before their appointment, and that the valour of the Roman people was not diminished by the establishment of laws which equalized their rights." After speaking to this purpose among the battalions of the infantry, he flew from thence to the cavalry. "Come on young men," said he, "show that ye excel the infantry in valour, as ye excel them in honour and in rank. The infantry at the first onset have made the enemy give way; before they recover the shock, give the reins to your horses, and drive them out of the field; they will not stand against your charge, and even now they rather hesitate than resist." They spurred on their horses, and drove furiously against the enemy, already disordered by the attack of the foot; and after they had broken through the ranks, and pushed on to the rear of their line, a part, wheeling round in the open space, cut off their retreat to the camp, towards which the greater number now began to fly on all sides; and, by riding on before, compelled

them, through fear, to take another course. The line of infantry, with the consul himself, and the main body of the army, rushed into the camp, and made themselves masters of it, killing a vast number, and getting possession of considerable booty. The news of this victory was carried both to the city, and to the camp in the country of the Sabines: in the city it excited only general joy; in the camp it fired the minds of the soldiers with emulation of the glory their fellow soldiers had acquired. Horatius had already inured them to the field by excursions and skirmishes, so that they began rather to place confidence in themselves, than to think of the ignominy which had been incurred under the command of the decemvirs; while these slight engagements had strengthened their hopes with regard to a general one. The Sabines, at the same time, who were rendered presumptuous by their successes in the last year, ceased not to provoke and urge them to fight; asking, "why they wasted time in excursions and retreats like marauders; and, instead of making one main effort to decide a single war, multiply their operations into a number of insignificant skirmishes. Why not come to a general engagement in the field, and let fortune determine the victory at once?"

LXII. The Romans, besides that they had now acquired a high degree of courage, were exasperated at the dishonour which it would reflect on them, if the other army were to return victorious to Rome, while they lay exposed to the abuse and insults of the enemy: "and when," said they, "shall we ever be a match for that enemy, if we are not at present?" When the consul understood that such were the sentiments generally expressed by the soldiers in the camp, he called them to an assembly and said, "Soldiers, I suppose ye have heard the issue of the campaign in Algidum; the army have behaved as became the army of a free people. Through the judicious conduct of my colleague, and the bravery of the soldiers, victory has been obtained. For my

part, what plan I am to adopt, or what degree of resolution I am to maintain, depends upon you. The war may either be prolonged with advantage, or it may be brought to a speedy conclusion. If it is to be prolonged, I shall take care, that, through means of the same discipline with which I began, your hopes and your valour shall every day increase. If ye have already sufficient courage, and wish for a speedy decision, come on, raise here a shout, such as ye would raise in the field. That will demonstrate at once your inclinations and your spirit." The shout being given with uncommon alacrity, he assured them, that, "with the good favour of fortune, he would comply with their desire, and next morning lead them to the field." The remainder of that day was spent in putting their arms in order. On the following, as soon as the Sabines perceived that the Romans were forming their line of battle, they also marched out, having for a long time ardently wished for an opportunity of fighting. The battle was such as might be expected, between armies both of whom were assured of their own courage; the one animated by a long and uninterrupted career of glory, the other lately elevated by unusual success. The Sabines added to their strength the advantage of a stratagem; for, after forming a line equal to that of the enemy, they kept two thousand men in reserve, who were to make a push during the heat of the engagement on the left wing of the Romans. These, by attacking their flank, were likely to overpower that wing, which was thus, in a manner, surrounded, when the cavalry of two legions, amounting to about six hundred, leaped from their horses, and rushing forward to the front of their party who were giving way, stopped the progress of the enemy, and at the same time roused the courage of the infantry, both by taking an equal share of the danger, and by exciting their emulation; for they reflected, that it would be shameful that the horse should incur double danger, by discharging both

their own duty and that of others; and that the foot should not be equal to the horse, even when they were dismounted.

LXIII. They pressed forward therefore to the fight, which on their part had been suspended, and endeavoured to recover the ground which they had lost. In a moment they were on an equality, while one wing of the Sabines was compelled to give way. The horsemen then, covered between the ranks of the foot, returned to their horses, and galloped across to the other division; they carried with them an account of this success; and, at the same time, made a charge on the enemy, disheartened by the defeat of their stronger wing. None displayed in that battle more conspicuous bravery than themselves. The consul's attention was every where employed. He commended the active, and reproved the remiss. These immediately, on being rebuked, exerted themselves with spirit; shame stimulating them as powerfully, as commendation had done the others. The shout being raised anew, and all uniting their efforts, they drove the enemy from their ground, and then the force of the Romans could no longer be resisted; the Sabines abandoned their camp, and were dispersed all over the country. The Romans here recovered not the property of their allies, as was the case in Algidum, but their own, which they had lost in the devastation of the country. For this victory, obtained in two battles, and in different places, the senate, so unwilling were they to gratify the consuls, decreed a supplication, in their name, of one day only. The people, however, went in great numbers on the second day also, to offer thanksgivings, and which they did with rather greater zeal than before. The consuls by concert came to the city within a day of each other, and called out the senate to the field of Mars; where, while they were relating the services which they had performed, the principal members began to complain, that the senate was purposely held in the midst of the soldiers, to keep them in terror. The consuls therefore, to

take away all ground for such a charge, removed the assembly into the Flaminian meadows, to a place where the temple of Apollo now stands, called; even at that time, the Circus of Apollo. Here, a vast majority of the senators concurring in refusing a triumph to the consul, Lucius Icilius, tribune of the commons, proposed to the people, that they should take on them the ordering of it. Many stood forth to argue against this proceeding; particularly Caius Claudius exclaimed, that "it was over the patricians, not over the enemy, that the consuls sought to triumph; and that more as a return for their private kindness to a tribune, not as an honour due to valour. That a triumph was a matter which had never, hitherto, been directed by the people; but that the judgment on the merit, and the disposal of it, had always been in the senate. That even the kings had not in this respect derogated from that order, the principal one in the state. He charged the tribunes not to occupy every department so entirely with their own authority, as to leave no room for the deliberation of the public; and asserted, that by no other means could the state be free, or the laws equalized, than by each class maintaining its own rights, and its own dignity." Though many arguments were used to the same purpose by the other and elder senators, yet every one of the tribes approved of the proposition. This was the first instance of a triumph celebrated by order of the people, without the approbation of the senate.

LXIV. This victory of the tribunes and commons was very near terminating in a wanton irregularity of pernicious tendency, a conspiracy being formed among the tribunes to procure the re-election of the same persons to that office; and, in order that their own ambition might be the less conspicuous or objectionable, to re-elect also the same consuls. They alleged, as a pretext, a combination of the patricians to sap the foundation of the rights of the commons, by the affronts which they threw upon the consuls. "What would

be the consequence," they said, "if, before the laws were firmly established, consuls should, with the power of their factions, make an attack on the new tribunes? For they could not always have Valerii and Horatii for consuls, who would postpone their own interest, when the liberty of the commons was in question." By a concurrence of circumstances, fortunate at this juncture, the charge of presiding at the election fell to the lot of Marcus Duilius, a man of prudence, and who clearly perceived what a heavy load of public displeasure they would probably have to sustain, if they should be continued in office. He declared, that he would admit no vote for any of the former tribunes; while his colleagues strenuously insisted, that he should leave the tribes at liberty to vote as they thought proper; or else, should give up his turn of presiding to his colleagues, who would hold the election, according to the laws, rather than according to the pleasure of the patricians. Duilius, on finding a contest thus forced upon him, called the consuls to his seat, and asked them what was their intention with respect to the consular election. To which they answered; that they were resolved to appoint new consuls. Having thus gained popular supporters of his unpopular measure, he advanced together with them into the assembly. The consuls being there brought forward, and asked, in what manner they would act, should the Roman people, out of gratitude for having, by their means, recovered their liberty and for their meritorious and successful services in war, appoint them a second time to the consulship, declared the same resolution as before. On which, Duilius, after many eulogiums paid to them for persevering in a line of conduct quite different from that of the decemvirs, proceeded to the election; and when five tribunes of the commons were elected, the other candidates not being able to make up the requisite number of tribes, on account of the eagerness with which the nine tribunes openly pushed for the office, he

dismissed the assembly, and did not afterwards call one. He said, that he had fulfilled the law; which, without any where specifying the number of tribunes, only enacted, that tribunes should be left; and he recited the terms of the law, in which it is said, "If I propose ten tribunes of the commons, and if there should at that time be found a less number than ten tribunes, then the persons whom these shall assume as colleagues, shall be legal tribunes of the commons, with the same privileges as those whom ye on that day made tribunes of the commons." Duilius, persevering to the last, and declaring the commonwealth could not have fifteen tribunes, after baffling the ambition of his colleagues, resigned his office, with high approbation both from the patricians and the plebeians.

LXV. The new tribunes of the commons showed, in their election of colleagues, an inclination to gratify the patricians. They chose two, who were patricians and even consulars, Spurius Tarpeius and Aulus Aterius. The consuls, then elected, were Largius Herminius and Titus Virginius Cœlimontanus, men not warmly attached to either party, patricians or plebeians. They had a peaceful year both at home and abroad. Lucius Trebonius, tribune of the commons, a bitter enemy to the patricians, because, as he said, he had been imposed on by them, and betrayed in the affair of choosing colleagues, carried a proposal that whoever took the votes of the commons on the election of plebeian tribunes, should continue the proceedings until he should return ten of that order. The whole time of being in office was passed in creating uneasiness to the patricians, from whence the surname of Asper (harsh) was given him. Marcus Geganius Macerinus and Caius Julius, the next consuls chosen, prevented the ill effects of some combinations, formed by the tribunes against the young nobles, without taking any violent steps against those magistrates, and, at the same time pre-

Y. R. 307.

B. C. 445.

Y. R. 308.

B. C. 444.

servicing unharmed the dignity of the patricians. Wishing to give time for the matter to cool, they restrained the commons from rising in sedition by a proclamation for a levy of troops, to act against the Æquans and Volscians; giving, as a sufficient reason, that while harmony prevailed in the city, every thing abroad was also quiet, but whenever civil discord broke out, their foreign enemies assumed new courage. This care to preserve peace abroad, proved the cause of domestic concord. But each of the orders always took an improper advantage of moderation in the other. As soon as the commons grew tranquil, the younger patricians began to insult them. When the tribunes attempted to protect the weaker party, even at first they were of little use; afterwards, they themselves incurred ill-treatment, particularly in the latter months, because the combinations, then formed among the more powerful, encouraged them to it, while the vigour of every magistracy generally relaxes somewhat at that time. And now the commons began to think that they had nothing to hope from their tribunes, unless they procured such as Icilius, for those whom they had for two years past were but nominal tribunes. On the other side, the elder patricians, although they were convinced that the younger part of their body carried their presumption too far, yet were better pleased, if the bounds of moderation were to be exceeded, that those of their own order should possess a redundancy of spirit, than should their adversaries. So difficult it is to preserve moderation in the asserting of liberty, while, under the pretence of a desire to balance rights, each elevates himself in such a manner, as to depress another; for men are apt, by the very measures which they adopt to free themselves from fear, to become the objects of fear to others; and to fasten upon them the burthen of injustice, which they have thrown off from their own shoulders: as if there existed in nature a perpetual necessity, either of doing or of suffering injury.

LXVI. The next consuls elected were Titus Y. R. 309. Quintus Capitolinus a fourth time, and Agrippa B. C. 443. Furius, who found, at the commencement of their year, neither sedition at home, nor war abroad, but reason sufficient to apprehend both. The citizens could no longer be kept within bounds, both tribunes and commons being highly exasperated against the patricians, and every charge brought against any of the nobility constantly embroiling the assemblies and creating new contests. As soon as these were noised abroad, the Æquans and Volscians, as if they had waited for this signal, immediately took up arms; being, at the same time, persuaded by their leaders, who were eager for plunder, that the levy which had been proclaimed the last year had been found impracticable, the commons refusing obedience; and that, for that reason, no army had been sent against them; that their military discipline was subverted by licentiousness, and that Rome was no longer considered as their common country; that all the resentment and animosity which they had entertained against foreigners, was now turned against each other, and that there was a favourable opportunity of destroying those wolves, while they were blinded by intestine rage. Having therefore united their forces, they laid waste the country of Latium; where, none attempting to obstruct them, and the promoters of the war highly exulting, they advanced to the very walls of Rome, carrying on their ravages opposite to the Esquiline gate, and insulting the city. From thence, they marched back without molestation, in regular order, driving the prey before them to Corbio. Quintus the consul then summoned the people to an assembly.

LXVII. There, as we are told, he spoke to this purpose: "Although unconscious of any misconduct on my part, yet it is with the utmost shame, Romans, that I am come here, to meet you in assembly. That ye should be witnesses of such an event, that it should be handed down, on record, to

posterity; that, in the fourth consulate of Titus Quintius, the Æquans and Volscians, who, a short time ago, were barely a match for the Hernicians, should have marched in arms, without molestation, to the walls of the city of Rome! Could I have foreseen that this ignominy was reserved for this particular year, though such is the general state of manners for a long time past, such the condition of affairs, that my mind could presage no good, I would yet have avoided this honourable post, by exile or by death, if there had been no other way of escaping it. Could Rome then have been taken in my consulship, if those arms, that were at our gates, had been in the hands of men of courage? I had enjoyed enough of honours, more than enough of life: I ought not to have outlived my third consulship. But, of whom have those once dastardly enemies dared to show such contempt; of us consuls? or of you Romans? If the fault lies in us, we should be deprived of the command, as unworthy of it, and if that be not enough, inflict some farther punishment: if in you, may no divine, or human being chastise your transgressions, only may ye yourselves gain a proper sense of them. They have not been actuated to this conduct, as supposing you void of spirit, nor from confidence in their own valour. After being so often routed and put to flight, beaten out of their camps, stripped of their territories, and sent under the yoke, they well know both themselves and you. Party dissensions are the bane of this city; the struggles between the patricians and the plebeians, while neither we fix due limits to our authority, nor ye to your liberty; while ye wish to get rid of patrician, we of plebeian magistrates, they have assumed unusual courage. In the name of the gods, what would ye have? Ye wished for tribunes of the commons; for the sake of concord, we granted them to you. Ye longed for decemvirs; we allowed them to be created. Ye grew weary of decemvirs; we compelled them to resign the office. Your resentment against them continuing, even after they

were divested of their public character, we suffered men of the most distinguished families and stations, some to perish, and others to go into exile. Ye wished again to create tribunes of the commons; ye created them. Although we saw manifest injustice to the nobles in electing men of your order to the consulship; yet have we beheld patrician magistracy, along with the rest, conceded to the commons. The tribunes' power of protecting the privilege of appeal to the people; the acts of the commons rendered binding on the patricians; our own rights subverted, under the pretext of equalizing the laws; all this we have endured, and still endure. Where, then, will be the end of our dissensions? Shall we never be allowed to have an united city and one common country? We, the party vanquished, sit down in quiet, with greater composure, than ye who have gained the victory. Do ye think it enough, that to us ye are objects of terror? The Aventine is taken from us; the sacred mount is seized. But when the Esquiline is almost in the hands of the enemy, no one appears in its defence. The Volscian foe scales your rampart, and not a man drives him back. Against us ye exert your courage, against us ye readily take arms."

LXVIII. "Now then that ye have blockaded the senate-house, rendered the Forum the seat of hostilities, and filled the prison with the principal citizens, show an equal degree of valour, and march out through the Esquiline gate; or if ye have not courage for that, view from the walls your lands desolated with fire and sword, your own property carried off, and the burning houses smoking all round. But ye will say, it is the public interest that suffers by these means, by the country being wasted with fire, the city besieged, and the enemy enjoying the honour of the war. Be it so; but I will ask in what situation are your private affairs? Soon will you hear from the country accounts of your losses: and what means have ye, at home, of procuring a compensation for them? Will the tribunes bring back, will they restore what ye have lost? Words they will load you with, until ye

are tired, and accusations against the principal citizens, and laws upon laws, and public meetings; but, from these, never did one of you return home with an increase of substance or fortune. Let me see any, who ever carried thence aught to his wife and children, except hatreds, quarrels, animosities, public and private; from the ill effects of which, indeed, ye have always been screened, not however by your own merit and innocence, but by the protection of others. But I will affirm, that, when ye used to make your campaigns, under the command of consuls, not of tribunes, in the camp, not in the Forum; when your shout used to strike terror into the enemy in the field, not into the Roman nobles in an assembly; after enriching yourselves with plunder, taking possession of your adversaries' lands, and acquiring a plentiful stock of wealth and glory, both to the public and to yourselves; then, I say, ye returned home in triumph to your families; now, ye suffer these invaders to depart laden with your property. Continue immoveably tied to your assemblies, and live in the Forum; still the necessity of fighting, which ye so studiously avoid, attends you. Was it too great a hardship to march out against the Æquans and Volscians? The war is at your gates. If not repelled from thence, it will shortly be within the walls. It will scale the citadel and the capitol, and will pursue you, even into your houses. A year ago, the senate ordered a levy to be made, and an army to be led into Algidum. Yet we sit at home in listless inactivity, delighted with the present interval of peace, scolding each other like women, and never perceiving, that, after that short suspension, wars double in number must return upon us. I know that I might find more agreeable topics to dwell upon; but even though my own disposition did not prompt to it, necessity compels me to speak what is true, instead of what is agreeable. I sincerely wish, Romans, to give you pleasure; but I feel wishes, much more ardent, to promote your safety, let your sentiments respecting me afterwards be

what they may. It results from the nature of the human mind, that he who addresses the public with a view to his own particular benefit, is studious of rendering himself more generally agreeable than he who has no other object but the advantage of the public. But perhaps ye imagine that it is out of regard to your individual interests, that those public sycophants, those artful flatterers of the commons, who neither suffer you to carry arms, nor to live in peace, excite and stimulate your passions. When they have once raised you in a ferment, the consequence to them is, either honour or profit. And because they see that, while concord prevails between the orders of the state, they are of no consequence on any side, they wish to be leaders of a bad cause, rather than of none, of tumults even, and seditions. Which kind of proceedings, if ye can at length be prevailed on to renounce; and, if ye are willing, instead of these new modes of acting, to resume those practised by your fathers, and formerly by yourselves, I am content to undergo any punishment, if I do not within a few days rout and disperse those ravagers of our country, drive them out of their camp, and transfer from our gates and walls, to their own cities, the whole terror of the war, which at present fills you with consternation."

LXIX. Scarcely ever was the speech of a popular tribune more acceptable to the commons, than was this of a consul remarkable for strictness. Even the young men who were accustomed to consider a refusal to enlist, in such times of danger, as their most effectual weapon against the patricians, began to turn their thoughts towards war and arms. At the same time the inhabitants flying from the country, and several, who had been robbed there and wounded, relating facts still more shocking than what appeared to view, filled the entire city with a desire of vengeance. When the senate assembled, all men turned their eyes on Quintius, regarding him as the only champion for the majesty of Rome; and the principal senators declared, "that his

discourse had been worthy of the consular command, worthy of his former administration in so many consulships, worthy of his whole life, which had been filled up with honours, often enjoyed, and oftener merited. That other consuls either flattered the commons, so far as to betray the dignity of the senate, or through the harshness of their measures, in support of the rights of their order, exasperated the populace by their attempts to reduce them; but that Titus Quintius, beyond all others, had delivered sentiments suitable, at once, to the dignity of the senate, to the harmony which ought to subsist between the several orders, and to the juncture of the times: and they entreated him and his colleague, to exert themselves in behalf of the commonwealth. The tribunes they intreated to unite cordially with the consuls in repelling the enemy from their walls, and to bring the commons to submit, at this perilous juncture, to the direction of the senate. Their common country, they told them, at that crisis, when the lands were laid waste, and the city besieged, called on them as tribunes, and implored their protection." With universal approbation, a levy of troops was decreed. The consuls gave public notice in assembly, that "they could not now admit excuses, but that all the young men must attend next day at the first light, in the field of Mars: that, when the war should be brought to a conclusion, they would appoint a time for considering such matters, and that he whose excuse was not satisfactory should be treated as a deserter." All the young men attended accordingly. The cohorts chose each its own centurions, and two senators were appointed to command each cohort. We are told, that all these measures were executed with such expedition, that the standards brought out from the treasury on that same day by the quæstors, and carried down to the field of Mars, began to move from thence at the fourth hour; and that this new-raised army, with a few cohorts of veterans who followed as volunteers, halted at the tenth stone. The following

morning brought them within view of the enemy, and they pitched their camp close to theirs, near Corbio. On the third day they came to an engagement; the Romans being hurried on by desire of revenge, and the others by consciousness of guilt, and despair of pardon, after so many rebellions.

LXX. In the Roman army, although the two consuls were invested with equal powers, yet they adopted a measure exceedingly advantageous in all important exigences. The supreme command was, with the consent of Agrippa, lodged in the hands of his colleague, who being thus raised to a superiority, made the politest return for the other's cheerful condescension to act in a subordinate capacity; making him a sharer in all his counsels and honours. In the line of battle, Quintius commanded the right wing, Agrippa the left; the care of the centre they entrusted to Spurius Postumius Albus, lieutenant-general; and that of the cavalry to another lieutenant-general, Servius Sulpicius. The infantry, in the right wing, fought with extraordinary valour, and met with a stout resistance from the Volscians. Servius Sulpicius, with the cavalry, broke the centre of the enemy's line, and when he might have returned to his own station, he thought it more adviseable to make an attack on the rear of the enemy, before they could recover from the disorder into which their ranks had been thrown. By his charge on their rear, the enemy, being assailed on both sides, must have been instantly dispersed, had not the cavalry of the Volscians and Æquans, throwing themselves in his way, given him employment for a considerable time, opposing him with forces the same as his own. On this Sulpicius told his men, that there was no time to hesitate; and called out that they were surrounded and cut off from their friends, if they did not unite their most vigorous efforts, and rout the enemy's cavalry; nor was it enough to drive them off the ground, without disabling them; they must kill both horses and riders, lest any should return and renew the fight. The enemy, he said,

were not able to withstand them, to whom a compact body of infantry had been obliged to give way. His orders were obeyed with alacrity. By one charge they routed the whole body of cavalry, dismounted vast numbers, and killed with their javelins, both the men and horses. They met no farther obstruction from the cavalry. And now falling on the line of infantry, they despatched an account of their success to the consuls, before whom the enemy's line was beginning to give ground. The news gave fresh spirit to the Romans, to pursue their advantage; while it dismayed the Æquans, who were already wavering. Victory began to declare against them, first in the centre, where the charge of the cavalry had disordered their ranks: their left wing next began to retreat before the consul Quintius: the greatest struggle was made by their right: there Agrippa, full of the ardour inspired by youth and vigour, when he saw every part of the Roman line more successful than his own, snatched some of the ensigns from the standard-bearers, and carried them forward himself: some he even threw into the thick of the enemy; and the dread of the disgrace to which this might expose them, so animated the soldiers, that they instantly rushed on. This rendered the victory equally decisive in every quarter. At this juncture, a message was brought to him from Quintius, that he had defeated the enemy, and was ready to attack their camp; but did not choose to break into it, until he should understand that the battle was determined on the left wing also; and desiring that if he had completed the discomfiture there, he would march up his troops to join him, that the whole army might take possession of the prize. Agrippa, now victorious, met his victorious colleague with mutual congratulations; and, in conjunction with him, advanced to the enemy's camp; where, meeting very few to oppose them, and these being instantly routed, they forced their way through the fortifications without difficulty; and the troops having here acquired an immense booty, besides recovering

their own effects which had been lost in the plundering of the country, were then led home. I do not find, either that the consuls sued for a triumph, or that it was bestowed on them by the senate: neither is there any reason assigned why they either did not wish, or might not hope to obtain that honour. It might probably be, as far as I can conjecture at this distance of time, that as this mark of approbation had been refused by the senate to the consuls Valerius and Horatius, who, besides having vanquished the Volscians and Æquans, had acquired the glory of subduing the Sabines also, the consuls were ashamed to demand a triumph for services which amounted only to the half of theirs; lest, even if they should obtain it, there might be room to imagine that the compliment was paid to the persons rather than to their deserts.

LXXI. This honourable victory obtained over their enemies, the people disgraced at home, by a scandalous decision of a dispute concerning the boundaries of their allies. The people of Aricia, and those of Ardea, had often contended in arms the right of property to a certain district of land, and, wearied by many losses on both sides, referred the affair to the arbitration of the Roman people. Both parties attended to support their claims, and an assembly was held by the magistrates at their request. Here the matter was debated with great vehemence; and after the witnesses had been produced, when the tribes ought to have been called, and the assembled proceed to give their suffrages, there arose one Publius Scaptius, a plebeian, a very old man, who said, "Consuls, if I may be permitted to speak on a matter which concerns the interest of the commonwealth, I will not suffer the people to proceed in a mistake, with respect to this affair." The consuls saying, that he was not worthy of attention, and should not be heard, he exclaimed, that the cause of the public was betrayed; and on their ordering him to be removed, called on the tribunes for protection. The tribunes,

who in almost every case are rather ruled by, than rule the multitude, to gratify the populace, gave liberty to Scaptius to say what he pleased. He then began with informing them, that "he was in his eighty-third year, that he had served as a soldier in the very district in dispute, and was not young even then, that being his twentieth campaign, when the operations against Corioli were carried on. He could, therefore, speak with knowledge of an affair, which, though after such a length of time it was generally forgotten, was deeply fixed in his memory. The lands in dispute, he said, had belonged to the territory of Corioli, and when Corioli was taken, became, by the right of war, the property of the Roman people. He wondered by what precedent the Ardeans and Aricians could justify their expectations, of surreptitiously wresting from the Roman state, by making it an arbiter instead of proprietor, its right to a tract, to which, while the state of Corioli subsisted, they had never advanced any kind of claim. For his part, he had but a short time to live; yet he could not prevail on himself, old as he was, to decline asserting by his voice, the only means then in his power, a title to those lands, which, by his vigorous exertions as a soldier, he had contributed to acquire: and he warmly recommended it to the people, not to be led by improper notions of delicacy, to pass a sentence subversive of their own rights."

LXXII. The consuls, when they perceived that Scaptius was heard, not only with silence, but with approbation, appealed to gods and men against the infamy of the proceeding; and, sending for the principal senators, went round with them to the tribes, beseeching them "not to be guilty of a crime of the worst kind, which would afford a precedent still more pernicious, by converting to their own use a matter in dispute, whereon they were to decide as judges. Especially when, as the case stood, although it were allowable for a judge to show regard to his own emolument, yet the utmost advantage that could accrue from the seizure of the lands,

would by no means counterbalance the loss which they must sustain in the alienation of the affections of the allies, by such an act of injustice: for the loss of reputation and the esteem of mankind are of importance beyond what can be estimated. Must the deputies carry home this account? Must this be made known to the world? Must the allies, must the enemy hear this? What grief would it give to the former, what joy to the latter! Did they imagine, that the neighbouring states would impute this proceeding to Scaptius, an old babbler in the assemblies? This indeed would serve, instead of a statue, to dignify the Scaptian name; but the Roman people would incur the imputation of corrupt chicanery and fraudulent usurpation of the claims of others. For what judge, in a cause between private persons, ever acted in this manner, adjudging to himself the property in dispute? Surely, even Scaptius himself, dead as he was to all sense of shame, would not act in such a manner." Thus the consuls, thus the senators exclaimed; but covetousness, and Scaptius, the instigator of that covetousness, had greater influence. The tribes being called, gave their judgment; that the land in question was the property of the Roman people. It is not denied, that it might with justice have been so determined, had the matter been tried before other judges: but, as the affair was circumstanced, the infamy of the determination was in no degree lessened by the equity of their title; nor did it appear to the Aricians and Ardeans themselves in blacker or more hideous colours than it did to the Roman senate. The remainder of the year passed without any commotion either at home or abroad.

THE
HISTORY OF ROME.

BOOK IV.

A law, permitting the intermarriage of plebeians with patricians, carried after a violent struggle and strong opposition on the part of the patricians. Military tribunes, with consular power, created. Censors created. The lands which were taken from the people of Ardea, by an unjust determination of the Roman people, restored. Spurius Mælius, aiming at regal power, slain by Caius Servilius Ahala. Cornelius Cossus, having killed Tolumnius, king of the Veentians, offers the second *opima spolia*. The duration of the censorship limited to a year and a half. Fidenæ educated, and a colony settled there. The colonists murdered by the Fidenatians, who are reconquered by Mamercus Æmilius, dictator. A conspiracy of slaves suppressed. Postumius, a military tribune, slain by the army, exasperated by his cruelties. Pay first given to the soldiers out of the public treasury. Military operations against the Volscians, Fidenatians, and Faliscians.

Y. R. 310. I. THE next who succeeded in the consulship were B. C. 442. Marcus Genucius and Caius Curtius, whose year was disturbed by commotions, both at home and abroad. For, in the beginning of it, Caius Canuleius, a tribune of the people, proposed a law, for allowing the intermarriage of patricians and plebeians, which the former considered as tending to contaminate their blood, and to confound all the distinctions and privileges of noble birth. Some hints, too, suggested by the tribunes, that liberty ought to be granted of choosing one

of the consuls from among the commons, were afterwards improved, to such a degree, that the other nine tribunes proposed a law, that the people should have power of electing consuls, either from among the commons or the patricians, as they should think fit. The patricians were of opinion, that if this took place, the supreme authority would not only be shared with the very lowest ranks, but perhaps be entirely removed out of the hands of the nobility into those of the plebeians. With great joy, therefore, they received intelligence, that the people of Ardea, in resentment of the injustice of the sentence which had deprived them of their land, had revolted; that the Veientians were laying waste the Roman frontiers, and that the Volscians and Æquans expressed great discontent on account of the fortifying of Verrugo, preferring even a war, which promised not success, to an ignominious peace. These tidings being brought, with exaggerations, the senate, in order to silence the intrigues of the tribunes during the bustle of so many wars, ordered a levy to be held, and preparations for hostilities to be made with the utmost diligence, even with more despatch, if possible, than had been used in the consulate of Titus Quintius. On which Caius Canuleius declared aloud in the senate, that “the consuls would in vain think of diverting the attention of the commons from the new laws, by holding out objects of terror to their view, and that, while he was alive, they should never hold a levy, until the people had first ratified the laws proposed by him and his colleagues;” and then he instantly called an assembly.

II. Whilst the consuls were employed in rousing the indignation of the senate against the tribune, the tribune was as busy in exciting the people against the consuls. The latter asserted that “the outrageous proceedings of the tribunes could not be any longer endured; that matters were now come to a crisis, there being more dangerous hostilities excited at home than abroad; that for this the commons were

not more to be blamed than the senate, nor the tribunes more than the consuls. In any state, whatever practices meet with rewards, these are always pursued to the greatest degree of proficiency, and these are the incitements which call forth merit, both in peace and war. Now, at Rome, there was nothing so highly rewarded as sedition; this was in every instance attended with honours both to individuals and to collective bodies. They ought therefore carefully to consider, in what condition they had received the majesty of the senate from their fathers, and in what condition they were likely to hand it down to their children; whether they could make the same boast which the commons might, with respect to their privileges, that it was improved both in degree and in splendor. No end appeared of these proceedings, nor would, so long as the fomenters of sedition were rewarded with honours in proportion to the success of their projects. What were the new and important schemes which Caius Canuleius had set on foot? No less than the prostitution of the privileges of nobility, and the confounding the rights of auspices, both public and private; that nothing might be left pure and unpolluted; and that, every distinction being removed, no person might know what himself was, nor to what order he belonged. For what other tendency had such promiscuous intermarriages, than to produce an irregular intercourse between patricians and plebeians, not very different from that between brutes? So that, of their offspring, not one should be able to tell, of what blood he was, or in what mode he was to worship the gods, being in himself a heterogeneous composition, half patrician and half plebeian? And, not content with the confusion which this would create in every affair, divine and human, those incendiaries, the tribunes, were now preparing to invade the consulship itself. At first they had ventured no farther than to sound people's sentiments in conversation, on a plan of one of the consuls being elected from among the commons; now.

they publicly proposed a law, that the people might appoint consuls, either from among the patricians, or from among the plebeians, as they should think fit; and there could be no doubt that they would appoint from among the commons the most seditious that could be found. The Canuleii and Iciliii therefore would be consuls. But might Jupiter supremely good and great forbid, that the imperial majesty of the sovereign power should sink so low as that, and for their part, they would rather die a thousand deaths, than suffer such disgrace to be incurred. They were confident, that could their ancestors have foreseen, that, in consequence of unlimited concessions, the commons, instead of showing a better temper towards them, would become more intractable, and, as fast as they obtained their demands, would advance others more unreasonable and exorbitant, they would have struggled at first with any difficulties whatever, rather than have allowed such terms to be imposed on them. Because a concession was then made to them with respect to tribunes, it was for the same reason made a second time. This would be the case for ever. Tribunes of the commons, and a senate, could not subsist together, in the same state: either the office of the former, or the order of the latter, must be abolished, and it was better late than never, to endeavour to put a stop to presumption and temerity. Must they with impunity, after they have, by sowing discord, encouraged the neighbouring nations to attack us, prevent the state afterwards from arming and defending itself against the attack which they have brought on it? and, when they had done every thing but send an invitation to the enemy, prevent troops from being enlisted to oppose that enemy? But Canuleius has had the audacity to declare openly in the senate, that he would hinder the making of the levy, unless the senate, acknowledging in a manner his superiority, allowed his laws to be enacted. What else was this, than to threaten that he would betray his country: that he would suffer it to be at-

tacked, and to fall into the enemy's hands? What courage must that declaration afford, not to the Roman commons, but to the Volscians, to the Æquans, and Veientians? Might not these hope, that, under the guidance of Canuleius, they would be able to scale the capitol and the citadel; might they not hope this, if the tribunes, while they stripped the patricians of their privileges and their dignity, robbed them also of their courage?" The consuls concluded by saying, that they were ready to act as their leaders, first against the wicked practices of their countrymen; and afterwards, against the arms of their enemies.

III. At the very time while such arguments as these were urged in the senate, Canuleius was employed in declaiming in favour of his laws, and against the consuls, in the following manner: "Roman citizens! in many former instances I have seen enough to convince me in what degree of contempt the patricians hold you, how unworthy they esteem you to live in the same city, within the same walls with them. But this is now more clearly than ever demonstrated by their outrageous opposition to those propositions of ours. And this, for what? unless for reminding them thereby that we are members of the same community with themselves; and that, though we possess not the same degree of power, we are yet inhabitants of the same country. By the one, we require the liberty of intermarrying with them, a liberty usually granted to people of the neighbouring states, and to foreigners: for we have admitted even vanquished enemies to the right of citizenship, which is of more importance than that of intermarriage. By the other, we offer no innovation, we only reclaim and enforce an inherent right; that the Roman people should commit the high offices of the state to such persons as they think proper. And what is there in this, that can justify the patricians in thus disturbing heaven and earth? Their treatment of me just now, in the senate, very little short of personal violence? Their open declarations that they will

have recourse to force, and their threatening to insult an office which has been held sacred and inviolable? Can the city no longer subsist, if the Roman people are allowed to give their suffrages with freedom, and to intrust the consulship to such persons as they may approve; or must the downfall of the empire ensue, if a plebeian, how worthy soever of the highest station, is not precluded from every hope of attaining to it? And does the question, whether a commoner may be elected consul, carry the same import, as if a person spoke of a slave, or the issue of a slave, for the consulship? Do ye not perceive, do ye not feel, in what a despicable view ye are considered? Were it in their power, they would hinder you from sharing even the light of the sun. That ye breathe, that ye enjoy the faculty of speech, that ye wear the human shape, are subjects of mortification to them. But then they tell you, that truly it is contrary to the rules of religion that a plebeian should be made consul. For heaven's sake though we are not admitted to inspect the records,* or the annals† of the pontiffs, are we ignorant of the things which even every foreigner knows? That consuls were substituted in the place of kings; and consequently have no kind of privilege or dignity which was not possessed before by kings? Do ye suppose that we never heard it mentioned, that Numa Pompilius, not only no patrician, but not even a citizen of Rome, was invited hither from the country of the Sabines and made sovereign at Rome, by the order of the people, and with the approbation of the senate? That Lucius Tarquinius, of a race which, so far from being Roman, was not even Italian, the son of Demaratus a Corinthian, having come hither a stranger from Tarquinii, was raised to the like high

* The records, in which the names of the magistrates in succession, and the most memorable events were recorded.

† The annals were a compendious registry of events, as they occurred, made by the pontiffs, who likewise had the care of the records, and kept both carefully shut up from the inspection of the lower order.

station, though the sons of Ancus were alive? That after him Servius Tullius, the son of a captive woman of Corniculum, his father not known and his mother in servitude, obtained the crown, through his abilities and merit? Need I speak of Titus Tatius, the Sabine, whom Romulus himself, the founder of this city, admitted into partnership in the throne? The consequence was, that while no objection was made to any family, in which conspicuous merit appeared, the Roman empire continually increased. It well becomes you to show disgust, now, at a plebeian consul; though our ancestors disdained not to call foreigners to the throne, nor even after the expulsion of the kings, ever shut the gates of the city against foreign merit. It is well known, that we since admitted the Claudian family from among the Sabines, not only into the number of citizens, but even into that of the patricians. May a person, then, from a foreigner, become a patrician, and in consequence, consul; and shall a citizen of Rome, if he be a commoner, be cut off from every hope of the consulship? Is it deemed impossible that a plebeian can be a man of fortitude and activity, qualified to excel in peace and war, like Numa, Lucius Tarquinius, and Servius Tullius? Or, should such appear, shall we still prohibit him from meddling with the helm of government? In a word shall we choose to have consuls rather resembling the decemvirs, the most profligate of mankind, who in their time were all patricians, than like the best of the kings, who were new men?''*

IV. "But it is argued, that since the expulsion of the kings, there has been no instance of a plebeian consul. What then? Is no new institution ever to be known? Must every measure not heretofore practised, (and in a new state there must be many measures not yet introduced into practice,)

* The first in a family who attained any of the curule offices, that is, any of the superior magistracies, was called *novus homo*, a new man.

be therefore rejected, even though it should be evidently advantageous? In the reign of Romulus, there were neither pontiffs nor augurs; Numa Pompilius introduced them. There was no such thing in the state as a general survey, and distribution of the centuries and classes, until instituted by Servius Tullius. There was a time when there never had been consuls; on the expulsion of the kings they were created. Of a dictator neither the office nor name had existed; in the time of our fathers it was introduced. There had never been tribunes of the commons, ædiles or quæstors; and yet it was resolved that those offices should be created. The office of decemvirs for compiling laws, we ourselves have, within the last ten years, both created and abolished. Who is not convinced that in a city, founded for eternal duration, and growing up to an immense magnitude, many new offices both civil and religious, many new rights, both of families and individuals, must necessarily be instituted. This very rule, prohibiting the intermarriage of patricians and plebeians, was it not enacted by the decemvirs within these few years, with the utmost injustice towards the plebeians, on a principle highly detrimental to the public? Can there be any insult greater or more flagrant, than that one half of the state, as if it were contaminated, should be held unworthy of intermarrying with the other? What else is this than, within the same walls, to suffer all the evils of rustication or of exile? They are anxious to prevent our being united to them by any affinity or consanguinity; to prevent our blood from being mingled with theirs. What! if this would be a stain on that nobility, which the greater number of you the progeny of Albans and Sabines, possess not in right of birth or of blood, but of cooptation into the body of the patrician; having been elected, either by the kings, or after their expulsion, by order of the people, could ye not preserve its purity by regulations among yourselves? By neither taking plebeian wives nor suffering your daughters and sisters to mar-

ry out of the patrician line? No plebeian will offer violence to a noble maiden; such outrageous lust is to be found only among nobles. None of them would compel any man against his will to enter into a marriage contract. But it is the prohibition of it by a law, the intermarriage of patricians and plebeians being interdicted; this is what the commons must consider as an insult. • Why do ye not procure a law to be passed, that the rich shall not marry with the poor? A matter which in all countries has been left to the regulation of people's own prudence; that each woman should marry into whatever family she has been betrothed to; and each man take a wife from whatever family he had contracted with; this ye shackle with the restraints of a most tyrannical law, whereby ye tear asunder the bands of civil society, and split one state into two. Why do ye not enact, that a plebeian shall not dwell in the neighbourhood of a patrician? that he shall not travel on the same road? That he shall not appear at the same entertainment? That he shall not stand in the same Forum? For what more material consequence can in reality ensue, should a patrician wed a plebeian woman, or a plebeian a patrician woman? What alteration is thereby made in the rights of any person? Surely the children follow the condition of the father. So that neither have we any advantage in view, from intermarriage with you, except that of being considered on the footing of human beings and of fellow-citizens; nor is there any reason for contesting the point, unless ye feel pleasure in labouring to subject us to scorn and insult."

V. "In fine, let me ask you, whether is the supreme power vested in the Roman people, or in you? Was the expulsion of the kings intended to procure absolute dominion to yourselves, or equal freedom to all? Is it fitting that the Roman people should have the power of enacting such laws as they choose? or whenever any matter of the kind has been proposed to their consideration, shall ye, by way of punishment, pass a decree for a levy of troops? And as soon

as, in capacity of tribune, I shall begin to call the tribes to give their suffrages, will you, in the office of consul, compel the younger citizens to take the military oath, and lead them out to camp? Will you menace the commons? Will you menace their tribune? As if ye had not already experienced, on two several occasions, how little such menaces avail against the united sense of the people. I suppose it was out of regard to our interests, that ye did not proceed to force; or was the avoiding of extremities owing to this that the party which possessed the greater share of strength, possessed also a greater degree of moderation? Romans, there will now be no occasion for force. Those men will on every occasion make trial of your patriot spirit: your strength at home they will never try. Wherefore, consuls, to those wars, whether real or fictitious, the commons are ready to attend you, provided that by restoring the right of intermarriage, ye at length unite the state into one body; provided they are allowed to coalesce, to intermix with you by the ties of relationship; provided the road to honours shall be laid open to men of industry and abilities; provided, in short, they are allowed to stand on the footing of partners and associates in the commonwealth; and, what is the natural result of equal freedom, be admitted in the rotation of annual magistracies, to obey and to command in turn. If any shall obstruct these measures, harangue about wars, and multiply them by reports, not a man will give in his name; not a man will take arms; not a man will fight for haughty masters, by whom he is excluded as an alien, both from the participation of public honours, and the private connections of marriage.”

VI. The consuls then came into the assembly, and, after a long series of harangues on the subject, an altercation arising, and the tribune asking, “for what reason was it improper that a plebeian should be made consul?” one of them answered, though perhaps with truth, yet unluckily, with re-

gard to the present dispute, "Because no plebeian had the right or power of taking the auspices; and, for that reason the decemvirs had prohibited intermarriage, lest, from the uncertainty of men's descent, the auspices might be vitiated." This, above all, kindled the indignation of the commons into a flame; they heard it affirmed that they were not qualified to take auspices, as if they were objects of the aversion of the immortal gods. So that the contest grew high, the commons being headed by a tribune of undaunted resolution, and themselves vying with him in steadiness, until the senate were at length overpowered, and gave their consent to the passing of the law concerning intermarriage; judging, that the tribunes might most probably be thereby induced, either to lay aside entirely, or to defer until the end of the war, the struggle for plebeian consuls; and that, in the mean time, the commons, satisfied with having obtained the right in question, would be ready to enlist. On the other hand, the high degree of credit which Canuleius had attained by his victory over the senate, and the favour of the commons, proved a strong incentive to the other tribunes to exert their utmost efforts in support of the law, which they had proposed in regard to the consulship: and whilst the accounts of the enemy's proceedings grew every day more alarming, they obstructed the enlisting of troops. The consuls, finding that, by the continual protests of the tribunes, every proceeding of the senate was rendered abortive, held consultations at their houses with the principal patricians. Here they saw their dilemma: they must be vanquished, either by their enemies, or by their countrymen. The only consulars who were present at their deliberations were Valerius and Horatius. Caius Claudius gave his opinion, that the consuls should proceed against the tribunes by force of arms. The Quintii, both Cincinnatus and Capitolinus, declared themselves averse from the shedding of blood, and of offering violence to those officers, whom, by the treaty concluded

with the commons, they had acknowledged as sacred and inviolable. The result of these consultations was, that they should allow military tribunes, with consular power, to be elected out of the patricians and plebeians without distinction; and that, with respect to the election of consuls, no change should be made; and with this the tribunes were satisfied, and the commons also. An assembly was now proclaimed for the election of three tribunes with consular power; and, as soon as this proclamation was issued, immediately every one, who had, either by word or deed, been a promoter of the sedition, particularly those who had held the office of tribune, began to solicit votes, and to bustle through the Forum as candidates; so that the patricians were deterred, first, in despair of attaining that dignity, while the minds of the commons were in such a ferment; and, afterwards, from making their appearance, from the indignation which they felt at the thoughts of holding the office in conjunction with such colleagues. At last, however, overcome by the pressing instances of the leading patricians, some of them declared themselves candidates, lest they might seem to have voluntarily surrendered the administration of public affairs. The issue of that election afforded a proof, that men's sentiments during the heat of the contest for liberty and dignity, are very different from those which they feel after the contest has been ended, and when the judgment is unbiassed. For the advocates for the plebeians, satisfied with the admission of their right to stand candidates, elected every one of the tribunes from among the patricians. Never was there found, even in a single individual, such moderation, disinterestedness, and elevation of mind, as was displayed on that occasion by the whole body of the people.

VII. In the year three hundred and ten from the foundation of the city of Rome, for the first time, military tribunes in the room of consuls entered into office. These were Aulus Sempronius Atratinus, Lucius Atilius, Y. R. 311.
B. C. 441.

and Titus Cæcilius; and, during their continuance in office, concord prevailing at home, produced likewise peace abroad. There are some writers, who, without mentioning the proposal of the law concerning the election of plebeian consuls, affirm, that on account of a war breaking out with the Veientians, in addition to those with the Æquans and Volscians, and the revolt of the Ardeans, two consuls being unequal to the task of conducting so many wars at once, three military tribunes were created, and vested both with the authority and the badges of consuls. However, the establishment of this office did not, at that time, remain on a permanent footing; for in the third month from its commencement they resigned their dignity, in pursuance of a decree of the augurs, alleging a defect in the election, Caius Curtius, who had presided on that occasion, not having performed the requisite ceremonies in marking out the ground for his tent. Ambassadors came from Ardea to Rome, complaining of the injustice done to them, and at the same time professing an intention of remaining in amity, and adhering to the treaty, provided that, by the restoration of their lands, that injustice were redressed. The senate answered, that "they could not rescind the sentence of the people, were there no other reason than the preservation of concord between the orders in the state; but, besides, such a measure was not justified either by law or precedent. If the Ardeans would be content to wait until a seasonable conjuncture, and leave it entirely to the senate to find a remedy for the injury offered them, they would have reason afterwards to rejoice for having moderated their resentment, and should be convinced that the senate had ever been sincerely disposed to prevent any harm being done to them; and also that they were not less so to hear that which they now complained of." On which the ambassadors declaring, that they would take the sense of their countrymen anew, before they formed any resolution, they were dismissed with expressions of friend-

ship. The commonwealth being now without any curule magistrate, the patricians assembled and created an interrex, and the interregnum was prolonged for a great many days, by a contention whether consuls or military tribunes should be appointed. The interrex and the senate warmly promoted the election of consuls; the plebeian tribunes and the commons, the election of military tribunes. The patricians at length prevailed, for the commons, who had no intention of conferring either the one office or the other on any but patricians, desisted from their fruitless opposition: and besides, the leaders of the commons were better pleased with an election where they were not to appear as candidates, than with one where they would be passed over as unworthy. The plebeian tribunes wished also that their declining to press the dispute to a decision should be considered as a compliment to the patricians. Titus Quintius Barbatuſ, the interrex, elected consuls Lucius Papirius Mugilanus and Lucius Sempronius Atratinus. In their consulate, the treaty with the Ardeans was renewed; and this serves as a record to prove, that they were actually consuls in that year, though they are not to be found, either in the old annals, or in the books of the magistrates, by reason, as I imagine, that in the beginning of the year there were military tribunes, and therefore though these consuls were afterwards substituted in their room, yet the names of the consuls were omitted, as if the others had continued in office through the whole of the appointed time. Licinius Macer affirms, that they were found both in the Ardean treaty, and in the linen books in the temple of Moneta. Tranquillity prevailed, not only at home but abroad, notwithstanding so many alarms given by the neighbouring states.

VIII. Whether this year had tribunes only, or Y. R. 312. consuls substituted in their room, is uncertain, but B. C: 440. the succeeding one undoubtedly had consuls; Marcus Geganius Macerinus a second time, and Titus Quintius Capitoli-

nus a fifth time, being invested with that honour. This same year produced the first institution of the censorship, an office which sprung from an inconsiderable origin, but grew up afterwards to such a height of importance, that it became possessed of the entire regulation of the morals and discipline of the Roman people. The senate, the centuries of the knights, and the distribution of honour and ignominy, were all under the supreme jurisdiction of these magistrates. The discrimination of public from private property in lands or houses, and the entire revenue of the Roman people, were finally adjusted by their sovereign decision. What gave rise to the institution was, that as the people had not, for many years past, undergone a survey, the census could neither be longer deferred, nor could the consuls find leisure to perform it, while they were threatened with war by so many different states. An observation was made in the senate, that a business, so laborious and ill suited to the office of consul, would require officers to be appointed for that particular purpose, to whose management should be committed the business of the public secretaries, the superintendance and custody of the records, and the adjustment of the form of proceeding in the census. This proposal, though deemed of little consequence, yet, as it tended to increase the number of patrician magistrates in the commonwealth, the senate, on their part, received with great pleasure; foreseeing also, I suppose, what really happened, that the influence of those who should be raised to that post, would derive additional authority and dignity on the office itself. And, on the other side, the tribunes, looking on the employment rather as necessary, which was the case at the time, than as attended with any extraordinary lustre, did not choose to oppose it, lest they should seem, through perverseness, to carry on their opposition even in trifles. The leading men in the state showing a dislike of the office, the people by their suffrages conferred the employment of performing the census on Pa-

pirius and Sempronius, the persons whose consulate is doubted, in order to recompense them, by that office, for having enjoyed the consulship only for a part of the usual period. From the business of their office they were called Censors.

IX. During these transactions at Rome, ambassadors came from Ardea, imploring, in regard of the alliance subsisting between them from the earliest times, and of the treaty lately renewed, relief for their city, now on the brink of ruin. The peace with Rome, which they had, by the soundest policy, preserved, they were prevented from enjoying by intestine war, the cause and origin of which is said to have arisen from a struggle between factions, which have proved, and will ever continue to prove, a more deadly cause of downfall to most states, than either foreign wars, or famine, or pestilence, or any other of those evils, which men are apt to consider as the severest of public calamities, and the effects of the divine vengeance. Two young men courted a maiden of a plebeian family, highly distinguished for beauty: one of them, on a level with the maid, in point of birth, and favoured by her guardians, who were themselves of the same rank; the other of noble birth, captivated merely by her beauty. The pretensions of the latter were supported by the interest of the nobles, which proved the means of introducing party disputes into the damsel's family; for the nobleman's wishes were seconded by her mother, who was ambitious of securing the more splendid match for her daughter, while the guardians, actuated even in a matter of that sort, by a spirit of party, exerted themselves in favour of the person of their own order. Not being able to come to any conclusion on the point in domestic conferences, they had recourse to a court of justice, where the magistrates having heard the claims of the mother and of the guardians, decreed, that she should marry according to the direction of her parent: but this was prevented by violence; for the guardians, after haranguing openly in the Forum, among people of their own

faction, on the iniquity of the decree, collected a party in arms, and forcibly carried off the maiden from her mother's house: while the nobles, more highly incensed against them than ever, united in a body, and in military array followed their young friend, who was rendered furious by this outrage. A desperate battle was fought, in which the commons were worsted; and, being incapable of imitating, in any particular, those of Rome, they marched out of the city, seized on a neighbouring hill, and from thence made excursions with fire and sword on the lands of the nobles. Even the city itself, which had hitherto escaped the effects of their dispute, they prepared to besiege, having, by the hopes of plunder, allured a great number of the artizans to come out and join them: nor is there any shocking form or calamity of war which was not experienced on the occasion, as if the whole state were infected with the mad rage of two youths, who sought the accomplishment of that fatal match through the means of their country's ruin. Both parties thinking that they had not enough of hostilities among themselves, the nobles called upon the Romans to relieve their city from a siege; while the commons besought the Volscians to join them in the storming of Ardea. The Volscians, under the command of Cluilius, an Æquan, arrived first at Ardea, and drew a line of circumvallation round the enemy's walls. An account of this being conveyed to Rome, Marcus Geganius, consul, instantly set out with an army, chose ground for his camp, at the distance of three miles from the enemy; and, as the day was now far spent, ordered his men to refresh themselves: then, at the fourth watch, he put his troops in motion. They were soon set to work, and made such expedition, that at sun-rise the Volscians saw themselves inclosed by the Romans with stronger works than those with which they had surrounded the city. The consul had also, on one side, drawn a line across, to the wall of Ardea, to open a communication with his friends in the city.

X. The general of the Volscians, who had hitherto maintained his troops, not out of magazines provided for the purpose, but by corn brought in daily from the plunder of the country, finding himself cut off at once from every resource, by being shut up within the enemy's lines, requested a conference with the consul, and told him, that "if the intention of the Romans in coming thither was to raise the siege, he was willing to withdraw the troops of the Volscians from the place." To this the consul answered, that "it was the part of the vanquished to receive terms, not to dictate them; and that the Volscians should not have the making of their own conditions for departure, as they had for coming to attack the allies of the Roman people." He insisted, that "they should deliver up their general into his hands, lay down their arms, and acknowledging themselves vanquished, submit to his farther orders;" declaring, that "if these terms were not complied with, whether they remained there, or retired, he would proceed against them as a determined enemy; and would be better pleased to carry home a victory, over the Volscians, than an insidious peace." The Volscians, resolving to make trial of the small remains of hope, which they could place in their arms, as they were utterly destitute of every other, came to an engagement; in which, besides other disadvantages, the ground rendered it difficult for them to fight, and still more so to retreat. When, finding themselves repulsed on all sides, with much slaughter, from fighting they had recourse to intreaties; and, having delivered up their general, and surrendered their arms, they were sent under the yoke, each with a single garment, loaded with ignominy and sufferings; and, having afterwards halted near the city of Tusculum, the inhabitants of that city, out of the inveterate hatred which they bore them, attacked them unarmed as they were, and executed severe vengeance on them; leaving scarcely any to carry home the news of their defeat. The Roman general re-established tranquillity in the affairs of

Ardea, which had been thrown into great confusion by the sedition, beheading the principal authors of the disturbances, and confiscating their effects to the public treasury. These now considered the injustice of the former sentence against them, as sufficiently repaired by such an important act of kindness: the senate, however, were of opinion that something still remained to be done, to obliterate, if possible, all remembrance of the Roman people's avarice. The consul returned into the city in triumph, Cluilius the general of the Volscians being led before his chariot, and the spoils borne before him, of which he had stripped the enemy when he disarmed, and sent them under the yoke. The other consul, Quintius, had the singular felicity of acquiring by his administration in the civil department, a share of glory equal to what his colleague had acquired by his military achievements: for so steadily did he direct his endeavours for the preservation of internal peace and harmony, dispensing justice tempered with moderation, equally to the highest and the lowest, that while the patricians approved of his strictness in the execution of his office, the commons were highly satisfied with his lenity. Even against the schemes of the tribunes, he carried his measures more by means of the respect universally paid to him, than by exertions of authority. Five consulships administered with the same tenor of conduct, and every part of his life being suited to the consular dignity, attracted to his person almost a greater degree of veneration than was paid even to the high office which he bore. There was, therefore, no mention of military tribunes in this consulate.

Y. R. 313. XI. There were chosen, to succeed them, Marcus B. C. 439. Fabius Vebulanus and Postumius Æbutius Cornicen. These consuls were emulous of the high renown, which they observed their predecessors had attained by their services at home and abroad, that year having been rendered very remarkable among all the neighbouring states, both

friends and enemies, by the very zealous support afforded to the Ardeans in their extreme distress. They exerted themselves then the more earnestly, with the view of erasing entirely from the minds of men the infamy of the former sentence of the people in respect of the appropriation of the lands: and sought to procure a decree of the senate, that whereas the Ardeans had by intestine war been reduced to an inconsiderable number, therefore a colony should be conducted thither, to serve as a barrier against the Volsicians. These were the expressions made use of in the tables exhibited to public view, in order to conceal from the tribunes and commons the design which they had formed of rescinding the sentence. But they had agreed among themselves, to enrol for the colony a much greater number of Rutulians than of Romans; and then, that no other land should be distributed, but that which had been fraudulently obtained by the infamous sentence of the people; and that not a sod of it should be assigned to any Roman until every one of the Rutulians should have received his share: by these means the land returned to the Ardeans. The commissioners appointed to conduct the colony to Ardea, were Agrippa Menenius, Titus Clælius Siculus, and Marcus Æbutius Elva; who, in the execution of their very unpopular employment, having given offence to the commons, by assigning to the allies that land which the Roman people had by their sentence pronounced to be their own; and not being much favoured even by the principal patricians, because they had shown no difference to the influence of any of them, were by the tribunes cited before the people, to answer a charge of misconduct; but they evaded all vexatious attacks, by enrolling themselves as settlers, and remaining in that colony, which would ever bear testimony to their justice and integrity.

XII. Tranquillity continued at home and abroad Y. R. 314.
during both this and the following year, in which B. C. 438.

Caius **Furius Pacilus**, and **Marcus Papilius Crassus** were consuls. The games vowed by the decemvirs in pursuance of a decree of the senate, on occasion of the secession of the commons from the patricians were this year performed. An occasion of sedition was sought in vain by **Petilius**; who, though he was elected tribune of the commons a second time, merely out of people's reliance on the strength of his declaration, which was, that the consuls should propose to the senate a distribution of lands to be made to the commons; yet he was neither able to carry this point, nor when, after a great struggle, he had prevailed so far as that the senate should be consulted, whether it was their pleasure that consuls should be elected, or tribunes, could he prevent an order for the election of consuls; and the tribune made himself still more ridiculous by threatening to hinder a levy of troops, at a time when, all their neighbours remaining in quiet, there was no occasion either for war or any preparation for it. This tranquillity was succeeded by a busy year, wherein **Proculus Geganius Macerinus** and **Lucius Menenius Lanatus** were consuls; a year remarkable for a variety of dangers and disasters; for seditions, for famine, and for the people having almost bowed their necks to the yoke of arbitrary government, seduced by allurements of largesses. One calamity they were exempt from, foreign war: had this aggravation been added to their condition, the aid of all the gods could scarcely have preserved them. Their misfortune began with a famine; whether owing to the season being unfavourable to the productions of the earth; or, from more attention being paid to the pleasures of the city and the assemblies than to agriculture; for both causes are mentioned. The patricians laid the blame on the idleness of the commons: the tribunes sometimes on the evil designs, sometimes on the negligence of the consuls. At length the plebeians prevailed, the senate giving no opposition, that **Lucius Minucius** should be creat-

ed president of the market, who proved, in the course of that employment, more successful in guarding the public liberty, than in the immediate business of his own department; although in the end, he obtained the honour of having relieved the people in regard to the scarcity, and also their gratitude for that important service. He first proceeded as follows: Finding little addition to the markets from several embassies which he sent, by land and sea, to all the neighbouring nations, except that some corn was brought, though in no great quantity, from Etruria, he had recourse to the expedient of dealing out, in shares, the scanty stock of provisions, at the same time compelling all to discover their stores of corn, and to sell whatever they had beyond a month's allowance. He took from the slaves one half of their daily portion of food; passed censures on the hoarders of corn, and exposed them to the rage of the people. So strict a scrutiny, however, served rather to make known the greatness of the scarcity, than to remedy it; so that many of the commoners abandoning themselves to despair, rather than drag on their lives in torment, covered their heads, and threw themselves into the Tiber.

XIII. While things were in this situation, Spurius Mælius, a man of equestrian rank, and possessed of extraordinary wealth for those times, engaged in a plan, which, though useful for the present, was pernicious in its tendency; and was in fact suggested by designs still more pernicious: for having by means of his connections and dependents bought in a quantity of corn from Etruria (which very proceeding, I suppose, obstructed the endeavours of the magistrates to lower the price of provisions,) he began the practice of bestowing largesses of corn; and, having gained the hearts of the commons by this munificence, became the object of general attention. Assuming thence a degree of consequence, beyond what belonged to a private citizen, wherever he went, he drew them after him in crowds; and

they, by the favour which they expressed towards him, encouraged him to look up to the consulship with a certain prospect of success. As men's desires are never satiated, while fortune gives room to hope for more, he began to aim at higher and less justifiable objects. And since even the consulship must be obtained by violent efforts, in opposition to the inclinations of the patricians, and be, at the same time, a contest attended with such difficulties as would cost infinite labour to surmount, he directed his views to regal power. The election of consuls drew nigh; and the circumstance of its coming on before his schemes were sufficiently digested, and ripe for execution, was the cause of their being entirely disconcerted. To the consulship was elected, Titus Quintius Cincinnatus a sixth time, a man not at all Y. R. 316. calculated to encourage the views of one who aimed at innovations: his colleague was Agrippa Mænius, surnamed Lanatus. Minucius, too, was either re-elected president of the market, or was originally appointed for an unlimited term, as long as occasion should require; for there is nothing certain on this head, only that his name, as president, was entered in the linen books among the other magistrates for both years. This Minucius transacting, in a public character, the same kind of business which Mælius had undertaken in a private capacity, the houses of both were consequently frequented by the same sort of people; which circumstance, having led to a discovery of the designs of the latter, Minucius laid the information before the senate: that "arms were collected in the dwelling of Mælius; that he held assemblies in his house; and that there remained not a doubt of his having formed a design to possess himself of absolute power: that the time for the execution of that design was not yet fixed, but every other particular had been settled: that tribunes had been corrupted, by bribes, to betray the public liberty; and that the leaders of the multitude had their several parts assigned them. That he had deferred laying this matter before the senate, rather

longer than was consistent with safety, lest he might offer any information which was ill-grounded or uncertain." On hearing this, the principal patricians highly blamed the consuls of the former year, for suffering such largesses, and such meetings of the commons in a private house; and also, the new ones for their supineness, while the president of the market reported to the senate an affair of such importance, and which it was the duty of a consul both to discover and to punish. To this Quintius replied, that "it was unfair to blame the consuls, who being tied down by the laws concerning appeals, enacted for the purpose of weakening their authority, had not, in their office, the ability, however much they might have the will, to inflict condign punishment on such atrocious proceedings: that the business required not only a man of resolution, but one who should be free and unshackled by the fetters of those laws: that therefore he would name Lucius Quintius dictator: in him would be found a spirit equal to so great a power." Every one expressed his approbation. Quintius at first refused the office, and asked them, what they meant by exposing him in the extremity of age to such a violent contest. On which they all joined in asserting, that his aged breast was fraught not only with more wisdom, but with more fortitude also, than was to be found in all the rest, loading him with deserved praises, while the consul persisted in his intention: so that at length Cincinnatus, after praying to the immortal gods that his declining years might not, at a juncture so dangerous, be the cause of detriment or dishonour to the commonwealth, was appointed dictator by the consul, and he then named Caius Servilius Ahala his master of the horse.

XIV. Next day, after fixing proper guards, the dictator went down to the Forum, the whole attention of the commons being turned towards him by the surprise and novelty of the affair; and whilst the partizans of Mælius, and also himself, perceived that the power of this high authority was

aimed against them; others, who were ignorant of their designs, were wholly at a loss to discover what tumult, what sudden war, required either the majesty of a dictator, or the appointment of Quintius, after his eightieth year, to the administration of affairs. The master of the horse, by order of the dictator, then came to Mælius, and said to him, "the dictator calls you." Struck with apprehension, he asked the reason, and was informed by Servilius, that he must stand a trial, and acquit himself of a charge made against him in the senate by Minucius. Mælius then drew back into the band of his associates; and, at first, cautiously looking round, attempted to skulk away; and when, at length, a serjeant, by order of the master of the horse, laid hold on him, he was rescued by the by-standers, and betook himself to flight, imploring the protection of the commons of Rome; affirming that he was persecuted by a conspiracy of the patricians, for having acted with kindness toward the people; and beseeching them to assist him in this extremity of danger, and not to suffer him to be murdered before their eyes. Whilst he exclaimed in this manner, Ahala Servilius overtook and slew him, and besmeared with the blood which flowed from the wounds, and surrounded by a band of young patricians, carried back an account to the dictator, that Mælius, on being summoned to attend him, had driven back the serjeant, and endeavoured to excite the multitude to violence, for which he had received condign punishment. "I applaud," said the dictator, "your meritorious conduct; Caius Servilius, you have preserved the commonwealth."

XV. He then ordered the multitude, who, not knowing what judgment to form of the deed, were in violent agitation, to be called to an assembly; there he publicly declared, that "Mælius had been legally put to death, even supposing him to have been innocent of the crime of aspiring at regal power, for having refused to attend the dictator, when summoned by the master of the horse. That he himself had

resolved to examine into the charge; and that, when the trial should have been finished, Mælius would have met such treatment as his cause merited: but when he attempted by force to elude a legal decision, force was employed to stop his proceedings. Nor would it have been proper to treat him as a citizen, for though born in a free state, under the dominion of the laws divine and human, in a city from which he knew that kings had been expelled; and that in the same year the offspring of the king's sister, and the sons of the consul the deliverer of his country, on discovery of their engaging in a plot for re-admitting the kings into the city, where by their father publicly beheaded; from which, Collatinus Tarquinius, consul, was ordered, through the general detestation of the name, after resigning his office, to retire into exile; in which Spurius Cassius was, several years after, capitally punished, for having formed a design of assuming the sovereignty; in which, not long ago, the decemvirs, on account of their regal tyranny, had been punished with confiscations, exile, and death; in that very city Spurius Mælius had conceived hopes of possessing himself of regal power. And who was this man? Although no nobility, no honours, no merits, could open to any man the way to tyranny; yet still the Claudii and Cassii, when they raised their views to an unlawful height, were elated by consulships, by decemvirates, by honours conferred on themselves and their ancestors, and by the splendor of their families. But Spurius Mælius, to whom a plebeian tribuneship should have been an object rather of wishes, than of hope, a wealthy corn-merchant, had conceived the design of purchasing the liberty of his countrymen, for a few measures of corn; had supposed, that a people victorious over all their neighbours, could be inveigled into slavery by being supplied with a little food. A person, whose elevation to the rank of senator, the state could have hardly digested, they were patiently to endure as king, possessing the ensigns and the

authority of Romulus their founder, who had descended from, and returned to the gods. This must be deemed not more criminal than it was monstrous: nor was it sufficiently expiated by his blood; it was farther necessary that the roof, the walls, within which such a desperate design had been conceived, should be levelled to the ground; and that his effects should be confiscated, being contaminated by the intention of making them the price of the people's liberty; and that therefore he directed the quæstors to sell those effects, and deposit the produce in the public treasury."

XVI. He then ordered his house to be immediately razed, and that the vacant space should remain as a monument of the suppression of that abominable enterprize. This was called *Æquimælium*. Lucius Minucius was honoured with a present of an ox, with its horns gilded, and a statue, on the outside of the gate *Trigemina*; and this with the approbation of the commons, for he distributed among them the corn collected by *Mælius*, at the rate of an *as* for each peck. In some authors, I find, that this *Minucius* had changed sides from the patricians to the commons, and that having been chosen by the plebeian tribunes, as an eleventh member of their body, he quieted the commotion which arose on the death of *Mælius*. But it is hardly credible, that the patricians suffered the number of tribunes to be augmented, or that the precedent should have been introduced particularly in regard of a man of their own order; or that the commons did not afterwards maintain, or even attempt to maintain, a privilege once conceded to them. But what above all evinces the falsehood of that inscription on his statue, is, that, a few years before this, provision had been made by a law, that the tribunes should not have power to assume colleagues in their office. Of the college of tribunes *Quintus Cæcilius*, *Quintus Junius*, and *Sextus Titinius* had neither been concerned in the law for conferring honours on *Minucius*, nor did they cease to throw out censures in presence of the people, at one

time on Minucius, at another on Servilius; and to complain of the unmerited death of Mælius. By such methods they accomplished their purpose so far as to procure an order, that military tribunes should be elected instead of consuls; not doubting, but in the filling up of six places, for so many were then allowed to be elected, some plebeians, who should profess a resolution to revenge the death of Mælius, would be appointed among the rest. The commons, though kept in continual agitation during that year, from many and various causes, elected three tribunes only, with consular power, and even chose among these Lucius Quintius the son of Cincinnatus, whose conduct in the dictatorship those men wished to render odious, and thence to gain occasion of new disturbances. Prior to Quintius, Mamercus Æmilius was voted in, a man who stood in the first rank of merit: in the third place, they elected Lucius Icilius.

XVII. While these were in office, Fidenæ, a Roman colony, revolted to the Veientians, whose king was Lars Tolumnius. To their revolt a more heinous crime was added; for, in pursuance of an order from Tolumnius, they put to death Caius Fulcinius, Clælius Tullus, Spurius Ancius, and Lucius Roscius, Roman ambassadors, who came to inquire into the reasons of this change of conduct. Some palliate the guilt of the king, alleging, that an ambiguous expression of his, on a successful throw at dice, being misapprehended by the Fidenatians, as an order for their execution, occasioned the death of the ambassadors. But this seems an incredible tale; for it cannot be supposed that the thoughts of Tolumnius would be so intently employed upon his game, that he should be regardless of a circumstance of so much consequence, as the arrival of his new allies, the Fidenatians, and who, if this be admitted, must have come to consult him upon the perpetration of a murder, which would violate all the laws of nations; or that, in such an affair, he should feel no compunction. It is much more probable, that his view was to

involve them in such guilt, as to cut off all hope of reconciliation with the Romans. Statues of the ambassadors slain at Fidenæ were erected near the rostrum, at the public expense. A desperate struggle was now to be expected with the Veientians and Fidenatians; as, besides the circumstance of their situation, contiguous to the frontiers, they had stained the commencement of the war with an action so abominable. The commons, therefore, and their tribunes, seeing the necessity of attending to the general welfare, and suffering other matters to pass in quiet, there was no opposition to the election of consuls, who were Marcus Geganius Macerinus a third time, and Lucius Sergius Fidenas, so called, I suppose, Y. R. 318. from his services in the succeeding war. For he was B. C. 484. the first who engaged in battle with the king of the Veientians on this side of the Anio, in which he had the advantage; but he gained not an unbloody victory, so that people's grief for the loss of their countrymen exceeded their joy for the defeat of the enemy; and the senate, as in a case particularly alarming, ordered Mamercus Æmilius to be named dictator. He chose his master of the horse from among his colleagues of the former year, in the office of military tribunes with consular power, Lucius Quintius Cincinnatus, a young man worthy of the father from whom he sprung. To the troops levied by the consuls, were added many veteran centurions, skilled in the business of war, and the number of men lost in the last battle was replaced. The dictator ordered Quintius Capitolinus and Marcus Fabius Vibulanus to attend him in quality of lieutenant-general. The appointment of a magistrate with extraordinary power, and the character of the person appointed being fully suited to those powers, both together so affected the enemy, that they withdrew from the Roman territory to the other side of the Anio: and continuing to retreat, took possession of the hills between Fidenæ and the Anio. Nor did they descend into the plains, until the legions of the Faliscians came to

their aid: then, indeed, the camp of the Etrurians was pitched under the walls of Fidenæ. The Roman dictator took his post at a little distance from thence, at the conflux and on the banks of the two rivers, drawing lines across from one to the other, where the length of ground between them was not greater than he was able to fortify. On the day following, he led out his forces, prepared for battle.

XVIII. Among the enemy there were various opinions. The Faliscians, finding it very distressing to carry on war at such a distance from home, and being full of confidence in their own prowess, were urgent for fighting. The Veientians and Fidenatians foresaw greater advantages in protracting the war. Tolumnius, although the advice of his countrymen was more agreeable to his own sentiments, yet fearing lest the Faliscians should grow weary of a distant war, gave notice that he would fight on the following day. This, however, being still deferred, added to the confidence of the dictator and the Romans; so that the soldiers, openly threatening that they would assault the camp and the city, if the enemy did not come to an engagement, both armies marched forth into the middle of a plain which lay between the two camps. The Veientians, being superior in numbers, sent a party round behind the mountains, who were to attack the Roman camp during the heat of the battle. The army of the three states was drawn up in such a manner, that the Veientians formed the right wing, the Faliscians the left, and the Fidenatians the centre. The dictator charged on the right wing against the Faliscians; Quintius Capitolinus on the left against the Veientians; and the master of the horse, with the cavalry, advanced in the centre. For a short time all was silence and quiet; the Etrurians being resolved not to engage unless they were compelled, and the dictator keeping his eyes fixed on a Roman fort in the rear, until a signal which had been concerted should be raised by the augurs, as soon

as the birds gave a favourable omen: on perceiving which, he ordered the cavalry first to charge the enemy with a loud shout: the line of infantry following, began the conflict with great fury. The Etrurian legions could not in any quarter withstand the attack of the Romans. The cavalry made the greatest resistance; but the king himself, distinguished in valour far beyond even these, by frequent charges on the Romans, while they were pursuing in disorder, in all parts of the field, prolonged the contest.

XIX. There was at that time among the Roman cavalry, a military tribune called Aulus Cornelius Cossus, remarkable for the extraordinary beauty of his person, as well as for his spirit and bodily strength, and for attention to the honour of his family, which having descended to him with great degree of lustre, he conveyed to his posterity with a large increase, and with additional splendor. Perceiving that wherever Tolumnius directed his course, the troops of Roman cavalry shrunk from his charge, and knowing him by his royal apparel, as he flew through every part of the army, he cried out, "Is this he who breaks the bands of human society, and violates the law of nations? This victim will I quickly slay, provided it is the will of the gods that any thing should remain sacred on earth, and will offer him to the manes of the ambassadors." With these words, he clapped spurs to his horse, and with his spear presented, rushed against him. Having unhorsed him with a stroke, and pressing him down with his spear, he instantly sprung down on the ground; where, as the king attempted to rise, he struck him back with the boss of his shield, and with repeated thrusts pinned him to the earth. He then stripped off the spoils from the lifeless body, and having cut off the head, and carrying it about on the point of his spear as a trophy of the victory, he put the enemy to rout, through the dismay which struck them on the death of their king. Their body of cavalry likewise, which alone had kept the victory in sus-

pense, was defeated with the rest. The dictator pursued close on the flying legions, and drove them to their camp with great slaughter. The greater number of the Fidentians, through their knowledge of the country, made their escape into the mountains. Cossus, having crossed the Tiber with the cavalry, brought to the city an immense booty, from the lands of the Veientians. During this battle, there was another fight at the Roman camp, against the party which Tolumnius, as was mentioned above, had sent against it: Fabius Vibulanus, manning the rampart all round, stood at first on the defensive; then, when the enemy were earnestly engaged against the rampart, sallying out with the veterans from the principal gate on the right, he made a sudden attack on them, which struck such terror, that though the slaughter was less, they being fewer in number, yet the rout was not less disorderly than that of their grand army.

XX. Crowned with success in every quarter, the dictator, in pursuance of a decree of the senate and an order of the people, returned into the city in triumph. By far the most distinguished object in this procession was Cossus, carrying the *spolia opima* (grand spoils) of the king whom he had slain, while the soldiers chanted their uncouth verses, extolling him as equal to Romulus. With the usual form of dedication he presented and hung up the spoils in the temple of Jupiter Feretrius, near to those dedicated by Romulus, and first denominated *opima*, which were the only ones then existing. He drew off the people's attention from the chariot of the dictator to himself, and enjoyed almost solely the honour of that day's solemnity. The former, by order of the people, deposited in the capitol, as an offering to Jupiter, a golden crown of a pound weight, at the expense of the public. Following all the Roman authors, I have represented Aulus Cornelius Cossus, as a military tribune, when he carried the second *spolia opima* into the temple of Jupiter Feretrius: but, besides that those spoils only are properly deem-

ed opima, which one general has taken from another, and we know no general but the person under whose auspices the war is carried on, the inscription itself written on the spoils proves against both them and myself, that Cossus was consul when he took them. Having once heard Augustus Cæsar the founder or restorer of all our temples, on entering the temple of Jupiter Feretrius, which from a ruin he had rebuilt, aver, that he himself had read the said inscription on the linen breast-plate, I thought it would be next to sacrilege, to rob Cossus of such a testimony respecting his spoils, as that of Cæsar, to whom the temple itself owed its renovation. Whether the mistake is chargeable on the very ancient annals and the books of the magistrates, written on linen and deposited in the temple of Moneta, and continually cited as authority by Licinius Macer, which have Aulus Cornelius Cossus, consul, with Titus Quintius Penius, in the ninth year after this, every one may form his own judgment. For that so celebrated a battle could not be transferred to that year, there is this farther proof: that for three years before and after the consulship of Aulus Cornelius, there was an almost entire cessation from war on account of a pestilence, and a scarcity of the fruits of the earth; so that several annals, as if they had no other transactions but those of mourning to relate, mention nothing more than the names of the consuls. Cossus, indeed, is mentioned as military tribune, with consular power, in the third year before his consulate; and in the same year as master of the horse, in which post he fought another remarkable battle with cavalry. In respect to this there is room for conjecture: but in my opinion, surmises are not to be brought in support of any matter whatsoever; when the person concerned in the fight, on placing the recent spoils in the sacred repository, and having in a manner before his eyes Jupiter, to whom they were consecrated, and Romulus, as witnesses; and, as would be the case in falsifying the inscription, who were not to be

treated with contempt, entitled himself Aulus Cornelius Cos-
sus, consul.

XXI. During the next year, wherein Marcus Cor-^{Y. R. 319.}
nelius Maluginensis and Lucius Papirius Crassus ^{B. C. 433.}
were consuls, armies were led into the territories of the Ve-
entians and of the Falisians, and numbers of men and cattle
were carried off as spoil, but the enemy did not show them-
selves, nor give any opportunity of fighting. However, no
attempt was made on their towns, the people at Rome being
attacked by a pestilential disorder. Endeavours were also
used at home to excite disturbances, but without effect, by
Spurius Mælius, a plebeian tribune, who, imagining that, by
the popularity of his name, he should be able to raise some
commotion, had commenced a prosecution against Minucius;
and also proposed a law for confiscating the effects of Servi-
lius Ahala, alleging that Mælius had been insidiously crush-
ed under false charges by Minucius; and objecting to Servi-
lius his having put to death a citizen who was under no le-
gal sentence. These charges, however, when canvassed be-
fore the people, were found entitled to as little credit and at-
tention as the promoter of them. But they found greater
cause for anxiety in the increasing violence of the pestilence,
attended with other alarming occurrences and prodigies; par-
ticularly in the accounts which were received, of many houses
in the country being thrown down by frequent earthquakes.
A general supplication to the gods was therefore performed by
the people, who repeated it in form after the decemvirs.* The
disorder increasing during the following year, in which Caius
Julius a second time, and Lucius Virginus were ^{Y. R. 320.}
consuls, occasioned such dreadful apprehensions of ^{B. C. 432}
total desolation, both in the city and the country, that not

* In the performance of such rites, the slightest mistake of a word or
syllable was deemed highly inauspicious; to prevent which, the regular
form of words was pronounced by a priest, and repeated after him by
the persons officiating.

only an entire stop was put to predatory excursions from the Roman territories, but every thought of offensive operations laid aside both by patricians and commons. The Fidenatians, who had at first shut themselves up within their towns or forts, or among the mountains, now ventured to come down into the lands of the Romans, and commit depredations. Then the army of the Veientians being called to their aid, (For the Faliscians could not be prevailed on, either by the calamities of the Romans, or the intreaties of their allies, to renew hostilities,) the two nations crossed the Anio, and displayed their ensigns at a little distance from the Colline gate. This occasioned great consternation as well in the city as in the country. The consul Julius drew up the troops on the rampart and the walls, whilst Virginius held a consultation of the senate in the temple of Quirinus. Here it was resolved to create for dictator Quintus Servilius, to whom some gave the surname of Priscus, others that of Structus. Virginius delayed no longer than till he had conferred with his colleague, and having obtained his consent, named the dictator that night. He appointed Postumius Æbutius Elva his master of the horse.

XXII. The dictator issued an order that all should appear at the first light, outside the Colline gate; and that the ensigns from the treasury should be brought to him. Every one, whose strength enabled him to carry arms, attended accordingly. In the mean-time, the enemy withdrew to the higher grounds: thither the dictator followed, and coming to a general engagement near Nomentum, defeated the Etrurian legions, drove them from thence into the city of Fidenæ, and inclosed them with lines of circumvallation. But neither could the city be taken by storm, by reason of its high situation and the strength of its works, nor could a blockade turn to any effect, because they had such abundant stores of corn laid up in their magazines, as to be more than sufficient for necessary consumption. The dictator, there-

fore, having no hopes, either of taking the place by assault, or of reducing it to a surrender, being thoroughly acquainted with the same, resolved to carry a mine into the citadel, on the opposite side of the city; which, being the best secured by its natural strength, was the least attended to. He carried on his approaches to the walls, in the parts most distant from this; and, having formed his troops into four divisions, who were to relieve each other successively in the action, by continuing the fight night and day, without intermission, he so engaged the attention of the enemy, that they never perceived the work which was carrying on until, a way being dug from the camp through the mountain, a passage was opened up into the citadel, and the Etrurians, whose thoughts were diverted from their real danger by false alarms, discovered, from the shouts of the enemy over their heads, that their city was taken. In this year the censors, Caius Furius Pacilus and Marcus Geganius Macerinus, pronounced that the undertakers had fulfilled their contract for finishing the court-house* in the field of Mars, and the survey of the people was performed there for the first time.

XXIII. I find, in Licinius Macer, the same con- Y. R. 321.
suls re-elected for the following year: yet Valerius B. C. 431.
Quintius and Quintus Tubero mention Marcus Manlius and
Quintus Sulpicius as consuls. In support of representations
so widely different, both Tubero and Macer cite the linen
books as their authority: but neither of them deny the re-
cord of ancient writers, who maintain that there were milita-
ry tribunes in that year. Lucinius is of opinion, that the
linen books ought to be implicitly followed. Tubero cannot
determine positively on either side. But this is a point
which, among others, involved in obscurity by length of time,
must be left unsettled. The capture of Fidenæ spread great

* *Villa publica*. It was destined to public uses, such as holding the *census* or survey of the people, the reception of ambassadors, &c.

alarm in Etruria; for not the Veientians only were terrified with apprehensions of similar ruin, but the Faliscians also, conscious of having commenced the war in conjunction with them, although they had not joined them in the renewing of hostilities. Those two nations therefore, having sent ambassadors to all the twelve states, and procured an order for a general meeting at the temple of Voltumna, the senate, apprehensive of a powerful attack from that quarter, ordered Mamercus Æmilius to be a second time appointed dictator. He named Aulus Postumius Tubertus master of the horse, making more powerful preparations for this campaign than for the last, in proportion as the danger was greater from the whole body of Etruria, than it had been from two of its states.

XXIV. That business ended more quietly than could have been expected. For accounts were received from some itinerant traders, that the Veientians had met with a refusal of aid, and had been desired to prosecute with their own strength, a war in which they had engaged on their own separate views, and not endeavour to bring others to partake in their distresses, to whom they had imparted no share of their prospects, when they were favourable. The dictator, thus robbed of the harvest of glory which he expected to have reaped from military affairs, in order that his appointment might not be altogether without effect, conceived a desire of performing some exploit in the civil line of business, and which should remain as a monument of his dictatorship. He undertook therefore to limit the censorship; either judging its powers excessive, or disapproving of their duration more than of their extent. In pursuance of this design, having summoned an assembly of the people, he told them, that, “with regard to foreign affairs, and the establishing of security on every side, the immortal gods had taken the administration on themselves. That as to what was fitting to be done within the walls he would zealously maintain the

liberty of the Roman people: now there was no method of guarding it so effectual, as the taking care that offices of great power should not be of long continuance; and that those, whose jurisdiction could not be limited, should be limited in point of duration:—that while other magistracies were annual, the censorship was of five years continuance; and it was grievous to people to have the greater part of their actions subjected to the control of the same persons for such a number of years: he would therefore propose a law, that the censorship should not last longer than a year and a half.” Next day, the law was passed, and with the universal approbation of the people. He then said, “To convince you by my conduct, Romans, how much I disapprove of long continuance in office, I here resign the dictatorship.” Having thus put an end to one office, and limits to another, he was, upon his resignation, escorted by the people to his house with the warmest expressions of gratitude and affection. The censors, highly offended at his having imposed a restriction on a public office of the Roman state, degraded Mamercus into a lower tribe,* and, increasing his taxes eight-fold, disfranchised him.† We are told, that he bore

* The division of the people into tribes, made by Romulus, regarded the stock, or origin, of the constituent members; the subsequent one, by Servius, was merely local, and a tribe then signified nothing more than a certain space of ground with its inhabitants: but as the tribes increased in number, which they did at last to thirty-five, this kind of division was set aside, and a tribe became, not a quarter of the city, but a fraternity of citizens, connected by a participation in the common rights of the tribe, without any reference to their places of residence. The rustic tribes were always reckoned more honourable than the city tribes, because the business of agriculture was held in the highest estimation, and because the lowest of the people were enrolled in the latter. The difference of rank, among the rustic tribes, depended, partly on their antiquity, and, partly, on the number of illustrious families contained in each. In many cases, the tribes took their names from some of those distinguished families.

† *Ærarium facere*, signifies to strip a person of all the privileges of a

this treatment with great magnanimity, regarding the cause of the disgrace rather than the disgrace itself; and that the principal patricians, though they had been averse from a diminution of the privileges of the censorship, were, nevertheless, highly displeased at this instance of harsh severity in the censors; every one perceiving, that he must be oftener and for a longer time subject to others in the office of censor, than he could hold the office himself. The people's indignation certainly rose to such a height, that no other influence than that of Mamercus himself could have deterred them from offering violence to the censors.

Y. R. 322. XXV. The plebeian tribunes, by constantly haranguing the people against the election of consuls, prevailed at last, after bringing the affair almost to an interregnum, that military tribunes, with consular power, should be elected. In the prize of victory which they aimed at, the procuring a plebeian to be elected, they were entirely disappointed. The persons chosen were all patricians, Marcus Fabius Vibulanus, Marcus Foslius, and Lucius Sergius Fidenas. During that year, the pestilence kept other matters quiet. For the restoration of health to the people, a temple was vowed to Apollo, and the decemvirs, by direction of the books, performed many rites for the purpose of appeasing the wrath of the gods, and averting the pestilence. The mortality, notwithstanding, was great among men and cattle, both in the city and the country. Dreading a famine, in consequence of the death of the husbandmen, they sent for corn to Etruria, and the Pomptine district, to Cumæ, and at last to Sicily also. No mention was made of electing
 Y. R. 323. consuls. Military tribunes with consular power
 B. C. 429. were appointed, all patricians, Lucius Pinarius Mamercinus, Lucius Furius Medullinus, and Spurius Postumius Albus. In this year, the violence of the disorder abate
 citizen, on which he became *civis ærarius*, a citizen so far only as he paid taxes.

ted, nor were there any apprehensions of a scarcity of corn, care having been taken to provide against it. Schemes for exciting wars were agitated in the meetings of the Æquans and Volscians, and in Etruria at the temple of Voltumna. Here the business was adjourned for a year, and a decree passed, forbidding any assembly to be held before that time, while the nation of the Veientians in vain complained, that the same misfortunes hung over Veii, which had destroyed Fidenæ. Meanwhile at Rome the leaders of the commons, who had for a long time in vain pursued the hopes of attaining higher dignity during this interval of tranquillity abroad, called the people together in the houses of the tribunes, and there concerted their plans in secret. They complained that “they were treated with such contempt by the commons, that, notwithstanding military tribunes with consular power had been elected for so many years, no plebeian had ever yet been allowed to attain that honour. Their ancestors, they said, had shown great foresight in providing that the plebeian magistracies should not lie open to any patrician, otherwise they would have had patrician tribunes of the commons; so despicable are we even in the eyes of our own party, and not less contemned by the commons than by the patricians themselves.” Others took off the blame from the commons, and threw it on the patricians: “It was through their arts and intrigues,” they said, “that the access to honours was barred against the plebeians. If the commons were allowed time to breathe from their intreaties mixed with menaces, they would come to an election with a due regard to the interest of their own party, and as they had already secured protection to themselves, would assume also the administration of the government.” It was resolved, that, for the purpose of abolishing the practice of those intrigues, the tribunes should propose a law, that no person should be allowed, on applying for an office, to add any white to his

garment.* This may appear at present a trivial matter, scarcely fit to be seriously mentioned, yet it then kindled a very hot contention between the patricians and plebeians. The tribunes, however, got the better, and carried the law; and as it was evident that the commons, in their present state of ill-humour, would give their support to persons of their own party, in order to put this out of their power, a decree of the senate was passed, that the election should be held for consuls.

Y. R. 324. XXVI. The reason assigned was, intelligence received from the Latines and Hernicians of the Æquans and Volscians having suddenly commenced hostilities. Titus Quintius Cincinnatus, who had also the surname of Pennus, son of Lucius, and Caius Julius Mento, were made consuls. Nor were they kept in suspense with respect to the danger apprehended from their enemies. The Æquans and Volscians having held a levy of troops under their devoting law, which is their most powerful instrument for forcing men into the service, marched a numerous company from each nation to Algidum, where they met, and formed separate camps; the generals taking extraordinary pains, beyond what had ever been practised before, in fortifying their posts, and exercising their men; which rendered the accounts brought to Rome still more alarming. The senate resolved that a dictator should be appointed, because, though these were nations often vanquished, yet, in the present revival of hostilities, they had used more vigorous efforts than before; and no small number of the Roman youth had been cut off by the sickness. Above all, they were alarmed by the perverseness of the consuls, the disagreement between

* To rub it with chalk, in order to increase its whiteness, and render themselves more conspicuous. It was the practice of those who solicited any public office, thus to make their garments more white, *candidam*: hence they were called *candidati*; candidates, a word still in use.

themselves, and the opposition which they gave each other in every measure. Some writers say, that these consuls were defeated in a battle at Algidum, and that this was the reason for appointing a dictator. Thus much is certain, that though they differed in every thing else, they perfectly agreed in the one point, that of opposing the will of the senate, and refusing to name a dictator, until **Quintus Servilius Priscus**, a man who had passed through the highest dignities with singular honour, finding the intelligence which arrived grow more and more alarming, and that the consuls would not be directed by the senate, expressed himself thus: "Tribunes of the commons, matters having come to extremity, the senate appeals to you, that, in the present state of public affairs, ye may, by the authority vested in you, oblige the consuls to name a dictator." This application seemed to the tribunes to afford them a good opportunity of extending their power; wherefore, after retiring together, they declared, by the authority of their body, that "it was their determination that the consuls should follow the directions of the senate, and that if they persisted in their opposition to the sentiments of that most illustrious body, they would order them to be carried to prison." The consuls were better pleased to be overcome by the tribunes than by the senate, at the same time remonstrating, that "the prerogatives of the chief magistracy were betrayed by the senators, and the consulship subjugated to the tribunitian power. If the consuls were liable to be over-ruled by a tribune, by virtue of his office, in any particular, they were liable also to be sent to prison. And what greater hardship could any private person apprehend? It fell by lot, for even on that point the colleagues could not agree, to **Titus Quintius** to name the dictator, and he made choice of **Aulus Postumius Tubertus**, his own father-in-law, a man of remarkable strictness in command. **Lucius Julius** was by him nominated master of the horse. At the same time, a proclamation was issued

for a vacation from civil business, and that nothing should be attended to, in any part of the city, but preparations for hostilities. The examination of the cases of those who claimed immunity from service, was to be made at the conclusion of the war, which induced even those whose claims were doubtful, to give in their names. The Hernicians and Latines also were ordered to send a supply of forces, and they both exerted themselves with zeal, in obedience to the dictator's will.

XXVII. All these measures were executed with the utmost despatch, the consul Caius Julius being left to guard the city, while Lucius Julius, master of the horse, was to answer the exigences of the camp; and that there should be no delay with respect to any thing which might there be wanted, the dictator, repeating the form after the chief pontiff Aulus Cornelius, vowed to celebrate the great games on the occasion of this sudden war. Then, dividing his troops with the consul Quintius, he began his march from the city, and quickly came up with the enemy. Having observed that these had formed two camps at a little distance from each other, they in like manner encamped separately at about a mile from them, the dictator towards Tusculum, and the consul towards Lanuvium. Thus there were four armies, and so many fortified posts, having between them a plain of sufficient extent not only for the skirmishes of small parties, but even for drawing up the armies, on both sides, in battle array. From the time when the camps were pitched in the neighbourhood of each other, there was continual skirmishing, the dictator readily allowing his men to compare strength, and from the success of these combats he gradually formed a confident expectation of future victory in a regular fight. The enemy, therefore, finding no hopes left of succeeding in a general engagement, made an attack by night on the camp of the consul, on the issue of which the final decision of the dispute would probably depend. Their shout, which they set

up on a sudden, roused from sleep, not only the consul's watch guards, and afterwards all his troops, but the dictator also. The conjuncture requiring instant exertion, the consul showed no deficiency either of spirit or of judgment. One part of the troops reinforced the guards at the gates, while another manned the rampart around. In the other camp where the dictator commanded, as there was less tumult, so it was easier to perceive what was necessary to be done. Despatching, then, a reinforcement to the consul's camp, under the command of Spurius Postumius Albus, lieutenant-general, he himself, with a body of forces, making a small circuit, proceeded to a place quite retired from the hurry of action, whence he proposed to make an unexpected attack on the enemy's rear. To Quintus Sulpicius, lieutenant-general, he gave the charge of the camp; to Marcus Fabius, lieutenant-general, he assigned the cavalry, with orders that those troops, which it would be hardly possible to manage in the confusion of a conflict by night, should not stir until day-light. Every measure, which any other general, however skilful and active, could at such a juncture order and execute, he ordered and executed with perfect regularity. But it was a singular instance of judgment and intrepidity, and entitled to more than ordinary praise, that, not content with defensive plans, he despatched Marcus Geganius, with some chosen cohorts, to attack that camp of the enemy, from which, according to the intelligence of his scouts, they had marched out the greater number of troops. Falling upon men whose whole attention was engrossed by the danger of their friends, while they were free from any apprehension for themselves, and had neglected posting watches or advanced guards, he made himself master of the camp, sooner almost than they knew that it was attacked. A signal being then given by smoke, as had been concerted, the dictator perceiving it, cried out, that the enemy's camp was taken, and ordered the news to be conveyed to all the troops.

XXVIII. By this time day appeared, and every thing lay open to view. Fabius had already charged with the cavalry, and the consul had sallied from the camp on the enemy, who were now much disconcerted, when the dictator on another side, having attacked their reserve and second line, threw his victorious troops, both horse and foot, in the way of all their efforts, as they turned themselves about to the dissonant shouts, and the various sudden assaults. Being thus hemmed in on every side, they would, to a man, have undergone the punishment due to their infraction of the peace, had not Vectius Messius, a Volscian, a man more renowned for his deeds than his descent, upbraiding his men as they were forming themselves into a circle, called out with a loud voice, "Do ye intend to offer yourselves to the weapons of the enemy here, where ye can neither make defence nor obtain revenge? To what purpose, then, have ye arms in your hands? Or why did ye undertake an offensive war, ever turbulent in peace and dastardly in arms? What hopes do ye propose in standing here? Do ye expect that some god will protect and carry you from hence? With the sword the way must be opened. Come on, ye who wish to see your houses and your parents, your wives and children, follow wherever ye see me lead the way. There is neither wall nor rampart, nothing to obstruct you, but men in arms, with which ye are as well furnished as they. Equal in bravery, ye are superior to them in point of necessity, the ultimate and most forcible of weapons." No sooner had he uttered these words, than he put them in execution, and the rest raising the shout anew, and following him, made a violent push on that part where Postumius Albus had drawn up his forces in their way, and made the conqueror give ground, until the dictator came up, just as his men were on the point of retreating. Thus the whole weight of the battle was turned to that quarter. Messius alone supported the fortune of the enemy, while many wounds were received, and great slaughter was

made on both sides. By this time the Roman generals themselves were not unhurt in the fight: one of them, Postumius, retired from the field, having his skull fractured by the stroke of a stone; but neither could the dictator be prevailed on, by a wound in his shoulder, nor Fabius, by having his thigh almost pinned to his horse, nor the consul by his arm being cut off, to withdraw from this perilous conflict.

XXIX. Messius, at the head of a band of the bravest youths, charged the enemy with such impetuosity, that he forced his way through heaps of slaughtered foes to the camp of the Volscians, which was still in their possession, and the whole body of the army followed the same route. The consul, pursuing their disordered troops to the very rampart, assaulted the camp itself, and the dictator brought up his forces with the same purpose on the other side. There was no less bravery shown on both sides in this assault than had been seen in the battle. We are told that the consul even threw a standard within the rampart, to make the soldiers push on with more briskness, and that the first impression was made in recovering it. The dictator, having levelled the rampart, had now carried the fight within the works, on which the enemy every where began to throw down their arms and surrender; and on giving up themselves and their camp, they were all, except the members of their senate, exposed to sale. Part of the spoil was restored to the Latines and Hernicians, who claimed it as their property; the rest the dictator sold by auction; and having left the consul to command in the camp, after making his entry into the city in triumph, he resigned the dictatorship. Some historians have thrown a gloom on the memory of this glorious dictatorship; they relate that Aulus Postumius beheaded his son, after a successful exploit, because he had left his post, without orders, tempted by a favourable opportunity of fighting to advantage. While we feel a reluctance against giving credit

to this story, we are also at liberty to reject it, there being a variety of opinions on the subject: and there is this argument against it, that such orders, by those who believe in the circumstance, have been denominated Manlian, not Postumian; while the person who first set an example of such severity would surely have acquired the disgraceful title of cruel. Besides, the surname of Imperiosus has been imposed on Manlius, and Postumius has not been marked by any hateful appellation. The consul Caius Julius, in the absence of his colleague, without casting lots for the employment, dedicated the temple of Apollo; at which Quintus being offended on his return to the city, after disbanding the army, made a complaint to the senate, but without any effect. To the great events of this year was added a circumstance, which, at that time, did not appear to have any relation to the interests of Rome. The Carthaginians, who were to become such formidable enemies, then for the first time, on occasion of some intestine broils among the Sicilians, transported troops into Sicily, in aid of one of the parties.

Y. R. 225. XXX. In the city, endeavours were used by the B. C. 427. tribunes of the commons to procure an election of military tribunes with consular power, but they were not able to effect it. Lucius Papirius Crassus and Lucius Julius were made consuls. Ambassadors from the Æquans having requested of the senate that a treaty of peace might be concluded, it was required of them, that instead of a treaty they should make a surrender of themselves. In the end they obtained a truce of eight years. The affairs of the Volscians, besides the loss sustained at Algidum, were involved in seditions, arising from an obstinate contention between the advocates for peace and those for war. The Romans enjoyed tranquillity on all sides. The consuls having obtained information from one of the tribunes, who betrayed the secret, that those officers intended to promote a law concerning the

commutation of fines,* which would be highly acceptable to the people, they themselves took the lead in proposing it. The next consuls were Lucius Sergius Fidenas, a second time, and Hostus Lucretius Tricipitinus, in whose consulate nothing worth mention occurred. They were succeeded by Aulus Cornelius Cossus and Titus Quintius Pennus, a second time. The Veientians made inroads on the Roman territories, and a report prevailing, that some of the youth of Fidenæ were concerned in those depredations, the cognizance of that matter was committed to Lucius Sergius, Quintius Servilius, and Mamercus Æmilius. Some of them, who could not give satisfactory reasons for their being absent from Fidenæ at the time, were sent into banishment to Ostia. A number of new settlers were added to the colony, to whom were assigned the lands of those who had fallen in war. There was very great distress that year, occasioned by drought; for, besides a want of rain, the earth, destitute of its natural moisture, scarcely enabled the rivers to continue their course; in some places, the want of water was such, that the cattle died of thirst, in heaps, about the springs and rivulets, which had ceased to flow: in others, they were cut off by the mange, and their disorders began to spread by infection to the human species. At first they fell heavy on the husbandmen and slaves; soon after the city was filled with them: and not only men's bodies were afflicted by the contagion, but superstitions of various kinds, and mostly of foreign growth, took possession also of their minds; while those who converted this weakness to their own emolument, introduced into people's families, through their pretences to the art of divination, new modes of worship, until at length the principal men

* The fines imposed in early times were certain numbers of sheep or oxen; afterwards it was ordered by law that these fines might be appraised, and the value paid in money. Another law fixed a certain rate at which the cattle should be estimated, 100 asses for an ox, 10 for a sheep.

of the state were touched with shame for the dishonour brought on the public, seeing in every street and chapel extraneous and unaccustomed ceremonies of expiation practised, for obtaining the favour of the gods. A charge was then given to the ædiles, to see that no other deities should be worshipped than those acknowledged by the Romans; nor they, in any other modes than those established by the custom of the country. The prosecution of their resentment against the Y. R. 328. Veientians was deferred to the ensuing year, where-
B. C. 424. in Caius Servilius Ahala and Lucius Papirius Mugillanus were consuls: even then, an immediate declaration of war and the march of the army were prevented by superstition. It was deemed necessary that heralds should first be sent to demand restitution. There had been open war, and battles fought, with the Veientians, not long before, at Nomentum and Fidenæ, since which, not a peace but a truce, had been concluded, the term of which had not yet expired, yet they had renewed hostilities. Nevertheless, the heralds were sent, and when, after taking the customary oath, they demanded satisfaction, no attention was paid to them. Then arose a dispute whether the war should be declared, by order of the people, or whether a decree of the senate were sufficient. The tribunes, by threatening openly that they would hinder any levy of soldiers, carried the point that the consuls should take the sense of the people concerning it. All the centuries voted for it. In another particular too, the commons showed a superiority, for they carried the point that consuls should not be elected for the next year.

Y. R. 329. XXXI. Four military tribunes, with consular
B. C. 423. power, were elected, Titus Quintius Pennus from the consulship, Caius Furius, Marcus Postumius, and Aulus Cornelius Cossus. Of these, Cossus held the command in the city. The other three, after enlisting forces, marched to Veii, and there exhibited an instance of the pernicious effects on military operations resulting from a divided command: for while each maintained an opinion different from

the rest, and endeavoured to enforce his own plans, they gave an opportunity to the enemy to take them at advantage. Accordingly, the Veientians, seizing a critical moment, made an attack on their troops, who knew not how to act, one of their generals ordering the signal for retreat to be given, another the charge to be sounded. They were thrown into confusion consequently, and turned their backs, but found safety in their camp, which was nigh at hand: their disgrace therefore was greater than their loss. The citizens, unaccustomed to defeats, were seized with dismal apprehensions, execrated the tribunes, and called aloud for a dictator; in him alone, they said, the state could place any hopes. Here again a religious scruple interfered, lest there should be an impropriety in a dictator being nominated by any other than a consul: but the augurs being consulted, removed that doubt. Aulus Cornelius nominated Mamercus Æmilius dictator, and was himself nominated by him master of the horse, so little was the effect of the disgrace inflicted by the censors: for when the state once came to stand in need of a person of real merit, it would not be prevented from seeking a supreme director of its affairs in a house undeservedly censured. The Veientians, puffed up by their success, sent ambassadors to all the states of Etruria, boasting, that they had in one battle defeated three Roman generals; and though they could not thereby prevail on the general confederacy to embark publicly in their cause, yet they procured from all parts a number of volunteers allured by the hopes of plunder. The Fidenatians were the only state which resolved to renew hostilities; and, as if there were some kind of impiety in commencing war, otherwise than with some atrocious deed, staining their arms now with the blood of the new colonists, as they had formerly done with that of the ambassadors, they joined themselves to the Veientians. The leaders of the two nations then consulted together, whether they should choose Veii or Fidenæ, for the seat of the war: Fidenæ appeared the more

convenient. The Veientians, therefore, crossing the Tiber, removed it thither. At Rome the alarm was excessive: the troops were recalled from Veii, very much dispirited by their defeat, and encamped before the Colline gate: others were armed and posted on the walls. Business was stopped in the courts of justice, the shops were shut up, and every thing bore the appearance of a camp rather than of a city.

XXXII. The dictator then, sending criers through the streets called the alarmed people to an assembly, and rebuked them sharply "for suffering their courage to depend so entirely on every trifling incident in the course of fortune, as that on meeting with an inconsiderable loss, and that not owing to the bravery of the enemy, or to want of courage in the Roman army, but to a disagreement between their commanders, they should be seized with dread of their enemies of Veii, whom they had six times vanquished, and of Fidenæ, a town as often taken as attacked. He reminded them, that both the Romans and their enemies were the same that they had been for so many centuries past, their courage the same; their strength of body the same; and the same the arms which they wore. That he himself, Mamercus Æmilius, was also the same dictator who formerly at Fidenæ routed the armies of the Veientians and Fidenatians, when they had the additional support of the Faliscians; and his master of the horse was the same Aulus Cornelius, who in a former war, when he ranked as military tribune, slew Lars Tolumnius, the king of these Veientians; in the sight of both armies, and carried his spolia opima to the temple of Jupiter Feretrius. He exhorted them therefore to take arms, reflecting that on their side were triumphs, on their side spoils, on their side victory; on the side of the enemy, the guilt of violating the laws of nations by the murder of ambassadors, the massacre of the Fidenatian colonists in time of peace, the infraction of truces, and a seventh unsuccessful revolt: assuring them, he was ful-

ly confident, that when they should have once encamped within reach of the foe, the joy of those enemies, so deeply plunged in guilt, for the late disgrace of the Roman army, would soon be at an end; and also that a demonstration would be given to the Roman people, how much better these persons merited of the commonwealth, who nominated him dictator a third time, than those, who, out of malice, on account of his having snatched arbitrary power out of the hands of the censors, threw a blot on his second successful dictatorship." Having offered up vows to the gods, he soon began his march, and pitched his camp fifteen hundred paces on this side of Fidenæ, having his right covered by mountains, and his left by the river Tiber. He ordered Titus Quintius Pennus, lieutenant-general, to take possession of the hills, and to post himself privately on whatever eminence stood in the enemy's rear. Next day, when the Etrurians had marched out to the field, full of confidence in consequence of their success on the former day, though more indebted for it to accident than to their prowess in fight, the dictator, after waiting a short time, until he received information from his scouts that Quintius had reached an eminence which stood near the citadel of Fidenæ, put his troops in motion, and led on his line of infantry in order of battle in their quickest pace against the enemy. The master of the horse he commanded not to enter on action without orders, telling him that he would give a signal when there should be occasion for the aid of the cavalry, and desiring him then to show by his behaviour, that he still bore in mind his fight with their king, the magnificent offering which he had made, and the respect which he owed to Romulus and Jupiter Feretrius. The legions began the conflict with impetuosity. The Romans, inflamed with keen animosity, gratified their rancour both with deeds and words, upbraiding the Fidenatians with impiety, the Veientians as robbers, calling them truce-breakers, polluted with the horrid murder of ambassadors,

stained with the blood of their own brethren of the colony, perfidious allies, and dastardly foes.

XXXIII. Their very first onset had made an impression on the enemy, when, on a sudden, the gates of Fidenæ flying open, a strange kind of army sallied forth, unknown and unheard-of before. An immense multitude, armed with burning fire-brands, as if hurried on by frantic rage, rushed on against the Romans. This very extraordinary mode of fighting filled the assailants for some time with terror; on which the dictator, who was actively employed in animating the fight, having called up the master of the horse with the cavalry, and also Quintius from the mountains, hastened himself to the left wing, which being in horror from the conflagration, as it might more properly be called than a battle, had retired from the flames, and with a loud voice called out, "Will ye suffer yourselves to be driven from your ground, and retreat from an unarmed enemy, vanquished with smoke, like a swarm of bees? Will ye not extinguish those fires with the sword? Or will ye not each in his post, if we must fight with fire, and not with arms, seize on those brands, and throw them back on the foe? Advance; recollect the honour of the Roman name, your own bravery, and that of your fathers: turn this conflagration on the city of your enemy, and with its own flames demolish Fidenæ, which ye could never reclaim by your kindness. This is what the blood of your ambassadors and colonists, and the desolation of your frontiers, ought to suggest." At the command of the dictator, the whole line advanced; the firebrands which had been thrown, were caught up; others were wrested away by force, and thus the troops on both sides were armed alike. The master of the horse too, on his part, introduced among the cavalry a new mode of fighting; he ordered his men to take off the bridles from their horses, while he himself clapping spurs to his own, sprung forward, and was carried headlong by the unbridled animal into the midst of the flames.

In like manner, the other horses, being spurred on and freed from all restraint, carried their riders with full speed against the enemy. The clouds of dust intermixed with the smoke, excluded the light from both men and horses; so that the latter were consequently not affrighted as the former had been. The cavalry, therefore, wherever they penetrated, bore down every thing with irresistible force. A shout was now heard from a new quarter, which having surprised and attracted the attention of both armies, the dictator called out aloud, that his lieutenant-general Quintius and his party had attacked the enemy's rear, and then, raising the shout anew, advanced against them with redoubled vigour. The Etrurians, surrounded and attacked both in front and rear, and closely pressed by two armies in two different battles, had no room for retreat, either to the camp, or to the mountains. The way was blocked up by the new enemy, and the horses, freed from the bridles, having spread themselves with their riders over every different part, the greatest number of the Veientians fled precipitately to the Tiber. The surviving Fidenatians made towards the city of Fidenæ. The former, flying in consternation, fell into the midst of their foes and met destruction. Many were cut to pieces on the banks of the river, some were forced into the water and swallowed in the eddies; even such as were expert at swimming, were weighed down by fatigue, by their wounds, and the fright: so that, out of a great number, few reached the opposite bank. The other body proceeded, through their camp, to the city, whither the Romans briskly pursued them, particularly Quintius, and those who had descended with him from the mountains, these being the freshest for action, as having come up towards the end of the engagement.

XXXIV. These entering the gate together with the enemy made their way to the top of the walls, and from thence gave a signal to their friends of the town being taken. The dictator, who had by this time taken possession of the deser-

ted camp, encouraging his men, who were eager to disperse themselves in search of plunder, and with hopes of finding the greater booty in the city, led them on to the gate; and, being admitted within the walls; proceeded to the citadel, whither he saw the crowds of fugitives hurrying. Nor was less slaughter made here than in the field; until, throwing down their arms, and begging only their lives, the enemy surrendered to the dictator: both the city and camp were given up to be plundered. Next day the dictator assigned by lot one captive to each horseman and centurion, and two to such as had distinguished themselves by extraordinary behaviour, and sold the rest by auction: then he led back to Rome his victorious army, enriched with abundance of spoil, and ordering the master of the horse to resign his office he immediately gave up his own, on the sixteenth day of his holding it; leaving the government in a state of tranquillity, which he had received in a state of war and of danger. Some annals have reported, that there was also a naval engagement with the Veientians, at Fidenæ, a fact equally impracticable and incredible; the river, even at present, being not broad enough for the purpose, and at that time, as we learn from old writers, considerably narrower. This we can no otherwise account for, than by supposing that they magnified the importance of a scuffle which took place, perhaps, between a few ships, in disputing the passage of the river, and thereon grounded those empty pretensions to a naval victory.

Y. R. 330. XXXV. The ensuing year had military tribunes, B. C. 422. with consular power, Aulus Sempronius Atratinus, Lucius Quintus Cincinnatus, Lucius Furius Medullinus, and Lucius Horatius Barbatus. A truce, for twenty years, was granted to the Veientians; and one for three years to the Æquans, although these had petitioned for a longer term. At home, there were no disturbances. The year following, though not distinguished by either troubles abroad or at

home, was rendered remarkable by the celebration of the games, which had been vowed on occasion of the war, through the splendid manner in which they were exhibited by the military tribunes, and also through the extraordinary concourse of the neighbouring people. The tribunes, Y. R. 331. with consular power, were Appius Claudius Cras- B. C. 421. sus, Spurius Nautius Rutilus, Lucius Sergius Fidenas, and Sextus Julius Iulus. The shows, to which the several people had come with the concurrent approbation of their states, were rendered more agreeable by the courtesy of their hosts. After the conclusion of the games, the tribunes of the commons began their seditious harangues, upbraiding the multitude, that "they were so benumbed with awe of those very persons who were the objects of their hatred, as to sit down listless in a state of endless slavery; they not only wanted spirit to aspire to the recovery of their hopes of sharing in the consulship; but even, in the election of military tribunes, which lay open to both patricians and plebeians, they showed no regard to themselves or their party. They ought therefore to cease wondering, that no one busied himself in the service of the commons: labour and danger would always be extended on objects from whence honour and emolument might be looked for; and there was nothing which men would not undertake, if, for great attempts, great rewards were proposed. But surely it could neither be required nor expected, that any tribune should rush blindfold into disputes, the danger of which was great, the profit nothing: in consequence of which, he knew, with certainty, that the patricians, against whom his efforts were directed would persecute him with inexpiable rancour; and the commons, on whose side he contended, would never think themselves the more obliged to him. By great honours, the minds of men were elevated to greatness; no plebeian would think meanly of himself, when he ceased to be contemned by others. The experiment ought at length to be made, whether there were

any plebeian capable of sustaining a high dignity, or whether it were next to a miracle and a prodigy, that there should exist a man of that extraction endowed with fortitude and industry. By the most vigorous exertions, and after a violent struggle, the point had been gained, that military tribunes with consular power might be chosen from among the commons. Men of approved merit, both in the civil and military line, had stood candidates. During the first years they were hooted at, rejected and ridiculed by the patricians: of late they had desisted from exposing themselves to insult. For his part he could see no reason why the law itself could not be repealed, which granted permission for that which was never to happen: for they would have less cause to blush at the injustice of the law, than at their being passed by on account of their own want of merit."

XXXVI. Discourses of this sort being listened to with approbation, induced several to offer themselves as candidates for the military tribuneship, each professing intentions of introducing when in office some measure or regulation, advantageous to the commons. Hopes were held forth of a distribution of the public lands, of colonies to be settled, and of money to be raised, for paying the troops, by a tax imposed on the proprietors of estates. The military tribunes soon after laid hold of an opportunity, when most people had retired from the city, having previously given private notice to the senators to attend on a certain day, to procure a decree of the senate, in the absence of the plebeian tribunes,—that whereas it was reported, that the Volscians had marched from home with intent to plunder the country of the Hernicians, the military tribunes should therefore proceed to the spot and inspect into the matter, and that an assembly should be held for the election of consuls. At their departure, they left Appius Claudius, son of the decemvir, præfect of the city, a young man of activity; and who had, even from his cradle, imbibed a hatred towards the com-

mons and their tribunes. The plebeian tribunes had no room for contention, either with those who had procured the decree of the senate during their absence; nor with Appius, as the business was already concluded.

XXXVII. The consuls elected were Caius Sempronius Atratinus, and Quintus Fabius Vibulanus. Y. R. 332.
B. C. 420.
An event which is related to have happened in this year, though in a foreign country, deserves to be recorded. Vulturum, a city of the Etrurians, now Capua, was seized by the Samnites, and called Capua, from Capys their leader, or, which is more probable, from its champaign grounds. The manner in which they made themselves masters of it was this: they were some time before, when the Etrurians had been greatly harassed in war, admitted to a share of this city and its lands; these new settlers, afterwards taking the opportunity of a festival, attacked and massacred in the night the first inhabitants, heavy with sleep and food. After this transaction, the consuls, whom we have mentioned, entered on office on the ides of December; by this time, not only those employed in inquiries had reported that the Volscians were ready to commence hostilities; but also ambassadors from the Latines and Hernicians had brought information, that “never at any former time had the Volscians exerted more diligence and care either in the choice of commanders, or the enlisting of troops: that it was a common expression among them, that they must either lay aside for ever all thoughts of war and arms, and submit to the yoke, or they must prove themselves not inferior to their competitors for empire, either in courage, perseverance, or military discipline.” The intelligence was not without foundation: yet the senate were not affected by it, as might have been expected; and Caius Sempronius, to whom the command fell by lot, acted with carelessness and negligence, in every particular, relying on fortune, as if it were incapable of change, because he before had headed a victorious sol-

diery against those who had been before overcome; so that there was more of the Roman discipline in the Volscian army than in his own. Success, therefore, as on many other occasions, attended merit. The engagement was entered on by Sempronius, without either prudence or caution, without strengthening the line by a reserve, and without posting the cavalry in a proper situation. The shout gave a presage at the very beginning to which side the victory would incline. That raised by the Volscians was loud and full; whilst the shout of the Romans, dissonant, unequal, lifeless, and often begun anew, betrayed, by its unsteadiness, the fears which possessed them. This made the enemy charge with the greater boldness; they pushed with their shields, and brandished their swords: on the other side, the helmets were seen to droop as the wearers looked round for safety, disconcerted and disordered on every side. The ensigns sometimes kept their ground, deserted by those who ought to support them; at other times they retreated between their respective companies. As yet there was no absolute flight, nor was the victory complete. The Romans covered themselves rather than fought; the Volscians advanced, and pushed fiercely against the line, but still were seen greater numbers of the former falling than running away.

XXXVIII. The Romans now began to give way in every quarter, while the consul Sempronius in vain reproached them, and exhorted them to stand; neither his authority, nor his dignity, had any effect; and they would shortly have turned their backs to the enemy, had not Sextus Tempanius, a commander of a body of horse, with great presence of mind, brought them support, and when their situation was almost desperate. He called aloud, that the horsemen who wished the safety of the commonwealth, should leap from their horses, and, his order being obeyed by every troop, as if it had been delivered by the consul, he said, " unless this cohort, by the power of its arms, can stop the progress of

the enemy, there is an end of the empire. Follow my spear, as your standard: show, both to Romans and Volscians, that as no horse are equal to you when mounted, so no foot are equal to you when ye dismount." This exhortation being received with a shout of applause, he advanced, holding his spear aloft: wherever they directed their march, they forced their way in spite of opposition; and, advancing their targets, pushed on to the place where they saw the distress of their friends the greatest. The fight was restored in every part as far as their onset reached; and there was no doubt, that if it had been possible for so small a number to have managed the whole business of the field, the enemy would have turned their backs.

XXXIX. Finding that nothing could withstand them, the Volscian commander gave directions, that an opening should be made for these targeteers, until the violence of their charge should carry them so far, that they might be shut out from their friends: which being executed, the horsemen on their part were intercepted, in such a manner, that it was impossible for them to force a passage back; the enemy having collected their thickest numbers in the place through which they had made their way. The consul and Roman legions, not seeing, any where, that body which just before had afforded protection to the whole army, lest so many men, of such consummate valour, should be surrounded and overpowered by the enemy, resolved at all hazards to push forward. The Volscians forming two fronts, withstood, on one side, the consul; and the legions, on the other, pressed on Tempanius and the horsemen, who, after many fruitless attempts to break through to their friends, took possession of an eminence, and there forming a circle defended themselves, not without taking vengeance on the assailants. Nor was the fight ended when night came on. The consul kept the enemy employed, never relaxing his efforts as long as any light remained. The darkness at length separated them,

leaving the victory undecided: and such a panic seized both camps, from the uncertainty in which they were with respect to the issue, that both armies, as if they had been vanquished, retreated into the nearest mountains, leaving behind their wounded, and a great part of their baggage. The eminence however was kept besieged until after midnight; when intelligence being brought to the besiegers that their camp was deserted, they, supposing that their friends had been defeated, fled also, each wherever his fears transported him. Tempanius apprehending an ambush, kept his men quiet until day-light; and then going out himself with a small party, to make observations, and discovering on inquiry from the wounded men of the enemy, that the camp of the Volscians was abandoned, he called down his men from the eminence with great joy, and made his way into the Roman camp. Here finding every place waste and deserted, and in the same disgraceful state in which he had seen the post of the enemy, before the discovery of their mistake should bring back the Volscians, he took with him as many of the wounded as he could; and not knowing what route the consul had taken, proceeded by the shortest roads to the city.

XL. News had already arrived there of the loss of the battle, and of the camp being abandoned: and great lamentations had been made; for the horsemen above all, the public grief being not inferior to that of their private connections. The consul Fabius, the city being alarmed for its own safety, had troops posted before the gates, when the horsemen being seen at a distance, occasioned at first some degree of fright, while it was not known who they were: but this being presently discovered, people's fears were converted into such transports of joy, that every part of the city was filled with shouting; each one congratulating the other on the return of the horsemen, safe and victorious. Then were seen pouring out in crowds into the streets from the houses, which a little

before had been filled with lamentation and mourning, for friends supposed lost, their mothers and wives; each rushing wildly to her own, and scarcely retaining, in the extravagance of their rejoicings, the powers either of mind or body. The tribunes of the commons, who had commenced a prosecution against Marcus Postumius and Titus Quintius, for having occasioned the loss of the battle at Veii, thought that the recent displeasure of the people towards the consul Sempronius, afforded a fit opportunity for reviving the anger of the public against them. Having, therefore, convened the people, they exclaimed loudly, that the commonwealth had been betrayed by its commanders at Veii; and afterwards, in consequence of their escaping with impunity, the army was also betrayed by the consul in the country of the Volscians, the cavalry, men of distinguished bravery, given up to slaughter, and the camp shamefully deserted. Then Caius Junius, one of the tribunes, ordered Tempanius the horseman to be called; and in their presence addressed him thus: "Sextus Tempanius, I demand of you, whether it is your opinion that the consul Caius Sempronius either engaged the enemy at a proper season, or strengthened his line with a reserve, or discharged any duty of a good consul: and whether you yourself, when the Roman legions were defeated, did not, of your own judgment, dismount the cavalry and restore the fight? Did he afterwards, when you and the horsemen were shut out from our army, either come himself to your relief or send you assistance? Then again, on the day following, did you find support any where? Did you and your cohort, by your own bravery, make your way into the camp? Did ye in the camp find any consul or any army? Or, did ye find the camp forsaken, and the wounded soldiers left behind? These things, it becomes your bravery and honour, which have proved in this war the security of the commonwealth, to declare this day. In fine, where is Caius Sempronius? where are our legions? Have you been deserted, or have you de-

serted the consul and the army? In short, have we been defeated, or have we gained the victory?"

XLI. In answer to these interrogatories, Tempanius is said to have spoken, not with studied eloquence, but with the manly firmness of a soldier, neither vainly displaying his own merit, nor showing pleasure at the censure thrown on others: "As to the degree of military skill possessed by Caius Sempronius the general, it was not his duty, as a soldier, to judge; that was the business of the Roman people, when, at the election, they chose him consul. He desired, therefore, that they would not require from him a detail of the designs and duties becoming the office of a general, or of a consul; matters which, even from persons of the most exalted capacity and genius, required much consideration: but what he saw, that he could relate. He had seen, before his communication with the army was cut off, the consul fighting in the front of the line, encouraging the men, and actively employed between the Roman ensigns and the weapons of the enemy. He was afterwards carried out of sight of his countrymen: however, from the noise and shouting, he perceived that the battle was prolonged until night; nor did he believe, that it was in their power, on account of the great numbers of the enemy, to force their way to the eminence where he had taken post. Where the army was, he knew not. He supposed that as he, in a dangerous crisis, had taken advantage of the ground to secure himself and his men, in like manner the consul, consulting the safety of his army, had chosen a stronger situation for his camp. Nor did he believe, that the affairs of the Volscians were in a better posture than those of the Roman people: for fortune and the night had caused abundance of mistakes, both on one side and the other." He then begged that they would not detain him, as he was much distressed with fatigue and wounds; and he was dismissed with the highest expressions of applause, no less for his modesty than his bravery. Meanwhile the

consul had come as far as the Temple of Rest, on the road leading to Lavici; whither wagons and other carriages were sent from the city, and which took up the men who were spent with the fatigue of the action, and the march by night. The consul soon after entered the city, and was not more anxiously desirous to clear himself from blame, than he was to bestow on Tempanius the praise which he deserved. While the minds of the citizens were full of grief for the ill success of their affairs, and of resentment against their commanders, the first object thrown in the way of their ill humour was Marcus Postumius, formerly military tribune, with consular power, at Veii, who was brought to trial, and condemned in a fine of ten thousand *asses* in weight, of brass.* Titus Quintius endeavoured to transfer all the blame of that event from himself on his colleague, who was already condemned; and as he had conducted business with success, both in the country of the Volscians when consul, under the auspices of the dictator Postumius Tubertus, and also at Fideneæ, when lieutenant-general to another dictator, Mamercus Æmilius, all the tribes acquitted him. It is said that his cause was much indebted to the high veneration in which his father Cincinnatus was held; and likewise to Quintius Capitolinus, who being now extremely old, begged with humble supplications that they would not suffer him who had so short a time to live, to carry any dismal tidings to Cincinnatus.

XLII. The commons created Sextus Tempanius, Y. R. 333. Aulus Sellius, Lucius Antistius, and Sextus Pom- B. C. 419. pilius, in their absence, plebeian tribunes; these being the persons whom, by the advice of Tempanius, the horsemen had appointed to command them as centurions. The senate finding that through the general aversion from Sempronius, the name of consul was become displeasing, ordered mili-

* 32*l.* 5*s.* 10*d.*

tary tribunes with consular power to be chosen. Accordingly there were elected Lucius Manlius Capitolinus, Quintus Antonius Merenda, and Lucius Papirius Mugillanus. No sooner had the year begun, than Lucius Hortensius, a plebeian tribune, commenced a prosecution* against Caius Sempronius, consul of the preceding year. His four colleagues, in the presence of the Roman people, besought him not to involve in vexation an unoffending general, in whose case fortune alone could be blamed: Hortensius took offence at this, thinking it meant a trial of his perseverance; and that the accused depended not on the intreaties of the tribunes, which were thrown out only for the sake of appearance, but on their protection. Turning first therefore to him, he asked,

* A prosecution before the people was a very tedious business, and afforded the person accused many chances of escaping, even though he should not be able to prove his innocence: he might prevail on the prosecutor to relinquish the charge, or on a plebeian tribune to interpose, or on the augurs to report ill omens on the day of the assembly for the decision; or, at the worst, he might go into voluntary exile: *vertere solum exiliis gratiâ*. A magistrate, who intended to impeach a person before the people, mounted the rostrum, and gave notice that on such a day he intended to accuse that person of such a crime; on which the party accused was obliged to give bail for his appearance, which if he failed to do, he was thrown into prison. On the day appointed, the people being assembled (by centuries if the crime charged was capital, by tribes if fineable,) the person accused was summoned by the crier, and if he did not appear, was punished at the pleasure of the prosecutor. If he appeared, the accuser mounted the rostrum, and began his charge, which he carried on through that and two other days, allowing an interval of one day between each. On the third day he made a recapitulation of the charge, and mentioned the punishment specified in the law for such an offence. This was expressed in writing, and exhibited to public view during three market-days. This proceeding was termed *rogatio* in respect of the people, and *irrogatio* in respect of the accused. On the day after the third market-day, the accuser finished the business of the prosecution, and concluded with giving notice of the day on which the assembly should meet to pass judgment. The accused was then at liberty to make his defence, either by himself, or by advocates.

“ Where were the haughty airs of the patrician? Where was the spirit upheld in confidence by conscious innocence, that a man of consular dignity took shelter under the shade of tribunes?” Then to his colleagues; “ As to you, what is your intention in case I persist in the prosecution? Do ye mean to rob the people of their jurisdiction, and to overturn the power of the tribunes?” To this they replied; “ that with respect both to Sempronius, and to all others, the Roman people possessed supreme authority; that it was neither in their power nor in their wishes to obstruct the exercise of it, but if their prayers in behalf of their general, who was to them a parent, should have no effect, they were determined to change their apparel along with him.” Hortensius then declared, “ the commons of Rome shall not see their tribunes in the garb of culprits: I have nothing farther to say to Sempronius,* since, by his conduct in command, he has rendered himself so dear to his soldiers.” Nor was the dutiful attachment of the four tribunes more pleasing to the patricians and to the commons, than was the temper of Hortensius, complying so readily with intreaties founded on justice. Fortune no longer indulged the Æquans, who had embraced the doubtful success of the Volscians as their own.

XLIII. In the year following, which had for Y. R. 334 consuls Numerius Fabius Vibulanus and Titus B. C. 418. Quintius Capitolinus, son of Capitolinus, nothing memorable was performed under the conduct of Fabius, to whom the province of encountering the enemy fell by lot. The Æquans, on merely showing their spiritless army, were driven off the field in a shameful flight, without affording the consul much honour, for which reason he was refused a triumph; however, as he had effaced the ignominy of the misfortune under Sempronius, he was permitted to enter the city in ovation. As the war was brought to a conclusion with less difficulty than had been apprehended, so the city, from a state of tranquillity, was unexpectedly involved in a scene of turbulent dis-

sensions between the patricians and plebeians. This was the effect of a plan for doubling the number of quæstors: for the consuls having proposed, that, in addition to the two city-quæstors, two others should always attend the consuls, to discharge the business relative to the army, and the measure having been warmly approved by the patricians, the tribunes contended, in opposition to the consuls, that half the number of quæstors should be taken from among the commons, for hitherto patricians only had been elected: against which scheme both consuls and patricians struggled at first with their utmost power. They afterwards offered a concession, that according to the practice in the election of tribunes with consular power, the people should have equal freedom of suffrage with respect to quæstors; yet finding that this had no effect, they, entirely laid aside the design of augmenting the number. No sooner, however, was it dropped by them, than it was taken up by the tribunes, while several other seditious schemes were continually started, and among the rest, one for an agrarian law. The senate was desirous, on account of these commotions, that consuls should be elected rather than tribunes, but no decree could be passed, by reason of the protests of the tribunes, so that the government, from being consular, became a kind of interregnum: nor was even that accomplished without a violent struggle, the tribunes obstructing the meeting of the patricians. The greater part of the ensuing year was wasted in contentions between the new tribunes, and the several interreges, the tribunes sometimes hindering the patricians from assembling to declare an interrex; at others, protesting against the interreges passing a decree for the election of consuls; at last, Lucius Papirius Mugillanus, being declared interrex, severely reprovèd both the senate and the plebeian tribunes, affirming, that, "the commonwealth, being forsaken by men, and preserved by the care and providence of the gods, subsisted merely by means of the Veientian truce, and the dilatoriness of the Æquans:

from which quarter, should an alarm of danger be heard, did they think it right, that the nation, destitute of a patrician magistrate, should be exposed to a surprise? That it neither should have an army, nor a general to enlist one? Did they think an intestine war the proper means to repel a foreign one? Should both take place at the same time, the power of the gods would scarcely be able to preserve the Roman state from ruin. It were much fitter that both parties should remit somewhat of their strict rights; and, by a mutual compromise of their pretensions, unite the whole in concord, the senate permitting military tribunes to be appointed instead of consuls, and the tribunes of the commons ceasing to protest against the four quæstors being chosen out of the patricians and plebeians, indiscriminately, by the free suffrages of the people."

XLIV. The election of tribunes was first held, Y. R. 335 and there were chosen tribunes, with consular power, B. C. 417. Lucius Quintus Cincinnatus a third time, Lucius Furius Medullinus a second time, Marcus Manlius and Aulus Sempronius Atratinus, all patricians. The last-named tribune presided at the election of quæstors, when there appeared among several other plebeian candidates, a son of Antistius, a plebeian tribune, and a brother of Sextus Pompilius, of the same order: but neither their power nor interest were able to prevent the people from choosing rather to raise those to the rank of nobility, whose fathers and grandfathers they had seen in the consulship. This enraged all the tribunes to madness, especially Pompilius and Antistius, who were incensed at the disappointment of their relations. "What could be the meaning of this," they said, "that neither their services, nor the injurious behaviour of the patricians, nor even the pleasure of exercising a newly acquired right, though a power was now granted which had hitherto been refused, had been sufficient to procure, for any plebeian whatever, the office of military tribune, or even that of quæstor? The prayers of a father

in behalf of his son, those of one brother in behalf of another, those of persons invested with the tribuneship of the commons, that sacred and inviolable power created for the protection of liberty, had all proved ineffectual. There must certainly have been some fraudulent practices in the case, and Aulus Sempronius must have used more artifice in the election than was consistent with honour;" in fine, they complained loudly, that their relations had been disappointed of the office by his unfair conduct. But as no serious attack could be made on him, because he was secured, both by innocence, and by the office which he held at the time, they turned their resentment against Caius Sempronius, uncle to Atratinus; and, aided by Canuleius, one of their colleagues, entered a prosecution against him on account of the disgrace sustained in the Volscian war. By the same tribunes mention was frequently introduced, in the senate, of the distribution of lands, which scheme Caius Sempronius had always most vigorously opposed; for they foresaw, as it fell out, that, on the one hand, should he forsake that cause, he would be less warmly defended by the patricians; and, on the other if he should persevere, at the time when his trial was approaching, he would give offence to the commons. He chose to face the torrent of popular displeasure, and rather to injure his own cause, than to be wanting to that of the public; and therefore, standing firm in the same opinion, he declared, that "no such largess should be made, which would only tend to aggrandize the three tribunes; affirming, that the object of their pursuits was not to procure lands for the commons, but ill-will against him. That, for his own part, he would undergo the storm with determined resolution; and, with regard to the senate, it was their duty, not to set so high a value on him, or on any other citizen, as through tenderness to an individual, to give room for an injury to the public." When the day of trial arrived, he pleaded his own cause with the same degree of intrepidity; and, notwith-

standing the patricians used every expedient to soften the commons, he was condemned in a fine of fifteen thousand *asses*.* The same year Postumia, a vestal virgin, was charged with breach of chastity. She was free from the guilt, but took too little pains to avoid the imputation of it, which was grounded merely on suspicion, caused by her too great gayety of dress, and from her manners being less reserved than became her state. The trial having been adjourned to a farther hearing, and she being afterwards acquitted, the chief pontiff, by direction of the college, ordered her to refrain from indiscreet mirth; and, in her dress, to attend more to the sanctity of her character, than to the fashion. In this year Cumæ, a city then possessed by Greeks, was taken by the Campanians.

XLV. The ensuing year had for military tribunes Y. R. 336. with consular power, Agrippa Menenius Lanatus, B. C. 416. Publius Lucretius Tricipitinus, Spurius Nautius, and Caius Servilius; a year which, by good fortune, was rendered remarkable, rather by great dangers, than by losses. The slaves formed a conspiracy to set fire to the city in different quarters; and, while the people should be every where intent on saving the houses, to take arms, and seize on the citadel and the capitol. Jupiter frustrated their horrid designs, and the offenders, being seized upon the information of two of their number, were punished. The informers were rewarded with their freedom, and ten thousand *asses*† in weight of brass, paid out of the treasury, a sum which, at that time, was reckoned wealth. Soon after, intelligence was received at Rome, from good authority, that the Æquans were preparing to renew hostilities, and that this old enemy was joined in the design by a new one, the Lavicanians. Fighting with the Æquans was now become to the state almost an anniversary custom. To Lavici ambassadors were sent, who having

* 48l. 8s. 9d.

† 32l. 5s. 10d.

returned with an evasive answer, from which it was evident that, though immediate war was not intended, yet peace would not be of long continuance, orders were given to the Tusculans to watch attentively, lest any new commotion should arise at Lavici. The military tribunes, with consular power, of the next year, Lucius Sergius Fidenas, Marcus Y. R. 337. Papirius Mugillanus, Caius Servilius son of Priscus, who, in his dictatorship, had taken Fidenæ, were, soon after the commencement of their office, attended by an embassy from Tusculum, the purport of which was, that the Lavicanians had taken arms, and after having, in conjunction with the Æquans, ravaged that territory, had pitched their camp at Algidum. War was then proclaimed against the Lavicanians. The senate having decreed that two of the tribunes should go out to command the army, and that the other should manage affairs at Rome, there sprung up on a sudden a warm dispute among the tribunes, each representing himself as the fittest person to command in the war, and scorning the business of the city as disagreeable and inglorious. The senate, beholding with surprise this indecent contention between the colleagues, Quintus Servilius said, "Since ye pay no deference either to this august body, or to the commonwealth, parental authority shall put an end to your unseemly altercation. My son, without putting it to the lots, shall hold the command in the city. I hope that those, who are so ambitious of being employed in the war, may act with greater prudence and manliness in their conduct of it, than they show in their present competition."

XLVI. It was resolved, that the levy should not be made out of the whole body of the people indiscriminately: ten tribes were drawn by lot, and out of these the tribunes enlisted the younger men, and led them to the field. The contentions which began in the city, were, through the same eager ambition for command, raised to a much greater height in the camp. On no one point did their sentiments agree;

each contended strenuously for his own opinion; endeavoured to have his own plans and his own commands only put in execution; showed a contempt of the other; and met with the like contempt in return: until at length, on the remonstrances of the lieutenant-generals, they came to a compromise, which was to enjoy the supreme command alternately, each for a day. When these proceedings were reported at Rome, Quintus Servilius, whose wisdom was matured by age and experience, is said to have prayed to the immortal gods, that the discord of the tribunes might not prove as he feared it might, more detrimental to the commonwealth than it had done at Veii; and to have urged his son earnestly to enlist soldiers and prepare arms, as if he foresaw with certainty some impending misfortune. Nor was he a false prophet: for under the conduct of Lucius Sergius, whose day of command it was, the troops were suddenly attacked by the Æquans, in disadvantageous ground, adjoining the enemy's camp; into which they had been decoyed by vain hopes of mastering it; the enemy counterfeiting fear, and having retreated to their rampart. They were driven in great disorder down a declivity in the rear, and while they tumbled one on another rather than fled, vast numbers were overpowered and slain. With difficulty they defended the camp for that day; and on the following, the enemy having invested it on several sides, they abandoned it in shameful flight through the opposite gate. The generals, lieutenant-generals, and such part of the body of the army as followed the colours, took the rout to Tusculum: the rest dispersing up and down, made their way to Rome by many different roads, bringing exaggerated accounts of the disaster which had happened. This unfortunate affair caused the less consternation, because it was not unexpected, and because there was a reinforcement of troops already prepared by the military tribune, to which, in this disorder of their affairs, they could look for security. By his orders also, after the confu-

sion in the city had been quieted by means of the inferior magistrates, scouts were instantly despatched for intelligence, who brought accounts that the generals and the army were at Tusculum, and that the enemy had not removed their camp. But what chiefly contributed to raise people's spirits was, that in pursuance of a decree of the senate, Quintus Servilius Priscus was created dictator, a man whose extensive judgment in public affairs the state had experienced, as well on many former occasions as in the issue of that campaign; he alone having, before the misfortune happened, expressed apprehensions of danger from the disputes of the tribunes. He appointed for his master of the horse the tribune by whom he had been nominated dictator, his own son, according to some accounts; but other writers mention Servilius Ahala as master of the horse that year. Then, putting himself at the head of the new raised troops, and sending orders to those at Tusculum to join him, he marched against the enemy, and chose ground for his camp within two miles of theirs.

XLVII. The negligence and the vanity inspired by success, which were formerly manifested in the Roman commanders, were now transferred to the Æquans. In the first engagement, the dictator having thrown the enemy's van into disorder by a charge of the cavalry, immediately directed the infantry to advance with speed, and slew one of his own standard-bearers who did not readily obey the order. Such ardour was in consequence displayed by the troops that the Æquans could not support the shock of their onset. Vanquished in the field, they fled precipitately to their camp, the taking of which cost even less time and trouble than the battle had done. After the camp had been taken and plundered, the dictator giving up the spoil to the soldiers, the horsemen, who had pursued the enemy in their flight, returned with intelligence, that after their defeat all the Lavicanians, and a great part of the Æquans, had retreated to Lavici; on

which the army was next day conducted thither, and the town, being invested on every side, was taken by storm. The dictator having led back his victorious army to Rome, resigned his office, on the eighth day after his appointment; and the senate, seizing the opportunity before the tribunes of the commons should raise seditions about the agrarian laws, voted, in full assembly, that a colony should be conducted to Lavici, at the same time introducing a proposal for a distribution of its lands. One thousand five hundred colonists, sent from the city, received each two acres. During two years after the taking of Lavici, in the Y. R. 338. first of which Agrippa Menenius Lanatus, Lucius B. C. 414. Servilius Structus, Publius Lucretius Tricipitinus, all these a second time, and Spurius Rutilus Crassus were military tribunes with consular power; and in the following, Aulus Sempronius Atratinus a third time, and Marcus Y. R. 339. Papirius Mugillanus and Spurius Nautius Rutilus B. C. 415. both a second time. There was tranquillity with respect to affairs abroad, but at home dissensions occasioned by agrarian laws.

XLVIII. The incendiaries of the populace were the Spurii, tribunes of the commons, Mæcilius a fourth time, and Mætilius a third, both elected in their absence. A very violent contest between the patricians and plebeians was now expected on the subject of the agrarian laws; for these tribunes had publicly proposed, that the lands, taken from their enemies, should be distributed in such a manner, that every man might have a share. Had this proposal passed into a law, the property of a great part of the nobles would have been confiscated; for scarcely was there any of the public territory, not even the ground on which the city itself was built, but what had been acquired by arms; all of which consequently must have been comprehended in it; nor could the military tribunes, either in the senate, or in the private meetings of the nobles, devise, in this exigency, any promis-

ing plan of conduct: when Appius Claudius, grandson of him who had been decemvir for compiling the laws, being the youngest senator in the assembly, is said to have told them, that "he had brought from home, for their use an old scheme, which had been first devised by his family:—that his great grandfather Appius Claudius had shown the patricians one method of baffling the power of the tribunes, by the protests of their colleagues:—that new men were easily drawn off from their designs by the influence of people of consequence, if they were addressed in language suited to the times rather than to the dignity of the speakers. Their sentiments were ever directed by their circumstances. When they should see that their colleagues who first set the business on foot had got the start; and monopolized the whole credit of it with the commons, so that there was no room left for them to come in for any share, they would, without reluctance, lean for support to the cause of the senate, by means of which they might conciliate the favour, not only of the principal patricians, but of the whole body." Every one expressing approbation, and particularly Quintus Servilius Priscus, highly commending the youth for not having degenerated from the Claudian race, a general charge was given, that they should gain over as many of the college of tribunes as possible, to enter protests. On the breaking up of the senate, the principal patricians made their applications to the tribunes, and by persuasions, admonitions, and assurances that it would be acknowledged as a favour by each of them in particular, and also by the whole senate, they prevailed on six to promise their protests. Accordingly, on the day following, when the senate was consulted, as had been preconcerted, concerning the sedition which Mæcilius and Mætilius were exciting, by the proposal of a largess of most pernicious tendency, the speeches of the principal patricians ran all in the same strain, each declaring that, for his part, "he could neither devise any satisfactory mode of pro-

ceeding, nor could he see a remedy any where, unless it were found in the protection of the tribunes. To that office the commonwealth, embarrassed with difficulties, in like manner as a private person in distress, had now recourse for aid: and that it would be highly honourable to themselves, and to their office, if they showed that the tribuneship possessed not greater power to harass the senate, and excite discord between the orders in the state, than to favour ill-designing colleagues." The voices of the whole senate were then heard together, appeals to the tribunes, coming from every corner of the house; and, in some time, silence being obtained, those who had been prepared through the influence of the principal nobility gave notice, " that the proposal of a law, published by their colleagues, which, in the judgment of the senate, tended to the dissolution of the commonwealth, they would oppose with their protests." The thanks of the senate were given to the protestors: but the authors of the proposal, having called an assembly of the people, abused their colleagues as traitors to the interests of the commons, and slaves to the consulars; but, after uttering other bitter invectives against them, dropped the prosecution of their scheme.

XLIX. The two perpetual enemies of the Ro- Y. R. 340.
mans would have given them employment during B. C. 412.
the following year, in which Publius Cornelius Cossus, Caius Valerius Potitus, Quintus Quintius Cincinnatus, and Numerius Fabius Vibulanus were military tribunes with consular power, had not the religious scruples of their leaders deferred the military operations of the Veientians, in consequence of their lands having suffered severely, principally in the destruction of their country-seats, by an inundation of the Tiber. At the same time, the Æquans, by the loss which they had sustained three years before, were deterred from affording aid to the Volani, one of their kindred states. These had made inroads on the contiguous district of Lavici, and

committed hostilities on the new colony: in which unjust proceeding they had hoped to have been supported by the concurrence of all the Æquans; but, being forsaken by their confederates, they, without performing any action worth mentioning, were stripped, in one slight battle and a siege, both of their lands and their city. An attempt made by Lucius Sextius, plebeian tribune, to procure a law that a colony should be sent to Volæ, in like manner as to Lavici, was crushed by the protests of his colleagues; who declared openly that they would not suffer any order of the commons Y. R. 341. to be passed, unless it were approved by the senate. B. C. 411. Next year the Æquans, having recovered Volæ, and sent a colony thither, strengthened the town with additional fortifications, the military tribunes with consular power, at Rome, being Cneius Cornelius Cossus, Lucius Valerius Potitus, Quintus Fabius Vibulanus, a second time, and Marcus Postumius Regillensis. The conduct of the war with the Æquans was intrusted to the last mentioned, a man of a depraved mind; which, however, did not appear so much in his management of the campaign, as in his behaviour on gaining success. Having, with great activity, levied an army and marched to Volæ, after breaking the spirits of the Æquans in slight engagements, he at length forced his way into the place; where he began a contention with his countrymen, instead of the Æquans. For having proclaimed, during the assault, that the plunder should be given to the soldiers, he broke his word on getting possession of the town. This, I am inclined to believe, was the cause of the displeasure of the army; rather than from finding less booty than the tribune had represented, and which they could not well expect in a new colony, and a town which had been sacked a short time before. Their anger was farther inflamed on his return to the city, (whither he had been summoned by his colleagues, on account of seditions raised by the plebeian tribunes,) from an expression which he was heard to utter in an assembly of

the people, and which showed great weakness, or rather a degree of insanity. On Sextius, the plebeian tribune, proposing an agrarian law, and at the same time declaring that he would also propose the sending of a colony to Volæ, because those men deserved to enjoy the city and lands of Volæ, who had gained possession of them by their arms, he exclaimed, "Wo to my soldiers, if they are not quiet." Which words gave not greater offence to the assembly, than they did soon after to the patricians, when they heard them; and the plebeian tribune, a keen man, and not destitute of eloquence, having found among his adversaries this haughty temper and ungoverned tongue, which he could easily provoke to such expressions as would excite indignation, not only against himself, but against the whole body and their cause, took occasion to draw Postumius more frequently into disputes than any other of the military tribunes. But now, on such a barbarous and inhuman expression, he remarked, "Do ye hear him, citizens! denouncing wo to soldiers as he would to slaves? and yet this brute will be judged by you more deserving of his high office than those who send you into colonies, and enrich you with lands and cities; who provide a settlement for your old age; and who fight, to the last, in defence of your interests. Begin then to learn why so few undertake your cause. What would they have to expect at your hands? posts of honour? These ye choose to confer on your adversaries, rather than on the champions of the Roman people. Ye murmured just now on hearing that man's words. What does that avail? If ye had an opportunity, this moment, of giving your votes, ye would no doubt prefer him who denounces wo to you, before those who wish to procure establishments for you, of lands, habitations, and property."

L. The words of Postumius being conveyed to the soldiers, excited in the camp a much higher degree of indignation. "Should a fraudulent embezzler of the spoils," they

said, "denounce also wo to the soldiers?" A general and open avowal of their resentment ensuing, the quæstor, Publius Sextius, supposing that the mutiny might be quashed, by the same violence which had given rise to it, sent a lictor to one of the most clamorous of the soldiers, on which a tumult and scuffle arose, in which he received a blow of a stone, which obliged him to withdraw from the crowd; the person who had wounded him adding, with a sneer, that "the quæstor had got what the general had threatened to the soldiers." Postumius being sent for, on account of this disturbance, exasperated still farther the general ill humour, by the severity of his inquiries and cruelty of his punishments. At last, a crowd being drawn together, by the cries of some whom he had ordered to be put to death under a hurdle, he gave a loose to his rage, running down from the tribunal, like a madman, against those who interrupted the execution. There the indignation of the multitude, increased by the lictors clearing the way on all sides, and by the conduct of the centurions, burst out with such fury, that the tribune was overwhelmed with stones by his own troops. When this deed of such a heinous nature was reported at Rome, and the military tribunes endeavoured to procure a decree of the senate, for an inquiry into the death of their colleague, the plebeian tribunes interposed their protest. But this dispute was a branch of a contest of another kind; for the patricians had been seized with apprehensions that the commons, actuated by resentment and dread of the inquiries, would elect military tribunes out of their own body; therefore, they laboured with all their might for an election of consuls. The plebeian tribunes, not suffering the decree of the senate to pass, and also protesting against the election of consuls, the affair was brought to an interregnum. The patricians then obtained the victory.

Y. R. 342. L₄I. Quintus Fabius Vibulanus, interrex, presid-
B. C. 410. ing in the assembly, Marcus Cornelius Cossus and

Lucius Furius Médullinus were chosen consuls. In the beginning of their year of office, the senate passed a decree, that the tribunes should, without delay, propose to the commons an inquiry into the murder of Postumius, and that the commons should appoint whomsoever they should think proper to conduct the inquiry. The employment was, by a vote of the commons, which was approved by the people at large, committed to the consuls; who, notwithstanding they proceeded in the business with the utmost moderation and lenity, passing sentence of punishment only on a few, who, as there is good reason to believe, put an end to their own lives; yet could he not prevent the commons from conceiving the highest displeasure, and from observing that “any constitutions, enacted for their advantage, lay long dormant and unexecuted; whereas a law passed, in the mean time, consigning their persons and lives to forfeiture, was instantly enforced, and that with such full effect.” This would have been a most seasonable time, after the punishment of the mutiny, to have soothed their minds with such a healing measure as the distribution of the territory of Volæ; as it would have diminished their eagerness in the pursuit of an agrarian law, which tended to expel the patricians from the public lands, the possession of which they had unjustly acquired. But as matters were managed, the ill treatment shown them, in this very instance, was an additional source of vexation, as the nobility not only persisted with obstinacy to retain possession of those public lands, but even refused to distribute to the commons such as had been lately taken from the enemy, which otherwise would, like the rest, in a short time become the prey of a few. This year the legions were led out by the consul Furius against the Volscians, who were ravaging the country of the Hernicians; but not finding the enemy there, they proceeded to and took Ferentinum, whither a great multitude had retreated. The quantity of the spoil was less than they had expected, because the Vol-

scians, seeing small hopes of holding out, had carried off their effects by night, and abandoned the town; which, being left almost without an inhabitant, fell next day into the hands of the Romans. The lands were given to the Hérnicians.

Y. R. 343. LII. That year, through the moderation of the B. C. 409. tribunes, passed in domestic quiet; but the succeeding one, wherein Quintus Fabius Ambustus and Caius Furius Pacilus were consuls, was ushered in with the turbulent operations of Lucius Icilius, a plebeian tribune. Whilst, in the very beginning of the year, he was employed in exciting sedition by the publication of agrarian laws, as if that were a task incumbent on his name and family, a pestilence broke out, more alarming, however, than deadly, which diverted men's thoughts from the Forum, and political disputes, to their own houses, and the care of their personal safety. It is believed that the disorder was less fatal in its effects, than the sedition would have proved, the state being delivered from it, with the loss of very few lives; though the Y. R. 344. sickness had been exceedingly general. This year B. C. 408. of pestilence was succeeded by one of scarcity, owing to the neglect of agriculture, usual in such cases. Marcus Papirius Atratinus and Caius Nauticus Rutilus were consuls. Famine would now have produced more dismal effects than the pest, had not a supply been procured to the market by despatching envoys round all the nations bordering on the Tuscan sea, and on the Tiber, to purchase corn. The Samnites, who were then in possession of Capua and Cumæ, in a haughty manner prohibited them from trading there: they met, however, with a different reception from the tyrants of Sicily, who kindly afforded every assistance. The largest supplies were brought down by the Tiber, through the very active zeal of the Etrurians. In consequence of the sickness, the consuls were at a loss for men to transact the business of the nation, so that not finding more than one senator for each embassy, they were obliged to join

to it two knights. Except from the sickness and the scarcity, there happened nothing during those two years, either at home or abroad, to give them any trouble. But no sooner did those causes of uneasiness disappear than all the evils which had hitherto so frequently distressed the state, started up together, intestine discord and foreign wars.

I.III. In the succeeding consulate of Mamer- Y. R. 345.
cus Æmilius and Caius Valerius Potitus, the Æquans B. C. 407.
made preparations for war; and the Volscians, though they took not arms by public authority, supplied them with volunteers who served for pay. On the report of hostilities having been committed by them, for they had now marched out into the territories of the Latines and Hernicians, Valerius the consul began to enlist troops, whilst Marcus Mænius, a plebeian tribune, who was pushing forward an agrarian law, obstructed the levies; and as the people were secure of the support of the tribune, no one, who did not choose it, took the military oath,—when on a sudden, news arrived that the citadel of Carventa had been seized by the enemy. The disgrace incurred by this event, while it served the senate as a ground of severe reproaches against Mænius, afforded at the same time to the other tribunes, who had been already pre-engaged to protest against the agrarian law, a more justifiable pretext for acting in opposition to their colleague. Wherefore, after the business had been protracted to a great length, by wrangling disputes, the consuls appealing to gods and men, maintained that whatever losses or disgrace had already been, or was likely to be suffered from the enemy, the blame of all was to be imputed to Mænius, who hindered the levies; Mænius, on the other hand, exclaiming, that if the unjust occupiers would resign the possession of the public lands, he would give no delay to the levies. On this, the nine tribunes interposed, by a decree, and put an end to the contest, proclaiming as the determination of their college, that “they would, for the purpose of enforcing the levy, in opposition

to the protest of their colleague, support Caius Valerius in inflicting fines and other penalties, on such as should refuse to enlist." Armed with this decree, the consul ordered a few, who appealed to the tribune, to be taken into custody; at which, the rest, being terrified, took the military oath. The troops were led to the citadel of Carventa, and though mutual dislike prevailed between them and the consul, yet, as soon as they arrived at the spot, they retook the citadel with great spirit, driving out the troops which defended it. Numbers having carelessly straggled from the garrison, in search of plunder, had left the place so exposed as to be attacked with success. The booty was there considerable; because the whole of what they collected, in their continual depredations, had been stored up in the citadel, as a place of safety. This the consul ordered the quæstors to sell by auction, and to carry the produce into the treasury, declaring that when the soldiers should appear not to have a desire to decline the service, they should then share in the spoil. This so much increased the anger of the people and soldiers against the consul, that when, in pursuance of a decree of the senate, he entered the city in ovation, in the couplets of rude verses, thrown out with military license, and in which he was reflected on with severity, the name of Mænius was extolled with praises, and on every mention of the tribune, the attachment of the surrounding populace, manifested itself in expressions of approbation and applause, which vied with the commendations of the soldiers. This circumstance, in regard to the tribune, more than the wanton railery of the soldiers against the consul, and which was in some measure customary, gave great uneasiness to the senate; so that, not doubting but Mænius would be honoured with a place among the military tribunes, if he were to be a candidate, they put it out of his reach by appointing an election of consuls.

LIV. The consuls elected were Cneius Corne- Y. R. 348.
lius Cossus and Lucius Furius Medullinus a second B. C. 406.
time. The commons were never more highly displeased than
now, at not being allowed to elect tribunes. At the nomina-
tion of quæstors, they discovered this displeasure, and at the
same time took their revenge by raising, for the first time,
plebeians to their place: of the four appointed, Cæso Fabius
Ambustus was the only patrician; the three plebeians, Quintus
Silius, Publius Ælius, and Publius Pupius being preferred
before young men of the most illustrious families. That
the people exerted this freedom, in giving their suffrages,
was owing, I find, to the Icili, out of which family, the most
hostile of any to the patricians, three were chosen tribunes
for that year; who, after flattering the multitude with the
prospect of various and great designs to be achieved, and
thereby exciting their most ardent expectations, affirmed that
they would not stir a step, unless the nation would, at least
in the election of quæstors, the only one which the senate
had left open to both patricians and plebeians, show a proper
degree of spirit for the accomplishment of what they had
long wished for, and what the laws had put in their power.
The commons, therefore, considered this as an important
victory, and estimated the quæstorship in its present state,
not according to the intrinsic value of the office itself, but as
it appeared to lay open to new men an access to the consul-
ship and the honours of a triumph. On the other hand, the
patricians expressed great indignation at the prospect of the
posts of honour not only being shared with others, but per-
haps lost to themselves, affirming, that "if things were to re-
main in that state, it would be folly to educate children, who,
being excluded from the station of their ancestors, and see-
ing such in possession of their rightful honours, would be
left without command or power in the character of Salii or
Flamens, with no other employment than that of offering sa-
crifices for the people." The minds of both parties became

highly irritated, while the commons assumed new courage, in having acquired three leaders of the popular cause, of most distinguished reputation. The senate, seeing that every election wherein the commons had liberty of choosing out of both parties, would prove in the issue like that of the quæstors, were earnest for the naming of consuls, which was not yet laid open to them. On the other hand, the Iciliî insisted that military tribunes should be elected, and some posts of dignity be at length imparted to the commons.

LV. The consuls had no business on their hands, by an opposition to which they could extort a compliance with their wishes: when at a moment surprizingly seasonable for their purpose, news was brought that the Volscians and Æquans had marched beyond their own frontiers, to ravage the lands of the Latines and Hernicians. But when the consuls began to levy troops, the tribunes exerted themselves strenuously to hinder it; affirming that this was an advantageous opportunity, presented by fortune to them and to the commons. There were three of them all men of the most active talents, and considerable families among the plebeians. Two of these chose each a consul, whose motions he was to watch with unremitting assiduity, the third had the charge assigned him, of sometimes restraining, sometimes spiriting up the commons by his harangues. Thus the consuls could not accomplish the levy, nor the tribunes the election which they had planned. After some time expresses arrived that the Æquans had attacked the citadel of Carventa, while the soldiers of the garrison were straggling abroad in search of plunder, and had put to death the few who were left to guard it; that several were slain as they were hastily returning to the citadel, with others who were dispersed through the country. This incident, while it prejudiced the state, added force to the project of the tribunes. For, though assailed by every argument to induce them to desist, at least in the present situation of affairs, from obstructing the business of

the war, they would not give way either to the storm which threatened the public, or to the torrent of displeasure to which themselves were exposed; and, at length, carried their point, that the senate should pass a decree for the election of military tribunes. This, however, was accompanied with an express stipulation, that no person should be admitted as a candidate who was in that year a plebeian tribune; and that no plebeian tribune should be rechosen for the year following: the senate in this, pointing undoubtedly at the Icili, whom they suspected of aiming at the consular tribuneship. After this, the levy and other preparations for war, went forward, with the general concurrence of all ranks. The diversity of the accounts given by writers renders it uncertain, whether the two consuls marched to the citadel of Carventa, or whether one remained at home to hold the elections, but those facts in which they do not disagree, we may receive as certain; that, after having carried on the attack for a long time, without effect, the army retired from that citadel; that, by the same army, Verrugo, in the country of the Volscians, was retaken, great devastation made, and immense booty captured, in the territories both of the Æquans and Volscians.

LVI. At Rome, as the commons gained the vic- Y. R. 347.
 tory, so far as to procure the kind of election which B. C. 405.
 they preferred, so in the issue of it, the patricians were victorious: for, contrary to the expectation of all, three patricians were chosen military tribunes with consular power; Caius Julius Iulus, Publius Cornelius Cossus, and Caius Servilius Ahala. It is said that an artifice was practised by the patricians on the occasion, and the Icili charged them with it at the time; that by intermixing a number of unworthy candidates, with the deserving, they turned away the people's thoughts from the plebeian candidates. The disgust was excited by the remarkable meanness of some of the number. Information was now received that the Volscians and

Æquans, actuated by hopes, from having been able to keep possession of the citadel of Carventa, or by anger, for the loss of the garrison of Verrugo, had in conjunction commenced hostilities with the utmost force which they could muster, and that the Antians were the chief promoters of this measure; for that their ambassadors had gone about among both those states, upbraiding their spiritless conduct, saying that they had the year before lain hid behind walls, and suffered the Romans to carry their depredations through every part of the country, and the garrison of Verrugo to be overpowered. That now, armed troops, as well as colonies, were sent into their territories; and that the Romans not only kept possession of their property, and distributed it among themselves, but even made presents of a part of it to the Hernicians of Terentinum, a district of which they had been stripped. People's minds being inflamed by these representations of the envoys, great numbers of the young men were enlisted. Thus the youth of all the several nations were drawn together to Antium, and there pitching their camp, they waited the attack. These violent proceedings being reported at Rome, and exaggerated beyond the truth, the senate instantly ordered a dictator to be nominated, their ultimate resource in all perilous conjunctures. We are told that this measure gave great offence to Julius and Cornelius, and was not accomplished without much ill temper in others. The principal patricians, after many fruitless complaints against the military tribunes, for refusing to be directed by the senate, at last went so far as to appeal to the tribunes of the commons, representing, that compulsory measures had been used by that body even to consuls in a similar case. The plebeian tribunes, overjoyed at this dissension among the patricians, made answer, that "there was no support to be expected from persons who were not accounted in the number of citizens, and scarcely of the human race. If at any time the posts of honour should cease

to be confined to one party, and the people should be admitted to a share in the administration of government, they would then exert their endeavours to prevent the decrees of the senate being invalidated by any arrogance of magistrates. Until then, the patricians, who were under no restraint in respect to the laws, might by themselves manage the tribunitian office along with the rest."

LVII. This connection, at a most unseasonable time, and when they had on their hands a war of such importance, occupied every one's thoughts; until at length, after Julius and Cornelius had for a long time descanted, by turns, on the injustice done them in snatching out of their hands the honourable employment entrusted to them by the people, (they being sufficiently qualified to conduct the war,) Servilius Ahala, one of the military tribunes, said, that "he had kept silence so long, not because he was in doubt as to the part he ought to take; for what good citizen would consider his own emolument, rather than that of the public? but because he wished that his colleagues would, of their own accord, yield to the authority of the senate, rather than let supplications be made to the college of tribunes, for support against them. That notwithstanding what had passed, if the situations of affairs would allow it, he would still give them time to recede from an opinion, too obstinately maintained. But as the exigences of war would not wait on the counsels of men, he would prefer the interest of the commonwealth to the regard of his associates; and if the senate continued in the same sentiments, he would, on the following night, nominate a dictator; and if any person protested against the senate passing a decree, he would consider a vote of that body as sufficient authority."* By this conduct, having, deservedly, obtained the praises and countenance of all, after he had nomi-

* Many circumstances might prevent the senate's passing a decree; in such cases the opinion of the majority was recorded, and was called *senatus auctoritas*. It might be referred to the people for confirmation.

nated Publius Cornelius dictator, he was himself appointed by him master of the horse, and afforded an example to such as observed his case, and that of his colleagues, that honours and public favour sometimes offer themselves the more readily to those who show no ambition for them. The war produced no memorable event. In one battle, and that gained without difficulty, the enemy were vanquished at Antium. The victorious army laid the lands of the Volscians entirely waste. Their fort, at the lake Fucinus, was taken by storm, and in it three thousand men made prisoners; the rest of the Volscians were driven into the towns, without making any attempt to defend the country. The dictator having conducted the war in such a manner as showed only that he was not negligent of fortune's favours, returned to the city with a greater share of success than of glory, and resigned his office. The military tribunes, without making any mention of an election of consuls, I suppose through pique for the appointment of a dictator, issued a proclamation for the choosing of military tribunes. The perplexity of the patricians became now greater than ever, when they saw their cause betrayed by men of their own order. In like manner, therefore, as they had done the year before, they set up as candidates the most unworthy of the plebeians, thus creating a disgust against all of these, even the deserving; and then, by engaging those patricians who were most eminently distinguished by the splendor of their character, and by their interest, to stand forth as candidates, they secured every one of the places according to their wish. There were four military tribunes elected, all of whom had already served, Lucius Y. R. 348. Furius Medullinus, Caius Valerius Potitus, Nu- B. C. 404. merius Fabius Vibulanus, and Caius Servilius Ahala: the last being continued in office, by re-election, as well on account of his other deserts, as in consequence of the popularity which he had recently acquired by his singular moderation.

LVIII. In that year, the term of the truce with the Vei-

entian nation being expired, ambassadors and heralds were employed to make a demand of satisfaction for injuries, who, on coming to the frontiers, were met by an embassy from the Veientians. These requested that the others would not proceed to Veii, until they should first have access to the Roman senate. From the senate they obtained, that, in consideration of the Veientians being distressed by intestine dissensions, satisfaction should not be demanded: so far were they from seeking, in the troubles of others, an occasion of advancing their own interests. In another quarter, and in the country of the Volscians, a disaster was felt in the garrison at Verrugo being lost. On which occasion so much depended on time, that though the troops besieged there by the Volscians had requested assistance, and might have been succoured, if expedition had been used, the army sent to their relief, came only in time to destroy the enemy, who, just after putting the garrison to the sword, were dispersed, in search of plunder. This dilatoriness was not to be imputed to the tribunes, so much as to the senate; who, because they were told that a very vigorous resistance was made, never considered, that there are certain limits to human strength, beyond which no degree of bravery can proceed. These very gallant soldiers, however were not without revenge, both before and after their death, In the following year, Publius and Cneius Cornelius Cossus, Numerius Fabius Ambustus, and Lucius Valerius Potitus Y. R. 349.
B. C. 403. being military tribunes with consular power, war was commenced against the Veientians, in resentment of an insolent answer of their senate; who, when the ambassadors demanded satisfaction, ordered them to be told, that if they did not speedily quit the city, they would give them the satisfaction which Lars Tolumnius had given. The Roman senate being highly offended at this, decreed, that the military tribunes should, as early as possible, propose to the people the proclaiming war against the Veientians. As soon as that

proposal was made public, the young men openly expressed their discontent. "The war with the Volscians," they said, "was not yet at an end; it was not long since two garrisons were utterly destroyed, and one of the forts was with difficulty retained. Not a year passed, in which they were not obliged to meet an enemy in the field, and, as if these fatigues were thought too trifling, a new war was now set on foot against a neighbouring and most powerful nation, who would soon rouse all Etruria to arms." These discontents, first suggested by themselves, were farther aggravated by the plebeian tribunes, who affirmed, that "the war of greatest moment subsisting, was that between the patricians and plebeians. That the latter were designedly harassed by military service, and exposed to the destructive weapons of enemies. They were kept at a distance from the city, and in a state of banishment, lest, should they enjoy rest at home, they might turn their thoughts towards liberty, and the establishment of colonies, and form plans, either for obtaining possession of the public lands, or asserting their right of giving their suffrages with freedom." Then taking hold of the veterans, they recounted the years which each of them had served, their wounds and scars, asking, "where was there room on their bodies to receive new wounds? what quantity of blood had they remaining which could be shed for the commonwealth?" As they had by these insinuations and remarks, thrown out in public assemblies, rendered the commons averse from the war, the determination on the proposition was adjourned, because it was manifest, that, if it came before them, during the present ill-humour it would certainly be rejected.

LIX. It was resolved, that, in the mean time, the military tribunes should lead an army into the territories of the Volscians. Cneius Cornelius alone was left at Rome. The three tribunes, finding that the Volscians had not any where formed a camp, and that they were resolved not to hazard a

battle, divided their forces into three parts, and set out towards different quarters to waste the enemy's country. Valerius directed his march to Antium, Cornelius to Ece-tra, and wherever they came, they made extensive depredations both on the lands and houses, in order to separate the troops of the Volscians. Fabius marched, without plundering, to attack Anxur, which was the principal object in view. Anxur is the city which we now call Tar-racinæ, situated on a declivity adjoining a morass. On this side, Fabius made a feint of attacking it, but sent round four cohorts under Caius Servilius Ahala, who, having seized on an eminence which commands the city, assailed the walls, with great shouting and tumult, and where there was no guard to defend them. Those, who were employed in protecting the lower part of the city against Fabius, being stunned and in amazement at this tumult, gave him an opportunity of applying the scaling ladders. Every place was quickly filled with the Romans, and a dreadful slaughter continued a long time without distinction of those who fled and those who made resistance, of the armed or unarmed. The vanquished therefore were under a necessity of fighting, there being no hope for such as retired, until an order was suddenly proclaimed, that no one should be injured except those who were in arms, which induced all the surviving multitude instantly to surrender. Of these, there were taken alive, to the number of two thousand five hundred. Fabius would not suffer his soldiers to meddle with the spoil, until his colleagues arrived, saying, that those armies had also a part in the taking of Anxur, who had diverted the other troops of the Volscians from the defence of the place. On their arrival the three armies plundered the city, which a long course of prosperity had filled with opulence; and this liberality of the commanders first began to reconcile the commons to the patricians: which end was soon after farther promoted; for the principal nobility, with a generosity towards

the multitude the most seasonable that ever was shown, procured a decree of the senate, and before such a scheme could be mentioned by the tribunes or commons, that the soldiers should receive pay out of the public treasury,* whereas hitherto every one had served at his own expense.

LX. No measure, we are told, was ever received by the commons with such transports of joy; they ran in crowds to the senate-house, caught the hands of the senators as they came out, declaring that they were fathers in reality, and acknowledging that their conduct had been such, that every man, whilst he had any share of strength remaining, would risk his person, and property, in the cause of a country so liberal to its citizens. Whilst they were delighted with the comfortable prospect of their private substance at all events resting unimpaired, during such time as they should be consigned over to the commonwealth, and employed in its service, their joy received a manifold addition, and their gratitude was raised to a higher pitch, from the consideration that this had been a voluntary grant, having never been agitated by the tribunes, nor attempted to be gained by any requisitions of their own. The plebeian tribunes, alone, partook not of the general satisfaction and harmony diffused through every rank, but averred, that "this would not prove such matter of joy nor so honourable to the patricians, as they themselves imagined. That the plan appeared better on the first view, than it would prove on experience. For how could that money be procured unless by imposing a tax on the people? They were generous to some, therefore, at others' expense. Besides, even though this should be borne, those who had served out their time in the army would never endure, that their successors should be retained on

* The foot soldiers only. The horse did not receive pay until three years after. The pay of a foot soldier, in the time of the second Punick war, was three *asses*; too small, if they had not received an allowance of corn and sometimes of clothes.

better terms than they themselves had been; and that they should bear the expense first of their own service and then of that of others." These arguments had an effect on great numbers of the commons. At last, on the publication of the decree for levying the tax, the tribunes went so far, as, on their part, to give public notice, that they would give protection to any person who should refuse his proportion of the tax for payment to the soldiers. The patricians persisted in support of a matter so happily begun. They first of all paid in their own assessment; and there being no silver coined at that time, some of them conveying their weighed brass to the treasury in wagons, gave a pompous appearance to their payments. This being done by the senate with the strictest punctuality, and according to their rated properties, the principal plebeians, connected in friendship with the nobility, in pursuance of a plan laid down, began to pay; and, when the populace saw these highly commended by the patricians, and also respected as good citizens by those of military age, scorning the support of the tribunes, they began at once to vie with each other in paying the tax. The law being then passed, for declaring war against the Veientians, a numerous army, composed chiefly of volunteers, followed the new military tribunes, with consular power, to Veii.

LXI. These tribunes were Titus Quintius Capi- Y. R. 350
tolinus, Publius Quintius Cincinnatus, Caius Julius B. C. 402.
Iulus a second time, Aulus Manlius, Lucius Furius Medul-
linus a second time, and Manius Æmilius Mamercinus. By
these Veii was first invested. A little before this siege
began, a full meeting of the Etrurians being held at the
temple of Voltumna, the question whether the Veientians
should be supported by the joint concurrence of the whole
confederacy, was left undecided. During the following
year the siege was prosecuted with less vigour, because
some of the tribunes and their troops were called away to

Y. R. 351. oppose the Volscians. The military tribunes, with B. C. 401. consular power, of this year were, Caius Valerius Potitus a third time, Manius Sergius Fidenas, Publius Cornelius Maluginensis, Cneius Cornelius Cossus, Cæso Fabius Ambustus, Spurius Nautius Rutilus, a second time. A pitched battle was fought with the Volscians, between Ferentinum and Ecetra, in which the Romans had the advantage. Siege was then laid by the tribunes to Artena, a town of the Volscians. After some time, the enemy having attempted a sally, and being driven back into the town, the besiegers got an opportunity of forcing their way in, and made themselves masters of every place, except the citadel. This fortress was naturally very strong, and a body of armed men had thrown themselves into it. Under its wall great numbers were slain and made prisoners. The citadel was then besieged, but it neither could be taken by storm, because it had a garrison sufficient for the size of the place, nor did it afford any hope of a surrender, because, before the city was taken, all the public stores of corn had been conveyed thither, so that the Romans would have grown weary of the attempt, and retired, had not the fortress been betrayed to them by a slave. He gave admittance, through a place of difficult access, to some soldiers, who made themselves masters of it; and while they were employed in killing the guards, the rest of the multitude, losing all courage at the sight of this unexpected attack, laid down their arms. After demolishing both the citadel and city of Artena, the legions were led back from the country of the Volscians, and the whole power of Rome turned against Veii. The traitor received as a reward, besides his liberty, the property of two families, and was called Servius Romanus. Some are of opinion, that Artena belonged to the Veientians, not to the Volscians: a mistake occasioned by there having been once a town of

that name, between Cære and Veii. (But that town the Roman kings demolished; it was the property of the Cæritians, not of the Veientians; this other of the same name, the destruction of which we have related, was in the country of the Volscians.

THE
HISTORY OF ROME.

BOOK V.

On occasion of the siege of Veii, winter huts erected for the troops; on account of which, being a new plan, the tribunes of the people endeavour to excite discontent, complaining that no repose is given to the soldiers, even in winter. The cavalry, for the first time, serve on horses of their own. Veii, after a siege of ten years, taken by Furius Camillus, dictator. In the character of military tribunes, he lays siege to Falisci; sends back the children of the enemy, who were betrayed into his hands; being charged with criminal conduct, goes into exile. The Senonian Gauls lay siege to Clusium. Roman ambassadors sent to mediate peace, take part with the Clusians; provoked at which, the Gauls march directly against Rome, and, after routing the Romans at the Allia, take possession of the whole city, except the Capitol. Having scaled the Capitol in the night, they are discovered by the cackling of geese, and repulsed, principally by the exertions of Marcus Manlius. The Romans, compelled by famine, agree to ransom themselves. While they are weighing the gold, Camillus arrives with an army, beats off the Gauls, and destroys their army. He prevents the design of moving to Veii.

Y. R. 352. I. PEACE now subsisted in all other quarters; B. C. 400. but the Romans and Veientians were still in arms, and displayed such violent rancour and animosity as made it evident that utter destruction would be the fate of the party vanquished. The election of magistrates in the two states was conducted in very different methods. The Romans

augmented the number of their military tribunes with consular power, electing eight, a number greater than had hitherto been known. These were Manius Æmilius Mamercinus a second time, Lucius Valerius Potitus a third time, Appius Claudius Crassus, Marcus Quintilius Varus, Lucius Julius Iulus, Marcus Postumius, Marcus Furius Camillus, Marcus Postumius Albinus. The Veientians, on the other hand, disgusted at the annual intrigues of candidates, which were sometimes the cause of violent dissensions, elected a king. This step gave great offence to all the states of Etruria, as besides their abhorrence of kingly government, they held the person elected in no less detestation. He, out of the insolence of wealth, and the arrogance of his temper, had before this rendered himself obnoxious to the nation, by violently breaking off the performance of certain annual games, the omission of which was deemed an impiety: for instigated by pique, because another candidate for the office of priest had been preferred before him, by the suffrages of the twelve states, in the middle of the solemnity, he abruptly carried away the performers, of whom a great part were his slaves. That nation, therefore devoted beyond all others to religious performances, the more so, because they excelled in the conduct of them, passed a decree, by which all aid was refused to the Veientians, so long as they should continue under the government of a king. At Veii, all mention of this decree was suppressed by people's dread of the king, who would have treated any person, reported to have mentioned such a matter, as a leader of sedition, not as the author of an idle rumour. Although the Romans received intelligence that all was quiet in Etruria, yet being also informed that this business was agitated in every one of their meetings, they formed and strengthened their fortifications in such a manner as gave them security on both sides. Some they raised on the part next the town, against the irruptions of the townsmen;

others, the side opposite Etruria, so as to guard against any auxiliaries which might come from thence.

II. The Roman generals, conceiving greater hopes from a blockade, than from an assault, resolved to carry on their operations during the whole winter; and accordingly they began to erect huts, a proceeding quite new to Roman soldiers. As soon as an account of this was brought to the plebeian tribunes, who for a long time past found no pretext for starting new disturbances, they flew out to meet the people in assembly, and laboured to inflame the minds of the commons, asserting, that "this was the purpose for which pay for the soldiery had been established; nor had they been so blind, as not to see, that such a present from their enemies was tainted with poison. That the liberty of the commons had been sold; their young men carried away without hope of return, exposed to the severity of winter, excluded from their houses and family affairs. What did they suppose was the reason for keeping the troops on duty without intermission? They would find it, in fact, to be no other than the apprehension, lest in case of the attendance of those youths, in whom the whole strength of the commons consisted, some steps might be taken towards promoting their interests. Besides, the men were more harassed, and subjected to greater hardships than the Veientians. For the latter passed the winter under their own roofs, having their city secured by strong walls, and its natural situation; while the Roman soldiers, in the midst of labour and toils, lay perishing in tents, overwhelmed by snow and frost; never laying their arms out of their hands even in that severe season, which had ever given a respite to all wars either on land or sea. Neither kings nor consuls, overbearing as they were before the institution of the tribunitian office; nor the stern government of a dictator; nor the arbitrary decemvirs; ever imposed such a pain as this of unremitting military service. Yet military tribunes assumed that degree of kingly power

over the commons of Rome. What would have been the behaviour of those men, in the office of consul or dictator, who have exhibited a picture of proconsular power in colours of such harshness and cruelty? but this was no worse than what the people deserved. Among eight military tribunes, they did not give room to one plebeian. Till of late, the patricians used to find the utmost difficulty in filling up three places; but, now they march in files, eight deep, to take possession of the posts of government; and even in such a crowd, no plebeian is found intermixed, who, if he served no other purpose, might remind his colleagues, that the army was composed not of slaves but of freemen; of citizens who ought to be brought home, at least in winter, to their habitations, and the comforts of their own roofs, and allowed, at some time of the year, to visit their parents, children, and wives, to exercise the rights of Romans, and to take a part in the election of magistrates." While they exclaimed in these, and such like terms, they were not unequally matched in an opponent, Appius Claudius, who had been left at home, by his colleagues, for the purpose of repressing the turbulent schemes of the tribunes; a man trained, from his youth, in contentions with the plebeians; who some years before, had recommended, as has been mentioned, the disuniting the power of the tribunes by the protests of their colleagues.

III. Endowed by nature with good abilities, and possessed also of experience, from long practice, he spoke on this occasion in the following manner: "if it ever was a matter of doubt, citizens, whether the motives which led the plebeian tribunes to foment sedition, on every occasion, regarded your interests or their own, I am confident that, in the course of this year, every such doubt must have vanished; and while I rejoice at your being at length undeceived in respect of a mistake of long continuance, I cannot, at the same time, refrain from congratulating you, and on your account, the commonwealth, that the delusion has been remov-

ed by a train of prosperous events, rather than by any other means. Is there a person living, who is not convinced that the plebeian tribunes were never so highly displeased and provoked by any instance of the ill treatment felt by you, if any such ever really existed, as by the generosity of the patricians towards the commons, in establishing pay for the army? What other event do ye think they either dreaded then, with so much anxiety; or wish so ardently, at present to obviate, as an union between the orders, which in their opinion would prove the subversion of the tribunitian power? Thus, in fact, as labourers in the field of iniquity, they are at a loss for employment, and even wish, that there may be always some diseased part in the commonwealth, for the cure of which they may be employed by you. For whether, tribunes, are ye at present defending the commons, or making an attack on them? Whether are ye adversaries of the soldiery, or patrons of their cause. Perhaps ye will say thus, whatever the patricians do, we disapprove, whether it be favourable or prejudicial to the commons; and, just as masters forbid their slaves to have any dealings with those belonging to others, and think proper to cut off the commerce between them either of kindness or unkindness, ye, in like manner, interdict us, the patricians, from all intercourse with the commons; lest by our civility and generosity, we should challenge their regard, and they become obedient and willing to be directed as we might see best. Would it not much better become you, if ye had any of the sentiments, or feelings, I say not, of fellow citizens, but of human beings, rather to favour, and, as far as in your power to cherish this kindness of the patricians, and the tractable disposition of the commons? Were such harmony once established, on a permanent footing, who is there that would not venture to engage, that this empire would soon arrive at a height of grandeur far beyond all the neighbouring states?

IV. " I shall hereafter explain to you, not only the expediency, but the necessity, of the plan adopted by my colleagues, of not drawing off the troops from Veii, until the business shall be completed. At present I choose to confine my observations to the state of the soldiery: and if what I shall say on that head were to be spoken, not only before you, but also in the camp, I am persuaded, that it would appear reasonable, to the army themselves. Indeed, if my own understanding were incapable of suggesting any arguments on the subject, I might be well content with those which have been thrown out in the discourses of our adversaries. They lately insisted that pay ought not to be given to the soldiers, because it had never been given before. Upon what grounds, therefore can they now be displeased, if persons who have received an addition of profit, beyond what was usual, are enjoined to perform some additional labour proportioned thereto? In no case is labour to be procured without emolument, nor emolument, in general, without the expense of labour. Toil and pleasure, in their natures opposite, are yet linked together in a kind of necessary connection. Formerly, the soldier deemed it a hardship to give up his labour to the commonwealth, and to bear his own expenses. At the same time, he found pleasure in having it in his power, for a part of the year, to till his own ground, and to acquire the means of supporting himself and his family, at home, and in the field. At present, he has a source of pleasure in the profits set apart for him by the commonwealth, and he no doubt receives his pay with joy. Let him, therefore, bear with resignation the being detained a little longer from his home, and from his family affairs, which are not now burthened with his expenses. Suppose the commonwealth called him to a statement of accounts, might it not justly say, you receive pay by the year, give me your labour by the year. Do you think it just, that for half a-year's service, you should receive a whole year's pay? It is dis-

agreeable to me, Romans, to dwell on this topic; for this kind of proceeding suits only those, who employ mercenary soldiers; but we wish to deal, as with our fellow-citizens. Either, then, the war ought not to have been undertaken, or it ought to be conducted in a manner suited to the dignity of the Roman people, and to be brought to a conclusion as soon as possible. Now it will certainly be brought to a conclusion, if we press forward the siege; if we do not retire, until we have attained the object of our hopes, in the capture of Veii. In truth, if there were no other motive, the very discredit of acting otherwise ought to urge us to perseverance. In former times, a city was held besieged for ten years on account of one woman, by the united force of all the Greeks. At what a distance from their homes! What tracts of land and sea lying between! Yet we grumble at the fatigue of a siege of one year's continuance, within less than twenty miles of us, almost within sight of our city; because, I suppose, the ground of our quarrel is not sufficiently just to stimulate us to persevere. This is the seventh time that the people have rebelled. During peace, they never were faithful to their engagements. They have laid waste our territories a thousand times. They have compelled the Fidenatians to revolt from us; have put to death our colonists in that district; and have been the instigators of the impious murder of our ambassadors, in violation of the laws of nations: they have endeavoured, in short, to stir up all Etruria against us; and, at this day, are busy in the same attempt: and scarcely did they refrain from offering violence to our ambassadors who demanded satisfaction. Against such people, ought war to be waged in a remiss and dilatory manner?

V. "If such just causes of resentment have no weight with us, have, I beseech you, the following considerations none? The city has been inclosed with immense works, by which the enemy are confined within their walls. Of late

they have not tilled their lands; and what were cultivated before, have been laid waste in the course of the war. If we withdraw our army, who can doubt that not only through desire of revenge, but even through the necessity imposed on them of plundering the property of others, since they have lost their own, they will make an invasion on our territories? By such conduct, therefore, we should not defer the war, but open it a passage into our own frontiers. What shall we say, as to the circumstances immediately affecting the soldiers, of whose interests your worthy tribunes have, all on a sudden, grown so careful, after having attempted to wrest their pay out of their hands? How do they stand? They have formed a rampart and a trench, both works of immense labour, through so great an extent of ground: they have erected forts, at first only a few, afterwards a great number, when the army was augmented; and they have raised defences, not only on the side next to the city, but also opposite Etruria, against any succours which should arrive from thence. Why need I mention towers, covered approaches, and the like; together with all the various machines used in attacking towns? Now, that such a quantity of labour has been expended, and that they have just come to the finishing of the work, do ye think it would be prudent to abandon all these preparations, that, the next summer, they may be obliged to undergo again the same course of toil and labour in forming them a-new? How much less difficult would it be, to support the works already formed, to press forward, to persevere, and thus at once to be set at rest? The business might soon be accomplished by an uniform course of exertions; for it is certain, that by thus interrupting and suspending all proceedings, we absolutely hinder the attainment of our own hopes. What I have said, regards only the labour, and the loss of time. But let me ask farther, can we disregard the danger which we incur by procrastination, while we see so frequent meetings held by the Etrurians on the subject of

sending aid to Veii? As matters stand at present, they are displeased and angry with that people; declare that they will not send them aid; and, for any concern which they take in the affair, we are at liberty to take Veii. But who can promise that if we suspend our operations, they will be in the same temper hereafter? For, if you allow any relaxation, more respectable, and more frequent, embassies will be despatched; and the very circumstance which now disgusts the Etrurians, the establishment of a king at Veii, may, in the interim, be done away, either by the joint determination of the several members of the state, for the sake of recovering the friendship of Etruria, or by a voluntary act of the king himself, who may be unwilling to continue on the throne, when he finds it an obstruction to the welfare of his countrymen. See now how many consequences, and how detrimental, attend that method of proceeding; the loss of works formed with so great labour; the consequent devastation of our frontiers; and, instead of the Veientians, the whole nation of Etruria united against us. These, tribunes, are your plans, much indeed, of the same kind, as if, in the case of a sick person, who by submitting to a regimen with resolution, might quickly recover his health, should render his disorder tedious, and perhaps incurable, for the sake of the present pleasure which eating and drinking would afford him.

VI. " I insist, that, though it were of no consequence, with respect to the present war, yet it is certainly of the utmost importance to military discipline, that our soldiers be accustomed, not only to enjoy the fruits of victory, but, should the business prove tedious, to endure the irksomeness of delay; to wait the issue of their hopes, though tardy; and, if the summer did not finish the war, to try what the winter might produce; and not, like birds of spring, to look about for hiding places and shelter, the moment autumn arrived. Consider, I beseech you, how the pleasure of hunting and éagerness in the chace hurry men through woods and

over mountains, in the midst of frost and snow; and shall we not bestow on the necessary exigences of war, the same degree of patience, which is usually called forth, even by sport and amusement? Do we suppose the bodies of our soldiers so effeminate, their minds so feeble, that they cannot for one winter, endure the fatigue of a camp, and absence from home? That, like those who carry on war by sea, they must regulate their operations by taking advantage of the weather, and observing the seasons of the year? That they are incapable of enduring either heat or cold? I am convinced they would blush, if such things were laid to their charge, and would maintain that both their minds and bodies were possessed of manly firmness: that they were able to perform the duties of war, as well in winter as in summer: that they never had commissioned the tribunes to patronize sloth and effeminacy; and remembered very well, that it was not under their own roofs, nor in the shade, that their ancestors established the tribuneship. Such sentiments are worthy of the valour of soldiers, such are worthy of the Roman name; not to consider merely the city of Veii, nor the present war, in which ye are employed, but to seek a reputation which may last during other wars, and among all other nations. Do ye look on the difference between the characters which will be applied to you, according to your conduct in this affair, as a matter of trivial importance? Whether the neighbouring nations deem the Romans to be soldiers of such a kind, that any town which can withstand their first assault, and that of very short continuance, has nothing farther to apprehend; or, whether our name be terrible on this account, that neither the fatigue of a tedious siege, nor the severity of winter, can remove a Roman army from a place, which it has once invested; that it knows no other termination of war, than victory; and that its operations are not more distinguished by briskness of action, than by steady perseverance? a qualification which, as it is highly requisite in every kind of military

service, is most particularly so in carrying on sieges of towns; because these being generally, from the nature of their situation, and the strength of their works, impregnable by assault, time alone overpowers and reduces them by means of hunger and thirst, as it will certainly reduce Veii, unless the tribunes of the commons supply aid to the enemy, and the Veientians find in Rome that support, which they seek in vain in Etruria. Could any other event so fully accord to the wishes of the Veientians, as that the city of Rome first, and then, by the spreading of the contagion, the camp, should be filled with sedition? But now, among the enemy, such a temperate disposition prevails, that neither through disgust at the length of the siege, nor even at the establishment of kingly government, has one change of measures been attempted; nor has the refusal of aid, from the Etrurians, soured their temper; because, if any one there proposes seditious measures, he will be instantly put to death; nor will any person be suffered to utter such things, as are uttered among you without any fear of punishment. He deserves the bastinado who forsakes his colours, or quits his post: yet men are heard, openly in public assembly, recommending, not to one or two particular soldiers, but to whole armies, to leave their colours, and desert their camp. With such partiality are ye accustomed to listen to whatever a plebeian tribune advances, although it manifestly tends to the ruin of your country, and the dissolution of the commonwealth; and so captivated are ye by the charms of that office, that, under shelter of it, ye suffer every kind of wickedness to lurk unnoticed. They have but one step farther to take, to engage the soldiers in camp, in the same measures which they urge here with so much clamour, to debauch the troops, and allow them no longer to obey their officers, since liberty, according to the present notion of it at Rome, consists in casting off all reverence for the senate, for the magistrates, for the laws, for

the practices of our ancestors, for the institutions of our fathers, and for military discipline.”

VII. Appius was now fully equal to a contention with the plebeian tribunes, even in the assemblies of the people, when a misfortune suffered before Veii, by an effect which no one could have expected, threw the superiority at once on his side, and produced both an unusual harmony between the orders of the state, and a general ardour to push on the siege of Veii with greater vigour. For when the trenches had been advanced almost to the very town, and the machines were just ready to be applied to the walls, the troops, employing greater assiduity in forming their works by day, than in guarding them by night, one of the gates was thrown open on a sudden, and a vast multitude, armed chiefly with torches, sallied forth, and set fire to them on all sides; so that the flames destroyed in an instant both the rampart and the machines, the construction of which had cost so much time; and great numbers of men, attempting, in vain, to save them, perished by fire and the sword. When news of this disaster arrived at Rome, it diffused a general sadness through all ranks of men, and filled the senate also with anxiety and strong apprehensions, lest they should find it impossible to withstand any longer the machinations of the seditious, either in the city or the camp, and lest the tribunes of the commons should insult over the commonwealth, as if it lay vanquished at their feet. At this juncture, those persons who possessed equestrian fortunes, and had not had horses assigned them by the public, after previously consulting together, went in a body to the senate, and having obtained permission to speak, declared their resolution to serve in the army, on horses provided at their own expense. On which the senate returning them thanks, in the most honourable terms, and the report of this proceeding having spread through the Forum, and all parts of the city, there immediately ensued a general concourse of the commons to the

senate-house, where they declared, that "they were now the infantry of that army; and that, though it was not their turn to serve, yet they freely engaged in the cause of the commonwealth, whether it should be thought proper to lead them to Veii, or to any other place. If they should be led to Veii," they affirmed "that they would never return from thence until that city should be taken from the enemy." The senate now scarce set any bounds to the torrent of joy which flowed in upon them; for they did not, as in the case of the horsemen, pass an order for thanks to be conveyed by the magistrates, neither were the people called into the senate-house to receive an answer; nor did the senators confine themselves within their house; but, from the eminence adjoining, every one of them eagerly, with voice and hands, testified the public satisfaction, to the multitude who stood below in the assembly; declared, that, by such unanimity, the city of Rome was rendered happy, invincible, and everlasting; praised the horsemen, praised the commons; blessed even the day, as a day of happiness, and acknowledged that the courtesy and kindness of the patricians were now outdone, while, through excess of joy, tears flowed in abundance, both from the patricians and commons; until the senators, being called back into their house, passed a decree, that "the military tribunes, summoning an assembly, should give thanks to the infantry, and to the horsemen, and should assure them, that the senate would keep in remembrance the dutiful affection which they had shown towards their country; and had come to a resolution that every one of those who had, out of turn, voluntarily undertaken the service, should enjoy rank and pay from that date." A certain stipend was also assigned to the horsemen. This was the first instance of the cavalry serving on their own horses. This army of volunteers, being led to Veii, not only restored the works which had been destroyed, but erected new ones. Greater care than ever was used, in sending them supplies

from the city, that no kind of accommodation should be wanting to troops who merited so highly.

VIII. The ensuing year had military tribunes Y. R. 353. with consular power, Caius Servilius Ahala a B. C. 399. third time, Quintus Servilius, Lucius Virginius, Quintus Sulpicius, Aulus Manlius a second time, Manius Sergius a second time. In their tribunate, whilst all men's attention was directed to the Veientian war, the security of the garrison at Anxur was neglected, the soldiers obtaining leave of absence, and the Volscian traders being freely admitted: the consequence of which was, that the guards at the gates were suddenly overpowered, and the place taken by surprize. The number of soldiers slain was the less, because, except the sick, they were all employed like suttlers, in trafficking about the country and the neighbouring cities. Nor did better success attend the operations before Veii, which were then the grand object which engrossed all the public solicitude; for the Roman commanders showed a stronger disposition to quarrel among themselves, than to act with spirit against the enemy. Besides, the power of their adversaries received an addition, by the unexpected arrival of the Capenatians and Faliscians. These two states of Etruria, contiguous in situation to Veii, judged that, should that city be conquered, they should be the next exposed to the attacks of the Romans. The Faliscians were farther induced, by a reason particularly affecting themselves, to enter into the quarrel, as having been formerly a party in the war of the Fidenatians: wherefore, after having, by reciprocal embassies, ratified their engagements with an oath, they advanced with their forces to Veii, at a moment when no one thought of their coming. They happened to attack the camp on that quarter, where Manius Sergius, military tribune, commanded, which caused a violent alarm; for the Romans imagined that all Etruria had been set in motion, and had come out in a mass against them. The same opinion roused to action

the Veientians in the city. Thus the camp was attacked on both sides; and the troops, in opposing the attempts of the enemy, being obliged to wheel round their battalions from one post to another, could neither effectually confine the Veientians within their fortifications, nor repel the assault from their own works, nor even defend themselves on the outer side. Their only hope was, that they might be reinforced from the greater camp, and then the several different legions would support the different parts of the fight, some against the Capenatians and Faliscians, others against the sallies from the town. But that camp was commanded by Virginius, between whom and Sergius subsisted a personal hatred: on being informed that most of the forts were attacked, the fortifications scaled, and that the enemy poured in on both sides, he kept his men within his own works, under arms, saying, that if there were need of a reinforcement, his colleague would send to him. His arrogance was equalled by the obstinacy of the other; who, rather than appear to have asked any assistance from a person with whom he was at variance, chose to be conquered by the enemy. His troops inclosed on either side, suffered great slaughter for a long time; at last, abandoning the works, a very small part of them made their way to the principal camp; the greater number, with Sergius himself, proceeded to Rome; here, as he threw the entire blame on his colleague, it was determined that Virginius should be called home, and that in the mean time the lieutenant-generals should hold the command. The affair was taken into consideration by the senate, where the dispute between the colleagues was carried on with mutual recriminations. Few of the members regarded the interests of the commonwealth, each adhered to one, or the other, just as he happened to be prejudiced by private regard, or interest.

IX. The principal senators were of opinion, that whether the misconduct, or the misfortune of the commanders, had

been the cause of such an ignominious overthrow, they ought not to wait for the regular time of election, but to create immediately new military tribunes, who should enter into office on the calends of October. While the members were proceeding to show their assent to this opinion, the other military tribunes offered no objection; but Sergius and Virginius, to whose behaviour it was evidently owing that men wished to get rid of the magistrates of that year, at first deprecated the ignominy which would hereby be thrown upon them, and afterwards protested against the passing of the decree, and declared that they would not retire from office before the ides of December, the usual day for others entering into office. On this the tribunes of the commons, who, during the general harmony and the prosperity of public affairs, had unwillingly kept silence, at once assuming confidence, threatened the military tribunes, that, unless they submitted to the direction of the senate, they would order them to be carried to prison. Then Caius Servilius Ahala, one of the military tribunes, said, "As to your part, tribunes of the people, I assure you I would with great pleasure put it to the proof, whether your threats are more destitute of authority, or yourselves of spirit. But I consider it as impious to act in opposition to the will of the senate; wherefore on the one hand, I desire that ye may desist from seeking in our disputes for an opportunity of doing mischief; and on the other hand, either my colleagues shall act according to the order of the senate, or if they persist any farther in opposition, I will instantly nominate a dictator, who will compel them to retire from office." This discourse being received with universal approbation, and the senators rejoicing that another power had been thought of, which, by its superior authority, might reduce the magistrates to order without the terrors of the tribunitian office, those magistrates yielded to the universal desire of the public, and held an election of military tribunes, who were to enter into office on

the calends of October; and before that day, they divested themselves of the magistracy.

Y. R. 354. X. This military tribunate with consular power, B. C. 398. of Lucius Valerius Potitus a fourth time, Marcus Furius Camillus a second, Manius Æmilius Mamercinus a third, Cneius Cornelius Cossus a second, Cæso Fabius Ambustus and Lucius Julius Iulus, was occupied by a multiplicity of business both civil and military: for the operations of war were to be carried on in many different places at once, at Veii, and at Capena; at Falerii, and among the Volscians for the recovery of Anxur. Then at Rome, there was great uneasiness, occasioned by the levying of troops, and at the same time by the paying in of the tax. There was also a struggle about the appointment of the plebeian tribunes; while the trials of two of those, who had lately been invested with consular power excited no trifling disturbance. The military tribunes applied themselves, first of all, to the raising of troops, and not only the younger men were enlisted, but the elder citizens also were compelled to give in their names, to serve as a garrison to the city. Now, in proportion as the number of soldiers was augmented, so much the more money became necessary for their pay, and this was made up by a tax, which was very unwillingly paid by those who remained at home, because, as the guard of the city lay upon them, they must also perform military duty, and give their labour to the public. These circumstances, grievous in themselves, were set forth in more provoking terms, in the seditious harangues of the plebeian tribunes, who insisted, that "the establishment of pay to the soldiers was intended for the purpose of ruining one-half of the commons, by the fatigues of war, and the other half, by a tax. That one war had now been protracted to the fifth year; and was conducted, without success, designedly, in order that it might afford them the longer employment. Besides armies had been enlisted at one levy for four different expeditions, and even

boys and old men dragged from their homes. That no distinction was made between summer and winter, lest any respite should be allowed to the wretched commons; who, now, as the finishing stroke, had been made subject to a tax; so that when they should return, with their bodies wasted through toils, wounds, and even age, and find every thing at home in disorder, from the long absence of the owners, would at the same time be obliged, out of their ruined property, to refund in a manifold proportion, to the state, the money which they had received as pay, as if it had been taken up at usurious interest." Between the levy, and the tax, and from men's thoughts being occupied by more important concerns, the number of plebeian tribunes could not be filled up on the day of election. A violent effort was afterwards made to have patricians assumed into the vacant places, but that being found impracticable, another plan was adopted, for the purpose of 'weakening at least the authority of the Trebonian law, by the assumption of Caius Lacerius and Marcus Acutius as plebeian tribunes; and this was effected evidently by the influence of the patricians.

XI. It so happened, that this year Caius Trebonius was a plebeian tribune: and he considered it as a duty incumbent on his name and family, to patronize the Trebonian law. He therefore complained loudly, that "a measure which had been attempted by some patricians, and in which they were baffled at their first setting out, had been violently carried by the military tribunes:—that the Trebonian law had been subverted, and plebeian tribunes elected, not in conformity to the suffrage of the people, but to the mandate of the patricians. That the matter was brought to this issue, that people must be content to see the office of plebeian tribune filled either by patricians or their dependants:—that all the advantages of the devoting laws were wrested from them, and the tribunitian power forcibly transferred to other hands." And he insisted, that "this must have been effected, either by some

artifices of the patricians, or by the villainy and treachery of his colleagues." The public being inflamed with an high degree of resentment, not only against the patricians, but the tribunes of the people also; as well those who had been elected, as those who had elected them; three of that body, Publius Curatius, Marcus Metilius, and Marcus Minucius, greatly alarmed for their own interests, made an attack on Sergius and Virginus, military tribunes of the former year, and, by a prosecution which they commenced, turned off upon them the anger of the commons, and the resentment of the public. They desired people to "take notice, that such as felt themselves aggrieved by the levy, by the tax, by long service in the army, and the distance of the seat of war; such as lamented the loss sustained at Veii; such as had their houses in mourning for the loss of children, brethren, kinsmen, and relations; all these had now, by their means, both the right and the power afforded them, of avenging the public and private calamities on the two persons who were the guilty causes of them. For to Sergius and Virginus were owing," they asserted, "all their misfortunes. And that was not more fully evinced by the charge of the prosecutor, than by the acknowledgment of the defendants; who, being equally conscious of crime, each imputed it to the other; Virginus charging Sergius with cowardice; Sergius, Virginus with treachery. The absurdity of whose conduct was so great, that there was a high degree of probability that the whole affair had been transacted by concert, and according to a wicked design of the patricians, who, for the purpose of protracting the war, first gave the Veientians an opportunity to burn the works, and now, had delivered up an army to the sword of the enemy, and surrendered a Roman camp to the Faliscians. The management of all affairs was directed to one end, that the young men should grow old before Veii; and that the tribunes should be thereby deprived of the power of taking the sense of the people, either concerning

the lands, or any other advantages of the commons; of having their plans supported by a numerous attendance of citizens, or of making head against the conspiracy of the patri- cians. That the cause of the defendants had been already prejudged by the senate, by the Roman people, and by their own colleagues. For, by a decree of the senate, they had been removed from the administration of government; and, refusing to resign their office, had been constrained to submit, by their colleagues, who threatened them with a dictator, and that the Roman people had elected tribunes, who were to assume the government, not on the usual day, the ides of December, but instantly on the calends of October; because the continuance of the former in office was incompatible with the safety of the commonwealth. Yet, after all this, those men, censured, and overwhelmed by so many decisions against them, presented themselves for trial before the people, and imagined that they were discharged, and had undergone sufficient punishment, because they had been reduced to the rank of private citizens, two months sooner than ordinary; never considering, that this was only taking out of their hands the power of doing farther mischief, not inflicting punishment; their colleagues, who were manifestly clear of all share of the blame, being deprived of authority as well as themselves. They requested that the citizens of Rome would resume the same sentiments, which they had felt when the disastrous event was recent, when they beheld the army flying in consternation, covered with wounds, and filled with dismay; pouring into the gates, accusing not fortune, nor any of the gods, but these their comrades. They were confident, that there was not a man present in the assembly who did not, on that day, utter execrations and curses against the persons, the families, and fortunes of Lucius Virginius and Marcus Sergius. And it would be the highest inconsistency if they did not now, when it was not only lawful but their duty, exert their own power against those,

on whom each of them had imprecated the vengeance of the gods. The gods themselves never laid their hands on the guilty, it was enough if they armed the injured with power to take revenge."

XII. Instigated by such discourses, the commons condemned the accused in a fine of ten thousand asses in weight;* while Sergius in vain alleged that the miscarriage was to be imputed to fortune, and the common chance of war; and Virginius made earnest supplications that they would not render him more unfortunate at home, than he had been in the field. The current of popular resentment, having been thus turned against them, almost obliterated the remembrance of the assumption of tribunes, and the fraudulent infraction of the Trebonian law. The victorious tribunes, in order that the commons might reap an immediate advantage from their effort, published a proposal of an agrarian law, and forbade the tax to be paid, since pay was required for such a number of troops, while the success of their arms in any of the wars, had been no more than sufficed to keep their hopes in suspense. At Veii, the camp which had been lost, was recovered, and strengthened with forts and a garrison. Here Marcus Æmilius and Cæso Fabius, military tribunes, commanded. Marcus Furius in the territory of the Faliscians, and Cneius Cornelius in that of the Capenatians, meeting with none of the enemy in the field, drove off the spoil and ravaged the country, burning all the houses and the fruits of the earth. The towns they neither assaulted nor besieged. But in the country of the Volscians, after the lands had been wasted, Anxur was assaulted, though without success. Being seated on a lofty eminence, and force being found ineffectual, it was determined to surround it with a rampart and trench. This province of the Volscians had fallen to Valerius Potitus. While the business of the campaign was in this state,

* 3*l.* 5*s.* 10*d.*

a sedition burst out at home, with more formidable violence than appeared in the operations against the enemy. And as the tribunes would not suffer the tax to be paid, and consequently no remittances were made to the generals for the payment of the troops, and as the soldiers clamorously demanded their due, there was the greatest danger that the contagion of sedition might spread from the city, and the camp also be involved in confusion. Though the commons were so much incensed against the patricians, and though the plebeian tribunes asserted, that the time was now come for establishing liberty, and transferring the supreme dignity from such as Sergius and Virginus, to men of plebeian rank, men of fortitude and industry, yet they proceeded no farther in gratification of their passion, than the election of one plebeian, Publius Licinius Calvus, to the office of military tribune with consular power, for the purpose of establishing their right by a precedent. The others elected were patricians, Publius Mænius, Lucius Titinius, Publius Mælius, Lucius Furius Medullinus, and Lucius Publius Volscus. The commons themselves were surprised at having carried such an important point, no less than the man himself who had been elected, a person who had no post of honour before, although a senator of long standing, and now far advanced in years. Nor does it sufficiently appear why he was chosen in preference to others, to taste the first sweets of this new dignity. Some are of opinion, that he was appointed to so high a station by the influence of his brother Cneius Cornelius, who had been military tribune the preceding year, and had given triple pay to the cavalry. Others, that it was owing to a seasonable discourse, made by himself, recommending harmony between the orders of the state, which was equally acceptable to the patricians and plebeians. The plebeian tribunes, filled with exultation by this victory in the election, remitted their opposition with respect to the tax, which was the principal obstruction to the public busi-

ness. It was then paid in without murmuring, and sent to the army.

XIII. In the country of the Volscians, Anxur was quietly retaken, through the neglect of the guards on a festival day. This year was remarkable for a cold winter and great fall of snow, so that the roads were impassable, and the navigation of the Tiber shut up. There was no change in the price of provisions, considerable stores having been previously collected. As Publius Licinius had obtained his office without any riotous proceeding, to the great joy of the commons, and the no less mortification of the patricians, so the same regularity was preserved through the whole course of his administration. Hence the people became enraptured with the thoughts of choosing plebeians at the next election of military tribunes. Of the patrician candidates Y. R. 356. B. C. 396. Marcus Veturius alone carried his election. The centuries almost unanimously appointed the following plebeians military tribunes with consular power: Marcus Pomponius, Caius Duilius, Volero Publilius, Cneius Genutius, and Lucius Atilius. The severe winter, whether from the ill temperature of the air, occasioned by the sudden transition from one extreme to the other, or from some other cause, was succeeded by a sickly summer, fatal to all kinds of animals, and as neither the beginning nor end of the virulence of the disorder could be discovered, the Sibylline books were consulted, in pursuance of a decree of the senate. The decemvirs who had the direction of religious matters, then first introduced the lectisternium* in the city of Rome, and decking out three couches with the utmost magnificence which

* From *lectus*, a bed, or rather couch, and *sterno*, to spread. Upon couches of this kind the Romans reclined at their meals, but especially at entertainments. Upon this occasion these couches were brought out into the streets, and being decorated in the most magnificent manner, the statues of the gods and goddesses were laid thereupon, and sumptuous banquets placed before them. Of these repasts all comers were allowed to partake

those times could afford, implored thus the favour of Apollo, Latona, and Diana; and of Hercules, Mercury, and Neptune, for the space of eight days. The same solemn rites were performed by private persons. We are told, that the doors were thrown open in every part of the city; that every thing was exposed in public to be used in common; that passengers, whether known or unknown, were universally invited to lodgings; and even that people at variance, refraining from animosity and ill language, conversed together with complaisance and kindness. During those days too, such as were in confinement were set at liberty; and that afterwards, people were deterred, by a religious scruple, from imprisoning those persons to whom the gods had brought such deliverance. Meanwhile dangers multiplied at Veii, to which point the operations of three different wars were concentrated, for the Capenatians and Faliscians coming up unexpectedly to the relief of the town, the troops were obliged, in the same manner as formerly, to make head against three different armies, on different sides, through the whole extent of their works. What contributed to their safety beyond every thing else, was the recollection of the sentence passed on Sergius and Virginus: so that a reinforcement was quickly led round from the principal camp, where the delay had been made in the former case, and these fell upon the rear of the Capenatians, while their front was engaged against the rampart of the Romans. The fight no sooner began here, than it struck terror into the Faliscians also, and a seasonable sally, made from the camp while they were thus disordered, obliged them to turn their backs. The victors then, pursuing them in their retreat, made vast slaughter among them; and, in a short time after, a party, which had been employed in ravaging the territory of Capena, accidentally meeting them as they fled in confusion, entirely cut off those who had survived the fight. Great numbers of the Veientians also, in their retreat to the city, were slain before the gates; for, dreading lest the Romans should

force in along with them, they closed the gates, and shut out the hindmost of their own men. These were the transactions of that year.

XIV. And now approached the election of military tribunes, which seemed to engross a greater share of the attention of the patricians, than even the business of the war: for they saw that the sovereign power was not only shared with the commons, but almost entirely lost to themselves. They therefore, by concert, engaged the most illustrious characters to stand candidates, such as they believed people would be ashamed to pass by; the others, nevertheless, put in practice every possible expedient, as if they had all been aiming at the same object, and endeavoured to draw to their side, not only men, but the gods, representing the election held two years before in a light offensive to religion: that "in the former of those years, a winter came on with intolerable severity, such as bore every appearance of a prodigy sent from the gods. In the following, no longer portents but events ensued; a pestilence fell on both country and city, manifestly displaying the wrath of heaven; whom, as was discovered in the books of the fates, it was necessary to appease, in order to avert that plague. It appears to the immortals as an affront, that, in an election held under their auspices, honours should be prostituted, and the distinctions of birth confounded." The people being deeply struck, both by the high dignity of the candidates, and also by a sense of religion, chose all the military tribunes with consular power from among the patricians, the greater part of them men who had been highly distinguished by public honours: **Lucius Valerius Potitus** a fifth time, **Marcus Valerius Maximus**, **Marcus Furius Camillus** a third time, **Lucius Furius Medullinus** a third time, **Quintus Servilius Fidenas** a second time, **Quintus Sulpicius Camerinus** a second time. During their tribunate, nothing very memorable was performed at Veii: the forces were wholly em-

ployed in wasting the country: two commanders of consummate abilities did nothing more than carry off vast quantities of spoil, Potitus from Falerii, and Camillus from Capena, leaving nothing undestroyed that could be injured either by sword or fire.

XV. In the mean time, many prodigies were reported to have happened, the greater part of which met with little credit, and were generally disregarded; partly, because the accounts rested on the testimony of single persons; and partly because, while they were at war with the Etrurians, they could not procure aruspices to perform the expiations. One of them, however, attracted universal attention; the lake in the Alban forest swelled to an unusual height, without any rain or other cause, so that the fact could only be accounted for by a miracle. Commissioners were sent to the oracle at Delphi, to inquire what the gods portended by this prodigy; but an interpreter of the will of the fates was thrown in their way nearer home: a certain aged Veientian, amidst the scoffs thrown out by the Roman and Etrurian soldiers, from the outposts and guards, pronounced, in the manner of one delivering a prophesy, that "the Roman would never be master of Veii, until the water were discharged from the Alban lake." This, at first, was disregarded, as thrown out at random; afterwards it became the subject of conversation: at length one of the Roman soldiers on guard asked a townsman on the nearest post, as from the long continuance of the war they had come into the practice of conversing with each other, who that person was, that threw out those ambiguous expressions concerning the Alban lake; and, on hearing that he was an aruspex, the man, whose mind was not without a tincture of religion; pretending that he wished to consult him on the expiation of a private portent, enticed the prophet to a conference. When they had proceeded free from any apprehensions, being both without arms, to a considerable distance from their parties, the young Roman, having the superiority

in strength, seized the feeble old man in the view of all, and, in spite of the bustle made by the Etrurians, carried him off to his own party. Being conducted to the general, he was sent by him to Rome to the senate; and, on their inquiring the meaning of the information which he had given concerning the Alban lake, he answered, that "certainly the gods had been incensed against the Veientian nation, on that day when they prompted him to disclose the decree of the fates, which doomed his native-country to destruction. What, therefore, he had then delivered under the influence of divine inspiration, he could not now recall, so as to render it unsaid; and perhaps the guilt of impiety might be contracted in as high a degree, by concealing what it was the will of the gods should be published, as by publishing what ought to be concealed. Thus, therefore, it was denounced in the books of the fates, and the Etrurian doctrine, that whensoever the Alban water should rise to an unusual height, if the Romans should then discharge it in a proper manner, victory would be granted them over the Veientians; but until that should be done, the gods would never abandon the walls of Veii." He then gave directions with respect to the proper method of draining it; but the senate, deeming his authority of but little weight, and not to be entirely relied on in a case of such importance, determined to wait for the deputies, with the answer of the Pythian oracle.

Y. R. 358. XVI. Before the commissioners returned from B. C. 394. Delphi, or the method of expiating the Alban prodigy was discovered, the new military tribunes with consular power came into office. These were Lucius Julius Iulus, and Lucius Furius Medullinus a fourth time, Lucius Sergius Fidenas, Aulus Postumius Regillensis, Publius Cornelius Maluginensis, and Aulus Manlius. This year there started up a new enemy, the Tarquinians; who, seeing the Romans embroiled in so many wars at once, against the Volscians at Anxur, where the garrison was besieged; at Lavici against

the Æquans, who were besieging the colony there; and also against the Veientians and the Faliscians, and the Capenatians, while their affairs within the walls were not less embarrassed by dissensions, thought this a favourable season to attack them with effect. They sent their light-armed cohorts to make depredations on the Roman territories, concluding that the people would either suffer that affront to pass unrevenge'd, rather than burthen themselves with an additional war, or if they resented it, would send out an army neither numerous nor strong. The Romans felt greater indignation at the affront than concern for the loss sustained by the inroads of the Tarquinians. They, therefore, undertook the business without either much preparation or long delay. Aulus Postumius and Lucius Julius having collected a body of troops, not by a regular levy, for in that they were prevented by the tribunes of the commons, but mostly volunteers, whom by persuasions they had prevailed on to follow them, directed their march by cross roads through the territory of Cære, and came upon the Tarquinians unawares, as they were returning from their depredations, heavily laden with booty: they slew great numbers of their men, got possession of all their baggage; and, having re-taken the spoils of their lands, returned to Rome. The space of two days was allowed to the owners to reclaim their property; on the third, what remained unclaimed, the greatest part of which had belonged to the enemy, was sold by auction, and the produce distributed among the soldiers. The issue of the other wars, particularly that of Veii, still remained doubtful. And now the Romans, despairing of success through human aid, began to look for succour towards the fates and the gods, when the deputies arrived from Delphi, bringing with them the decision of the oracle, which corresponded with the answer of the captive prophet. "Roman, beware lest the Alban water be confined in the lake; beware lest thou suffer it to flow into the

sea in a stream. Thou shalt form for it a passage over the fields; and, by dispersing it in a multitude of channels, consume it. Then press thou boldly on the walls of the enemy; assured, that over the city which thou besiegest through so many years, conquest is granted by these orders of the fates, which are now disclosed. The war concluded, do thou, possessed of victory, bring ample offerings to my temples, and renewing the religious rites of thy country, the observation of which has been neglected, perform them in the usual manner."

XVII. The captive prophet, upon this, began to be held in very high esteem, and the military tribunes, Cornelius and Postumius, thenceforward consulted with him concerning the expiation of the Alban prodigy, and the proper method of appeasing the gods. It was at length discovered what was that neglect of ceremonies, and omission of customary rites, for which they were blamed by the gods. It was, in fact, nothing else than that the magistrates, their election being defective, had not, with due regularity, directed the Latine festival,* and the anniversary solemnities on the Alban mount. The only mode of expiation in this case was, that the military tribunes should resign the government, the auspices be taken anew, and an interregnum appointed. All which was performed, pursuant to a decree

* The Romans, Latines, and some states of the Hernicians and Volscians. met annually on the Alban mount to celebrate this festival, in commemoration of the treaty made with those states by Tarquin the Proud. It was attended by the deputies of forty-seven states, who, under the direction of the Roman consul, or other chief magistrate, offered joint sacrifices to Jupiter, whom they termed *Latialis*. In particular, they offered a white bull, of which the deputies of each state received a piece. The public festivals, *feriæ*, were of four kinds: *stativæ* immoveable; *conceptivæ*, or *indictæ*, moveable; *imperativæ*, commanded on particular occasions; and *nundinæ*, for holding markets; so called, because the time was fixed by proclamation: they were generally celebrated by the consuls, before departure for their provinces.

of the senate. There were three interreges in succession: Lucius Valerius, Quintus Servilius Fidenas, and Marcus Furius Camillus. In the meantime the city was a scene of unceasing confusion and disorder, the plebeian tribunes refusing to let the elections proceed, unless a previous stipulation were agreed to, that the greater number of the military tribunes should be chosen out of the commons. During these transactions, a general assembly of Etruria was held at the temple of Voltumna, and the Capenatians and Faliscians demanding that all the states of Etruria should unite in the design of raising the siege of Veii, the answer returned was, that "they had formerly given a refusal of the same request to the Veientians, because these ought not to apply for succour, where in a case of such consequence, they had not applied for advice. That at present, though they of themselves would not refuse it, yet the situation of their affairs compelled them so to do: especially, as in that part of Etruria, the Gauls, a race of men with whom they were unacquainted, had lately become their neighbours, and with whom they were not on a footing, either of secure peace, or of determined war. Nevertheless, in consideration of the blood, the name, and the present dangers of their kinsmen, they would go so far, as that if any of their young men chose to go to that war, they would not hinder them." The arrival of these was announced at Rome, as of a formidable number of enemies; and, through the apprehensions which this excited for the public safety, the violence of their intestine quarrels of course began to subside.

XVIII. Without causing any displeasure to the patricians, the prerogative tribe,* at the election, chose for military

* The prerogative tribe was that to which the lot fell to vote first, at the election of magistrates. Anciently, the centuries were called to give their votes according to the order established among them by Servius Tullius, first the *equites*, then the centuries of the first class, &c. It was afterwards (at what time is not known) determined by lot, *sortitio*, in what order they should vote.

tribune Publius Licinius Calvus, although he had not declared himself a candidate; this honour was done him, because in his former administration he had approved himself a man of moderation; but he was now in extreme old age. It was observed, that those who had been his colleagues, in that year, were re-elected in order; Lucius Titinius, Publius Mænius, Publius Mælius, Cneius Genutius, and Lucius Atilius. Before these were proclaimed to the tribes, who were to vote in the ordinary course, Publius Licinius Calvus, with permission of the interrex, spoke to this effect: "I consider it, Romans, as an omen of concord, a thing essentially requisite to the state at the present juncture, that, from the remembrance of our former administration, ye are desirous of re-electing the same colleagues, improved by experience. As to me, ye no longer see me the same, but the shadow and the name of Publius Licinius. The powers of my body are decayed, my senses of sight and hearing are grown dull, my memory falters, and the vigour of my mind is blunted. Behold here a youth," pursued he, holding his son, "the representation and image of him whom ye formerly made a military tribune, the first plebeian that was ever so honoured. Him, formed under my own discipline, I present and dedicate to the commonwealth as a substitute in my stead. And I beseech you, Romans, that the honour, which of your own motion, ye offered to me, ye will vouchsafe to grant to his petition, and to my prayers, which I add in his behalf." This request of the father was complied with, and his son

Y. R. 359. Publius Licinius was declared military tribune
B. C. 393. with consular power, together with those whom we mentioned before. The military tribunes, Titinius and Genucius, marched against the Faliscians and Capenatians, and acting with more courage than conduct, fell into an ambush. Genucius atoned for his rashness by an honourable death, falling among the foremost, and in the front of the standards. Titinius after rallying his men, who had been thrown into

the utmost confusion, and leading them to a rising ground, formed them again in order of battle; but did not venture to come down and meet the enemy. The disgrace was greater than the loss, and had like to have proved the cause of grievous misfortunes, so great was the alarm which it excited not only at Rome, where it was highly exaggerated by report, but also in the camp before Veii. Here the soldiers were, with difficulty, restrained from flight, on a rumour having spread, that the generals and the army had been cut to pieces; and that the Capenatians and Faliscians, flushed with victory, and all the youth of Etruria, were at no great distance from their posts. Accounts still more dreadful had gained credit at Rome: that the camp at Veii was already attacked, and that part of the enemy were already on their march to the city prepared for an assault. The men ran in crowds to the walls, and the matrons, called out from their houses by the public distraction, offered supplications for protection in all the temples, beseeching the gods to repel destruction from the Roman walls, from the houses of the city, and the temples, and to turn back such terrors on Veii;† if the sacred rites had been renewed, and the prodigies expiated in due manner.

XIX. The games and the Latine festival had now been performed anew, the water from the Alban lake* discharged on the fields and the fates demanded the ruin of Veii. Accordingly a general, selected both for the destruction of that city, and the preservation of his native country, Marcus Furius Camillus, was nominated dictator, and he appointed Publius Cornelius Scipio his master of the horse. The change of the commander at once produced a change in every particular: even the fortune of the city seemed to have assumed a new face; so that men felt themselves inspired with different hopes and different

* The remains of the sewer, a stupendous work, by which the water was discharged, still subsist, at the bottom of the hill on which stands Castel Gandolfo, the elegant country-retirement of the Pope.

spirits. He first of all put in force the rules of military discipline against such as had fled from Veii, on the alarm excited there, and took effectual care that the enemy should not be the principal object of the soldier's fears. Then having, by proclamation, appointed a certain day for holding a levy of troops, he made, in the mean time, a hasty excursion in person to Veii, in order to strengthen the courage of the soldiers. From thence he returned to Rome to enlist the new army, and not a man declined the service. Young men came even from foreign states, Latines and Hernicians, offering their service in the war: to whom the dictator returned thanks in the senate. And now, having completed all necessary preparations for the campaign, he vowed, in pursuance of a decree of the senate, that he would, on the capture of Veii, celebrate the great games: and would repair and dedicate the temple of Mother Matuta, which had been formerly consecrated by king Servius Tullius. Marching out of the city at the head of his army, while people's anxiety was stronger than their hopes, he came to the first engagement with the Faliscians and Capenatians, in the district of Nepote, on which occasion every particular was conducted with consummate prudence and skill; success of course ensued. He not only routed the enemy in battle, but took possession of their camp, and seized a vast quantity of spoil, the greatest part of which was put into the hands of the quæstor, and no great share distributed to the soldiers. From thence the troops were led to Veii, where additional forts were erected at smaller distances from each other, and by an edict, forbidding any to fight without orders, the soldiers were taken off from skirmishing, which had hitherto been frequently practised between the walls and the rumpart of the camp, and their labour applied to the works. Of these, the greatest by far and most laborious was a mine, which they undertook to carry into the citadel of the enemy. In order that there should be no interruption in this, and at the same time that the same

set of persons should not, by unintermitted labour under ground, be spent with fatigue, he formed the whole number of pioneers into six divisions, and six hours were allotted for each division to work in rotation; nor did they stop, either by night or day, until they formed a passage into the citadel.

XX. When the dictator now saw conquest within his reach and that he was on the point of getting possession of a city of the greatest opulence, the spoil of which would exceed in quantity whatever had been obtained in all former wars taken together, fearing lest he might incur either the resentment, of the soldiers, as being too sparing in his distribution of it, or the displeasure of the senators as being profusely lavish, he despatched a letter to the senate, that "through the favour of the immortal gods, his own conduct, and the persevering courage of the troops, Veii would immediately be in the power of the Roman people, and requested their directions with regard to the spoil." Two opinions divided the senate; one was that of the elder Publius Licinius, who being first called upon by his son, as we are told, proposed a resolution, that public notice should be given to the people by proclamation, that whosoever chose to share in the spoil should retire to the camp before Veii. The other that of Appius Claudius, who censured such profusion as unprecedented, extravagant, and partial; and which would also be productive of ill consequences, if people should once conceive an opinion that it would be criminal to deposit in the treasury, when exhausted by wars, the money taken from the enemy. He therefore recommended it to them to make that a fund for the payment of the soldiers' wages, to the end that the commons might be eased of part of the tax. For "every man's family," he said, "would feel its share of such a bounty in equal proportion, and the hands of the idle city rabble, ever greedy of rapine, would not then snatch away the prizes due to men who had showed their bravery in war: it be-

ing generally the case, that the man who is most ready, on every occasion, to undertake the largest share of toil and danger, is the least active in plundering." Licinius, on the other hand, argued, that in that case the money would be an eternal cause of jealousy and ill-humour, would afford grounds for invidious representations to the commons, and, in consequence, for seditions, and the enacting of new laws. "It was therefore more to be desired," he said, "that the affection of the commons might be conciliated by a bounty of that kind; that this resource should be afforded them, after they had been exhausted and entirely drained, by the payment of the tax for so many years; and that they should enjoy the fruits arising from a war, in which they had employed, one might say, the better part of their lives. That what a man took with his own hand from the enemy, and brought home with him, would afford him more satisfaction and delight, than a share many times larger conferred on him by another. That the dictator himself was aware of the odium and the disagreeable reflections to which this business might subject him, and had for that reason transferred the determination of it from himself to the senate: and that the senate ought, on their part, since the business had been thus thrown upon them, to hand it over to the commons, and let every man enjoy what the chance of war should give him." This plan was deemed the safer, as it promised to procure popularity to the senate. Accordingly proclamation was made, that all such as chose might go to the camp of the dictator, to share in the plunder of Veii. The vast multitude who went entirely filled the camp.

XXI. Then the dictator, after taking the auspices, came forth, and having previously ordered the soldiers to take arms, spoke thus: "O Pythian Apollo, under thy guidance, and inspired by thy divinity, I am now proceeding to destroy the city of Veii, and I devote to thee the tenth part of the spoil thereof. Thee also, imperial Juno, who now dwell-

est in Veii, I beseech, that when we shall have obtained the victory, thou wilt accompany us into our city, soon to be thine own, where a temple shall receive thee, worthy of thy majesty." After these prayers, having more than a sufficient number of men, he assaulted the city on every quarter; in order to prevent their perceiving the danger which threatened from the mine. The Veientians, ignorant that they had been already doomed to ruin by their own prophets, and likewise by foreign oracles; that the gods had been already invited to a share in their spoil; that some of them, listening to the vows by which they had been solicited to forsake their city, began to look towards the temples of the enemy, and new habitations, and that this was the last day of their existence; fearing nothing less, than their walls being already undermined, and the citadel filled with enemies, ran briskly in arms to the ramparts, wondering what could be the reason, that when for so many days not one Roman had stirred from his post, they should now run up to the walls without apprehension, as if struck with a sudden fit of madness. A fabulous account has been given of an incident happening at this juncture; it is, that while the king of the Veientians was offering sacrifice, the words of the aruspex were heard in the mine, denouncing, that whoever should cut up the entrails of that victim should obtain the victory, and that this incited the Roman soldiers to burst open the mine, seize the entrails, and carry them to the dictator. But in matters of such remote antiquity, I think it enough, if relations which carry a resemblance of truth, be received as true; stories of this kind, better calculated for the extravagant exhibitions of the stage, which delights in the marvellous, than for gaining belief, it is needless either to affirm or refute. The mine at this time, full of chosen men, suddenly discharged its armed bands in the temple of Juno, which stood in the citadel of Veii, some of whom attacked the rear of the enemy on the walls, some tore down the bars of the gates, some set fire to the houses,

from the roofs of which stones and tiles were thrown by females and slaves. Every place was filled with confused clamour, composed of the terrifying shouts of the assailants, and the cries of the affrighted joined to the lamentations of the women and children. Those who defended the works were in an instant beaten off, and the gates forced open, where some entering in bodies, others scaling the deserted walls, the town was filled with the enemy, and a fight commenced in every quarter. After great slaughter the ardour of the combatants began to abate, and the dictator, proclaiming orders by the heralds, that no injury should be done to the unarmed, put an end to the effusion of blood. The townsmen then began to lay down their arms and surrender, and the soldiers, with permission of the dictator, dispersed in search of booty. When the spoil was collected before his eyes, far exceeding both in quantity and in the value of the effects all his calculations and hopes, the dictator is said to have raised his hands towards heaven, and prayed, "that if any gods or men looked on his success and that of the Roman people as excessive, such jealousy might be appeased by some calamity peculiar to himself alone, rather than by the slightest detriment to the Roman people." It is recorded, that as he turned himself about, during this address to the gods, he stumbled and fell; and this was considered afterwards, by such as judged of the matter by the events which followed, to be an omen portending Camillus's own condemnation, and the disaster of the city of Rome being taken, which happened a few years after. The subduing of the enemy, and the plundering of this very opulent city, employed that whole day.

XXII. Next day the dictator sold the inhabitants of free condition by auction: the money arising from this sale was all that was applied to the use of the public, and even that was resented by the commons. As to what spoil they brought home, they did not think themselves under any obligation,

in applying it, either to the general who, with design to procure their countenance to his own parsimony, had referred to the senate a business which properly belonged to his own jurisdiction, or to the senate, but to the Licinian family, of which the son had laid the affair before the senate, and the father first proposed the popular resolution. When the wealth, belonging to the inhabitants, had been carried away from Veii, they then began to remove the treasures of the gods, and the gods themselves, but with the demeanor of worshippers rather than of ravishers: for certain young men selected out of the army, to whom was assigned the charge of conveying imperial Juno to Rome, after thoroughly washing their bodies, and clothing themselves in white garments, entered her temple with tokens of adoration, and approaching, laid hands upon her with religious awe, because, according to the Etrurian rules, no person but a priest of a particular family, had been usually allowed to touch that statue. Afterwards one of them, either prompted by divine inspiration, or in a fit of youthful jocularly, saying, "Juno, art thou willing to go to Rome," the rest cried out at once, that the goddess had assented. To this fable an addition was made, that she was heard to utter the words, "I am willing." However we are informed, that she was raised from the place whereon she stood by machines, with slight efforts, and was found light and easy to be removed, as if she accompanied them with her own consent; that she was brought safe to the Aventine, her eternal seat, to which the vows of the Roman dictator had invited her, where the same Camillus who had vowed it afterwards dedicated her temple. Thus fell Veii, the most powerful city of the Etrurian nation, even in its final overthrow demonstrating its greatness; for, after having withstood a siege during ten summers and winters, without intermission, after inflicting on its enemy losses considerably greater than itself had felt; even now, even when fate at last

urged its doom, yet still it was vanquished not by force, but by the art of engineers.

XXIII. When the news arrived at Rome that Veii was taken, notwithstanding that the prodigies had been expiated, that the answers of the prophets and the responses of the Pythian oracle were known to all, and that they had used the most effectual means which human wisdom could suggest, for insuring success, in giving the command to Marcus Furius, the greatest general of the age; yet, as they had for so many years experienced such a variety of fortune in that war, and had sustained so many losses, their joy was as unbounded as if they had entertained no hopes of that event. And before the senate passed any decree to the purpose, every temple was filled with the Roman matrons returning thanks to the gods. The senate ordered supplications for the space of four days, a longer term than had ever been appointed in the case of any former war. The dictator also on his arrival was more numerously attended than any general had ever been before; all ranks pouring out to meet him, while the honours, conferred on him in his triumph, far surpassed the compliments usually paid on such occasions. He himself was the most conspicuous object of all, riding through the city in a chariot drawn by white horses, which was deemed unbecoming, not to say a member of a commonwealth, but a human being, people deeming it an affront to religion, that the dictator should emulate the equipage of Jupiter and Apollo; and on account chiefly of that single circumstance, his triumph was more splendid than pleasing. He then contracted for the building of a temple to imperial Juno on the Aventine, and dedicated that of mother Matuta: after performing these services to the gods, and to mankind, he laid down his office of dictator. The offering to be made to Apollo came then under consideration, and Camillus declaring that he had vowed the tenth part of the spoil to that use, and the pontiffs having given their opinion that the peo-

ple ought to discharge that vow, it was found difficult to strike out a proper mode of obliging them to refund the spoil, in order that the due proportion might be set apart for that religious purpose. At length, recourse was had to a method which seemed least troublesome, that every man who wished to acquit himself and his family of the obligation of the vow, making his own estimate of his share of the spoil, should pay into the treasury the tenth part of the value, in order that a golden offering might be made, worthy of the grandeur of the temple, the divinity of the god, and the dignity of the Roman people: this contribution also helped to alienate the affection of the commons from Camillus. During these transactions, ambassadors had come from the Volscians and Æquans to sue for peace, and peace was granted them rather out of a desire that the state, wearied with so tedious a war, might enjoy some repose, than in consideration of the desert of the persons petitioning.

XXIV. The year which followed the taking of Y. R. 360.
Veii had six military tribunes, with consular B. C. 392.
power, the two Publii Cornelii, Cossus, and Scipio, Marcus Valerius Maximus a second time, Cæso Fabius Ambustus a third time, Læcius Furius Medullinus a fifth time, and Quintus Servilius a third time. The war with the Faliscians fell by lot to the Cornelii; that with the Capenatians to Valerius and Servilius. These latter made no attempt on the towns, either by assault or siege, but spread devastation over the lands, and carried off æ spoil every thing found in the country; not a fruit tree, nor any useful vegetable, was left in the whole territory. These losses reduced the people of Capena to submission, and on their suing for peace, it was granted. The war with the Faliscians still continued. Meanwhile seditions multiplied at Rome, and in order to assuage their violence it was resolved, that a colony should be sent to the country of the Volscians, for which three thousand Roman citizens should be enrolled, and the tri-

umvirs, appointed to conduct it, distributed three acres and seven twelfths to each man. This donation was looked on with scorn, because they considered the offer as intended to pacify them, on the disappointment of higher expectations: for "why," said they, "should the commons be sent into exile among the Volscians, when the beautiful city of Veii lay within view, and the territory belonging to it being more fertile and more extensive than the territory of Rome?" This city, too, they extolled as preferable even to that of Rome, both in point of situation, and the magnificence of its edifices and inclosures, both public and private. Nay, they went so far as to propose the scheme which, after the taking of Rome by the Gauls, was more generally adopted, of removing to Veii. But their plan now was, that half of the commons, and half of the senate, should fix their habitations at Veii; and thus two cities, composing one commonwealth, might be inhabited by the Roman people. The nobles opposed these measures with such warmth, as to declare, that they would sooner die in the sight of the Roman people, than that any of those matters should be put to the vote: for, "when one city at present supplied such abundance of dissensions, what would be the case with two? Was it possible that any one could prefer a vanquished, to a victorious city, and suffer Veii, after being captured, to enjoy a greater degree of prosperity than ever it had known in its most flourishing days? In short, they might be forsaken in their native country by their fellow citizens, but no force ought ever to compel them to forsake that country and those citizens, and to follow Titus Sicinius, (for he was the plebeian tribune who had brought forward the proposition,) as a founder to Veii, abandoning the divine Romulus, the son of a god, the parent and founder of the city of Rome." These disputes proceeded to a shameful height: for the patricians had drawn over one half of the plebeian tribunes to their sentiments; so that no other circumstance obliged the

commons to refrain from outrage, but that after a clamour had been set up as the prelude to a riot, the principal members of the senate, throwing themselves foremost in the way of the crowd, desired that they might be the persons attacked, struck, or put to death. On this the populace not only abstained from offering violence to their age, their dignity, and honourable characters, but in respect for their opinions restrained their rage even from any such attempts on others.

XXV. Camillus on every occasion, and in every place, publicly asserted, that "there was nothing surprizing in all these commotions; that the state was actually gone mad; for though it was engaged by a vow, yet it bestowed more concern on every other kind of business, than on acquitting itself of the obligation. He would say nothing of the contribution of an alms in reality, rather than of a tenth. However, as each man had bound himself, in his private capacity, the public was set free. But his conscience would not suffer him to be silent on another head,—that the tenth of that part only of the spoil was set apart, which consisted of moveable effects, and no mention was made of the city, or of the lands, which as well as the rest were comprehended in the vow." The senate, finding it difficult to come to a determination on this point, referred it to the pontiffs in conjunction with Camillus; and that body gave their opinion, that whatsoever had been the property of the Veientians before the uttering of the vow, and after the vow was made, came into the power of the Roman people; of that the tenth part was sacred to Apollo. Thus the city and the land were brought into the estimate. The money was issued from the treasury, and the consular military tribunes were commissioned to lay it out in the purchase of gold. A sufficient quantity of this metal could not be procured; on which the matrons, after holding some meetings to deliberate on the subject, with unanimous consent, engaged to supply the military tribunes with gold, and actually carried all their orna-

ments into the treasury. Nothing ever happened which gave greater pleasure to the senate, and it is said, that in return for this generosity, these women were honoured with the privilege of using covered chariots, when going to public worship or games, and open chaises on any day whether festival or common. The gold being received from each by weight, and a valuation being made, in order that the price might be repaid, it was resolved that a golden bowl should be made thereof, to be carried to Delphi as an offering to Apollo. No sooner were men's minds disengaged from religious concerns, than the plebeian tribunes renewed their seditious practices, stimulating the resentment of the populace against all the nobility, but especially against Camillus; alleging that, "by his confiscations and consecrations, he had reduced the spoils of Veii to nothing;" daringly abusing the nobles, in their absence; yet, on their appearing, as they sometimes threw themselves in the way of their fury, showing them some respect. When they perceived that the business would be protracted beyond the present year, they re-elected for the year following such tribunes of the commons, as had promoted the passing of the law, and the patricians exerted themselves to effect the same with regard to such of them as had protested against it. By these means the same persons mostly were re-elected plebeian tribunes.

Y. R. 361. XXVI. At the election of military tribunes, the B. C. 391. patricians, by straining their interest to the utmost, prevailed to have Marcus Furius Camillus chosen. They pretended, that on account of the wars in which they were engaged, they wished to have him as a commander: but, in fact, they wanted him as an antagonist to the tribunes, to check their corrupt profusion. Together with Camillus were elected military tribunes with consular power, Lucius Furius Medullinus a sixth time, Caius Æmilius, Lucius Valerius Poplicola, Spurius Postumius and Publius Cornelius a second time. In the beginning of the year, the plebeian tri-

bunes declined proceeding on the business, until Marcus Furius Camillus should set out against the Faliscians; for he had been appointed to the command in that war. In consequence of this delay, the ardour of the pursuit was cooled, and Camillus, whom they had chiefly dreaded as an opponent, found an increase of glory in the country of the Faliscians: for the enemy at first confining themselves within their walls, which appeared to be the safest plan, he, by ravaging the country and burning the houses, compelled them to come forth from the city. But still their fears prevented them from advancing to any considerable length. At the distance of about a mile from the town, they pitched their camp, for the security of which they confided entirely in the difficulty of the approaches, all the roads on every side being rough and craggy, in some parts narrow, in others steep: but Camillus, following the directions of a prisoner taken in the country, who acted as his guide, decamped in the latter end of the night, and, at break of day, showed himself on ground much higher than theirs. The Romans were formed into three divisions, each of which, in turn, worked on the fortifications of the camp, while the rest of the troops stood in readiness for battle. The enemy then making an attempt to interrupt his works, he attacked and put them to flight; and with such consternation were the Faliscians struck, that in their haste, they passed by their own camp, which lay in their way, and pushed forward to the city. Great numbers were slain and wounded before they reached the gates, through which they rushed in great confusion and dismay. Their camp was taken, and the spoil given up by Camillus to the quæstors, to the great dissatisfaction of the soldiers: but such was the influence of his strictness in discipline, that the same propriety of conduct which excited their resentment, raised also their admiration. The town was then invested, and the approaches carried on, while sometimes occasional attacks were made by the towns-

men on the Roman posts, and trifling skirmishes ensued. Thus time was spent without either party gaining a prospect of success, and as the besieged were more plentifully supplied than the besiegers, with corn and all other necessaries, from magazines which they had formed some time before, the affair, to judge from appearances, would have been as laborious and tedious as at Veii, had not fortune, together with an instance of meritorious conduct, which, in respect of military matters, he had already sufficiently displayed, procured to the Roman commander a speedy victory.

XXVII. It was the custom among the Faliscians, to employ the same person as master and private tutor to their children; and, as it continues to be the practice to this day in Greece, several were intrusted at the same time to the care of one man. The teacher who appeared to have the greater share of knowledge, had of course the instruction of the children of the first rank. The person supposed to possess this knowledge, and now so intrusted, having made it a custom in time of peace, to carry the boys out of the city for the sake of exercise and play, and having never discontinued the practice since the war began, drew them away from the gate, sometimes in shorter, sometimes in longer excursions. At length, he found an opportunity of straying farther than usual; and, by introducing a variety of plays and conversations, he led them on between the advanced guards of the enemy, and then through the Roman camp, into the tent of Camillus; and there, to this atrocious act, added a speech still more atrocious: that "he had delivered Falerii into the hands of the Romans, by putting into their power those boys, whose parents were there at the head of affairs." On hearing which, Camillus told him, "Neither the people, nor the commander, to whom thou hast come, thou wretch, with thy villainous offer, is like unto thyself. Between us and the Faliscians there subsists not, it is true, that kind of society which is formed by human compact, but that which nature has im-

planted in both, does, and ever will subsist. War has its laws as well as peace; and we have learned in waging it, to be as observant of those laws, as we are brave. We carry arms, not against persons of such age as these, who, even in the storming of towns, are exempted from injury, but against men who have arms in their hands, as well as ourselves, and who, without being either injured or provoked by us, made an attack on a Roman camp at Veii. Those thou hast conquered as far as in thee lay, by an act of unexampled villainy. I shall conquer them as I conquered Veii, by Roman methods, by valour, by labour, and by arms." Then ordering him to be stripped naked, and his hands to be tied behind his back, he delivered him to the boys to be conducted back to Falerii, and gave them rods with which they should scourge the traitor, and drive him into the city. Such a spectacle first attracting a concourse of people, and the senate being afterwards summoned by the magistrates on the extraordinary case, so great an alteration was hereby effected in their sentiments, that they, who a short time before were so outrageous in their hatred and anger, as almost to have chosen the catastrophe of the Vientians, rather than the truce obtained by the Capenatians; these same persons now, through every rank in the state, universally called out for peace. The faith of the Romans, and the justice of their general, were extolled by every mouth in the Forum, and in the senate-house: and in compliance with the universal desire, ambassadors went to the camp to Camillus, and from thence, with permission of Camillus, to Rome, to make a surrender of Falerii. On being introduced to the senate, they are said to have spoken in this manner: "Conscript fathers! overcome by you and your general, by a victory of such a kind, as neither God nor man can view with displeasure we surrender ourselves into your hands, and in an expectation which redounds in the highest degree to the honour of the conqueror, that we shall live more happily under your government than

under our own laws. In the issue of this war, two salutary examples have been held out to mankind. Ye have preferred good faith in war, to present victory. We, challenged to emulation in the observance of faith, have voluntarily presented you with conquest. We are your subjects: send persons to receive our arms, hostages, and our city, whose gates they will find open. Ye will never have reason to complain of our fidelity, or we of your government." Camillus received the thanks both of the enemy and of his countrymen. The Faliscians were ordered to furnish that year's pay for the soldiers, that the Roman people might enjoy a respite from the tax. As soon as peace was acceded to, the troops were brought home to Rome.

XXVIII. Camillus returning home, crowned with honours of far greater value than when white horses had drawn him in triumph through the city, being distinguished by a conquest acquired through the means of justice and good faith, the senate did not conceal their sense of the respectful attention due to his concerns, but hastened the measures for acquitting him of his vow. Lucius Valerius, Lucius Sergius, and Aulus Manlius were sent ambassadors with one ship of war, to carry the golden bowl to Delphi, as an offering to Apollo. These falling in with some Liparensian pirates, not far from the Sicilian streight, were taken and carried to Liparæ. It was the custom of this state, to make a general division of all booty acquired, as if piracy were the public act of the government. It happened that the office of chief magistrate was filled by one Timasitheus, a man more like the Romans than his own countrymen, who, being touched himself with reverence for the character of ambassadors, for the offering, for the god to whom it was sent, and the cause for which it was presented, impressed the multitude likewise, who almost in all cases resemble their ruler, with proper sentiments of religion on the occasion; and, after entertaining the ambassadors at the public expense, convoyed them with some of his own

ships to Delphi, and from thence conducted them in safety to Rome. By decree of senate, a league of hospitality was formed with him, and presents were made him by order of the state. During this year, the war with the Æquans was attended with advantages pretty equal on both sides; so that it was a matter of doubt, both at Rome and even among the troops themselves, whether they were victorious or vanquished. The Roman commanders were Caius Æmilius and Spurius Postumius, two of the military tribunes. At first they acted in conjunction, but after having defeated the enemy in the field, they came to a determination that Æmilius, with a sufficient force, should keep possession of Verrugo, and that Postumius should lay waste the country. In performance of this, the latter, since the late success, thinking less caution requisite, and marching in an unguarded manner, was attacked by the Æquans, who threw his troops into confusion, and drove them to the next hills. The panic spread from thence even to Verrugo, to the other part of the army posted there. Postumius having withdrawn his men to a place of safety, called them to an assembly, where he upbraided them with their fright, and with having fled from the field, being routed by an enemy heretofore remarkable for cowardice and running away. On which the whole army cried out together, that they deserved to hear such reproaches, and that they acknowledged the shamefulness of their behaviour; but that they were at the same time determined to make amends for it, and that the conqueror's joy on the occasion should be but of short duration. They requested earnestly that he would lead them thence directly to the camp of the enemy, which lay in the plain within their view, offering to submit to any punishment if they did not take it before night. After commending their resolution, he ordered them to refresh themselves, and to be in readiness at the fourth watch: the enemy on the other side, with design to prevent the Romans from flying from the hill by

night, through the road which led to Verrugo, were there prepared to receive them, and the battle began at the first hour. However, the moon was up through the whole night, so that the fight was managed with as little confusion as it could have been by day. But the shout reaching Verrugo, where it was imagined that the Roman camp had been attacked, the troops were seized with such terror, that in spite of the intreaties of Æmilius, and all his endeavours to detain them, they fled to Tusculum in the utmost disorder. From thence a report was carried to Rome, that Postumius and his army were cut to pieces. However, as soon as day-light had removed the danger of falling into ambuscades, in case of a hasty pursuit, riding through the ranks, and demanding the performance of their promises, the general infused into the men such a degree of ardour, that the Æquans could no longer withstand their efforts, but betook themselves to flight, when a slaughter of them ensued (as in a case where anger was more concerned than courage,) that ended in the entire destruction of their army; and the afflicting news from Tusculum, which had caused a great, though groundless, alarm in the city, were followed by a letter from Postumius decked with laurel,*—that victory had fallen to the Roman people, and that the army of the Æquans was wholly destroyed.

XXIX. As no determination had yet been made, with respect to the plans introduced by the plebeian tribunes, the commons on the one hand laboured to continue in office such of them as had promoted the passing of the law, and the patricians on the other, to procure the re-election of those who had protested against it. But the commons had the superior influence in the election of their own magistrates: for which disappointment the patricians revenged themselves by passing a decree of senate, that consuls (magistrates ever odious to the commons) should be elected. Thus, after an interval of fifteen

* It was the custom when the Roman generals sent intelligence of a victory, to wrap their letters up in laurel.

years, consuls were again appointed, Lucius Lucretius Flavus, and Servius Sulpicius Camerinus. In the beginning of this year, while the plebeian tribunes, uniting their efforts, pressed the passing of their law with great confidence, because there was not any of their body who would protest against it, and while the consuls for that very reason were no less active in opposing it, (the whole attention of the public being taken up with this business,) the Æquans made themselves masters of Vitellia, a Roman colony in their territory. The general part of the colonists escaped with safety to Rome; for the town being betrayed to the enemy in the night, there was nothing to hinder their flight from the contrary side of the city. That province fell to the lot of the consul Lucius Lucretius. He marched thither with an army, defeated the enemy in the field, and returned to Rome, where he was to encounter a contest of much greater difficulty. A prosecution had been commenced against Aulus Virginius, and Quintus Pomponius, plebeian tribunes of the two preceding years, whom the senate was bound in honour to defend with the joint exertions of all the patricians; for no one laid any other charge against them, with respect either to their conduct in life, or their behaviour in office, than that, to gratify the nobles, they had protested against the law proposed by the tribunes. However, the resentment of the commons overpowered the influence of the senate, and by a sentence, of most pernicious example, those men, convicted of no crime, were condemned to pay a fine of ten thousand *asses* in weight.* This highly incensed the patricians: Camillus openly reproached the commons with violating the duty which they owed to their own order, telling them, that “while they thus vented their spleen on their own magistrates, they did not perceive that by their iniquitous sentence they had abolished the privilege of protesting.

* 32l. 5s. 10d.

and by taking away that privilege, had overturned the tribunitian power. For they were much mistaken if they imagined, that the patricians would endure the unbridled licentiousness of that office. If tribunitian violence could not be repelled by tribunitian aid, the patricians would find out a weapon of some other kind. He censured the consuls also, for silently suffering those tribunes, who had complied with the directions of the senate, to be disappointed in their reliance on the faith of the public." By such discourses, uttered in public, he exasperated people daily more and more against him.

XXX. As to the senate, he never ceased urging them to a vigorous opposition to the passing of the law; exhorting them, that "when the day arrived on which it was to be put to the vote, they should go down to the Forum with no other sentiments than such as became men who knew they were to contend for their religion and liberty; for the temples of their gods, and the soil that gave them birth. As to his own particular part, if it were allowable for him, during a contest wherein the interest of his country lay at stake, to consider the aggrandizement of his own character, it would even redound to the increase of his fame, that a city which he had taken should be filled with inhabitants, that he should every day enjoy that monument of his own glory, and have before his eyes a people whom he himself had led in his triumph, and that all men, at every step they took, should meet with testimonies of his valour. But in his opinion, it would be an impious proceeding, if a city forsaken and abandoned by the immortal gods were to be inhabited; if the Roman people were to reside in a captivated soil, and to exchange a victorious for a vanquished country." Stimulated by such arguments, uttered by the first man in the state, the patricians, both old and young, when the law was to be debated, came in a body to the Forum, and dispersing themselves through the tribes, each endeavoured to influence the mem-

bers of his own body; beseeching them, with tears, "not to abandon the country, in defence of which themselves, and their fathers, had fought with the greatest bravery and the greatest success, pointing at the same time to the capitol, the temple of Vesta, and the other temples of the gods which stood within view; that they would not drive the Roman people, as exiles and outcasts, away from their native soil and guardian deities, into a once hostile city, and bring matters to such a conclusion, that it would be better if Veii had never been taken, lest Rome should be abandoned." As they made use of no violence, but of entreaties only, and among these entreaties made frequent mention of the gods, the greatest part of the people were impressed with an opinion that religion was concerned in the case, and the tribes, by a majority of one, rejected the law. The patricians were so highly gratified by this success, that next day, the consuls holding a meeting for the purpose, a decree of senate was passed, that a distribution should be made to the commons of the Veientian lands, in the proportion of seven acres to each, and that this distribution should be extended not only to the fathers of families, but to every person in their houses of free condition, that they might have satisfaction in rearing children with the hope of such an establishment.

XXXI. This generosity had such a conciliatory effect on the minds of the commons, that no opposition was made to the election of consuls. Y R. 363. B. C. 389. Lucius Valerius Potitus and Marcus Manlius, afterwards surnamed Capitolinus, were appointed to that office. In their consulate were celebrated the great games which Marcus Furius when dictator had vowed, on occasion of the war with the Veientians. In this year also, the temple of imperial Juno, vowed by the same dictator, during the same war, was dedicated, and it is mentioned that the matrons displayed an extraordinary degree of zeal in their attendance on the dedication. In the campaign against the Æquans, the seat whereof was at Algidum.

nothing memorable occurred; the enemy scarcely waiting for the engagement to begin, before they betook themselves to flight. To Valerius, because he continued the pursuit and slaughter with great earnestness, a triumph was decreed; to Manlius an ovation. This year there sprung up a new enemy, the Volsinians, against whom no army could be sent on account of a famine and pestilence which raged in the Roman territories, in consequence of extraordinary drought and heat. On these circumstances the Volsinians presumed with such confidence, that, forming a junction with the Salpinians, they made incursions on the lands of the Romans. War was then proclaimed against those two nations. Caius Julius died in the office of censor, and Marcus Cornelius was substituted in his room, which proceeding came afterwards to be considered as displeasing to the gods, because in that lustrum Rome was taken. Nor since that time is a censor ever substituted in the room of one dying. The consuls being seized by the distemper, it was resolved that an interregnum should be constituted, and auspices taken a-new.

Y. R. 364. XXXII. In pursuance therefore of a decree of B. C. 388. the senate, the consuls having resigned their office, Marcus Furius Camillus was created interrex, who appointed Publius Cornelius Scipio interrex, and he, afterwards, Lucius Valerius Potitus. By him were elected six military tribunes with consular power, to the end that in case any of them should be disabled by bad health, the commonwealth might still have a sufficient number of magistrates. These were Lucius Lucretius, Servius Sulpicius, Marcus Æmilius, Lucius Furius Medullinus a seventh time, Agrippa Furius, and Caius Æmilius a second time, who entered into office on the calends of July. Of these Lucius Lucretius and Caius Æmilius had the Volsinians as their province; Agrippa Furius and Servius Sulpicius the Salpinians. The first battle happened with the Volsinians. This war, formidable in appearance, from the great number

of the enemy, was terminated without any difficulty: at the first onset, their army was put to flight, and eight thousand of their soldiers, being surrounded by the cavalry, laid down their arms, and surrendered. The account which they received of that battle, made the Salpinians determine not to hazard an engagement; their troops secured themselves in the towns. The Romans, meeting no opposition, carried off the spoil from all parts, both of the Volsinian and Salpinian territories, until the Volsinians, becoming weary of the war, had a truce for twenty years granted them, on condition that they should make restitution to the Roman people, and furnish the pay of the army for that year. During this year, Marcus Cædicius, a plebeian, gave information to the tribunes, that “in the new street, where the chapel now stands, above the temple of Vesta, he had heard in the dead of the night, a voice louder than that of a man, ordering notice to be given to the magistrates, that the Gauls were approaching.” This intelligence, on account of the mean condition of the author, was, as frequently happens, disregarded; and also, because that nation, lying at a great distance, was therefore very little known. They not only slighted the warnings of the gods, at this crisis of impending fate, but the only human aid which could have availed them, Marcus Furius, they drove away to a distance from the city: for, having been cited by Apuleius, a plebeian tribune, to answer a charge concerning the plunder of Veii, and having about the same time suffered the loss of a son, who had almost arrived at the years of manhood, he called together to his house the members of his tribe and dependants, who composed a great part of the commons, and asked their sentiments on the occasion; when being told, in answer, that they would make up by a contribution whatever fine he should be condemned to pay, but to effect his acquittal was out of their power, he went into exile, after praying to the immortal gods, that if he was underserving of such injurious

treatment, they would speedily give that ungrateful state reason to regret his absence. On his not appearing, he was fined fifteen thousand *asses* in weight.*

XXXIII. Having thus driven away the citizen, whose presence, if in any case we can pronounce with certainty on human affairs, would have effectually saved Rome from falling into the hands of an enemy, the destined ruin now approached the city with hasty steps: at this time ambassadors arrived from the people of Clusium, soliciting aid against the Gauls. According to some reports, that nation was allured to cross the Alps, and take possession of the country formerly cultivated by the Etrurians, by the deliciousness of its productions, and especially of the wine, a luxury then new to them: and Aruns of Clusium having introduced it into Gaul for the purpose of enticing that people, that he might, by their means, gratify his resentment for his wife's being debauched by Lucumo, (whose guardian he himself had been,) a young man of overgrown power, on whom it would have been impossible to inflict punishment without foreign assistance. He acted as their guide, in passing the Alps, and advised them to lay siege to Clusium. I do not indeed take upon me to deny, that the Gauls were conducted to Clusium by Aruns, or some other Clusian, but that those who laid siege to Clusium, were not the first who crossed the Alps, is certain; for the Gauls went over into Italy, two hundred years before they besieged that town, and took the city of Rome. Nor were these the first of the Etrurians with whom they waged war; for long before this, the Gallic armies fought many battles with those who dwelt between the Apennines and the Alps. The Tuscans, before the growth of the Roman empire, possessed very extensive sway both by land and sea: how great their power was in the upper and lower seas, by which Italy is almost surrounded, as an island, the names of those

* 48l. 8s. 8d.

seas demonstrate; one being called by the Italian nations, the Tuscan, the general appellation of that people; the other the Adriatic, from Adria, a colony of Tuscans. The Greeks also call those seas the Tyrrhenian and Adriatic. This people inhabited both the tracts of territory which stretch from each side of the mountain, to the two seas, having founded twelve cities on either, first on the hither side towards the lower sea, and afterwards sending to the other side of the Apennines as many colonies as there were capital cities in the mother country. These acquired possession of the whole region beyond the Po, all the way to the Alps, except the corner of the Venetians who dwell round the extreme point of the Adriatic. The Alpine nations also, without doubt, derived their origin from them, particularly the Rhetians, who were rendered savage merely by their situation, so as to retain no mark of their original, except the accent of their language, and not even that without corruption.

XXXIV. Concerning the passage of the Gauls into Italy, what we have learned is this: when Tarquinius Priscus reigned at Rome, the supreme government of the Celts, who composed one-third part of Gaul, lay in the hands of the Biturigians. These gave a king to the Celtic nation. Ambigatus, a man very eminently distinguished by his own merit, and by the extraordinary degree of prosperity which attended him, both in his own private concerns, and in those of the public; in his time Gaul was so fruitful, and so numerously peopled, that it seemed scarcely practicable to retain such an enormous multitude under the direction of one government. Being far advanced in years, and wishing to exonerate his realm of a crowd with which it was overburthened, he declared his intention of sending away his sister's sons, Bellovesus and Sigovesus, two spirited young men, to whatever settlements the gods should point out by their auguries; and that they should carry with them any

number of men, which they themselves should choose; so that no nation which lay in their way should be able to obstruct their course. Sigovesus was then directed by the oracle to the Hercinian forest: to Bellovesus the gods showed a much more delightful route into Italy. He carried with him from the Biturigians, the Arvernians the Senonians, the *Æduans*, the Ambarrians the Carnutians, and the Aulerci-ans, all their superfluous numbers: and setting out, at the head of an immense body of horse and foot, arrived in the country of the Tricastinians. The Alps then stood in his way, which I do not wonder that these people should consider as impassable, having never been climbed over by any path, at least as far as we have been able to learn, unless we choose to believe the fables told of Hercules. Whilst the height of the mountains kept the Gauls penned up as it were, and while they were looking about for some route between those lofty summits which joined the sky, an ominous incident also gave them some delay; for an account was brought to them, that some strangers, who had come in search of lands, were attacked by the nation of the Salyans: these were the Massilians who had come by sea from Phocæa.* The Gauls, considering this as prognostic of their own fortune, gave them their assistance, in fortifying the ground, which they had first seized on their landing, covered with wide extended woods. They themselves climbed over the pathless Alps, through the forest of Taurinum, routed the Tuscans in battle, not far from the river Ticinus; and, hearing that the district in which they had posted themselves, was called Insubria, the same name by which one of

* A city of Asia Minor, built by a colony of Athenians. Being besieged and hard pressed by Harpagus, an officer of Cyrus king of Persia, the inhabitants resolved to abandon the town, and seek another residence. Accordingly, after uttering heavy imprecations on themselves, if they should ever return, they carried their effects on board their ships, and sailing to the coast of Provence, founded the city of Marseilles.

the cantons of the Insubrian Æduans was distinguished, they embraced the omen which the place presented, and founded there a city which they called Mediolanum,

XXXV. Some time after, another body, composed of the Cenomanians, under the conduct of Elitovius, following the tracks of the former, made their way over the Alps, through the same forest, Bellovesus favouring their march, and settled themselves where the cities Brixia and Verona now stand, places then possessed by the Libuans. After these, came the Salluvians, who fixed their abode near the ancient canton of the Ligurians, called Lævi, who inhabited the banks of the Ticinus. The next who came over were the Boians and Lingonians, through the Penine pass, who, finding all the space between the Alps and the Po already occupied, crossed the Po on rafts, and drove out of the country, not only the Etrurians, but the Umbrians also. They confined themselves however within the Apennines. After them the Senonians, the latest of these emigrants, possessed themselves of the track which reaches from the river Utens to the Æsis. This latter people, I find, it was, who came to Clusium, and from thence to Rome. But whether alone, or assisted by all the nations of Cisalpine Gauls, is not known with certainty. The Clusians, on observing so great a multitude, the appearance of the men, too, being different from any which they had seen before, and also the kind of arms which they carried, were terrified at the approach of this strange enemy; and having heard that the legions of the Etrurians had been often defeated by them, on both sides of the Po, determined, although they had no claim on the Romans, either in right of alliance or friendship, except that they had not protected their relations the Veientians in opposition to the Roman people, to send ambassadors to Rome, to solicit aid from the senate; which request was not complied with. The three Fabii, sons of Ambustus, were sent to mediate with the Gauls, in the name of the senate and com-

mons of Rome; who recommended to them not to attack the allies and friends of the Roman people, from whom they had received no injury, and whom they would be obliged to support even by force of arms, if matters went so far; but who, at the same time, would be better pleased, that hostile proceedings should be avoided if possible, and that their acquaintance with the Gauls, a nation to whom they were as yet strangers, should commence in an amicable rather than in an hostile manner.

XXXVI. This was an embassy mild in its import, but intrusted to men of tempers too ferocious, more resembling Gauls than Romans. These, having explained their commission in an assembly of the Gauls, received for answer, that although this was the first time that they had heard the name of the Romans, yet they supposed, that they were men of bravery, whose assistance the Clusians had implored in a conjuncture so perilous; and in consideration of their having chosen to interfere between their allies and them, in the way of negotiation, rather than that of arms, they would make no objection to the amicable terms which they proposed, provided that the Clusians, who possessed a greater portion of land than they turned to use, would give up a part of it to the Gauls, who wanted it. On no other terms, they said, was peace to be obtained: that they wished to receive an answer in presence of the Romans, and if the land were refused them, would also decide the matter by arms in the presence of the same Romans, that they might inform their countrymen, how far the Gauls excelled the rest of mankind in bravery. The Romans asking, by what right they could demand land from the possessors, and in case of refusal threaten war; and what concern the Gauls had in Etruria? The others fiercely replied, that they carried their right on the points of their swords, and that all things were the property of the brave. Thus, with minds inflamed on both sides, they hastily separated to prepare for battle, which began without delay. Here,

fate now pressing the city of Rome, the ambassadors, contrary to the law of nations, took a part in the action; a fact which could not be concealed, for three of the noblest and bravest of the Roman youth fought in the van of the Etrurian army; and the valour of these foreigners was eminently conspicuous. Besides, Quintus Fabius rode forward beyond the line, and slew a general of the Gauls, who was making a furious charge against the standards of the Etrurians, running him through the side with his spear. He was known by the Gauls, while he was stripping him of his spoils; on which notice was conveyed round through the whole army, that he was one of the Roman ambassadors. Dropping therefore their resentment against the Clusians, they sounded a retreat, threatening to wreak their vengeance on the Romans. Some advised that they should march instantly to Rome. But the opinion of the elders prevailed; that ambassadors should first be sent to complain of the ill treatment, which they had received, and to demand that the Fabii should be delivered into their hands as a satisfaction for having violated the law of nations. When the ambassadors of the Gauls had explained those matters according to their commission, the senate were highly displeas'd at the behaviour of the Fabii, and thought the demand of the barbarians just: but in the case of nobles, of such exalted rank, partial favour prevented their passing a decree conformable to their judgment. Lest, therefore, they might be chargeable with any misfortune, which might perhaps be sustained in a war with the Gauls, they referred the determination, on the demands of the Gauls, to the assembly of the people: where so prevalent was the influence of interest and wealth, that the very persons whose punishment was the subject of deliberation, were appointed military tribunes with consular power for the ensuing year. At which proceeding the Gauls being justly enraged, and openly denouncing war, returned to their countrymen. Together with the Y. R. 365. three Fabii, were appointed military tribunes, B. C. 387

Quintus Sulpicius Longus, Quintus Servilius a fourth time, and Servius Cornelius Maluginensis.

XXXVII. When fortune is determined upon the ruin of a people, she can so blind them, as to render them insensible to danger, even of the greatest magnitude: accordingly the Roman state, which, in its wars with the Fidenatians and Veientians and other neighbouring enemies, had left no means untried to procure aid, and had, on many occasions, nominated a dictator; yet now, when an enemy whom they had never met, or even heard of, was, from the ocean and the remotest coasts, advancing in arms against them, they looked not for any extraordinary command or assistance. Tribunes, whose temerity had brought on the troubles, were intrusted with the reins of government, and they used no greater diligence in levying forces, than was usual in case of a rupture with any of their neighbours, extenuating the importance which fame gave to the war. Meanwhile the Gauls, hearing that the violators of the rights of mankind had even been recompensed with honours, and that their embassy had been slighted, inflamed with anger, a passion which that nation knows not how to control, instantly snatched up their ensigns, and began to march with the utmost expedition. When their precipitate movement caused such an alarm wherever they passed, that the inhabitants of the cities ran together to arms, and the peasants betook themselves to flight, they signified to them, by loud shouts, that it was to Rome they were going, while the space covered by their men and horses was immense, the troops spreading widely on every side. But report outstripped them; and messengers also from the Clusian, and from several other states, one after another, and the quickness of the enemy's proceedings, caused the utmost consternation among the Romans, whose army, composed, in a manner, of tumultuary troops, with all the haste which they could make, scarce advanced so far as the eleventh stone before they met them, where the river

Allia, running down from the Crustumian mountains in a very deep channel, joins the Tiber, a little way below the road. Already every place, in front, and on each side, was occupied by numerous bodies of Gauls; and, as that nation has a natural turn for aggravating terror by confusion, by their harsh music and discordant clamours, they filled the air with a horrible din.

XXXVIII. There the military tribunes, without having previously formed a camp, without the precaution of raising a rampart which might secure a retreat, regardless of duty to the gods, to say nothing of that to man, without taking auspices, without offering a sacrifice, drew up their line, which they extended on towards the flanks, lest they should be surrounded by the numerous forces of the enemy. Still they could not show an equal front, and at the same time thinned their line in such a manner, as weakened the centre, and left it scarce sufficient to fill up the ranks without a breach. There was a small eminence on the right, which they determined to occupy with a body of reserve; which measure, as it gave the first cause to their dismay and desertion of the field, so it proved the only means of safety in their flight. Brennus, the chieftain of the Gauls, thinking, that as his enemies were few, their skill was what he had chiefly to guard against; and supposing, that the eminence had been seized with design, that when the Gauls should be engaged in front with the line of the legions, that reserved body might make an attack on their rear and flank, turned his force against the reserve, not doubting, that if he could dislodge them from their post, his troops, so much superior in number, would find an easy victory in the plain: thus not only fortune, but judgment also stood on the side of the barbarians. In the opposite army there appeared nothing like Romans, either among the commanders, or the soldiers. Terror and dismay had taken possession of their minds, and such a total unconcern for the rest of mankind, that greater

numbers by far fled to Veii, a city of their enemy, though the Tiber lay across the way, than by the direct road to Rome, to their wives and children. The situation of the ground for some time defended the reserve: but those who composed the rest of the line, on their flank, and on their rear, no sooner heard the shout, than, not only without attempting to fight, but without even returning the shout, fresh as they were, and unhurt, they ran away from an untried enemy, and at whom they had scarcely ventured to look. Thus, no lives were lost in battle; but their rear was cut to pieces while they crowded on one another, in such hurry and confusion, as retarded their retreat. Great slaughter was made on the bank of the Tiber, whither the whole left wing, after throwing away their arms, had directed their flight; and great numbers who knew not how to swim, or were not very strong, being burthened with their coats of mail and other defensive armour, were swallowed up in the current. However the greatest part escaped safe to Veii, from whence they neither sent any reinforcement to Rome, nor even a courier to give notice of their defeat. Those of the right wing which had been posted at a distance from the river, near the foot of the mountain, all took the way to Rome, and without even shutting the gates of the city, made their way into the citadel.

/ XXXIX. On the other hand, the attainment of such a speedy, such an almost miraculous victory, astonished the Gauls. At first, they stood motionless through apprehension for their own safety, scarcely knowing what had happened; then, they dreaded some stratagem; at length, they collected the spoils of the slain, and piled the arms in heaps, according to their practice. And now, seeing no sign of an enemy any where, they at last began to march forward, and a little before sun-set arrived near the city of Rome, where receiving intelligence by some horsemen who had advanced before, that the gates were open without any troops posted to

defend them, nor any soldiers on the walls, this second incident, not less unaccountable than the former, induced them to halt: and, apprehending danger from the darkness of the night, and their ignorance of the situation of the city, they took post between Rome and the Anio, sending scouts about the walls, and the several gates, to discover what plans the enemy would pursue in this desperate state of their affairs. The Roman soldiers, who were living, their friends lamented as lost; the greater part of them having gone from the field of battle to Veii, and no one supposing that any survived, except those who had come home to Rome. In fine, the city was almost entirely filled with sorrowings. But on the arrival of intelligence that the enemy were at hand, the apprehensions excited by the public danger stifled all private sorrow; soon after, the barbarians patrolling about the walls in troops, they heard their yells and the dissonant clangour of their martial instruments. During the whole interval, between this and the next morning, they were held in the most anxious suspense, every moment expecting an assault to be made on the city. At the enemy's first approach, it was supposed that they would begin the attack as soon as they should arrive at the city, since, if this were not their intention, they would probably have remained at the Allia. Their fears were various and many; first, they imagined that the place would be instantly stormed, because there was not much of the day remaining; then that the design was put off until night, in order to strike the greater terror. At last, the approach of light sunk them in dismay, and the evil itself which they dreaded, closed this scene of unremitted apprehension, the enemy marching through the gates in hostile array. During that night, however, and also the following day, the state preserved a character, very different from that which such a dastardly flight at the Allia had indicated: for there being no room to hope that the city could possibly be defended by the small number of troops remaining, a reso-

lution was taken, that the young men who were fit to bear arms, and the abler part of the senate, with their wives and children, should go up into the citadel and the capitol; and having collected stores of arms and corn, should, in that strong post, maintain the defence of the deities, of the inhabitants, and of the honour of Rome. That the Flamen Quirinalis, and the vestal priestesses, should carry away, far from slaughter and conflagration, all that appertained to the gods of the state; and that their worship should not be intermitted, until there should be no one left to perform it. "If the citadel and the capitol, the mansion of the gods; if the senate, the source of public counsel; if the youth of military age, should survive the ruin which impended over the city, they must deem the loss of the aged light, as of a crowd whom they were under the necessity of leaving behind, though with a certain prospect of their perishing." That such of this deserted multitude as consisted of plebeians, might bear their doom with the greater resignation, the aged nobles, formerly dignified with triumphal honours and consulships, openly declared, that "they would meet death along with them, and would not burthen the scanty stores of the fighting men, with bodies incapable of carrying arms, and of protecting their country." Such were the consolations addressed to each other by the aged who were destined to death.

XL. Their exhortations were then turned to the band of young men, whom they escorted to the capitol and citadel, commending to their valour and youthful vigour the remaining fortune of their city, which, through the course of three hundred and sixty years, had ever been victorious in all its wars. When those who carried with them every hope and every resource, parted with the others, who had determined not to survive the capture and destruction of the city, the view which it exhibited was sufficient to call forth the liveliest feelings, the women at the same time running up and down in distraction, now following one party, then the other.

asking their husbands and their sons, to what fate they would consign them? All together formed such a picture of human wo as could admit of no aggravation. A great part, however, of the women followed their relations into the citadel, no one either hindering or inviting them; because, though the measure of lessening the number of useless persons in a siege, might doubtless be advisable in one point of view, yet it was a measure of extreme inhumanity. The rest of the multitude, consisting chiefly of plebeians, for whom there was neither room on so small a hill, nor a possibility of support in so great a scarcity of corn, pouring out of the city in one continued train, repaired to the Janiculum. From thence some dispersed through the country, and others made their way to the neighbouring cities, without any leader, or any concert, each pursuing his own hopes and his own plans, those of the public being deplored as desperate. In the mean time, the Flamen Quirinalis, and the Vestal virgins, laying aside all concern for their own affairs, and consulting together which of the sacred deposits they should take with them, and which they should leave behind, for they had not strength sufficient to carry all, and what place they could best depend on for preserving them in safe custody, judged it the most eligible method to inclose them in casks, and to bury them under ground, in the chapel next to the dwelling-house of the Flamen Quirinalis, where at present it is reckoned profane even to spit. The rest they carried, distributing the burthens among themselves, along the road which leads over the Sublician bridge, to the Janiculum. On the ascent of that hill, Lucius Albinus, a Roman plebeian, was conveying away in a wagon his wife and children, but observing them among the crowd of those who being unfit for war were retiring from the city, and retaining, even in his present calamitous state, a regard to the distinction between things divine and human, he thought it would betray a want of respect to religion, if the public priests of the Roman people were to go

on foot, thus holily laden, whilst he and his family were seen mounted in a carriage; ordering his wife and children then to alight, he put the virgins and the sacred things into the wagon, and conveyed them to Cære, whither the priests had determined to go.

XLI. Meanwhile, at Rome, when every disposition for the defence of the citadel had been completed, as far as was possible in such a conjuncture, the aged crowd withdrew to their houses, and there, with a firmness of mind not to be shaken by the approach of death, waited the coming of the enemy: such of them as had held curule offices, choosing to die in that garb which displayed the emblems of their former fortune, of their honours, or of their merit, put on the most splendid robes worn, when they draw the chariots of the gods in procession, or ride in triumph. Thus habited, they seated themselves in their ivory chairs at the fronts of their houses. Some say that they devoted themselves for the safety of their country and their fellow citizens; and that they sung a hymn upon the occasion, Marcus Fabius, the chief pontiff, dictating the form of words to them. On the side of the Gauls, as the keenness of their rage, excited by the fight, had abated during the night; and, as they had neither met any dangerous opposition in the field, nor were now taking the city by storm or force; they marched next day, without any anger or any heat of passion, into the city, through the Colline gate, which stood open, and advanced to the Forum, casting round their eyes on the temples of the gods, and on the citadel, the only place which had the appearance of making resistance. From thence, leaving a small guard to prevent any attack from the citadel or capitol, they ran about in quest of plunder. Not meeting a human being in the streets, part of them rushed in a body to the houses that stood nearest; part sought the most distant, as expecting to find them untouched and abounding with spoil. Afterwards, being frightened from thence, by the very solitude, and fear-

ing lest some secret design of the enemy might be put in execution against them, while they were thus dispersed, they formed themselves into bodies, and returned again to the Forum, and places adjoining to it. Finding the houses of the plebeians shut up, and the palaces of the nobles standing open, they showed rather greater backwardness to attack these that were open, than such as were shut: with such a degree of veneration did they behold men sitting in the porches of those palaces, who, beside their ornaments and apparel, more splendid than became mortals, bore the nearest resemblance to gods, in the majesty displayed in their looks, and the gravity of their countenances. It is said, that while they stood gazing as on statues, one of them, Marcus Papi-rius, provoked the anger of a Gaul, by striking him on the head with his ivory sceptre, while he was stroaking his beard, which at that time was universally worn long; that the slaughter began with him, and that the rest were slain in their seats. The nobles being put to death, the remainder of the people met the same fate. The houses were plundered, and then set on fire.

XLII. However, whether it was, that they were not all possessed with a desire of reducing the city to ruins, or whether the design had been adopted by the chiefs of the Gauls, that some fires should be presented to the view of the besieged, for the purpose of terrifying them, and to try if they could be compelled to surrender, through affection to their own dwellings, or that they had determined that all the houses should not be burned down, because whatever remained, they could hold as a pledge, by means of which they might work upon the minds of the garrison, the fire did not, during the first day, spread extensively, as is usual in a captured city. The Romans, beholding the enemy from the citadel, who ran up and down through every street, while some new scene of horror arose to their view in every different quarter, were scarcely able to preserve their presence

of mind. To whatever side the shouts of the enemy, the cries of women and children, the crackling from the flames; and the crash of falling houses called their attention, thither, deeply shocked at every incident, they turned their eyes, their thoughts, as if placed by fortune to be spectators of the fall of their country;—left, in short, not for the purpose of protecting any thing belonging to them, but merely their own persons, much more deserving of commiseration, indeed, than any before who were ever beleaguered; as by the siege which they had to sustain they were excluded from their native city, whilst they saw every thing which they held dear in the power of the enemy. Nor was the night, which succeeded such a shocking day, attended with more tranquillity. The morning appeared with an aspect equally dismal; nor did any portion of time relieve them from the sight of a constant succession of new distresses. Loaded and overwhelmed with such a multiplicity of evils, they notwithstanding remitted nought of their firmness; determined, though they should see every thing in flames, and levelled with the dust, to defend by their bravery the hill which they occupied, small and ill provided as it was, yet being the only refuge of their liberty. And as the same events recurred every day, they became so habituated, as it were, to disasters, that, abstracting their thoughts as much as possible from their circumstances, they regarded the arms, and the swords in their hands, as their only hopes.

XLIII. On the other side, the Gauls, having for several days waged only an ineffectual war against the buildings, and perceiving that among the fires and ruins of the city nothing now remained but a band of armed enemies, who were neither terrified in the least, nor likely to treat of a capitulation unless force were applied, resolved to have recourse to extremities, and to make an assault on the citadel. On a signal given, at the first light, their whole multitude was marshalled in the Forum, from whence, after raising the

shout, and forming a *testudo*,* they advanced to the attack. The Romans in their defence did nothing rashly, nor in a hurry; but having strengthened the guards at every approach, and opposing the main strength of their men on the quarter where they saw the battalions advancing, they suffered them to mount the hill, judging that the higher they should ascend, the more easily they might be driven back, down the steep. About the middle of the ascent they met: and there making their charge down the declivity, which of itself bore them against the enemy, routed the Gauls with such slaughter, and such destruction, occasioned by their falling down the precipice, that they never afterwards, either in parties, or with their whole force, made another trial of that kind of fight. Laying aside therefore the hope of effecting their approaches by force of arms, they resolved to form a blockade, for which, having never until this time thought of making provision, they were ill prepared. With the houses, all was consumed in the city; and in the course of the days they had passed there, the produce of the country round about had been hastily carried off to Veii. Wherefore dividing their forces, they determined that one part should be employed in plundering among the neighbouring nations, while the other carried on the siege of the citadel, in order that the ravagers of the country might supply the besiegers with corn.

XLIV. The party of Gauls, which marched away from the city, were conducted merely by the will of fortune, who chose to make a trial of Roman bravery, to Ardea, where Camillus dwelt in exile, pining in sorrow, and more deeply grieving at the distresses of the public, than at his own; accusing gods and men, burning with indignation, and wondering where were now those men who with him had taken Veii, and Falerii; those men who, in other wars, had ever

* Forming themselves into a compact body, with their shields joined together, and held over their heads to protect them from the missile weapons of the enemy.

been more indebted to their own courage, than to chance. Thus pondering, he heard, on a sudden, that the army of the Gauls was approaching, and that the people of Ardea in consternation were met in council on the subject. On which, as if moved by divine inspiration, he advanced into the midst of their assembly, having hitherto been accustomed to absent himself from such meetings, and said, " People of Ardea, my friends of old, of late my fellow-citizens also, a relation encouraged by your kindness, and formed by my fortune; let not any of you imagine, that my coming hither to your council is owing to my having forgotten my situation; but the present case, and the common danger, render it necessary that every one should contribute to the public every kind of assistance in his power. And when shall I repay so great obligations as I owe you, if I am now remiss? On what occasion can I ever be serviceable to you, if not in war? By my knowledge in that line, I supported a character in my native country, and though never overcome by an enemy in war, I was banished in time of peace by my ungrateful countrymen. To you, men of Ardea, fortune has presented an opportunity of making a recompense for all the valuable favours which the Roman people have formerly conferred on you. How great these have been, ye yourselves remember; nor need I, who know you to be grateful, remind you of them. At the same time you may acquire, for this your city, a high degree of military renown, by acting against the common enemy. The nation, which is now approaching, in a disorderly march, is one to whom nature has given minds and bodies of greater size than strength: for which reason, they bring to every contest more of terror, than of real vigour. The disaster of Rome may serve as a proof of this; they took the city, when every avenue lay open; but still a small band in the citadel and capitol are able to withstand them. Already tired of the slow proceedings of the siege, they retire and spread themselves over the face of the coun-

try. When gorged by food, and greedy draughts of wine, as soon as night comes on, they stretch themselves promiscuously, like brutes, near streams of water, without intrenchment, and without either guards or advanced posts; using at present, in consequence of success, still less caution than usual. If it is your wish to defend your own walls, and not to suffer all this part of the world to become a province of Gaul, take arms unanimously at the first watch. Follow me, to kill, not to fight. If I do not deliver them into your hands, overpowered with sleep, to be slaughtered like cattle, I am content to meet the same issue of my affairs at Ardea which I found at Rome.”

XLV. Every one who heard him, had long been possessed with an opinion, that there was not any where in that age a man of equal talents for war. The meeting then being dismissed, they took some refreshment, and waited with impatience for the signal being given. As soon as that was done, during the stillness of the beginning of the night, they attended Camillus at the gates: they had not marched far from the city, when they found the camp of the Gauls, as had been foretold, unguarded and neglected on every side, and, raising a shout, attacked it. There was no fight any where, but slaughter every where: being naked, and surprised in sleep, they were easily cut to pieces. However, those who lay most remote, being roused from their beds, and not knowing how or by whom the tumult was occasioned, were by their fears directed to flight, and some of them even into the midst of the enemy, before they perceived their mistake. A great number, flying into the territory of Antium, were attacked on their straggling march by the inhabitants of that city, surrounded and cut off. A like carnage was made of the Tuscans in the territory of Veii: for they were so far from feeling compassion for a city, which had been their neighbour now near four hundred years, and which had been overpowered by a strange and unheard of enemy, that they made in-

cursions at that very time on the Roman territory: and, after loading themselves with booty, purposed even to lay siege to Veii, the bulwark, and the last remaining hope of the whole Roman race. The soldiers there, who had seen them straggling over the country, and also collected in a body, driving the prey before them, now perceived their camp pitched at no great distance from Veii. At first, their minds were filled with melancholy reflections on their own situation; then with indignation, afterwards with rage. "Must their misfortunes, they said, be mocked even by the Etrurians, from whom they had drawn off the Gallic war on themselves?" Scarce could they curb their passions so far as to refrain from attacking them that instant; but, being restrained by Quintus Cædicus, a centurion, whom they had appointed their commander, they consented to defer it until night. The action which ensued wanted nothing to render it equal to the former, except that it was not conducted by a general equal to Camillus: in every other respect the course of events was the same, and the issue equally fortunate. Not content with this blow, but taking, as guides, some prisoners who had escaped the slaughter, and advancing to Salinæ against another body of Tuscans, they surprised them on the night following, slew a still greater number, and then returned to Veii, exulting in their double victory.

XLVI. Meanwhile, at Rome the siege, in general, was carried on slowly, and both parties lay quiet; for the attention of the Gauls was solely employed in preventing any of the enemy from escaping between their posts; when, on a sudden, a Roman youth drew on himself the attention and admiration both of his countrymen and the enemy. There was a sacrifice always solemnized by the Fabian family at stated times, on the Quirinal hill; to perform which, Caius Fabius Dorso having come down from the capitol, dressed in the form called the Gabine cincture, and carrying in his hands the sacred utensils requisite for the ceremony, passed

out through the midst of the enemy's posts, without being moved in the least by any of their calls or threats. He proceeded to the Quirinal hill, and after duly performing there the solemn rites, returned by the same way, preserving the same firmness in his countenance and gait, confident of the protection of the gods, whose worship, even the fear of death, had not power to make him neglect, and came back to his friends in the capitol, while the Gauls were either held motionless with astonishment at his amazing confidence, or moved by considerations of religion, of which that nation is by no means regardless. Meanwhile, those at Veii found not only their courage, but their strength also increasing daily. Not only such of the Romans repaired thither, who, in consequence either of the defeat in the field, or of the disaster of the city being taken, had been dispersed in various parts, but volunteers also flowed in from Latium, with a view to share in the spoil; so that it now seemed high time to attempt the recovery of their native city, and rescue it out of the hands of the enemy. But this strong body wanted a head: the spot where they stood reminded them of Camillus; a great number of the soldiers having fought with success under his banners and auspices. Besides, Cædicus declared, that he would not take any part which might afford occasion, either for god or man, to take away his command; but rather, mindful of his own rank, would himself insist on the appointment of a general. With universal consent it was resolved, that Camillus should be invited from Ardea; but that first the senate at Rome should be consulted: so carefully did they regulate every proceeding by a regard to propriety, and, though in circumstances nearly desperate, maintained the distinctions of the several departments of government. It was necessary to pass through the enemy's guards, which could not be effected without the utmost danger. A spirited youth, called Pontius Cominius, offered himself for the undertaking, and supporting himself on pieces of cork, was car-

ried down the stream of the Tiber to the city. From thence, where the distance from the bank was shortest, he made his way into the capitol over a part of the rock which was very steep and craggy, and therefore neglected by the enemy's guards; and being conducted to the magistrates, delivered the message of the army. Then, having received a decree of the senate, that Camillus should both be recalled from exile in an assembly of the Curias, and instantly nominated dictator by order of the people, and that the soldiers should have the general whom they wished, going out of the same way, he proceeded with his despatches to Veii; from whence deputies were sent to Ardea to Camillus, who conducted him to Veii: or else, the law was passed by the Curians, and he was nominated dictator in his absence; for I am inclined to believe, that he did not set out from Ardea until he found, that this was done, because he could neither change his residence without an order of the people, nor hold the privilege of the auspices in the army, until he was nominated dictator.

XLVII. Thus they were employed at Veii, whilst, in the mean time, the citadel and capitol at Rome were in the utmost danger. The Gauls either perceived the track of a human foot, where the messenger from Veii had passed; or, from their own observation, had remarked the easy ascent at the rock of Carmentis: on a moon-light night, therefore, having first sent forward a person unarmed to make trial of the way, handing their arms to those before them; when any difficulty occurred, supporting and supported in turns, and drawing each other up according as the ground required, they climbed to the summit in such silence, that they not only escaped the notice of the guards, but did not even alarm the dogs, animals particularly watchful with regard to any noise at night. They were not unperceived however by some geese, which being sacred to Juno, the people had spared, even in the present great scarcity of food; a circumstance to which they owed their preservation; for by the cackling of

these creatures, and the clapping of their wings, Marcus Manlius was roused from sleep,—a man of distinguished character in war, who had been consul the third year before; and snatching up his arms, and at the same time calling to the rest to do the same, he hastened to the spot: where, while some ran about in confusion, he by a stroke with the boss of his shield tumbled down a Gaul who had already got footing on the summit; and this man's weight, as he fell, throwing down those who were next, he slew several others, who in their consternation, threw away their arms, and caught hold of the rocks, to which they clung. By this time many of the garrison had assembled at the place, who by throwing javelins and stones, beat down the enemy, so that the whole band, unable to keep either their hold or footing, were hurled down the precipice in promiscuous ruin. The alarm then subsiding, the remainder of the night was given to repose, as much at least as could be enjoyed after such perturbation, when the danger though past, kept up the agitation of people's minds. As soon as day appeared, the soldiers were summoned by sound of trumpet, to attend the tribunes in assembly, when due recompense was to be made both to merit and demerit. Manlius was first of all commended for the bravery which he had displayed, and was presented with gifts, not only by the military tribunes, but by the soldiers universally; for every one carried to his house, which was in the citadel, a contribution of half a pound of corn, and half a pint of wine—a present which appears trifling in the relation, yet the scarcity which prevailed rendered it a very strong proof of esteem, since each man contributed, in honour of a particular person, a portion subtracted from his necessary supplies. Those who had been on guard at the place where the enemy climbed up unobserved, were now cited; and though Quintus Sulpicius, military tribune had declared, that he would punish every man according to the rules of military discipline, yet being deterred by the unanimous re-

monstrances of the soldiers, who threw all the blame on one particular man of the guard, he spared the rest. The one who was manifestly guilty he with the approbation of all threw down from the rock. From this time forth, the guards on both sides became more vigilant: on the side of the Gauls, because a rumour spread that messengers passed between Veii and Rome; and on that of the Romans, from their recollection of the danger to which they had been exposed in the night.

XLVIII. But beyond all the evils of the war and the siege, famine distressed both armies. To which was added on the side of the Gauls, a pestilential disorder, occasioned by their lying encamped in low ground surrounded with hills, which besides having been heated by the burning of the buildings, and filled with exhalations, when the wind rose ever so little, sent up not only ashes but embers. These inconveniencies that nation, of all others, is the worst qualified to endure, as being accustomed to cold and moisture. In a word, they suffered so severely from the heat and suffocation, that they died in great numbers, disorders spreading as among a herd of cattle. And now growing weary of the trouble of burying separately, they gathered the bodies in heaps promiscuously, and burned them, and this rendered the place remarkable by the name of the Gallic piles. A truce was now made with the Romans, and conferences held with permission of the commanders: in which, when the Gauls frequently made mention of the famine to which the former were reduced, and thence inferred the necessity of their surrendering, it is said, that in order to remove this opinion, bread was thrown from the capitol into their advanced posts, though the famine could scarcely be dissembled or endured any longer. But whilst the dictator was employed in person in levying forces at Ardea, in sending his master of the horse, Lucius Valerius, to bring up the troops from Veii, and in making such preparations and arrange-

ments as would enable him to attack the enemy on equal terms, the garrison of the capitol was worn down with the fatigue of guards and watches. They had hitherto stood superior to all evils, yet famine was one which nature would not allow to be overcome, so that looking out day after day for some assistance from the dictator, and at last, not only provisions, but hope failing, their arms in the course of relieving the guards at the same time almost weighing down their feeble bodies, they insisted that either a surrender should be made, or the enemy bought off, on such terms as could be obtained: for the Gauls had given plain intimations, that, for a small compensation, they might be induced to relinquish the siege. The senate then met, and the military tribunes were commissioned to conclude a capitulation. The business was afterwards managed in a conference between Quintus Sulpicius a military tribune, and Brennus the chieftain of the Gauls, and a thousand pounds weight of gold* was fixed as the ransom of that people, who were afterwards to be rulers of the world. To a transaction so very humiliating in itself, insult was added. False weights were brought by the Gauls, and on the tribune objecting to them, the insolent Gaul threw in his sword in addition to the weights, and was heard to utter an expression intolerable to Roman ears, "wo to the vanquished."

XLIX. But both gods and men stood forth to prevent the Romans living under the disgrace of being ransomed. For, very fortunately, before the abominable payment was completed, the whole quantity of gold being not yet weighed in consequence of the altercation, the dictator came up to the spot, ordered the gold to be carried away from thence, and the Gauls to clear the place. And when they made opposition, and insisted on the agreement, he affirmed that such an agreement could have no validity, being made

* 45,000*l.*

after he had been created dictator, without his order, by a magistrate of subordinate authority; and he gave notice to the Gauls to prepare for battle. His own men he ordered to throw their baggage in a heap, to get ready their arms, and to recover their country with steel, not with gold; having before their eyes the temples of the gods, their wives and children, the site of their native city, disfigured with rubbish through the calamities of war, and every object which they were bound by the strongest duties to defend, to recover, and to revenge. He then drew up his forces for battle, as far as the nature of the ground would allow, on the site of the half demolished city; which was in itself naturally uneven, having made every previous arrangement and preparation, which could be suggested by knowledge in war, to secure all possible advantages to himself. The Gauls, alarmed at this unexpected event, took up arms, and with more rage than conduct rushed upon the Romans. Fortune had now changed sides; and both divine favour and human wisdom aided the Roman cause. At the first onset, therefore, the Gauls were put to the route with no greater difficulty than they had themselves found, when they gained the victory at the Allia. They were afterwards defeated, under the conduct and auspices of the same Camillus, in a more regular engagement at the eighth stone on the Gabine road, where they rallied after their flight. Here the slaughter was immense; their camp was taken, and not even a single person left to carry the news of the defeat. The dictator, having thus recovered his country from the enemy, returned in triumph, and among the rough jokes which the soldiers throw out on such occasions, received the appellations of a Romulus, a second founder of the city,—praises certainly not unmerited. His country thus saved by arms, he evidently saved it a second time in peace, when he hindered the people from removing to Veii, a scheme pressed by the tribunes with greater earnestness after the burning of the city, and which

the commons, of themselves, were then more inclined to pursue; and for that reason he did not resign the dictatorship immediately after his triumph, being entreated by the senate not to leave the commonwealth in that unsettled state.

L. The first business which he laid before the senate was that which respected the immortal gods; for he was remarkably attentive to all matters in which religion was concerned. He procured a decree of senate, that "all the temples having been in possession of the enemy should be restored, their bounds traced, and expiation made for them, and that the form of expiation should be sought in the books by the duumvirs. That a league of hospitality should be formed by public authority with the people of Cære, because they had afforded a reception to the sacred utensils, and to the priests of the Roman people; and because to the kindness of that nation it was owing, that the worship of the immortal gods had not been intermitted; that Capitoline games should be exhibited in honour of Jupiter, supremely good and great, for having, in time of danger, protected his own mansion, and the citadel of Rome; and that a certain number of citizens, for the due performance thereof, should be incorporated by the dictator, out of those who resided in the capitol and fort." Mention was also introduced of expiating the voice which had been heard by night, giving notice of the calamity before the Gallic war, and which had been neglected; and an order was made that a temple should be erected to Aius Locutius, in the new street. The gold, which had been rescued from the Gauls, and also what had been, during the hurry of the alarm, carried from the other temples into the recess of Jupiter's temple, was altogether judged to be sacred, and ordered to be deposited under the throne of Jupiter, because no one could recollect to what temples it ought to be returned. The state had, before this, manifested a high regard to religion, in accepting a contribution of gold from the matrons, when the public fund was found in-

sufficient to make up the sum stipulated to be paid to the Gauls, rather than meddle with the sacred gold. To the matrons public thanks were given, and also the privilege of having funeral orations delivered in honour of them on their death, the same as on that of the men. When he had finished such business as respected the gods, and such as could be determined by the authority of the senate, and as the tribunes never ceased teasing the commons in their harangues to abandon the ruins, and remove to Veii, a city ready for their reception, being attended by the whole body of the senate, he mounted the tribunal and spoke to this effect.

LI. "Romans, so strong is my aversion from holding contentions with the tribunes of the people, that while I resided at Ardea, I had no other consolation in my melancholy exile than that I was at a distance from such contests; and, on account of these, I was fully determined never to return, even though ye should recall me by a decree of senate and order of the people. Nor was it any change of my sentiments, which induced me now to revisit Rome, but the situation of your affairs. For the point in question was, not whether I should reside in my native land, but whether that land, (if I may so express myself,) should keep in its own established seat? And on the present occasion most willingly would I remain silent, did not this struggle also affect the essential interests of my country; to be wanting to which, as long as life remains, were base in others, in Camillus infamous. For to what purpose have we laboured its recovery? Why have we rescued it out of the hands of the enemy? After it has been recovered, shall we voluntarily desert it? Notwithstanding that the capitol and citadel continued to be held and inhabited by the gods and the natives of Rome, even when the Gauls were victorious, and in possession of the whole city; notwithstanding that the Romans are now the victors; shall that capitol and citadel be abandoned with all

the rest, and our prosperity become the cause of greater desolation, than our adversity was? In truth, if we had no religious institutions, which were founded together with the city, and regularly handed down from one generation to another; yet the divine power has been so manifestly displayed at this time in favour of the Roman affairs, that I should think all disposition to be negligent in paying due honour to the gods effectually removed from the minds of men. For, take a review of the transactions of these latter years in order,—prosperous and adverse,—ye will find that in every instance prosperity constantly attended submission to the immortals, and adversity the neglect of them. To begin with the war of Veii: for what a number of years, and with what an immensity of labour, was it carried on? Yet it could not be brought to a conclusion, until, in obedience to the admonition of the gods, the water was discharged from the Alban lake. Consider, did this unparalleled train of misfortunes, which ruined our city, commence until the voice sent from heaven, concerning the approach of the Gauls, had been disregarded; until the laws of nations had been violated by our ambassadors; and until we, with the same indifference towards the deities, passed over that crime which we were bound to punish? Vanquished, therefore, made captives, and ransomed, we have suffered such punishments at the hands of gods and men, as render us a warning to the whole world. After this, our misfortunes again reminded us of our duty to the heavens. We fled for refuge into the capitol, to the mansion of Jupiter, supremely good and great. The sacred utensils, amidst the ruin of our own properties, we partly concealed in the earth, partly conveyed out of the enemy's sight, to the neighbouring cities. Abandoned by gods and men, yet we did not intermit the sacred worship. The consequence was, they restored us to our country, to victory, and to our former renown in war, which we had forfeited; and on the heads of the enemy, who, blinded by avarice, broke the faith of a trea-

ty in respect to the weight of the gold, they turned dismay, and flight, and slaughter.

LII. "When ye reflect on these strong instances of the powerful effects produced on the affairs of men by their either honouring or neglecting the deity, do ye not perceive, Romans, what an act of impiety we are about to perpetrate, even in the very moment of emerging from the wreck and ruin which followed our former misconduct? We are in possession of a city built under the direction of auspices and auguries, in which there is not a spot but is full of gods and religious rites. The days of the anniversary sacrifices are not more precisely stated, than are the places where they are to be performed. All these gods, both public and private, do ye intend, Romans, to forsake? What similitude does your conduct bear to that, which lately, during the siege, was beheld, with no less admiration by the enemy than by yourselves, in that excellent youth Caius Fabius, when he went down from the citadel through the midst of Gallic weapons, and performed on the Quirinal hill the anniversary rites pertaining to the Fabian family? Is it your opinion that the religious performances of particular families should not be intermitted, though war obstruct, but that the public rites and the Roman gods should be forsaken even in time of peace; and that the pontiffs and flamens should be more negligent of those rites of religion than was a private person? Some, perhaps, may say, we will perform these at Veii; we will send our priests thither for that purpose: but this cannot be done without an infringement of the established forms. Even in the case of the feast of Jupiter, (not to enumerate all the several gods, and all the different kinds of sacred rites,) can the ceremonies of the lectisternium be performed in any other place than the capitol? What shall I say of the eternal fire of Vesta; and of the statue, that pledge of empire, which is kept under the safeguard of her temple? What, O Mars Gradivus, and

thou, Father Quirinus, of thy Ancilia? Is it right that those sacred things, coeval with the city, nay some of them more ancient than the city itself, should all be abandoned to profanation? Now, observe the difference between us and our ancestors. They handed down to us certain sacred rites to be performed on the Alban, and on the Lavinian mounts. Was it then deemed not offensive to the gods, that such rites should be brought to Rome, and from the cities of our enemies; and shall we, without impiety, remove them from hence to an enemy's city, to Veii? Recollect, I beseech you, how often sacred rites are performed anew, because some particular ceremony of our country has been omitted through negligence or accident. In a late instance, what other matter, after the prodigy of the Alban lake, proved a remedy for the distresses brought on the commonwealth by the war of Veii, but the repetition of them, and the renewal of the auspices? But besides, as if zealously attached to religious institutions, we have brought not only foreign deities to Rome, but have established new ones. It was but the other day that imperial Juno was removed hither from Veii; and with what a crowded attendance was her dedication on the Aventine celebrated? And how greatly was it distinguished by the extraordinary zeal of the matrons? We have passed an order for the erecting of a temple to Aius Locutius in the new street, out of regard to the heavenly voice which was heard there. To our other solemnities we have added Capitoline games, and have, by direction of the senate, founded a new college for the performance thereof. Where was there occasion for any of these institutions, if

**Ancile*, a shield, supposed to be of the god Mars, said to have fallen from heaven in the reign of Numa. It was reposed in the sanctuary, and kept with great care by the priests of Mars, called Salii. Being considered as a symbol of the perpetual duration of the empire to prevent its being stolen, eleven others were made, exactly resembling it, and laid up with it.

we were to abandon the city at the same time with the Gauls; if it was against our will that we resided in the capitol for the many months that the seige continued; if it was through a motive of fear that we suffered ourselves to be confined there by the enemy? Hitherto we have spoken of the sacred rites and the temples, what are we now to say of the priests? Does it not occur to you, what a degree of profaneness would be committed with respect to them? For the vestals have but that one residence, from which nothing ever disturbed them, except the capture of the city. It is deemed impious if the Flamen Dialis remain one night out of the city. Do ye intend to make them Veientian priests instead of Roman? And, O Vesta, shall thy virgins forsake thee? And shall the flamen, by foreign residence, draw every night on himself and the commonwealth so great a load of guilt? What shall we say of other kinds of business which we necessarily transact under auspices, and almost all within the Pomærium? To what oblivion, or to what neglect, are we to consign them? The assemblies of the curias, which have the regulation of military affairs; the assemblies of the centuries, in which ye elect consuls and military tribunes; where can they be held under auspices, except in the accustomed place? Shall we transfer these to Veii? Or shall the people, in order to hold their meetings, lawfully crowd together here, with so great inconvenience, and into a city deserted by gods and men?

LIII. "But it is urged that the case itself compels us to leave a city desolated by fire and ruin, and remove to Veii, where every thing is entire, and not to distress the needy commons by building here. Now, I think, Romans, it must be evident to most of you, though I should not say a word on the subject, that this is but a pretext held out to serve a purpose, and not the real motive. For ye remember, that this scheme of our removing to Veii was agitated before the coming of the Gauls, when the buildings, both

public and private, were unhurt, and when the city stood in safety. Observe, then, tribunes, the difference between my way of thinking and yours. Ye are of opinion, that even though it were not advisable to remove at that time, yet it is plainly expedient now. On the contrary, and be not surprised at what I say until ye hear my reasons, even allowing that it had been advisable so to do, when the whole city was in a state of safety, I would not vote for leaving these ruins now. At that time, removing into a captured city from a victory obtained, had been a cause glorious to us and our posterity; but now, it would be wretched and dishonourable to us, while it would be glorious to the Gauls. For we shall appear not to have left our country in consequence of our successes, but from being vanquished; and by the flight at the Allia, the capture of the city, and the blockade of the capitol, to have been obliged to forsake our dwellings, and fly from a place which we had not strength to defend. And have the Gauls been able to demolish Rome, and shall the Romans be deemed unable to restore it? What remains, then, but that ye allow them to come with new forces, for it is certain they have numbers scarcely credible, and make it their choice to dwell in this city, once captured by them, and now forsaken by you? What would you think, if, not the Gauls, but your old enemies the Æquans or Volscians, should form the design of removing to Rome? Would ye be willing that they should become Romans, and you Veientians? Or would ye that this should be either a desert in your possession, or a city in that of the enemy? Any thing more impious I really cannot conceive. Is it out of aversion from the trouble of rebuilding, that ye are ready to incur such guilt and such disgrace? Supposing that there could not be erected a better or more ample structure than that cottage of our founder, were it not more desirable to dwell in cottages, after the manner of shepherds and rustics, in the midst of your sacred places and tutelar deities, than

to have the commonwealth go into exile? Our forefathers, a body of uncivilized strangers, when there was nothing in these places but woods and marshes, erected a city in a very short time. Do we, though we have the capitol and citadel safe, and the temples of the gods standing, think it too great a labour to rebuild one that has been burned? What each particular man would have done, if his house had been destroyed by fire, should the whole of us refuse, in the case of a general conflagration?

LIV. " Let me ask you, if, through some ill design or accident, a fire should break out at Veii, and the flames being spread by the wind, as might be the case, should consume a great part of the city: must we seek Fidenæ, or Gabii, or some other city, to remove to? Has our native soil so slight a hold of our affections; and this earth, which we call our mother? Or does our love for our country extend no farther than the surface, and the timber of the houses? I assure you, for I will confess it readily, that during the time of my absence, (which I am less willing to recollect, as the effect of ill treatment from you, than of my own hard fortune,) as often as my country came into my mind, every one of these circumstances occurred to me; the hills, the plains, the Tiber, the face of the country to which my eyes had been accustomed, and this sky, under which I had been born and educated; and it is my wish, Romans, that these may now engage you, by the ties of affection, to remain in your own established settlements, rather than hereafter prove the cause of your pining away in anxious regret at having left them. Not without good reason did gods and men select this spot for the building of Rome, where are most healthful hills, a commodious river, whose stream brings down the produce of the interior countries, while it opens a passage for foreign commerce; the sea, so near as to answer every purpose of convenience, yet at such a distance as not to expose it to danger from the fleets of foreigners: and in the centre of the

regions of Italy, a situation singularly adapted by its nature to promote the increase of a city. Of this the very size, as it was, must be held a demonstration. Romans, this present year is the three hundred and sixty-fifth of the city; during so long a time have ye been engaged in war, in the midst of nations of the oldest standing: yet, not to mention single nations, neither the Æquans in conjunction with the Volscians, who possess so many and so strong towns, nor the whole body of Etruria, possessed of such extensive power by land and sea, and occupying the whole breadth of Italy, from one sea to the other, have shown themselves equal to you in war. This being the case, where can be the wisdom in making trial of a change, when, though your valour might accompany you in your removal to another place, the fortune of this spot could not certainly be transferred? Here is the capitol, where a human head being formerly found, it was foretold that in that spot should be the head of the world, and the seat of sovereign empire. Here, when the capitol was to be cleared by the rites of augury, Juventas and Terminus, to the very great joy of our fathers, suffered not themselves to be moved. Here is the fire of Vesta, here the Ancilia sent down from heaven, here all the gods, and they, too, propitious to your stay." Camillus is said to have affected them much by other parts of his discourse, but particularly by that which related to religious matters. But still the affair remained in suspense, until an accidental expression, seasonably uttered, determined it. For in a short time after this, the senate sitting on this business in the Curia Hostilia, it happened that some cohorts, returning from relieving the guards, passed through the Forum in their march, when a centurion in the Comitium called out, "Standard-bearer, fix your standard. It is best for us to stay here." On hearing which expression, the senate, coming forth from the Curia, called out with one voice, that "they embraced the omen;" and the surrounding crowd of commons joined

their approbation. The proposed law being then rejected, they set about rebuilding the city in all parts at once. Tiles were supplied at the public expense, and liberty granted to hew stones and fell timber, wherever each person chose, security being taken for their completing the edifices within the year. Their haste took away all attention to the regulation of the course of the streets: for setting aside all regard to distinction of property, they built on any spot which they found vacant. And that is the reason that the old sewers, which at first were conducted under the public streets, do now, in many places, pass under private houses, and that the form of the city appears as if force alone had directed the distribution of the lots.