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ROMAN HISTORY

By

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With a Critical and Biographical Introduction and Notes by Duffield Osborne

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LIVY'S HISTORY

Of the lost treasures of classical literature, it is doubtful whether any are more to be regretted than the missing books of Livy. That they existed in approximate entirety down to the fifth century, and possibly

even so late as the fifteenth, adds to this regret. At the same time it leaves in a few sanguine minds a lingering hope that some unvisited convent or forgotten library may yet give to the world a work that must always be regarded as one of the greatest of Roman masterpieces. The story that the destruction of Livy was effected by order of Pope Gregory I, on the score of the superstitions contained in the historian's pages, never has been fairly substantiated, and therefore I prefer to acquit that pontiff of the less pardonable superstition involved in such an act of fanatical vandalism. That the books preserved to us would be by far the most objectionable from Gregory's alleged point of view may be noted for what it is worth in favour of the theory of destruction by chance rather than by design.

Here is the inventory of what we have and of what we might have had. The entire work of Livy—a work that occupied more than forty years of his life—was contained in one hundred and forty-two books, which narrated the history of Rome, from the supposed landing of Æneas, through the early years of the empire of Augustus, and down to the death of Drusus, B.C. 9. Books I-X, containing the story of early Rome to the year 294 B.C., the date of the final subjugation of the Samnites and the consequent establishment of the Roman commonwealth as the controlling power in Italy, remain to us. These, by the accepted chronology, represent a period of four hundred and sixty years. Books XI-XX, being the second "decade," according to a division attributed to the fifth century of our era are missing. They covered seventy-five years, and brought the narrative down to the beginning of the second Punic war. Books XXI-XLV have been saved, though those of the fifth "decade" are imperfect. They close with the triumph of Æmilius, in 167 B.C., and the reduction of Macedonia to a Roman province. Of the other books, only a few fragments remain, the most interesting of which (from Book CXX) recounts the death of Cicero, and gives what appears to be a very just estimate of his character. We have epitomes of all the lost books, with the exception of ten; but these are so scanty as to amount to little more than tables of contents. Their probable date is not later than the time of Trajan. To summarize the result, then, thirty-five books have been saved and one hundred and seven lost—a most deplorable record, especially when we consider that in the later books the historian treated of times and events whereof his means of knowledge were adequate to his task.

TITUS LIVIUS was born at Patavium, the modern Padua, some time between 61 and 57 B.C. Of his parentage and early life nothing is known. It is easy to surmise that he was well born, from his political bias in favour of the aristocratic party, and from the evident fact of his having received a liberal education; yet the former of these arguments is not at all inconsistent with the opposite supposition, and the latter should lead to no very definite conclusion when we remember that in his days few industries were more profitable than the higher education of slaves for the pampered Roman market. Niebuhr infers, from a sentence quoted by Quintilian, that Livy began life as a teacher of rhetoric. However that may be, it seems certain that he came to Rome about 30 B.C., was introduced to Augustus and won his patronage and favour, and after the death of his great patron and friend retired to the city of his birth, where he died, 17 A.D. It is probable that he had fixed the date of the Emperor's death as the limit of his history, and that his own decease cut short his task.

No historian ever told a story more delightfully. The available translations leave much to be desired, but to the student of Latin Livy's style is pure and simple, and possesses that charm which purity and simplicity always give. If there is anything to justify the charge of "Patavinity," or provincialism, made by Asinius Pollio, we, at least, are not learned enough in Latin to detect it; and Pollio, too, appears to have been no gentle critic if we may judge by his equally severe strictures upon Cicero, Cæsar, and Sallust. This much we know: the Patavian's heroes live; his events happen, and we are carried along upon their tide. Our sympathies, our indignation, our enthusiasm, are summoned into being, and history and fiction appear to walk hand in hand for our instruction and amusement. In this latter word —fiction—lies the charge most often and most strongly made against him—the charge that he has written a story and no more; that with him past time existed but to furnish materials "to point a moral or adorn a tale." Let us consider to what extent this is true, and, if true, in what measure the author has sinned by it or we have lost.

No one would claim that the rules by which scientific historians of to-day are judged should be applied to those that wrote when history was young, when the boundaries between the possible and the impossible were less clearly defined, or when, in fact, such boundaries hardly existed in men's minds. In this connection, even while we vaunt, we smile. After all, how much of our modern and so-called scientific history must strike the reasoning reader as mere theorizing or as special pleading based upon the slenderest evidence! Among the ancients the work of the historians whom we consider trustworthy —such writers, for instance, as Cæsar, Thucydides, Xenophon, Polybius, and Tacitus—may be said to fall generally within Rawlinson's canons 1 and 2 of historical criticism—that is, (1) cases where the historian has personal knowledge concerning the facts whereof he writes, or (2) where the facts are such that he may reasonably be supposed to have obtained them from contemporary witnesses. Canon 2 might be elaborated and refined very considerably and perhaps to advantage. It naturally includes as sources of knowledge—first, personal interviews with contemporary witnesses; and, second, accesses

to the writings of historians whose opportunities brought them within canon 1. In this latter case the evidence would be less convincing, owing to the lack of opportunity to cross-question, though even here apparent lack of bias or the existence of biased testimony on both sides, from which a judicious man might have a fair chance to extract the truth, would go far to cure the defect.

The point, however, to which I tend is, that the portions of Livy's history from which we must judge of his trustworthiness treat, for the most part, of periods concerning which even his evidence was of the scantiest and poorest description. He doubtless had family records, funeral panegyrics, and inscription —all of which were possibly almost as reliable as those of our own day. Songs sung at festivals and handed down by tradition may or may not be held more truthful. These he had as well; but the government records, the ancient fasti, had been destroyed at the time of the burning of the city by the Gauls, and there is no hint of any Roman historian that lived prior to the date of the second Punic war. Thus we may safely infer that Livy wrote of the first five hundred years without the aid of any contemporary evidence, either approximately complete or ostensibly reliable. With the beginning of the second Punic war began also the writing of history. Quintus Fabius Pictor had left a work, which Polybius condemned on the score of its evident partiality. Lucius Cincius Alimentus, whose claim to knowledge if not to impartiality rests largely on the fact that he was captured and held prisoner by Hannibal, also left memoirs; but Hannibal was not famous for treating prisoners mildly, and the Romans, most cruel themselves in this respect, were always deeply scandalized by a much less degree of harshness on the part of their enemies. Above all, there was Polybius himself, who perhaps approaches nearer to the critical historian than any writer of antiquity, and it is Polybius upon whom Livy mainly relies through his third, fourth, and fifth decades. The works of Fabius and Cincius are lost. So also are those of the Lacedaemonian Sosilus and the Sicilian Silanus, who campaigned with Hannibal and wrote the Carthaginian side of the story; nor is there any evidence that either Polybius or Livy had access to their writings. Polybius, then, may be said to be the only reliable source from which Livy could draw for any of his extant books, and before condemning unqualifiedly in the cases where he deserts him and harks back to Roman authorities we must remember that Livy was a strong nationalist, one of a people who, despite their conquests, were essentially narrow, prejudiced, egotistical; and, thus remembering, we must marvel that he so fully recognises the merit of his unprejudiced guide and wanders as little as he does. All told, it is quite certain that he has dealt more fairly by Hannibal than have Alison and other English historians by Napoleon. His unreliability consists rather in his conclusions than in his facts, and it is unquestioned that through all the pages of the third decade he has so told the story of the man most hated by Rome—the deadliest enemy she had ever encountered—that the reader can not fail to feel the greatness of Hannibal dominating every chapter.

Referring again to the criticisms made so lavishly upon Livy's story of the earlier centuries, it is well to recall the contention of the hard-headed Scotchman Ferguson, that with all our critical acumen we have found no sure ground to rest upon until we reach the second Punic war. Niebuhr, on the other hand, whose German temperament is alike prone to delve or to theorize, is disposed to think—with considerable generosity to our abilities, it appears to me—that we may yet evolve a fairly true history of Rome from the foundation of the commonwealth. As to the times of the kings, it is admitted that we know nothing, while from the founding of the commonwealth to the second Punic war the field may be described as, at the best, but a battle-ground for rival theories.

The ancient historian had, as a rule, little to do with such considerations or controversies. In the lack of solid evidence he had only to write down the accepted story of the origin of things, as drawn from the lips of poetry, legend, or tradition, and it was for Livy to write thus or not at all. Even here the honesty of his intention is apparent. For much of his early history he does not claim more than is claimed for it by many of his modern critics, while time and again he pauses to express a doubt as to the credibility of some incident. A notable instance of this is found in his criticism of those stories most dear to the Roman heart—the stories of the birth and apotheosis of Romulus. On the other hand, if he has given free life to many beautiful legends that were undoubtedly current and believed for centuries, is it heresy to avow that these as such seem to me of more true value to the antiquary than if they had been subjected at their historical inception to the critical and theoretical methods of to-day? I can not hold Livy quite unpardonable even when following, as he often does, such authorities as the Furian family version of the redemption of the city by the arms of their progenitor Camillus, instead of by the payment of the agreed ransom, as modern writers consider proven, while his putting of set speeches into the mouths of his characters may be described as a conventional usage of ancient historians, which certainly added to the liveliness of the narrative and probably was neither intended to be taken literally nor resulted in deceiving any one.

Reverting for a moment to Livy's honesty and frankness, so far as his intent might govern such qualities, I think no stronger evidence in his favour can be found than his avowed republican leanings at the court of Augustus and his just estimate of Cicero's character in the face of the favour of a prince by whose consent the great orator had been assassinated. Above all, it must have been a fearless and

honest man who could swing the scourge with which he lashed his degenerate countrymen in those stinging words, "The present times, when we can endure neither our vices nor their remedies."

Nevertheless, and despite the facts that Livy means to be honest and that he questions much on grounds that would not shame the repute of many of his modern critics, the charge is doubtless true that his writings are not free from prejudice in favour of his country. That he definitely regarded history rather as a moral agency and a lesson for the future than as an irrefutable narrative of the past, I consider highly hypothetical; but it is probable that his mind was not of the type that is most diligent in the close, exhaustive, and logical study so necessary to the historian of today. "Superficial," if we could eliminate the reproach in the word, would perhaps go far toward describing him. He is what we would call a popular rather than a scientific writer, and, since we think somewhat lightly of such when they write on what we consider scientific subjects, we are too apt to transfer their light repute to an author who wrote popularly at a time when this treatment was best adapted to his audience, his aims, and the material at his command. That he has survived through all these centuries, and has enjoyed, despite all criticism, the position in the literature of the world which his very critics have united in conceding to him, is perhaps a stronger commendation than any technical approval.

From the standpoint of the present work it was felt that selections aggregating seven books would accomplish all the purposes of a complete presentation. The editors have chosen the first three books of the first decade as telling what no one can better tell than Livy: the stories and legends connected with the foundation and early life of Rome. Here, as I have said, there was nothing for him to do but cut loose from all trammels and hang breathless, pen in hand, upon the lips of tradition. None can hold but that her faithful scribe has writ down her words with all their ancient colour, with reverence reigning over his heart; however doubts might lurk within his brain. These books close with the restoration of the consular power, after the downfall of the tyrannical rule of the Decemvirs, the revolution following upon the attempt of Appius Claudius to seize Virginia, the daughter of a citizen who, rather than see his child fall into the clutches of the cruel patrician, killed her with his own hand in the marketplace, and, rushing into the camp with the bloody knife, caused the soldiers to revolt. The second section comprises Books XXI-XXIV, a part of the narrative of the second Punic war, a military exploit the most remarkable the world has ever seen.

The question who was the greatest general that ever lived has been a fruitful source of discussion, and Alexander, Cæsar, and Napoleon have each found numerous and ardent supporters. Without decrying the signal abilities of these chiefs, it must nevertheless be remembered that each commanded a homogeneous army and had behind him a compact nation the most warlike and powerful of his time. The adversaries also of the Greek and the Roman were in the one instance an effete power already falling to pieces by its own internal weakness, and in the other, for the most part, scattered tribes of barbarians without unity of purpose or military discipline. Even in his civil wars Cæsar's armies were veterans, and those of the commonwealth were, comparatively speaking, recruits. But when the reader of these pages carefully considers the story of Hannibal's campaign in Italy, what does he find? Two nations—one Caucasian, young, warlike above all its contemporaries, with a record behind it of steady aggrandizement and almost unbroken victory, a nation every citizen of which was a soldier. On the other side, a race of merchants Semitic in blood, a city whose citizens had long since ceased to go to war, preferring that their gold should fight for them by the hands of mercenaries of every race and clime—hirelings whose ungoverned valour had proved almost as deadly to their employers and generals as to their enemies. Above all, the same battle had been joined before when Rome was weaker and Carthage stronger, and Carthage had already shown her weakness and Rome her strength.

And now in this renewed war we see a young man, aided only by a little group of compatriots, welding together army of the most heterogeneous elements—Spaniards, Gauls, Numidians, Moors, Greeks—men of almost every race except his own. We see him cutting loose from his base of supplies, leaving enemies behind him, to force his way through hostile races, through unknown lands bristling with almost impassable mountains and frigid with snow and ice. We see him conquering here, making friends and allies there, and, more wonderful than all, holding his mongrel horde together through hardships and losses by the force of his character alone. We see him at last descending into the plains of Italy. We see him not merely defeating but annihilating army after army more numerous than his own and composed of better raw material. We see him, unaided, ranging from end to end of the peninsula, none daring to meet him with opposing standards, and the greatest general of Rome winning laurels because he knew enough to recognise his own hopeless inferiority. All stories of reverses other than those of mere detachments may pretty safely be set down as the exaggeration of Roman writers. Situated as was Hannibal, the loss of one marshalled field would have meant immediate ruin, and ruin never came when he fought in Italy. On the contrary, without supplies save what his sword could take, without friends save what his genius and his fortune could win, he maintained his place and his superiority not for one or for two but through fourteen years, during all which time we hear no murmur of mutiny, no hint of aught but obedience and devotion among the incongruous and unruly elements

from which he had fashioned his invincible army; and at the end we see him leaving Italy of his own free will, at the call of his country, to waste himself in a vain effort to save her from the blunders of other leaders and from the penalty of inherent weakness, which only his sword had so long warded off.

When I consider the means, the opposition, and the achievement—a combination of elements by which alone we can judge such questions with even approximate fairness—I can not but feel that of all military exploits this invasion of Italy, which we shall read of here, was the most remarkable; that of all commanders Hannibal has shown himself to be the greatest. Some of Livy's charges against him as a man are doubtless true. Avarice was in his blood; and cruelty also, though it ill became a Roman to chide an enemy on that score. Besides, Livy himself tells how Hannibal had sought for the bodies of the generals he had slain, that he might give them the rites of honourable sepulture; tells it, and in the next breath relates how the Roman commander mutilated the corpse of the fallen Hasdrubal and threw the head into his brother's camp. So, too, his naïve explanation that Hannibal's "more than Punic perfidy" consisted mainly of ambushes and similar military strategies goes to show, as I have said, that whatever is unjust in our author's estimate was rather the result of the prejudiced deductions of national egotism than of facts wilfully or carelessly distorted by partisan spite.

To the reader who bears well in mind the points I have ventured to make, I predict profit hardly less than pleasure in these pages; for Livy is perhaps the only historian who may be said to have been honest enough to furnish much of the material for criticism of himself, and to be, to a very considerable extent, self-adjusting.

DUFFIELD OSBORNE.

THE AUTHOR'S PREFACE [1]

Whether in tracing the history of the Roman people, from the foundation of the city, I shall employ myself to a useful purpose, I am neither very certain, nor, if I were, dare I say; inasmuch as I observe that it is both an old and hackneyed practice, later authors always supposing that they will either adduce something more authentic in the facts, or, that they will excel the less polished ancients in their style of writing. Be that as it may, it will, at all events, be a satisfaction to me that I too have contributed my share to perpetuate the achievements of a people, the lords of the world; and if, amid so great a number of historians, my reputation should remain in obscurity, I may console myself with the celebrity and lustre of those who shall stand in the way of my fame. Moreover, the subject is of immense labour, as being one which must be traced back for more than seven hundred years, and which, having set out from small beginnings, has increased to such a degree that it is now distressed by its own magnitude. And, to most readers, I doubt not but that the first origin and the events immediately succeeding, will afford but little pleasure, while they will be hastening to these later times, in which the strength of this overgrown people has for a long period been working its own destruction. I, on the contrary, shall seek this, as a reward of my labour, viz., to withdraw myself from the view of the calamities, which our age has witnessed for so many years, so long as I am reviewing with my whole attention these ancient times, being free from every care that may distract a writer's mind, though it can not warp it from the truth. The traditions that have come down to us of what happened before the building of the city, or before its building was contemplated, as being suitable rather to the fictions of poetry than to the genuine records of history, I have no intention either to affirm or to refute. This indulgence is conceded to antiquity, that by blending things human with divine, it may make the origin of cities appear more venerable: and if any people might be allowed to consecrate their origin, and to ascribe it to the gods as its authors, such is the renown of the Roman people in war, that when they represent Mars, in particular, as their own parent and that of their founder, the nations of the world may submit to this as patiently as they submit to their sovereignty. But in whatever way these and similar matters shall be attended to, or judged of, I shall not deem it of great importance. I would have every man apply his mind seriously to consider these points, viz., what their life and what their manners were; through what men and by what measures, both in peace and in war, their empire was acquired and extended; then, as discipline gradually declined, let him follow in his thoughts their morals, at first as slightly giving way, anon how they sunk more and more, then began to fall headlong, until he reaches the present times, when we can endure neither our vices nor their remedies. This it is which is particularly salutary and profitable in the study of history, that you behold instances of every variety of conduct displayed on a conspicuous monument; that thence you may select for yourself and for your country that which you may imitate; thence note what is shameful in the undertaking, and shameful in the result, which you may avoid. But either a fond partiality for the task I have undertaken deceives me, or there never was any state either greater, or more moral, or richer in good examples, nor one into which luxury and avarice made their entrance so late, and where poverty and frugality were so much and so long honoured; so that the less wealth there was, the less desire was there. Of late, riches have introduced avarice and excessive pleasures a longing for them, amid luxury and a

passion for ruining ourselves and destroying everything else. But let complaints, which will not be agreeable even then, when perhaps they will be also necessary, be kept aloof at least from the first stage of beginning so great a work. We should rather, if it was usual with us (historians) as it is with poets, begin with good omens, vows and prayers to the gods and goddesses to vouchsafe good success to our efforts in so arduous an undertaking.

[Footnote 1: The tone of dignified despondency which pervades this remarkable preface tells us much. That the republican historian was no timid or time-serving flatterer of prince or public is more than clear, while his unerring judgment of the future should bring much of respect for his judgment of the past. When he wrote, Rome was more powerful than ever. Only the seeds of ruin were visible, yet he already divines their full fruitage.—D. O.]

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LIVY'S ROMAN HISTORY

BOOK I[1]

THE PERIOD OF THE KINGS

To begin with, it is generally admitted that, after the taking of Troy, while all the other Trojans were treated with severity, in the case of two, Æneas and Antenor, the Greeks forbore to exercise the full rights of war, both on account of an ancient tie of hospitality, and because they had persistently recommended peace and the restoration of Helen: and then Antenor, after various vicissitudes, reached the inmost bay of the Adriatic Sea, accompanied by a body of the Eneti, who had been driven from Paphlagonia by civil disturbance, and were in search both of a place of settlement and a leader, their chief Pylæmenes having perished at Troy; and that the Eneti and Trojans, having driven out the Euganei, who dwelt between the sea and the Alps, occupied these districts. In fact, the place where they first landed is called Troy, and from this it is named the Trojan canton. The nation as a whole is called Veneti. It is also agreed that Æneas, an exile from home owing to a like misfortune, but conducted by the fates to the founding of a greater empire, came first to Macedonia, that he was then driven ashore at Sicily in his quest for a settlement, and sailing thence directed his course to the territory of Laurentum. This spot also bears the name of Troy. When the Trojans, having disembarked there, were driving off booty from the country, as was only natural, seeing that they had nothing left but their arms and ships after their almost boundless wandering, Latinus the king and the Aborigines, who then occupied these districts, assembled in arms from the city and country to repel the violence of

the new-comers. In regard to what followed there is a twofold tradition. Some say that Latinus, having been defeated in battle, first made peace and then concluded an alliance with Æneas; others, that when the armies had taken up their position in order of battle, before the trumpets sounded, Latinus advanced to the front, and invited the leader of the strangers to a conference. He then inquired what manner of men they were, whence they had come, for what reasons they had left their home, and in quest of what they had landed on Laurentine territory. After he heard that the host were Trojans, their chief Æneas, the son of Anchises and Venus, and that, exiled from home, their country having been destroyed by fire, they were seeking a settlement and a site for building a city, struck with admiration both at the noble character of the nation and the hero, and at their spirit, ready alike for peace or war, he ratified the pledge of future friendship by clasping hands. Thereupon a treaty was concluded between the chiefs, and mutual greetings passed between the armies: Æneas was hospitably entertained at the house of Latinus; there Latinus, in the presence of his household gods, cemented the public league by a family one, by giving Æneas his daughter in marriage. This event fully confirmed the Trojans in the hope of at length terminating their wanderings by a lasting and permanent settlement. They built a town, which Æneas called Lavinium after the name of his wife. Shortly afterward also, a son was the issue of the recently concluded marriage, to whom his parents gave the name of Ascanius.

Aborigines and Trojans were soon afterward the joint objects of a hostile attack. Turnus, king of the Rutulians, to whom Lavinia had been affianced before the arrival of Æneas, indignant that a stranger had been preferred to himself, had made war on Æneas and Latinus together. Neither army came out of the struggle with satisfaction. The Rutulians were vanquished: the victorious Aborigines and Trojans lost their leader Latinus. Thereupon Turnus and the Rutulians, mistrustful of their strength, had recourse to the prosperous and powerful Etruscans, and their king Mezentius, whose seat of government was at Cære, at that time a flourishing town. Even from the outset he had viewed with dissatisfaction the founding of a new city, and, as at that time he considered that the Trojan power was increasing far more than was altogether consistent with the safety of the neighbouring peoples, he readily joined his forces in alliance with the Rutulians. Æneas, to gain the good-will of the Aborigines in face of a war so serious and alarming, and in order that they might all be not only under the same laws but might also bear the same name, called both nations Latins. In fact, subsequently, the Aborigines were not behind the Trojans in zeal and loyalty toward their king Æneas. Accordingly, in full reliance on this state of mind of the two nations, who were daily becoming more and more united, and in spite of the fact that Etruria was so powerful, that at this time it had filled with the fame of its renown not only the land but the sea also, throughout the whole length of Italy from the Alps to the Sicilian Strait, Æneas led out his forces into the field, although he might have repelled their attack by means of his fortifications. Thereupon a battle was fought, in which victory rested with the Latins, but for Æneas it was even the last of his acts on earth. He, by whatever name laws human and divine demand he should be called, was buried on the banks of the river Numicus: they call him Jupiter Indiges.

Ascanius, the son of Æneas, was not yet old enough to rule; the government, however, remained unassailed for him till he reached the age of maturity. In the interim, under the regency of a woman—so great was Lavinia's capacity—the Latin state and the boy's kingdom, inherited from his father and grandfather, was secured for him. I will not discuss the question—for who can state as certain a matter of such antiquity?—whether it was this Ascanius, or one older than he, born of Creusa, before the fall of Troy, and subsequently the companion of his father's flight, the same whom, under the name of Iulus, the Julian family represents to be the founder of its name. Be that as it may, this Ascanius, wherever born and of whatever mother—it is at any rate agreed that his father was Æneas—seeing that Lavinium was over-populated, left that city, now a flourishing and wealthy one, considering those times, to his mother or stepmother, and built himself a new one at the foot of the Alban mount, which, from its situation, being built all along the ridge of a hill, was called Alba Longa.

There was an interval of about thirty years between the founding of Lavinium and the transplanting of the colony to Alba Longa. Yet its power had increased to such a degree, especially owing to the defeat of the Etruscans, that not even on the death of Æneas, nor subsequently between the period of the regency of Lavinia, and the first beginnings of the young prince's reign, did either Mezentius, the Etruscans, or any other neighbouring peoples venture to take up arms against it. Peace had been concluded on the following terms, that the river Albula, which is now called Tiber, should be the boundary of Latin and Etruscan territory. After him Silvius, son of Ascanius, born by some accident in the woods, became king. He was the father of Æneas Silvius, who afterward begot Latinus Silvius. By him several colonies were transplanted, which were called Prisci Latini. From this time all the princes, who ruled at Alba, bore the surname of Silvius. From Latinus sprung Alba; from Alba, Atys; from Atys, Capys; from Capys, Capetus; from Capetus, Tiberinus, who, having been drowned while crossing the river Albula, gave it the name by which it was generally known among those of later times. He was succeeded by Agrippa, son of Tiberinus; after Agrippa, Romulus Silvius, having received the government from his father, became king. He was killed by a thunderbolt, and handed on the kingdom to Aventinus, who, owing to his being buried on that hill, which now forms part of the city of Rome,

gave it its name. After him reigned Proca, who begot Numitor and Amulius. To Numitor, who was the eldest son, he bequeathed the ancient kingdom of the Silvian family. Force, however, prevailed more than a father's wish or the respect due to seniority. Amulius drove out his brother and seized the kingdom: he added crime to crime, murdered his brother's male issue, and, under pretence of doing honour to his brother's daughter, Rea Silvia, having chosen her a Vestal Virgin,[2] deprived her of all hopes of issue by the obligation of perpetual virginity.

My opinion, however, is that the origin of so great a city and an empire next in power to that of the gods was due to the fates. The Vestal Rea was ravished by force, and having brought forth twins, declared Mars to be the father of her illegitimate offspring, either because she really imagined it to be the case, or because it was less discreditable to have committed such an offence with a god.[3] But neither gods nor men protected either her or her offspring from the king's cruelty. The priestess was bound and cast into prison; the king ordered the children to be thrown into the flowing river. By some chance which Providence seemed to direct, the Tiber, having over flown its banks, thereby forming stagnant pools, could not be approached at the regular course of its channel; notwithstanding it gave the bearers of the children hope that they could be drowned in its water however calm. Accordingly, as if they had executed the king's orders, they exposed the boys in the nearest land-pool, where now stands the ficus Ruminalis, which they say was called Romularis.[4] At that time the country in those parts was a desolate wilderness. The story goes, that when the shallow water, subsiding, had left the floating trough, in which the children had been exposed, on dry ground, a thirsty she-wolf from the mountains around directed her course toward the cries of the infants, and held down her teats to them with such gentleness, that the keeper of the king's herd found her licking the boys with her tongue. They say that his name was Faustulus; and that they were carried by him to his homestead and given to his wife Larentia to be brought up. Some are of the opinion that Larentia was called Lupa among the shepherds from her being a common prostitute, and hence an opening was afforded for the marvellous story. The children, thus born and thus brought up, as soon as they reached the age of youth, did not lead a life of inactivity at home or amid the flocks, but, in the chase, scoured the forests. Having thus gained strength, both in body and spirit, they now were not only able to withstand wild beasts, but attacked robbers laden with booty, and divided the spoils with the shepherds, in whose company, as the number of their young associates increased daily, they carried on business and pleasure.

Even in these early times it is said that the festival of the Lupercal, as now celebrated, was solemnized on the Palatine Hill, which was first called Pallantium, from Pallanteum, a city of Arcadia, and afterward Mount Palatius. There Evander, who, belonging to the above tribe of the Arcadians, had for many years before occupied these districts, is said to have appointed the observance of a solemn festival, introduced from Arcadia, in which naked youths ran about doing honour in wanton sport to Pan Lycæus, who was afterward called Inuus by the Romans. When they were engaged in this festival, as its periodical solemnization was well known, a band of robbers, enraged at the loss of some booty, lay in wait for them, and took Remus prisoner, Romulus having vigorously defended himself: the captive Remus they delivered up to King Amulius, and even went so far as to bring accusations against him. They made it the principal charge that having made incursions into Numitor's lands, and, having assembled a band of young men, they had driven off their booty after the manner of enemies. Accordingly, Remus was delivered up to Numitor for punishment. Now from the very first Faustulus had entertained hopes that the boys who were being brought up by him, were of royal blood: for he both knew that the children had been exposed by the king's orders, and that the time, at which he had taken them up, coincided exactly with that period: but he had been unwilling to disclose the matter, as yet not ripe for discovery, till either a fitting opportunity or the necessity for it should arise. Necessity came first. Accordingly, urged by fear, he disclosed the whole affair to Romulus. By accident also, Numitor, while he had Remus in custody, having heard that the brothers were twins, by comparing their age and their natural disposition entirely free from servility, felt his mind struck by the recollection of his grandchildren, and by frequent inquiries came to the conclusion he had already formed, so that he was not far from openly acknowledging Remus. Accordingly a plot was concerted against the king on all sides. Romulus, not accompanied by a body of young men—for he was not equal to open violence—but having commanded the shepherds to come to the palace by different roads at a fixed time, made an attack upon the king, while Remus, having got together another party from Numitor's house, came to his assistance; and so they slew the king.

Numitor, at the beginning of the fray, giving out that enemies had invaded the city and attacked the palace, after he had drawn off the Alban youth to the citadel to secure it with an armed garrison, when he saw the young men, after they had compassed the king's death, advancing toward him to offer congratulations, immediately summoned a meeting of the people, and recounted his brother's unnatural behaviour toward him, the extraction of his grandchildren, the manner of their birth, bringing up, and recognition, and went on to inform them of the king's death, and that he was responsible for it. The young princes advanced through the midst of the assembly with their band in orderly array, and, after they had saluted their grandfather as king, a succeeding shout of approbation,

issuing from the whole multitude, ratified for him the name and authority of sovereign. The government of Alba being thus intrusted to Numitor, Romulus and Remus were seized with the desire of building a city on the spot where they had been exposed and brought up. Indeed, the number of Alban and Latin inhabitants was too great for the city; the shepherds also were included among that population, and all these readily inspired hopes that Alba and Lavinium would be insignificant in comparison with that city, which was intended to be built. But desire of rule, the bane of their grandfather, interrupted these designs, and thence arose a shameful quarrel from a sufficiently amicable beginning. For as they were twins, and consequently the respect for seniority could not settle the point, they agreed to leave it to the gods, under whose protection the place was, to choose by augury which of them should give a name to the new city, and govern it when built. Romulus chose the Palatine and Remus the Aventine, as points of observation for taking the auguries.

It is said that an omen came to Remus first, six vultures; and when, after the omen had been declared, twice that number presented themselves to Romulus, each was hailed king by his own party, the former claiming sovereign power on the ground of priority of time, the latter on account of the number of birds. Thereupon, having met and exchanged angry words, from the strife of angry feelings they turned to bloodshed: there Remus fell from a blow received in the crowd. A more common account is that Remus, in derision of his brother, leaped over the newly-erected walls, and was thereupon slain by Romulus in a fit of passion, who, mocking him, added words to this effect:" So perish every one hereafter, who shall leap over my walls." Thus Romulus obtained possession of supreme power for himself alone. The city, when built, was called after the name of its founder.[5] He first proceeded to fortify the Palatine Hill, on which he himself had been brought up. He offered sacrifices to Hercules, according to the Grecian rite, as they had been instituted by Evander; to the other gods, according to the Alban rite. There is a tradition that Hercules, having slain Geryon, drove off his oxen, which were of surpassing beauty,[6] to that spot: and that he lay down in a grassy spot on the banks of the river Tiber, where he had swam across, driving the cattle before him, to refresh them with rest and luxuriant pasture, being also himself fatigued with journeying. There, when sleep had overpowered him, heavy as he was with food and wine, a shepherd who dwelt in the neighbourhood, by name Cacus, priding himself on his strength, and charmed with the beauty of the cattle, desired to carry them off as booty; but because, if he had driven the herd in front of him to the cave, their tracks must have conducted their owner thither in his search, he dragged the most beautiful of them by their tails backward into a cave. Hercules, aroused from sleep at dawn, having looked over his herd and observed that some of their number were missing, went straight to the nearest cave, to see whether perchance their tracks led thither. When he saw that they were all turned away from it and led in no other direction, troubled and not knowing what to make up his mind to do, he commenced to drive off his herd from so dangerous a spot. Thereupon some of the cows that were driven away, lowed, as they usually do, when they missed those that were left; and the lowings of those that were shut in being heard in answer from the cave, caused Hercules to turn round. And when Cacus attempted to prevent him by force as he was advancing toward the cave, he was struck with a club and slain, while vainly calling upon the shepherds to assist him. At that time Evander, who was an exile from the Peloponnesus, governed the country more by his personal ascendancy than by absolute sway. He was a man held in reverence on account of the wonderful art of writing, an entirely new discovery to men ignorant of accomplishments,[7] and still more revered on account of the supposed divinity of his mother Carmenta, whom those peoples had marvelled at as a prophetess before the arrival of the Sybil in Italy. This Evander, roused by the assembling of the shepherds as they hastily crowded round the stranger, who was charged with open murder, after he heard an account of the deed and the cause of it, gazing upon the personal appearance and mien of the hero, considerably more dignified and majestic than that of a man, asked who he was. As soon as he heard the name of the hero, and that of his father and native country, "Hail!" said he, "Hercules, son of Jupiter! my mother, truthful interpreter of the will of the gods, has declared to me that thou art destined to increase the number of the heavenly beings, and that on this spot an altar shall be dedicated to thee, which in after ages a people most mighty on earth shall call Greatest, and honour in accordance with rites instituted by thee." Hercules, having given him his right hand, declared that he accepted the prophetic intimation, and would fulfil the predictions of the fates, by building and dedicating an altar. Thereon then for the first time sacrifice was offered to Hercules with a choice heifer taken from the herd, the Potitii and Pinarii, the most distinguished families who then inhabited those parts, being invited to serve at the feast. It so happened that the Potitii presented themselves in due time and the entrails were set before them: but the Pinarii did not arrive until the entrails had been eaten up, to share the remainder of the feast. From that time it became a settled institution, that, as long as the Pinarian family existed, they should not eat of the entrails of the sacrificial victims. The Potitii, fully instructed by Evander, discharged the duties of chief priests of this sacred function for many generations, until their whole race became extinct, in consequence of this office, the solemn prerogative of their family, being delegated to public slaves. These were the only religious rites that Romulus at that time adopted from those of foreign countries, being even then an advocate of immortality won by merit, to which the destiny marked out for him was conducting him.

The duties of religion having been thus duly completed, the people were summoned to a public meeting: and, as they could not be united and incorporated into one body by any other means save legal ordinances, Romulus gave them a code of laws: and, judging that these would only be respected by a nation of rustics, if he dignified himself with the insignia of royalty, he clothed himself with greater majesty—above all, by taking twelve lictors to attend him, but also in regard to his other appointments. Some are of opinion that he was influenced in his choice of that number by that of the birds which had foretold that sovereign power should be his when the auguries were taken. I myself am not indisposed to follow the opinion of those, who are inclined to believe that it was from the neighbouring Etruscans —from whom the curule chair and purple-bordered toga were borrowed—that the apparitors of this class, as well as the number itself, were introduced: and that the Etruscans employed such a number because, as their king was elected from twelve states in common, each state assigned him one lictor.

In the meantime, the city was enlarged by taking in various plots of ground for the erection of buildings, while they built rather in the hope of an increased population in the future, than in view of the actual number of the inhabitants of the city at that time. Next, that the size of the city might not be without efficiency, in order to increase the population, following the ancient policy of founders of cities, who, by bringing together to their side a mean and ignoble multitude, were in the habit of falsely asserting that an offspring was born to them from the earth, he opened as a sanctuary the place which, now inclosed, is known as the "two groves," and which people come upon when descending from the Capitol. Thither, a crowd of all classes from the neighbouring peoples, without distinction, whether freemen or slaves, eager for change, flocked for refuge, and therein lay the foundation of the city's strength, corresponding to the commencement of its enlargement. Having now no reason to be dissatisfied with his strength, he next instituted a standing council to direct that strength. He created one hundred senators, either because that number was sufficient, or because there were only one hundred who could be so elected. Anyhow they were called fathers[8], by way of respect, and their descendants patricians.

By this time the Roman state was so powerful, that it was a match for any of the neighbouring states in war: but owing to the scarcity of women its greatness was not likely to outlast the existing generation, seeing that the Romans had no hope of issue at home, and they did not intermarry with their neighbours. So then, by the advice of the senators, Romulus sent around ambassadors to the neighbouring states, to solicit an alliance and the right of intermarriage for his new subjects, saying, that cities, like everything else, rose from the humblest beginnings: next, that those which the gods and their own merits assisted, gained for themselves great power and high renown: that he knew full well that the gods had aided the first beginnings of Rome and that merit on their part would not be wanting: therefore, as men, let them not be reluctant to mix their blood and stock with men. The embassy nowhere obtained a favourable hearing: but, although the neighbouring peoples treated it with such contempt, yet at the same time they dreaded the growth of such a mighty power in their midst to the danger of themselves and of their posterity. In most cases when they were dismissed they were asked the question, whether they had opened a sanctuary for women also: for that in that way only could they obtain suitable matches.

The Roman youths were bitterly indignant at this, and the matter began unmistakably to point to open violence. Romulus in order to provide a fitting opportunity and place for this, dissembling his resentment, with this purpose in view, instituted games to be solemnized every year in honour of Neptunus Equester, which he called Consualia. He then ordered the show to be proclaimed among the neighbouring peoples; and the Romans prepared to solemnize it with all the pomp with which they were then acquainted or were able to exhibit, in order to make the spectacle famous, and an object of expectation. Great numbers assembled, being also desirous of seeing the new city, especially all the nearest peoples, the Caeninenses, Crustumini, and Antemnates: the entire Sabine population attended with their wives and children. They were hospitably invited to the different houses: and, when they saw the position of the city, its fortified walls, and how crowded with houses it was, they were astonished that the power of Rome had increased so rapidly. When the time of the show arrived, and their eyes and minds alike were intent upon it, then, according to preconcerted arrangement, a disturbance was made, and, at a given signal, the Roman youths rushed in different directions to carry off the unmarried women. A great number were carried off at hap-hazard, by those into whose hands they severally fell: some of the common people, to whom the task had been assigned, conveyed to their homes certain women of surpassing beauty, who were destined for the leading senators. They say that one, far distinguished beyond the rest in form and beauty, was carried off by the party of a certain Talassius, and that, when several people wanted to know to whom they were carrying her, a cry was raised from time to time, to prevent her being molested, that she was being carried to Talassius: and that from this the word was used in connection with marriages. The festival being disturbed by the alarm thus caused, the sorrowing parents of the maidens retired, complaining of the violated compact of hospitality, and invoking the god, to whose solemn festival and games they had come, having been deceived by the pretence of religion and good faith. Nor did the maidens entertain better hopes for

themselves, or feel less indignation. Romulus, however, went about in person and pointed out that what had happened was due to the pride of their fathers, in that they had refused the privilege of intermarriage to their neighbours; but that, notwithstanding, they would be lawfully wedded, and enjoy a share of all their possessions and civil rights, and—a thing dearer than all else to the human race—the society of their common children: only let them calm their angry feelings, and bestow their affections on those on whom fortune had bestowed their bodies. Esteem (said he) often arose subsequent to wrong: and they would find them better husbands for the reason that each of them would endeavour, to the utmost of his power, after having discharged, as far as his part was concerned, the duty of a husband, to quiet the longing for country and parents. To this the blandishments of the husbands were added, who excused what had been done on the plea of passion and love, a form of entreaty that works most successfully upon the feelings of women.[9]

By this time the minds of the maidens were considerably soothed, but their parents, especially by putting on the garb of mourning, and by their tears and complaints, stirred up the neighbouring states. Nor did they confine their feelings of indignation to their own home only, but they flocked from all quarters to Titus Tatius, king of the Sabines, and embassies crowded thither, because the name of Tatius was held in the greatest esteem in those quarters. The Caeninenses, Crustumini, and Antemnates were the people who were chiefly affected by the outrage. As Tatius and the Sabines appeared to them to be acting in too dilatory a manner, these three peoples by mutual agreement among themselves made preparations for war unaided. However, not even the Crustumini and Antemnates bestirred themselves with sufficient activity to satisfy the hot-headedness and anger of the Caeninenses: accordingly the people of Caenina, unaided, themselves attacked the Roman territory. But Romulus with his army met them while they were ravaging the country in straggling parties, and in a trifling engagement convinced them that anger unaccompanied by strength is fruitless. He routed their army and put it to flight, followed in pursuit of it when routed, cut down their king in battle and stripped him of his armour, and, having slain the enemy's leader, took the city at the first assault. Then, having led back his victorious army, being a man both distinguished for his achievements, and one equally skilful at putting them in the most favourable light, he ascended the Capitol, carrying suspended on a portable frame, cleverly contrived for that purpose, the spoils of the enemy's general, whom he had slain: there, having laid them down at the foot of an oak held sacred by the shepherds, at the same time that he presented the offering, he marked out the boundaries for a temple of Jupiter, and bestowed a surname on the god. "Jupiter Feretrius," said he, "I, King Romulus, victorious over my foes, offer to thee these royal arms, and dedicate to thee a temple within those quarters, which I have just now marked out in my mind, to be a resting-place for the spolia opima, which posterity, following my example, shall bring hither on slaying the kings or generals of the enemy." This is the origin of that temple, the first that was ever consecrated at Rome. It was afterward the will of the gods that neither the utterances of the founder of the temple, in which he solemnly declared that his posterity would bring such spoils thither, should be spoken in vain, and that the honour of the offering should not be rendered common owing to the number of those who enjoyed it. In the course of so many years and so many wars the spolia opima were only twice gained: so rare has been the successful attainment of this honour.[10]

While the Romans were thus engaged in those parts, the army of the Antemnates made a hostile attack upon the Roman territories, seizing the opportunity when they were left unguarded. Against these in like manner a Roman legion was led out in haste and surprised them while straggling in the country. Thus the enemy were routed at the first shout and charge: their town was taken: Romulus, amid his rejoicings at this double victory, was entreated by his wife Hersilia, in consequence of the importunities of the captured women, to pardon their fathers and admit them to the privileges of citizenship; that the commonwealth could thus be knit together by reconciliation. The request was readily granted. After that he set out against the Crustumini, who were beginning hostilities: in their case, as their courage had been damped by the disasters of others, the struggle was less keen. Colonies were sent to both places: more, however, were found to give in their names for Crustuminum, because of the fertility of the soil. Great numbers also migrated from thence to Rome, chiefly of the parents and relatives of the women who had been carried off.

The last war broke out on the part of the Sabines, and this was by far the most formidable: for nothing was done under the influence of anger or covetousness, nor did they give indications of hostilities before they had actually begun them. Cunning also was combined with prudence. Spurius Tarpeius was in command of the Roman citadel: his maiden daughter, who at the time had gone by chance outside the walls to fetch water for sacrifice, was bribed by Tatius, to admit some armed soldiers into the citadel. After they were admitted, they crushed her to death by heaping their arms upon her: either that the citadel might rather appear to have been taken by storm, or for the sake of setting forth a warning, that faith should never on any occasion be kept with a betrayer. The following addition is made to the story: that, as the Sabines usually wore golden bracelets of great weight on their left arm and rings of great beauty set with precious stones, she bargained with them for what they

had on their left hands; and that therefore shields were heaped upon her instead of presents of gold. Some say that, in accordance with the agreement that they should deliver up what was on their left hands, she expressly demanded their shields, and that, as she seemed to be acting treacherously, she herself was slain by the reward she had chosen for herself.

Be that as it may, the Sabines held the citadel, and on the next day, when the Roman army, drawn up in order of battle, had occupied all the valley between the Palatine and Capitoline Hills, they did not descend from thence into the plain until the Romans, stimulated by resentment and the desire of recovering the citadel, advanced up hill to meet them. The chiefs on both sides encouraged the fight, on the side of the Sabines Mettius Curtius, on the side of the Romans Hostius Hostilius. The latter, in the front of the battle, on unfavourable ground, supported the fortunes of the Romans by his courage and boldness. When Hostius fell, the Roman line immediately gave way, and, being routed, was driven as far as the old gate of the Palatium. Romulus himself also, carried away by the crowd of fugitives, cried, uplifting his arms to heaven: "O Jupiter, it was at the bidding of thy omens, that here on the Palatine I laid the first foundations for the city. The citadel, purchased by crime, is now in possession of the Sabines: thence they are advancing hither in arms, having passed the valley between. But do thou, O father of gods and men, keep back the enemy from hence at least, dispel the terror of the Romans, and check their disgraceful flight. On this spot I vow to build a temple to thee as Jupiter Stator, to be a monument to posterity that the city has been preserved by thy ready aid." Having offered up these prayers, as if he had felt that they had been heard, he cried: "From this position, O Romans, Jupiter, greatest and best, bids you halt and renew the fight." The Romans halted as if ordered by a voice from heaven. Romulus himself hastened to the front. Mettius Curtius, on the side of the Sabines, had rushed down from the citadel at the head of his troops and driven the Romans in disordered array over the whole space of ground where the Forum now is. He had almost reached the gate of the Palatium, crying out: "We have conquered our perfidious friends, our cowardly foes: now they know that fighting with men is a very different thing from ravishing maidens." Upon him, as he uttered these boasts, Romulus made an attack with a band of his bravest youths. Mettius then happened to be fighting on horseback: on that account his repulse was easier. When he was driven back, the Romans followed in pursuit: and the remainder of the Roman army, fired by the bravery of the king, routed the Sabines. Mettius, his horse taking fright at the noise of his pursuers, rode headlong into a morass: this circumstance drew off the attention of the Sabines also at the danger of so high a personage. He indeed, his own party beckoning and calling to him, gaining heart from the encouraging shouts of many of his friends, made good his escape. The Romans and Sabines renewed the battle in the valley between the two hills: but the advantage rested with the Romans.

At this crisis the Sabine women, from the outrage on whom the war had arisen, with dishevelled hair and torn garments, the timidity natural to women being overcome by the sense of their calamities, were emboldened to fling themselves into the midst of the flying weapons, and, rushing across, to part the incensed combatants and assuage their wrath: imploring their fathers on the one hand and their husbands on the other, as fathers-in-law and sons-in-law, not to besprinkle themselves with impious blood, nor to fix the stain of murder on their offspring, the one side on their grandchildren, the other on their children. "If," said they, "you are dissatisfied with the relationship between you, and with our marriage, turn your resentment against us; it is we who are the cause of war, of wounds and bloodshed to our husbands and parents: it will be better for us to perish than to live widowed or orphans without one or other of you." This incident affected both the people and the leaders; silence and sudden quiet followed; the leaders thereupon came forward to conclude a treaty; and not only concluded a peace, but formed one state out of two. They united the kingly power, but transferred the entire sovereignty to Rome. Rome having thus been made a double state, that some benefit at least might be conferred on the Sabines, they were called Quirites from Cures. To serve as a memorial of that battle, they called the place—where Curtius, after having emerged from the deep morass, set his horse in shallow water—the Lacus Curtius.[11]

This welcome peace, following suddenly on so melancholy a war, endeared the Sabine women still more to their husbands and parents, and above all to Romulus himself. Accordingly, when dividing the people into thirty curiae, he called the curiae after their names. While the number of the women were undoubtedly considerably greater than this, it is not recorded whether they were chosen for their age, their own rank or that of their husbands, or by lot, to give names to the curiae. At the same time also three centuries of knights were enrolled: the Ramnenses were so called from Romulus, the Titienses from Titus Tatius: in regard to the Luceres, the meaning of the name and its origin is uncertain.[12] From that time forward the two kings enjoyed the regal power not only in common, but also in perfect harmony.

Several years afterward, some relatives of King Tatius ill-treated the Ambassadors of the Laurentines, and on the Laurentines beginning proceedings according to the rights of nations, the influence and entreaties of his friends had more weight with Tatius. In this manner he drew upon himself the

punishment that should have fallen upon them: for, having gone to Lavinium on the occasion of a regularly recurring sacrifice, he was slain in a disturbance which took place there. They say that Romulus resented this less than the event demanded, either because partnership in sovereign power is never cordially kept up, or because he thought that he had been deservedly slain. Accordingly, while he abstained from going to war, the treaty between the cities of Rome and Lavinium was renewed, that at any rate the wrongs of the ambassadors and the murder of the king might be expiated.

With these people, indeed, there was peace contrary to expectations: but another war broke out much nearer home and almost at the city's gates. The Fidenates,[13] being of opinion that a power in too close proximity to themselves was gaining strength, hastened to make war before the power of the Romans should attain the greatness it was evidently destined to reach. An armed band of youths was sent into Roman territory and all the territories between the city and the Fidenae was ravaged. Then, turning to the left, because on the right the Tiber was a barrier against them, they continued to ravage the country, to the great consternation of the peasantry: the sudden alarm, reaching the city from the country, was the first announcement of the invasion. Romulus aroused by this—for a war so near home could not brook delay—led out his army, and pitched his camp a mile from Fidenae. Having left a small garrison there, he marched out with all his forces and gave orders that a part of them should lie in ambush in a spot hidden amid bushes planted thickly around; he himself advancing with the greater part of the infantry and all the cavalry, by riding up almost to the very gates, drew out the enemy—which was just what he wanted—by a mode of battle of a disorderly and threatening nature. The same tactics on the part of the cavalry caused the flight, which it was necessary to pretend, to appear less surprising: and when, as the cavalry appeared undecided whether to make up its mind to fight or flee, the infantry also retreated—the enemy, pouring forth suddenly through the crowded gates, were drawn toward the place of ambuscade, in their eagerness to press on and pursue, after they had broken the Roman line. Thereupon the Romans, suddenly arising, attacked the enemy's line in flanks; the advance from the camp of the standards of those, who had been left behind on guard, increased the panic: thus the Fidenates, smitten with terror from many quarters, took to flight almost before Romulus and the cavalry who accompanied him could wheel round: and those who a little before had been in pursuit of men who pretended flight, made for the town again in much greater disorder, seeing that their flight was real. They did not, however, escape the foe: the Romans, pressing closely on their rear, rushed in as if it were in one body, before the doors of the gates could be shut against them.

The minds of the inhabitants of Veii,[14] being exasperated by the infectious influence of the Fidenatian war, both from the tie of kinship—for the Fidenates also were Etruscans—and because the very proximity of the scene of action, in the event of the Roman arms being directed against all their neighbours, urged them on, they sallied forth into the Roman territories, rather with the object of plundering than after the manner of a regular war. Accordingly, without pitching a camp, or waiting for the enemy's army, they returned to Veii, taking with them the booty they had carried off from the lands; the Roman army, on the other hand, when they did not find the enemy in the country, being ready and eager for a decisive action, crossed the Tiber. And when the Veientes heard that they were pitching a camp, and intended to advance to the city, they came out to meet them that they might rather decide the matter in the open field, than be shut up and have to fight from their houses and walls. In this engagement the Roman king gained the victory, his power being unassisted by any stratagem, by the unaided strength of his veteran army: and having pursued the routed enemies up to their walls, he refrained from attacking the city, which was strongly fortified and well defended by its natural advantages: on his return he laid waste their lands, rather from a desire of revenge than of booty. The Veientes, humbled by that loss no less than by the unsuccessful issue of the battle, sent ambassadors to Rome to sue for peace. A truce for one hundred years was granted them, after they had been mulcted in a part of their territory. These were essentially the chief events of the reign of Romulus, in peace and in war, none of which seemed inconsistent with the belief of his divine origin, or of his deification after death, neither the spirit he showed in recovering his grandfather's kingdom, nor his wisdom in building a city, and afterward strengthening it by the arts of war and peace. For assuredly it was by the power that Romulus gave it that it became so powerful, that for forty years after it enjoyed unbroken peace. He was, however, dearer to the people than to the fathers: above all others he was most beloved by the soldiers: of these he kept three hundred, whom he called Celeres, armed to serve as a body-guard not only in time of war but also of peace.

Having accomplished these works deserving of immortality, while he was holding an assembly of the people for reviewing his army, in the plain near the Goat's pool, a storm suddenly came on, accompanied by loud thunder and lightning, and enveloped the king in so dense a mist, that it entirely hid him from the sight of the assembly. After this Romulus was never seen again upon earth. The feeling of consternation having at length calmed down, and the weather having become clear and fine again after so stormy a day, the Roman youth seeing the royal seat empty—though they readily believed the words of the fathers who had stood nearest him, that he had been carried up to heaven by the storm—yet, struck as it were with the fear of being fatherless, for a considerable time preserved a

sorrowful silence. Then, after a few had set the example, the whole multitude saluted Romulus as a god, the son of a god, the king and parent of the Roman city; they implored his favour with prayers, that with gracious kindness he would always preserve his offspring. I believe that even then there were some, who in secret were convinced that the king had been torn in pieces by the hands of the fathers—for this rumour also spread, but it was very doubtfully received; admiration for the man, however, and the awe felt at the moment, gave greater notoriety to the other report. Also by the clever idea of one individual, additional confirmation is said to have been attached to the occurrence. For Proculus Julius, while the state was still troubled at the loss of the king, and incensed against the senators, a weighty authority, as we are told, in any matter however important, came forward into the assembly. "Quirites," said he, "Romulus, the father of this city, suddenly descending from heaven, appeared to me this day at daybreak. While I stood filled with dread, and religious awe, beseeching him to allow me to look upon him face to face, 'Go,' said he, 'tell the Romans, that the gods so will, that my Rome should become the capital of the world. Therefore let them cultivate the art of war, and let them know and so hand it down to posterity, that no human power can withstand the Roman arms.' Having said this, he vanished up to heaven." It is surprising what credit was given to that person when he made the announcement, and how much the regret of the common people and army for the loss of Romulus was assuaged when the certainty of his immortality was confirmed.[15]

Meanwhile[16] contention for the throne and ambition engaged the minds of the fathers; the struggle was not as yet carried on by individuals, by violence or contending factions, because, among a new people, no one person was pre-eminently distinguished; the contest was carried on between the different orders. The descendants of the Sabines wished a king to be elected from their own body, lest, because there had been no king from their own party since the death of Tatius, they might lose their claim to the crown although both were on an equal footing. The old Romans spurned the idea of a foreign prince. Amid this diversity of views, however, all were anxious to be under the government of a king, as they had not yet experienced the delights of liberty. Fear then seized the senators, lest, as the minds of many surrounding states were incensed against them, some foreign power should attack the state, now without a government, and the army, now without a leader. Therefore, although they were agreed that there should be some head, yet none could bring himself to give way to another. Accordingly, the hundred senators divided the government among themselves, ten decuries being formed, and the individual members who were to have the chief direction of affairs being chosen into each decury.[17] Ten governed; one only was attended by the lictors and with the insignia of authority: their power was limited to the space of five days, and conferred upon all in rotation, and the interval between the government of a king lasted a year. From this fact it was called an interregnum, a term which is employed even now. Then the people began to murmur, that their slavery was multiplied, and that they had now a hundred sovereigns instead of one, and they seemed determined to submit to no authority but that of a king, and that one appointed by themselves. When the fathers perceived that such schemes were on foot, thinking it advisable to offer them, without being asked, what they were sure to lose, they conciliated the good-will of the people by yielding to them the supreme power, yet in such a manner as to surrender no greater privilege than they reserved to themselves. For they decreed, that when the people had chosen a king, the election should be valid, if the senate gave the sanction of their authority. And even to this day the same forms are observed in proposing laws and magistrates, though their power has been taken away; for before the people begin to vote, the senators ratify their choice, even while the result of the elections is still uncertain. Then the interrex, having summoned an assembly of the people, addressed them as follows: "Do you, Quirites, choose yourselves a king, and may this choice prove fortunate, happy, and auspicious; such is the will of the fathers. Then, if you shall choose a prince worthy to be reckoned next after Romulus, the fathers will ratify your choice." This concession was so pleasing to the people, that, not to appear outdone in generosity, they only voted and ordained that the senate should determine who should be king at Rome.

The justice and piety of Numa Pompilius was at that time celebrated. He dwelt at Cures, a city of the Sabines, and was as eminently learned in all law, human and divine, as any man could be in that age. They falsely represent that Pythagoras of Samos was his instructor in learning, because there appears no other. Now it is certain that this philosopher, in the reign of Servius Tullius, more than a hundred years after this, held assemblies of young men, who eagerly embraced his doctrines, on the most distant shore of Italy, in the neighbourhood of Metapontum, Heraclea, and Croton. But from these places, even had he flourished in the same age, what fame of his could have reached the Sabines? or by what intercourse of language could it have aroused any one to a desire of learning? Or by what safeguard could a single man have passed through the midst of so many nations differing in language and customs? I am therefore rather inclined to believe that his mind, owing to his natural bent, was attempered by virtuous qualities, and that he was not so much versed in foreign systems of philosophy as in the stern and gloomy training of the ancient Sabines, a race than which none was in former times more strict. When they heard the name of Numa, although the Roman fathers perceived that the balance of power would incline to the Sabines if a king were chosen from them, yet none of them ventured to prefer himself, or any other member of his party, or, in fine, any of the citizens or fathers,

to a man so well known, but unanimously resolved that the kingdom should be offered to Numa Pompilius. Being sent for, just as Romulus obtained the throne by the augury in accordance with which he founded the city, so Numa in like manner commanded the gods to be consulted concerning himself. Upon this, being escorted into the citadel by an augur, to whose profession that office was later made a public and perpetual one by way of honour, he sat down on a stone facing the south: the augur took his seaton his left hand with his head covered, holding in his right a crooked wand free from knots, called lituus; then, after having taken a view over the city and country, and offered a prayer to the gods, he defined the bounds of the regions of the sky from east to west: the parts toward the south he called the right, those toward the north, the left; and in front of him he marked out in his mind the sign as far as ever his eyes could see. Then having shifted the lituus into his left hand, and placed his right on the head of Numa, he prayed after this manner: "O father Jupiter, if it be thy will that this Numa Pompilius, whose head I hold, be king of Rome, mayest thou manifest infallible signs to us within those bounds which I have marked." Then he stated in set terms the auspices which he wished to be sent: on their being sent, Numa was declared king and came down from the seat of augury.

Having thus obtained the kingdom, he set about establishing anew, on the principles of law and morality, the newly founded city that had been already established by force of arms. When he saw that the inhabitants, inasmuch as men's minds are brutalized by military life, could not become reconciled to such principles during the continuance of wars, considering that the savage nature of the people must be toned down by the disuse of arms, he erected at the foot of Argiletum[18] a temple of Janus, as a sign of peace and war, that when open, it might show that the state was engaged in war, and when shut, that all the surrounding nations were at peace. Twice only since the reign of Numa has this temple been shut: once when Titus Manlius was consul, after the conclusion of the first Punic war; and a second time, which the gods granted our generation to behold, by the Emperor Cæsar Augustus, after the battle of Actium, when peace was established by land and sea. This being shut, after he had secured the friendship of all the neighbouring states around by alliance and treaties, all anxiety regarding dangers from abroad being now removed, in order to prevent their minds, which the fear of enemies and military discipline had kept in check, running riot from too much leisure, he considered, that, first of all, awe of the gods should be instilled into them, a principle of the greatest efficacy in dealing with the multitude, ignorant and uncivilized as it was in those times. But as this fear could not sink deeply into their minds without some fiction of a miracle, he pretended that he held nightly interviews with the goddess Egeria; that by her direction he instituted sacred rites such as would be most acceptable to the gods, and appointed their own priests for each of the deities. And, first of all, he divided the year into twelve months, according to the courses of the moon;[19] and because the moon does not fill up the number of thirty days in each month, and some days are wanting to the complete year, which is brought round by the solstitial revolution, he so regulated this year, by inserting intercalary months, that every twentieth year, the lengths of all the intermediate years being filled up, the days corresponded with the same starting-point of the sun whence they had set out. He likewise divided days into sacred and profane, because on certain occasions it was likely to be expedient that no business should be transacted with the people.

Next he turned his attention to the appointment of priests, though he discharged many sacred functions himself, especially those which now belong to the flamen of Jupiter. But, as he imagined that in a warlike nation there would be more kings resembling Romulus than Numa, and that they would go to war in person, in order that the sacred functions of the royal office might not be neglected, he appointed a perpetual priest as flamen to Jupiter, and distinguished him by a fine robe, and a royal curule chair. To him he added two other flamens, one for Mars, another for Quirinus. He also chose virgins for Vesta, a priesthood derived from Alba, and not foreign to the family of the founder. That they might be constant attendants in the temple, he appointed them pay out of the public treasury; and by enjoining virginity, and various religious observances, he made them sacred and venerable. He also chose twelve Salii for Mars Gradivus, and gave them the distinction of an embroidered tunic, and over the tunic a brazen covering for the breast. He commanded them to carry the shields called Ancilia,[20] which fell fromheaven, and to go through the city singing songs, with leaping and solemn dancing. Then he chose from the fathers Numa Marcius, son of Marcius, as pontiff, and consigned to him a complete system of religious rites written out and recorded, showing with what victims, upon what days, and at what temples the sacred rites were to be performed, and from what funds the money was to be taken to defray the expenses. He also placed all other religious institutions, public and private, under the control of the decrees of the pontiff, to the end that there might be some authority to whom the people should come to ask advice, to prevent any confusion in the divine worship being caused by their neglecting the ceremonies of their own country, and adopting foreign ones. He further ordained that the same pontiff should instruct the people not only in the ceremonies connected with the heavenly deities, but also in the due performance of funeral solemnities, and how to appease the shades of the dead; and what prodigies sent by lightning or any other phenomenon were to be attended to and expiated. To draw forth such knowledge from the minds of the gods, he dedicated an altar on the Aventine to Jupiter Elicius, and consulted the god by means of auguries as to what prodigies ought to

be attended to.

The attention of the whole people having been thus diverted from violence and arms to the deliberation and adjustment of these matters, both their minds were engaged in some occupation, and the watchfulness of the gods now constantly impressed upon them, as the deity of heaven seemed to interest itself in human concerns, had filled the breasts of all with such piety, that faith and religious obligations governed the state, the dread of laws and punishments being regarded as secondary. And while the people of their own accord were forming themselves on the model of the king, as the most excellent example, the neighbouring states also, who had formerly thought that it was a camp, not a city, that had been established in their midst to disturb the general peace, were brought to feel such respect for them that they considered it impious to molest a state, wholly occupied in the worship of the gods. There was a grove, the middle of which was irrigated by a spring of running water, flowing from a dark grotto. As Numa often repaired thither unattended, under pretence of meeting the goddess, he dedicated the grove to the Camenae, because, as he asserted, their meetings with his wife Egeria were held there. He also instituted a yearly festival to Faith alone, and commanded her priests to be driven to the chapel erected for the purpose in an arched chariot drawn by two horses, and to perform the divine service with their hands wrapped up to the fingers, intimating that Faith ought to be protected, and that even her seat in men's right hands was sacred. He instituted many other sacred rites, and dedicated places for performing them, which the priests call Argei. But the greatest of all his works was the maintenance of peace during the whole period of his reign, no less than of his royal power. Thus two kings in succession, by different methods, the one by war, the other by peace, aggrandized the state. Romulus reigned thirty-seven years, Numa forty-three: the state was both strong and attempered by the arts both of war and peace.

Upon the death of Numa, the administration returned again to an interregnum. After that the people appointed as King Tullus Hostilius, the grandson of that Hostilius who had made the noble stand against the Sabines at the foot of the citadel: the fathers confirmed the choice. He was not only unlike the preceding king, but even of a more warlike disposition than Romulus. Both his youth and strength, and, further, the renown of his grandfather, stimulated his ambition. Thinking therefore that the state was deteriorating through ease, he everywhere sought for an opportunity of stirring up war. It so happened that some Roman and Alban peasants mutually plundered each other's lands. Gaius Cluilius at that time was in power at Alba. From both sides ambassadors were sent almost at the same time, to demand satisfaction. Tullus had ordered his representatives to attend to their instructions before anything else. He knew well that the Alban would refuse, and so war might be proclaimed with a clear conscience. Their commission was executed in a more dilatory manner by the Albans: being courteously and kindly entertained by Tullus, they gladly took advantage of the king's hospitality. Meanwhile the Romans had both been first in demanding satisfaction, and upon the refusal of the Alban, had proclaimed war upon the expiration of thirty days: of this they gave Tullus notice. Thereupon he granted the Alban ambassadors an opportunity of stating with what demands they came. They, ignorant of everything, at first wasted some time in making excuses: That it was with reluctance they would say anything which might be displeasing to Tullus, but they were compelled by orders: that they had come to demand satisfaction: if this was not granted, they were commanded to declare war. To this Tullus made answer, "Go tell your king, that the king of the Romans takes the gods to witness, that, whichever of the two nations shall have first dismissed with contempt the ambassadors demanding satisfaction, from it they [the gods] may exact atonement for the disasters of this war." This message the Albans carried home.

Preparations were made on both sides with the utmost vigour for a war very like a civil one, in a manner between parents and children, both being of Trojan stock: for from Troy came Lavinium, from Lavinium, Alba, and the Romans were descended from the stock of the Alban kings. However, the result of the war rendered the quarrel less distressing, for the struggle never came to regular action, and when the buildings only of one of the cities had been demolished, the two states were incorporated into one. The Albans first invaded the Roman territories with a large army. They pitched their camp not more than five miles from the city, and surrounded it with a trench, which, for several ages, was called the Cluilian trench, from the name of the general, till, by lapse of time, the name, as well as the event itself, was forgotten. In that camp Cluilius, the Alban king, died: the Albans created Mettius Fufetius dictator. In the meantime Tullus, exultant, especially at the death of the king, and giving out that the supreme power of the gods, having begun at the head, would take vengeance on the whole Alban nation for this impious war, having passed the enemy's camp in the night-time, marched with a hostile army into the Alban territory. This circumstance drew out Mettius from his camp: he led his forces as close as possible to the enemy; thence he despatched a herald and commanded him to tell Tullus that a conference was expedient before they came to an engagement; and that, if he would give him a meeting, he was certain he would bring forward matters which concerned the interests of Rome no less than of Alba. Tullus did not reject the offer: nevertheless, in case the proposals made should prove fruitless, he led out his men in order of battle: the Albans on their side marched out also. After both

armies stood drawn up in battle array, the chiefs, with a few of the principal officers, advanced into the midst. Then the Alban began as follows: "That injuries and the non-restitution of property claimed according to treaty is the cause of this war, methinks I have both heard our king Cluilius assert, and I doubt not, Tullus, but that you allege the same. But if the truth must be told, rather than what is plausible, it is thirst for rule that provokes two kindred and neighbouring states to arms. Whether rightly or wrongly, I do not take upon myself to determine: let the consideration of that rest with him who has begun the war. As for myself, the Albans have only made me their leader for carrying on that war. Of this, Tullus, I would have you advised: how powerful the Etruscan state is around us, and around you particularly, you know better than we, inasmuch as you are nearer to them. They are very powerful by land, far more so by sea. Recollect that, directly you shall give the signal for battle, these two armies will be the object of their attention, that they may fall on us when wearied and exhausted, victor and vanquished together. Therefore, for the love of heaven, since, not content with a sure independence, we are running the doubtful hazard of sovereignty and slavery, let us adopt some method, whereby, without great loss, without much bloodshed of either nation, it may be decided which is to rule the other." The proposal was not displeasing to Tullus, though both from his natural bent, as also from the hope of victory, he was rather inclined to violence. After consideration, on both sides, a plan was adopted, for which Fortune herself afforded the means of execution.

It happened that there were in the two armies at that time three brothers born at one birth, neither in age nor strength ill-matched. That they were called Horatii and Curiatii is certain enough, and there is hardly any fact of antiquity more generally known; yet in a manner so well ascertained, a doubt remains concerning their names, as to which nation the Horatii, to which the Curiatii belonged. Authors incline to both sides, yet I find a majority who call the Horatii Romans: my own inclination leads me to follow them. The kings arranged with the three brothers that they should fight with swords each in defence of their respective country; assuring them that dominion would rest with those on whose side victory should declare itself. No objection was raised; the time and place were agreed upon. Before the engagement began, a compact was entered into between the Romans and Albans on these conditions, that that state, whose champions should come off victorious in the combat, should rule the other state without further dispute. Different treaties are made on different conditions, but in general they are all concluded with the same formalities. We have heard that the treaty in question was then concluded as follows, nor is there extant a more ancient record of any treaty. The herald asked King Tullus, "Dost thou command me, O king, to conclude a treaty with the pater patratus of the Alban people?" On the king so commanding him he said, "I demand vervain of thee, O king." The king replied, "Take some that is pure." The herald brought a pure blade of grass from the citadel; then again he asked the king, "Dost thou, O king, appoint me the royal delegate of the Roman people, the Quirites, and my appurtenances and attendants?" The king replied, "So far as it may be done without detriment to me and to the Roman people, the Quirites, I do so." The herald was Marcus Valerius, who appointed Spurius Fusius pater patratus,[21] touching his head and hair with the vervain.[22] The pater patratus was appointed ad iusiurandum patrandum, that is, to ratify the treaty; and he went through it in a lengthy preamble, which, being expressed in a long set form, it is not worth while to repeat. After having set forth the conditions, he said: "Hear, O Jupiter; hear, O pater patratus of the Alban people, and ye, O Alban people, give ear. As those conditions, from first to last, have been publicly recited from those tablets or wax without wicked or fraudulent intent, and as they have been most correctly understood here this day, the Roman people will not be the first to fail to observe those conditions. If they shall be the first to do so by public consent, by fraudulent intent, on that day do thou, O Jupiter, so strike the Roman people, as I shall here this day strike this swine; and do thou strike them so much the more, as thou art more mighty and more powerful." When he said this, he struck the swine with a flint stone. The Albans likewise went through their own set form and oath by the mouth of their own dictator and priests.

The treaty being concluded, the twin-brothers, as had been agreed, took arms. While their respective friends exhorted each party, reminding them that their country's gods, their country and parents, all their fellow-citizens both at home and in the army, had their eyes then fixed on their arms, on their hands, being both naturally brave, and animated by the shouts and exhortations of their friends, they advanced into the midst between the two lines. The two armies on both sides had taken their seats in front of their respective camps, free rather from danger for the moment than from anxiety: for sovereign power was at stake, dependent on the valour and fortune of so few. Accordingly, therefore, on the tip-toe of expectation, their attention was eagerly fixed on a spectacle far from pleasing. The signal was given: and the three youths on each side, as if in battle array, rushed to the charge with arms presented, bearing in their breasts the spirit of mighty armies. Neither the one nor the other heeded their personal danger, but the public dominion or slavery was present to their mind, and the thought that the fortune of their country would be such hereafter as they themselves should have made it. Directly their arms clashed at the first encounter, and their glittering swords flashed, a mighty horror thrilled the spectators; and, as hope inclined to neither side, voice and breath alike were numbed. Then having engaged hand to hand, when now not only the movements of their bodies, and the indecisive brandishings of their arms and weapons, but wounds also and blood were seen, two of

the Romans fell lifeless, one upon the other, the three Albans being wounded. And when the Alban army had raised a shout of joy at their fall, hope had entirely by this time, not however anxiety, deserted the Roman legions, breathless with apprehension at the dangerous position of this one man, whom the three Curiatii had surrounded. He happened to be unhurt, so that, though alone he was by no means a match for them all together, yet he was full of confidence against each singly. In order therefore to separate their attack, he took to flight, presuming that they would each pursue him with such swiftness as the wounded state of his body would permit. He had now fled a considerable distance from the place where the fight had taken place, when, looking back, he perceived that they were pursuing him at a great distance from each other, and that one of them was not far from him. On him he turned round with great fury, and while the Alban army shouted out to the Curiatii to succour their brother, Horatius by this time victorious, having slain his antagonist, was now proceeding to a second attack. Then the Romans encouraged their champion with a shout such as is wont to be raised when men cheer in consequence of unexpected success; and he hastened to finish the combat. Wherefore before the other, who was not far off, could come up to him, he slew the second Curiatius also. And now, the combat being brought to equal terms, one on each side remained, but unequally matched in hope and strength. The one was inspired with courage for a third contest by the fact that his body was uninjured by a weapon, and by his double victory: the other dragging along his body exhausted from his wound, exhausted from running, and dispirited by the slaughter of his brothers before his eyes, thus met his victorious antagonist. And indeed there was no fight. The Roman, exulting, cried: "Two I have offered to the shades of my brothers: the third I will offer to the cause of this war, that the Roman may rule over the Alban." He thrust his sword down from above into his throat, while he with difficulty supported the weight of his arms, and stripped him as he lay prostrate. The Romans welcomed Horatius with joy and congratulations; with so much the greater exultation, as the matter had closely bordered on alarm. They then turned their attention to the burial of their friends, with feelings by no means the same: for the one side was elated by the acquisition of empire, the other brought under the rule of others: their sepulchres may still be seen in the spot where each fell; the two Roman in one place nearer Alba, the three Alban in the direction of Rome, but situated at some distance from each other, as in fact they had fought.

Before they departed from thence, when Mettius, in accordance with the treaty which had been concluded, asked Tullus what his orders were, he ordered him to keep his young men under arms, for he intended to employ them, if a war should break out with the Veientes. After this both armies were led away to their homes. Horatius marched in front, carrying before him the spoils of the three brothers: his maiden sister, who had been betrothed to one of the Curiatii, met him before the gate Capena;[23] and having recognised on her brother's shoulders the military robe of her betrothed, which she herself had worked, she tore her hair, and with bitter wailings called by name on her deceased lover. The sister's lamentations in the midst of his own victory, and of such great public rejoicings, raised the ire of the hot-tempered youth. So, having drawn his sword, he ran the maiden through the body, at the same time reproaching her with these words: "Go hence with thy ill-timed love to thy spouse, forgetful of thy brothers that are dead, and of the one who survives—forgetful of thy country. So fare every Roman woman who shall mourn an enemy." This deed seemed cruel to the fathers and to the people; but his recent services outweighed its enormity. Nevertheless he was dragged before the king for judgment. The king, however, that he might not himself be responsible for a decision so melancholy, and so disagreeable in the view of the people, or for the punishment consequent on such decision, having summoned an assembly of the people, declared, "I appoint, according to law, duumvirs to pass sentence on Horatius for treason." The law was of dreadful formula. "Let the duumvirs pass sentence for treason. If he appeal from the duumvirs, let him contend by appeal; if they shall gain the cause, let the lictor cover his head, hang him by a rope on the accursed tree, scourge him either within the pomerium,[24]or without the pomerium." The duumvirs appointed in accordance with this decision, who did not consider that, according to that law, they could acquit the man even if innocent, having condemned him, then one of them said: "Publius Horatius, I judge thee guilty of treason. Lictor, bind his hands." The lictor had approached him, and was commencing to fix the rope round his neck. Then Horatius, on the advice of Tullus, a merciful interpreter of the law, said, "I appeal." Accordingly the matter was contested before the people as to the appeal. At that trial the spectators were much affected, especially on Publius Horatius the father declaring that he considered his daughter to have been deservedly slain; were it not so, that he would by virtue of his authority as a father have inflicted punishment on his son. He then entreated them that they would not render him childless, one whom but a little while ago they had beheld blessed with a fine progeny. During these words the old man, having embraced the youth, pointing to the spoils of the Curiatii hung up in that place which is now called Pila Horatia,[25] "Quirites," said he, "can you bear to see bound beneath the gallows, amid scourgings and tortures, the man whom you just now beheld marching decorated with spoils and exulting in victory—a sight so shocking that even the eyes of the Albans could scarcely endure it? Go then, lictor, bind those hands, which but a little while since, armed, won sovereignty for the Roman people. Go, cover the head of the liberator of this city: hang him on the accursed tree: scourge him, either within the pomerium, so it be only amid those javelins and spoils of the enemy, or without the

pomerium, so it be only amid the graves of the Curiatii. For whither can you lead this youth, where his own noble deeds will not redeem him from such disgraceful punishment?" The people could not withstand either the tears of the father, or the spirit of the son, the same in every danger, and acquitted him more from admiration of his bravery, than on account of the justice of his cause. But that so clear a murder might be at least atoned for by some expiation, the father was commanded to expiate the son's guilt at the public charge. He, having offered certain expiatory sacrifices, which were ever after continued in the Horatian family, and laid a beam across the street, made the youth pass under it, as under the yoke, with his head covered. This beam remains even to this day, being constantly repaired at the public expense; it is called Sororium Tigillum (Sister's Beam). A tomb of square stone was erected to Horatia in the spot where she was stabbed and fell.

However, the peace with Alba did not long continue. The dissatisfaction of the populace at the fortune of the state having been intrusted to three soldiers, perverted the wavering mind of the dictator; and since straightforward measures had not turned out well, he began to conciliate the affections of the populace by treacherous means. Accordingly, as one who had formerly sought peace in time of war, and was now seeking war in time of peace, because he perceived that his own state possessed more courage than strength, he stirred up other nations to make war openly and by proclamation: for his own people he reserved the work of treachery under the show of allegiance. The Fidenates, a Roman colony,[26] having taken the Veientes into partnership in the plot, were instigated to declare war and take up arms under a compact of desertion on the part of the Albans. When Fidenae had openly revolted, Tullus, after summoning Mettius and his army from Alba, marched against the enemy. When he crossed the Anio, he pitched his camp at the conflux of the rivers.[27] Between that place and Fidenae, the army of the Veientes had crossed the Tiber. These, in the line of battle, also occupied the right wing near the river; the Fidenates were posted on the left nearer the mountains. Tullus stationed his own men opposite the Veientine foe; the Albans he posted to face the legion of the Fidenates. The Alban had no more courage than loyalty. Therefore neither daring to keep his ground, nor to desert openly, he filed off slowly to the mountains. After this, when he supposed he had advanced far enough, he led his entire army uphill, and still wavering in mind, in order to waste time, opened his ranks. His design was, to direct his forces to that side on which fortune should give success. At first the Romans who stood nearest were astonished, when they perceived their flanks were exposed by the departure of their allies; then a horseman at full gallop announced to the king that the Albans were moving off. Tullus, in this perilous juncture, vowed twelve Salii and temples to Paleness and Panic. Rebuking the horseman in a loud voice, so that the enemy might hear him plainly, he ordered him to return to the ranks, that there was no occasion for alarm; that it was by his order that the Alban army was being led round to fall on the unprotected rear of the Fidenates. He likewise commanded him to order the cavalry to raise their spears aloft; the execution of this order shut out the view of the retreating Alban army from a great part of the Roman infantry. Those who saw it, believing that it was even so, as they had heard from the king, fought with all the greater valour. The alarm was transferred to the enemy; they had both heard what had been uttered so loudly, and a great part of the Fidenates, as men who had mixed as colonists with the Romans, understood Latin. Therefore, that they might not be cut off from the town by a sudden descent of the Albans from the hills, they took to flight. Tullus pressed forward, and having routed the wing of the Fidenates, returned with greater fury against the Veientes, who were disheartened by the panic of the others: they did not even sustain his charge; but the river, opposed to them in the rear, prevented a disordered flight. When their flight led thither, some, shamefully throwing down their arms, rushed blindly into the river; others, while lingering on the banks, undecided whether to fight or flee, were overpowered. Never before was a more desperate battle fought by the Romans.

Then the Alban army, which had been a mere spectator of the fight, was marched down into the plains. Mettius congratulated Tullus on his victory over the enemy; Tullus on his part addressed Mettius with courtesy. He ordered the Albans to unite their camp with that of the Romans, which he prayed heaven might prove beneficial to both; and prepared a purificatory sacrifice for the next day. As soon as it was daylight, all things being in readiness, according to custom, he commanded both armies to be summoned to an assembly. The heralds, beginning at the farthest part of the camp, summoned the Albans first. They, struck also with the novelty of the thing, in order to hear the Roman king deliver a speech, crowded next to him. The Roman forces, under arms, according to previous arrangement, surrounded them; the centurions had been charged to execute their orders without delay. Then Tullus began as follows: "Romans, if ever before, at any other time, in any war, there was a reason that you should return thanks, first to the immortal gods, next to your own valour, it was yesterday's battle. For the struggle was not so much with enemies as with the treachery and perfidy of allies, a struggle which is more serious and more dangerous. For—that you may not be under a mistaken opinion—know that it was without my orders that the Albans retired to the mountains, nor was that my command, but a stratagem and the mere pretence of a command: that you, being kept in ignorance that you were deserted, your attention might not be drawn away from the fight, and that the enemy might be inspired with terror and dismay, conceiving themselves to be surrounded on the rear. Nor is that guilt, which I

now complain of, shared by all the Albans. They merely followed their leader, as you too would have done, had I wished to turn my army away to any other point from thence. It is Mettius there who is the leader of this march: it is Mettius also who the contriver of this war is: it is Mettius who is the violator of the treaty between Rome and Alba. Let another hereafter venture to do the like, if I do not presently make of him a signal example to mankind." The centurions in arms stood around Mettius: the king proceeded with the rest of his speech as he had commenced: "It is my intention, and may it prove fortunate, happy, and auspicious to the Roman people, to myself, and to you, O Albans, to transplant all the inhabitants of Alba to Rome, to grant your commons the rights of citizenship, to admit your nobles into the body of senators, to make one city, one state: as the Alban state after being one people was formerly divided into two, so let it now again become one." On hearing this the Alban youth, unarmed, surrounded by armed men, although divided in their sentiments, yet under pressure of the general apprehension maintained silence. Then Tullus proceeded: "If, Mettius Fufetius, you were capable of learning fidelity, and how to observe treaties, I would have suffered you to live and have given you such a lesson. But as it is, since your disposition is incurable, do you at any rate by your punishment teach mankind to consider those obligations sacred, which have been violated by you? As therefore a little while since you kept your mind divided between the interests of Fidenae and of Rome, so shall you now surrender your body to be torn asunder in different directions." Upon this, two chariots drawn by four horses being brought up, he bound Mettius stretched at full length to their carriages: then the horses were driven in different directions, carrying off his mangled body on each carriage, where the limbs had remained hanging to the cords. All turned away their eyes from so shocking a spectacle. That was the first and last instance among the Romans of a punishment which established a precedent that showed but little regard for the laws of humanity. In other cases we may boast that no other nation has approved of milder forms of punishment.[28]

Meanwhile the cavalry had already been sent on to Alba, to transplant the people to Rome. The legions were next led thither to demolish the city. When they entered the gates, there was not indeed such a tumult or panic as usually prevails in captured cities, when, after the gates have been burst open, or the walls levelled by the battering-ram, or the citadel taken by assault, the shouts of the enemy and rush of armed men through the city throws everything into confusion with fire and sword: but gloomy silence and speechless sorrow so stupefied the minds of all, that, through fear, paying no heed as to what they should leave behind, what they should take with them, in their perplexity, making frequent inquiries one of another, they now stood on the thresholds, now wandering about, roamed through their houses, which they were destined to see then for the last time. When now the shouts of the horsemen commanding them to depart became urgent, and the crash of the dwellings which were being demolished was heard in the remotest parts of the city, and the dust, rising from distant places, had filled every quarter as with a cloud spread over them; then, hastily carrying out whatever each of them could, while they went forth, leaving behind them their guardian deity and household gods,[29] and the homes in which each had been born and brought up, an unbroken line of emigrants soon filled the streets, and the sight of others caused their tears to break out afresh in pity for one another: piteous cries too were heard, of the women more especially, as they passed by their revered temples now beset with armed men, and left their gods as it were in captivity. After the Albans had evacuated the town, the Roman soldiery levelled all the public and private buildings indiscriminately to the ground, and a single hour consigned to destruction and ruin the work of four hundred years, during which Alba had stood. The temples of the gods, however—for so it had been ordered by the king—were spared.

In the meantime Rome increased by the destruction of Alba. The number of citizens was doubled. The Coelian Mount was added to the city, and, in order that it might be more thickly populated, Tullus selected it as a site for his palace, and subsequently took up his abode there. The leading men of the Albans he enrolled among the patricians, that that division of the state also might increase, the Tullii, Servilii, Quinctii, Geganii, Curiatii, Cloelii; and as a consecrated place of meeting for the order thus augmented by himself he built a senate-house, which was called Hostilia[30] even down to the time of our fathers. Further, that all ranks might acquire some additional strength from the new people, he chose ten troops of horsemen from among the Albans: he likewise recruited the old legions, and raised new ones, by additions from the same source. Trusting to this increase of strength, Tullus declared war against the Sabines, a nation at that time the most powerful, next to the Etruscans, in men and arms. On both sides wrongs had been committed, and satisfaction demanded in vain. Tullus complained that some Roman merchants had been seized in a crowded market near the temple of Feronia:[31] the Sabines that some of their people had previously taken refuge in the asylum, and had been detained at Rome. These were put forward as the causes of the war. The Sabines, well aware both that a portion of their strength had been settled at Rome by Tatius, and that the Roman power had also been lately increased by the accession of the Alban people, began, in like manner, to look around for foreign aid themselves. Etruria was in their neighbourhood; of the Etruscans the Veientes were the nearest. From thence they attracted some volunteers, whose minds were stirred up to break the truce, chiefly in consequence of the rankling animosities from former wars. Pay also had its weight with some

stragglers belonging to the indigent population. They were assisted by no aid from the government, and the loyal observation of the truce concluded with Romulus was strictly kept by the Veientes: with respect to the others it is less surprising. While both sides were preparing for war with the utmost vigour, and the matter seemed to turn on this, which side should first commence hostilities, Tullus advanced first into the Sabine territory. A desperate battle took place at the wood called Malitiosa, in which the Roman army gained a decisive advantage, both by reason of the superior strength of their infantry, and also, more especially, by the aid of their cavalry, which had been recently increased. The Sabine ranks were thrown into disorder by a sudden charge of the cavalry, nor could they afterward stand firm in battle array, or retreat in loose order without great slaughter.

After the defeat of the Sabines, when the government of Tullus and the whole Roman state enjoyed great renown, and was highly flourishing, it was announced to the king and senators, that it had rained stones on the Alban Mount. As this could scarcely be credited, on persons being sent to investigate the prodigy, a shower of stones fell from heaven before their eyes, just as when balls of hail are pelted down to the earth by the winds. They also seemed to hear a loud voice from the grove on the summit of the hill, bidding the Albans perform their religious services according to the rites of their native country, which they had consigned to oblivion, as if their gods had been abandoned at the same time as their country; and had either adopted the religious rites of Rome, or, as often happens, enraged at their evil destiny, had altogether renounced the worship of the gods. A festival of nine days was instituted publicly by the Romans also on account of the same prodigy, either in obedience to the heavenly voice sent from the Alban Mount—for that, too, is reported—or by the advice of the soothsayers. Anyhow, it continued a solemn observance, that, whenever a similar prodigy was announced, a festival for nine days was observed. Not long after, they were afflicted with an epidemic; and though in consequence of this there arose an unwillingness to serve, yet no respite from arms was given them by the warlike king, who considered besides that the bodies of the young men were more healthy when on service abroad than at home, until he himself also was attacked by a lingering disease. Then that proud spirit and body became so broken, that he, who had formerly considered nothing less worthy of a king than to devote his mind to religious observances, began to pass his time a slave to every form of superstition, important and trifling, and filled the people's minds also with religious scruples. The majority of his subjects, now desiring the restoration of that state of things which had existed under King Numa, thought that the only chance of relief for their diseased bodies lay in grace and compassion being obtained from the gods. It is said that the king himself, turning over the commentaries of Numa, after he had found 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 those solemnities, but that that rite was not duly undertaken or carried out, and that not only was no heavenly manifestation vouchsafed to him, but he and his house were struck by lightning and burned to ashes, through theanger of Jupiter, who was exasperated at the ceremony having been improperly performed.[32] Tullus reigned two-and-thirty years with great military renown.

On the death of Tullus, according to the custom established in the first instance, the government devolved once more upon the senate, who nominated an interrex; and on his holding the comitia, the people elected Ancus Marciusking. The fathers ratified the election. Ancus Marcius was the grandson of King Numa Pompilius by his daughter. As soon as he began to reign, mindful of the renown of his grandfather, and reflecting that the last reign, glorious as it had been in every other respect, in one particular had not been adequately prosperous, either because the rites of religion had been utterly neglected, or improperly performed, and deeming it of the highest importance to perform the public ceremonies of religion, as they had been instituted by Numa, he ordered the pontiff, after he had recorded them all from the king's commentaries on white tables, to set them up in a public place. Hence, as both his own subjects, and the neighbouring nations desired peace, hope was entertained that the king would adopt the conduct and institutions of his grandfather. Accordingly, the Latins, with whom a treaty had been concluded in the reign of Tullus, gained fresh courage; and, after they had invaded Roman territory, returned a contemptuous answer to the Romans when they demanded satisfaction, supposing that the Roman king would spend his reign in indolence among chapels and altars. The disposition of Ancus was between two extremes, preserving the qualities of both Numa and Romulus; and, besides believing that peace was more necessary in his grandfather's reign, since the people were then both newly formed and uncivilized, he also felt that he could not easily preserve the tranquility unmolested which had fallen to his lot: that his patience was being tried and being tried, was despised: and that the times generally were more suited to a King Tullus than to a Numa. In order, however, that, since Numa had instituted religious rites in peace, ceremonies relating to war might be drawn up by him, and that wars might not only be waged, but proclaimed also in accordance with some prescribed form, he borrowed from an ancient nation, the Æquicolae, and drew up the form which the heralds observe to this day, according to which restitution is demanded. The ambassador, when he reaches the frontiers of the people from whom satisfaction is demanded, having his head covered with a fillet—this covering is of wool—says: "Hear, O Jupiter, hear, ye confines" (naming whatsoever nation they belong to), "let divine justice hear. I am the public messenger of the Roman people; I come

deputed by right and religion, and let my words gain credit." He then definitely states his demands; afterward he calls Jupiter to witness: "If I demand these persons and these goods to be given up to me contrary to human or divine right, then mayest thou never permit me to enjoy my native country." These words he repeats when he passes over the frontiers: the same to the first man he meets: the same on entering the gate: the same on entering the forum, with a slight change of expression in the form of the declaration and drawing up of the oath. If the persons whom he demands are not delivered up, after the expiration of thirty-three days—for this number is enjoined by rule—he declares war in the following terms: "Hear, Jupiter, and thou, Janus Quirinus, and all ye celestial, terrestrial, and infernal gods, give ear! I call you to witness, that this nation "(mentioning its name)" is unjust, and does not carry out the principles of justice: however, we will consult the elders in our own country concerning those matters, by what means we may obtain our rights." The messenger returns with them to Rome to consult. The king used immediately to consult the fathers as nearly as possible in the following words: "Concerning such things, causes of dispute, and quarrels, as the pater patratus of the Roman people, the Quirites, has treated with the pater patratus of the ancient Latins, and with the ancient Latin people, which things ought to be given up, made good, discharged, which things they have neither given up, nor made good, nor discharged, declare," says he to him, whose opinion he asked first, "what think you?" Then he replies: "I think that they should be demanded by a war free from guilt and regularly declared; and accordingly I agree, and vote for it." Then the others were asked in order, and when the majority of those present expressed the same opinion, war was agreed upon. It was customary for the fetialis to carry in his hand a spear pointed with steel, or burned at the end and dipped in blood, to the confines of the enemy's country, and in presence of at least three grown-up persons, to say, "Forasmuch as the states of the ancient Latins, and the ancient Latin people, have offended against the Roman people of the Quirites, forasmuch as the Roman people of the Quirites have ordered that there should be war with the ancient Latins, and the senate of the Roman people, the Quirites, have given their opinion, agreed, and voted that war should be waged with the ancient Latins, on this account I and the Roman people declare and wage war on the states of the ancient Latins, and on the ancient Latin people." Whenever he said that, he used to hurl the spear within their confines. After this manner at that time satisfaction was demanded from the Latins, and war proclaimed: and posterity has adopted that usage.

Ancus, having intrusted the care of sacred matters to the flamen and other priests, set out with an army freshly levied, and took Politorium, a city of the Latins, by storm: and following the example of former kings, who had increased the Roman power by incorporating enemies into the state, transplanted all the people to Rome. And since the Sabines had occupied the Capitol and citadel, and the Albans the Coelian Mount on both sides of the Palatium, the dwelling-place of the old Romans, the Aventine was assigned to the new people; not long after, on the capture of Tellenae and Ficana, new citizens were added to the same quarter. After this Politorium, which the ancient Latins had taken possession of when vacated, was taken a second time by force of arms. This was the cause of the Romans demolishing that city that it might never after serve as a place of refuge for the enemy. At last, the war with the Latins being entirely concentrated at Medullia, the contest was carried on there for some time with changing success, according as the fortune of war varied: for the town was both well protected by fortified works, and strengthened by a powerful garrison, and the Latins, having pitched their camp in the open, had several times come to a close engagement with the Romans. At last Ancus, making an effort with all his forces, first defeated them in a pitched battle, and, enriched by considerable booty, returned thence to Rome: many thousands of the Latins were then also admitted to citizenship, to whom, in order that the Aventine might be united to the Palatium, a settlement was assigned near the Temple of Murcia.[33] was likewise added not from want of room, but lest at any time it should become a stronghold for the enemy. It was resolved that it should not only be surrounded by a wall, but also, for convenience of passage, be united to the city by a wooden bridge, which was then for the first time built across the Tiber. The fossa Quiritium, no inconsiderable defence in places where the ground was lower and consequently easier of access, was also the work of King Ancus. The state being augmented by such great accessions, seeing that, amid such a multitude of inhabitants (all distinction of right and wrong being as yet confounded), secret crimes were committed, a prison [34] was built in the heart of the city, overlooking the forum, to intimidate the growing licentiousness. And not only was the city increased under this king, but also its territory and boundaries. After the Mesian forest had been taken from the Veientines, the Roman dominion was extended as far as the sea, and the city of Ostia built at the mouth of the Tiber; salt-pits were dug around it, and, in consequence of the distinguished successes in war, the Temple of Jupiter Feretrius was enlarged.

In the reign of Ancus, Lucumo,[35] a wealthy and enterprising man, came to settle at Rome, prompted chiefly by the desire and hope of high preferment, which he had no opportunity of obtaining at Tarquinii (for there also he was descended from an alien stock). He was the son of Demaratus, a Corinthian, who, an exile from his country on account of civil disturbances had chanced to settle at Tarquinii, and having married a wife there, had two sons by her. Their names were Lucumo and Arruns. Lucumo survived his father, and became heir to all his property. Arruns died before his father, leaving

a wife pregnant. The father did not long survive the son, and as he, not knowing that his daughter-in-law was pregnant, had died without mentioning his grandchild in his will, the boy who was born after the death of his grandfather, and had no share in his fortune, was given the name of Egerius on account of his poverty. Lucumo, who was, on the other hand, the heir of all his father's property, being filled with high aspirations by reason of his wealth, had these ambitions greatly advanced by his marriage with Tanaquil, who was descended from a very high family, and was a woman who would not readily brook that the condition into which she had married should be inferior to that in which she had been born. As the Etruscans despised Lucumo, as being sprung from a foreign exile, she could not put up with the affront, and, regardless of the natural love of her native country, provided only she could see her husband advanced to honour, she formed the design of leaving Tarquinii. Rome seemed particularly suited for that purpose. In a state, lately founded, where all nobility is rapidly gained and as the reward of merit, there would be room (she thought) for a man of courage and activity. Tatius, a Sabine, had been king of Rome: Numa had been sent for from Cures to reign there: Ancus was sprung from a Sabine mother, and rested his title to nobility on the single statue of Numa.[36] Without difficulty she persuaded him, being, as he was, ambitious of honours, and one to whom Tarquinii was his country only on his mother's side. Accordingly, removing their effects, they set out for Rome. They happened to have reached the Janiculum: there, as he sat in the chariot with his wife, an eagle, gently swooping down on floating wings, took off his cap, and hovering above the chariot with loud screams, as if it had been sent from heaven for that very purpose, carefully replaced it on his head, and then flew aloft out of sight. Tanaquil is said to have joyfully welcomed this omen, being a woman well skilled, as the Etruscans generally are, in celestial prodigies, and, embracing her husband, bade him hope for a high and lofty destiny: that such a bird had come from such a quarter of the heavens, and the messenger of such a god: that it had declared the omen around the highest part of man: that it had lifted the ornament placed on the head of man, to restore it to him again, by direction of the gods. Bearing with them such hopes and thoughts, they entered the city, and having secured a dwelling there, they gave out his name as Lucius Tarquinius Priscus. The fact that he was a stranger and his wealth rendered him an object of attention to the Romans. He himself also promoted his own good fortune by his affable address, by the courteousness of his invitations, and by gaining over to his side all whom he could by acts of kindness, until reports concerning him reached even to the palace: and that notoriety he, in a short time, by paying his court to the king without truckling and with skilful address, improved so far as to be admitted on a footing of intimate friendship, so much so that he was present at all public and private deliberations alike, both foreign and domestic; and being now proved in every sphere, he was at length, by the king's will, also appointed guardian to his children.

Ancus reigned twenty-four years, equal to any of the former kings both in the arts of war and peace, and in renown. His sons were now nigh the age of puberty; for which reason Tarquin was more urgent that the assembly for the election of a king should be held as soon as possible. The assembly having been proclaimed, he sent the boys out of the way to hunt just before the time of the meeting. He is said to have been the first who canvassed for the crown, and to have made a speech expressly worded with the object of gaining the affections of the people: saying that he did not aim at anything unprecedented, for that he was not the first foreigner (a thing at which any one might feel indignation or surprise), but the third who aspired to the sovereignty of Rome. That Tatius who had not only been an alien, but even an enemy, had been made king; that Numa, who knew nothing of the city, and without solicitation on his part, had been voluntarily invited by them to the throne. That he, from the time he was his own master, had migrated to Rome with his wife and whole fortune, and had spent a longer period of that time of life, during which men are employed in civil offices, at Rome, than he had in his native country; that he had both in peace and war become thoroughly acquainted with the political and religious institutions of the Romans, under a master by no means to be despised, King Ancus himself; that he had vied with all in duty and loyalty to his king, and with the king himself in his bounty to others. While he was recounting these undoubted facts, the people with great unanimity elected him king. The same spirit of ambition which had prompted Tarquin, in other respects an excellent man, to aspire to the crown, attended him also on the throne. And being no less mindful of strengthening his own power, than of increasing the commonwealth, he elected a hundred new members into the senate, who from that time were called minorum gentium, a party who stanchly supported the king, by whose favour they had been admitted into the senate. The first war he waged was with the Latins, in whose territory he took the town of Apiolae by storm, and having brought back thence more booty than might have been expected from the reported importance of the war, he celebrated games with more magnificence and display than former kings. The place for the circus, which is now called Maximus, was then first marked out, and spaces were apportioned to the senators and knights, where they might each erect seats for themselves: these were called fori (benches). They viewed the games from scaffolding which supported seats twelve feet in height from the ground. The show consisted of horses and boxers that were summoned, chiefly from Etruria. These solemn games, afterward celebrated annually, continued an institution, being afterward variously called the Roman and Great games. By the same king also spaces round the forum were assigned to private individuals for building on; covered walks and shops were erected.

He was also preparing to surround the city with a stone wall, when a war with the Sabines interrupted his plans. The whole thing was so sudden, that the enemy passed the Anio before the Roman army could meet and prevent them: great alarm therefore was felt at Rome. At first they fought with doubtful success, and with great slaughter on both sides. After this, the enemy's forces were led back into camp, and the Romans having thus gained time to make preparations for the war afresh, Tarquin, thinking that the weak point of his army lay specially in the want of cavalry, determined to add other centuries to the Ramnenses, Titienses, and Luceres which Romulus had enrolled, and to leave them distinguished by his own name. Because Romulus had done this after inquiries by augury, Attus Navius, a celebrated soothsayer of the day, insisted that no alteration or new appointment could be made, unless the birds had approved of it. The king, enraged at this, and, as they say, mocking at his art, said, "Come, thou diviner, tell me, whether what I have in my mind can be done or not?" When Attus, having tried the matter by divination, affirmed that it certainly could, "Well, then," said he, "I was thinking that you should cut asunder this whetstone with a razor. Take it, then, and perform what thy birds portend can be done." Thereupon they say that he immediately cut the whetstone in two. A statue of Attus, with his head veiled, was erected in the comitium, close to the steps on the left of the senate-house, on the spot where the event occurred. They say also that the whetstone was deposited in the same place that it might remain as a record of that miracle to posterity. Without doubt so much honour accrued to auguries and the college of augurs, that nothing was subsequently undertaken either in peace or war without taking the auspices, and assemblies of the people, the summoning of armies, and the most important affairs of state were put off, whenever the birds did not prove propitious. Nor did Tarquin then make any other alteration in the centuries of horse, except that he doubled the number of men in each of these divisions, so that the three centuries consisted of one thousand eight hundred knights; only, those that were added were called "the younger," but by the same names as the earlier, which, because they have been doubled, they now call the six centuries.

This part of his forces being augmented, a second engagement took place with the Sabines. But, besides that the strength of the Roman army had been thus augmented, a stratagem also was secretly resorted to, persons being sent to throw into the river a great quantity of timber that lay on the banks of the Anio, after it had been first set on fire; and the wood, being further kindled by the help of the wind, and the greater part of it, that was placed on rafts, being driven against and sticking in the piles, fired the bridge. This accident also struck terror into the Sabines during the battle, and, after they were routed, also impeded their flight. Many, after they had escaped the enemy, perished in the river: their arms floating down the Tiber to the city, and being recognised, made the victory known almost before any announcement of it could be made. In that action the chief credit rested with the cavalry: they say that, being posted on the two wings, when the centre of their own infantry was now being driven back, they charged so briskly in flank, that they not only checked the Sabine legions who pressed hard on those who were retreating, but suddenly put them to flight. The Sabines made for the mountains in disordered flight, but only a few reached them; for, as has been said before, most of them were driven by the cavalry into the river. Tarquin, thinking it advisable to press the enemy hard while in a state of panic, having sent the booty and the prisoners to Rome, and piled in a large heap and burned the enemy's spoils, vowed as an offering to Vulcan, proceeded to lead his army onward into the Sabine territory. And though the operation had been unsuccessfully carried out, and they could not hope for better success; yet, because the state of affairs did not allow time for deliberation, the Sabines came out to meet him with a hastily raised army. Being again routed there, as the situation had now become almost desperate, they sued for peace. Collatia and all the land round about was taken from the Sabines, and Egerius, son of the king's brother, was left there in garrison. I learn that the people of Collatia were surrendered, and that the form of the surrender was as follows. The king asked them, "Are ye ambassadors and deputies sent by the people of Collatia to surrender yourselves and the people of Collatia?" "We are." "Are the people of Collatia their own masters?" "They are." "Do ye surrender yourselves and the people of Collatia, their city, lands, water, boundaries, temples, utensils, and everything sacred or profane belonging to them, into my power, and that of the Roman people?" "We do." "Then I receive them." When the Sabine war was finished, Tarquin returned in triumph to Rome. After that he made war upon the ancient Latins, wherein they came on no occasion to a decisive engagement; yet, by shifting his attack to the several towns, he subdued the whole Latin nation. Corniculum, old Ficulea, Cameria, Crustumerium, Ameriola, Medullia, and Nomentum, towns which either belonged to the ancient Latins, or which had revolted to them, were taken from them. Upon this, peace was concluded. Works of peace were then commenced with even greater spirit than the efforts with which he had conducted his wars, so that the people enjoyed no more repose at home than it had already enjoyed abroad; for he set about surrounding the city with a stone wall, on the side where he had not yet fortified it, the beginning of which work had been interrupted by the Sabine war; and the lower parts of the city round the forum, and the other valleys lying between the hills, because they could not easily carry off the water from the flat grounds, he drained by means of sewers conducted down a slope into the Tiber. He also levelled an open space for a temple of Jupiter in the Capitol, which he had vowed to him in the Sabine war: as his mind even then forecast the future grandeur of the place, he took possession of the site by laying its foundations.

At that time a prodigy was seen in the palace, which was marvellous in its result. It is related that the head of a boy, called Servius Tullius, as he lay asleep, blazed with fire in the presence of several spectators: that, on a great noise being made at so miraculous a phenomenon, the king and queen were awakened: and when one of the servants was bringing water to put out the flame, that he was kept back by the queen, and after the disturbance was quieted, that she forbade the boy to be disturbed till he should awaken of his own accord. As soon as he awoke the flame disappeared. Then Tanaquil, taking her husband apart, said: "Do you see this boy whom bringing up in so mean a style? Be assured that some time hereafter he will be a light to us in our adversity, and a protector of our royal house when in distress. Henceforth let us, with all the tenderness we can, train up this youth, who is destined to prove the source of great glory to our family and state." From this time the boy began to be treated as their own son, and instructed in those accomplishments by which men's minds are roused to maintain high rank with dignity. This was easily done, as it was agreeable to the gods. The young man turned out to be of truly royal disposition: nor when a son-in-law was being sought for Tarquin, could any of the Roman youth be compared to him in any accomplishment: therefore the king betrothed his own daughter to him. The fact of this high honour being conferred upon him from whatever cause, forbids us to believe that he was the son of a slave, or that he had himself been a slave when young. I am rather of the opinion of those who say that, on the taking of Corniculum, the wife of Servius Tullius, who had been the leading man in that city, being pregnant when her husband was slain, since she was known among the other female prisoners, and, in consequence of her distinguished rank, exempted from servitude by the Roman queen, was delivered of a child at Rome, in the house of Tarquinius Priscus: upon this, that both the intimacy between the women was increased by so great a kindness, and that the boy, as he had been brought up in the family from his infancy, was beloved and respected; that his mother's lot, in having fallen into the hands of the enemy after the capture of her native city, caused him to be thought to be the son of a slave.

About the thirty-eighth year of Tarquin's reign, Servius Tullius enjoyed the highest esteem, not only of the king, but also of the senate and people. At this time the two sons of Ancus, though they had before that always considered it the highest indignity that they had been deprived of their father's crown by the treachery of their guardian, that a stranger should be King of Rome, who not only did not belong to a neighbouring, but not even to an Italian family, now felt their indignation roused to a still higher pitch at the idea that the crown would not only not revert to them after Tarquin, but would descend even lower to slaves, so that in the same state, about the hundredth year after Romulus, descended from a deity, and a deity himself, had occupied the throne as long as he lived, Servius, one born of a slave, would possess it: that it would be the common disgrace both of the Roman name, and more especially of their family, if, while there was male issue of King Ancus still living, the sovereignty of Rome should be accessible not only to strangers, but even to slaves. They determined therefore to prevent that disgrace by the sword. But since resentment for the injury done to them incensed them more against Tarquin himself, than against Servius, and the consideration that a king was likely to prove a more severe avenger of the murder, if he should survive, than a private person; and moreover, even if Servius were put to death, it seemed likely that he would adopt as his successor on the throne whomsoever else he might have selected as his son-in-law. For these reasons the plot was laid against the king himself. Two of the most brutal of the shepherds, chosen for the deed, each carrying with him the iron tools of husbandmen to the use of which he had been accustomed, by creating as great a disturbance as they could in the porch of the palace, under pretence of a quarrel, attracted the attention of all the king's attendants to themselves; then, when both appealed to the king, and their clamour had reached even the interior of the palace, they were summoned and proceeded before him. At first both shouted aloud, and vied in clamouring against each other, until, being restrained by the lictor, and commanded to speak in turns, they at length ceased railing: as agreed upon, one began to state his case. While the king's attention, eagerly directed toward the speaker, was diverted from the second shepherd, the latter, raising up his axe, brought it down upon the king's head, and, leaving the weapon in the wound, both rushed out of the palace.

When those around had raised up Tarquin in a dying state, the lictors seized the shepherds, who were endeavouring to escape. Upon this an uproar ensued and a concourse of people assembled, wondering what was the matter. Tanaquil, amid the tumult, ordered the palace to be shut, and thrust out all spectators: at the same time she carefully prepared everything necessary for dressing the wound, as if a hope still remained: at the same time, she provided other means of safety, in case her hopes should prove false. Having hastily summoned Servius, after she had shown him her husband almost at his last gasp, holding his right hand, she entreated him not to suffer the death of his father-in-law to pass unavenged, nor to allow his mother-in-law to be an object of scorn to their enemies. "Servius," said she, "if you are a man, the kingdom belongs to you, not to those, who, by the hands of others, have perpetrated a most shameful deed. Rouse yourself, and follow the guidance of the gods, who portended that this head of yours would be illustrious by formerly shedding a divine blaze around it. Now let that celestial flame arouse you. Now awake in earnest. We, too, though foreigners, have reigned. Consider who you are, not whence you are sprung. If your own plans are rendered useless by reason of the

suddenness of this event, then follow mine." When the uproar and violence of the multitude could scarcely be endured, Tanaquil addressed the populace from the upper part of the palace [37] through the windows facing the New Street (for the royal residence was near the Temple of Jupiter Stator). She bade them be of good courage; that the king was merely stunned by the suddenness of the blow; that the weapon had not sunk deep into his body; that he had already come to his senses again; that the blood had been wiped off and the wound examined; that all the symptoms were favourable; that she was confident they would see him in person very soon; that, in the meantime, he commanded the people to obey the orders of Servius Tullius; that the latter would administer justice, and perform all the other functions of the king. Servius came forth wearing the trabea[38], and attended by lictors, and seating himself on the king's throne, decided some cases, and with respect to others pretended that he would consult the king. Therefore, though Tarquin had now expired, his death was concealed for several days, and Servius, under pretence of discharging the functions of another, strengthened his own influence. Then at length the fact of his death was made public, lamentations being raised in the palace. Servius, supported by a strong body-guard, took possession of the kingdom by the consent of the senate, being the first who did so without the order of the people. The children of Ancus, the instruments of their villainy having been by this time caught, as soon as it was announced that the king still lived, and that the power of Servius was so great, had already gone into exile to Suessa Pometia.

And now Servius began to strengthen his power, not more by public than by private measures; and, that the children of Tarquin might not entertain the same feelings toward himself as the children of Ancus had entertained toward Tarquin, he united his two daughters in marriage to the young princes, the Tarquinii, Lucius and Arruns. He did not, however, break through the inevitable decrees of fate by human counsels, so as to prevent jealousy of the sovereign power creating general animosity and treachery even among the members of his own family. Very opportunely for the immediate preservation of tranquility, a war was undertaken against the Veientes (for the truce had now expired) and the other Etruscans. In that war, both the valour and good fortune of Tullius were conspicuous, and he returned to Rome, after routing a large army of the enemy, undisputed king, whether he tested the dispositions of the fathers or the people. He then set about a work of peace of the utmost importance: that, as Numa had been the author of religious institutions, so posterity might celebrate Servius as the founder of all distinction in the state and of the several orders by which any difference is perceptible between the degrees of rank and fortune. For he instituted the census,[39] a most salutary measure for an empire destined to become so great, according to which the services of war and peace were to be performed, not by every man, as formerly, but in proportion to his amount of property. Then he divided the classes and centuries according to the census, and introduced the following arrangement, eminently adapted either for peace or war.

Of those who possessed property to the value of a hundred thousand asses[40] and upward, he formed eighty centuries, forty of seniors[41] and forty of juniors.[42] All these were called the first class, the seniors to be in readiness to guard the city, the juniors to carry on war abroad. The arms they were ordered to wear consisted of a helmet, a round shield, greaves, and a coat of mail, all of brass; these were for the defence of the body: their weapons of offence were a spear and a sword. To this class were added two centuries of mechanics, who were to serve without arms: the duty imposed upon them was that of making military engines in time of war. The second class included all those whose property varied between seventy-five and a hundred thousand asses, and of these, seniors and juniors twenty centuries were enrolled. The arms they were ordered to wear consisted of a buckler instead of a shield, and, except a coat of mail, all the rest were the same. He decided that the property of the third class should amount to fifty thousand asses: the number of its centuries was the same, and formed with the same distinction of age: nor was there any change in their arms, only the greaves were dispensed with. In the fourth class, the property was twenty-five thousand asses: the same number of centuries was formed; their arms were changed, nothing being given them but a spear and a short javelin. The fifth class was larger, thirty centuries being formed: these carried slings and stones for throwing. Among them the supernumeraries, the horn-blowers and the trumpeters, were distributed into three centuries. This class was rated at eleven thousand asses. Property lower than this embraced the rest of the citizens, and of them one century was made up which was exempted from military service. Having thus arranged and distributed the infantry, he enrolled twelve centuries of knights from among the chief men of the state. While Romulus had only appointed three centuries, Servius formed six others under the same names as they had received at their first institution. Ten thousand asses were given them out of the public revenue, to buy horses, and a number of widows assigned them, who were to contribute two thousand asses yearly for the support of the horses. All these burdens were taken off the poor and laid on the rich. Then an additional honour was conferred upon them: for the suffrage was not now granted promiscuously to all—a custom established by Romulus, and observed by his successors—to every man with the same privilege and the same right, but gradations were established, so that no one might seem excluded from the right of voting, and yet the whole power might reside in the chief men of the state. For the knights were first called to vote, and then the eighty centuries of the first class, consisting of the first class of the infantry: if there occurred a difference of opinion among them,

which was seldom the case, the practice was that those of the second class should be called, and that they seldom descended so low as to come down to the lowest class. Nor need we be surprised, that the present order of things, which now exists, after the number of the tribes was increased to thirty-five, their number being now double of what it was, should not agree as to the number of centuries of juniors and seniors with the collective number instituted by Servius Tullius. For the city being divided into four districts, according to the regions and hills which were then inhabited, he called these divisions, tribes, as I think, from the tribute. For the method of levying taxes ratably according to the value of property was also introduced by him: nor had these tribes any relation to the number and distribution of the centuries.

The census being now completed, which he had brought to a speedy close by the terror of a law passed in reference to those who were not rated, under threats of imprisonment and death, he issued a proclamation that all the Roman citizens, horse and foot, should attend at daybreak in the Campus Martius, each in his century. There he reviewed the whole army drawn up in centuries, and purified it by the rite called Suovetaurilia,[43] and that was called the closing of the lustrum, because it was the conclusion of the census. Eighty thousand citizens are said to have been rated in that survey. Fabius Pictor, the most ancient of our historians, adds that that was the number of those who were capable of bearing arms. To accommodate that vast population the city also seemed to require enlargement. He took in two hills, the Quirinal and Viminal; then next he enlarged the Esquiline, and took up his own residence there, in order that dignity might be conferred upon the place. He surrounded the city with a rampart, a moat, and a wall:[44] thus he enlarged the pomerium. Those who regard only the etymology of the word, will have the pomerium to be a space of ground behind the walls: whereas it is rather a space on each side of the wall, which the Etruscans, in building cities, formerly consecrated by augury, within certain limits, both within and without, in the direction they intended to raise the wall: so that the houses might not be erected close to the walls on the inside, as people commonly unite them now, and also that there might be some space without left free from human occupation. This space, which was forbidden to be tilled or inhabited, the Romans called pomerium, not so much from its being behind the wall, as from the wall being behind it: and in enlarging the boundaries of the city, these onsecrated limits were always extended, as far as the walls were intended to be advanced.

When the population had been increased in consequence of the enlargement of the city, and everything had been organized at home to meet the exigencies both of peace and war, that the acquisition of power might not always depend on mere force of arms, he endeavoured to extend his empire by policy and at the same time to add some ornament to the city. The Temple of Diana at Ephesus was even then in high renown; it was reported that it had been built by all the states of Asia in common. When Servius, in the company of some Latin nobles with whom he had purposely formed ties of hospitality and friendship, both in public and private, extolled in high terms such harmony and association of their gods, by frequently harping upon the same subject, he at length prevailed so far that the Latin states agreed to build a temple of Diana at Rome[45] in conjunction with the Roman people. This was an acknowledgment that the headship of affairs, concerning which they had so often disputed in arms, was centred in Rome. An accidental opportunity of recovering power by a scheme of his own seemed to present itself to one of the Sabines, though that object appears to have been left out of consideration by all the Latins, in consequence of the matter having been so often attempted unsuccessfully by arms. A cow of surprising size and beauty is said to have been calved to a certain Sabine, the head of a family: her horns, which were hung up in the porch of the Temple of Diana, remained for many ages, to bear record to this marvel. The thing was regarded in the light of a prodigy, as indeed it was, and the soothsayers declared that sovereignty should reside in that state, a citizen of which had sacrificed this heifer to Diana. This prediction had also reached the ears of the high priest of the Temple of Diana. The Sabine, as soon as a suitable day for the sacrifice seemed to have arrived, drove the cow to Rome, led her to the Temple of Diana, and set her before the altar. There the Roman priest, struck with the size of the victim, so celebrated by fame, mindful of the response of the soothsayers, thus accosted the Sabine: "What dost thou intend to do, stranger?" said he; "with impure hands to offer sacrifice to Diana? Why dost not thou first wash thyself in running water? The Tiber runs past at the bottom of the valley." The stranger, seized with religious awe, since he was desirous of everything being done in due form, that the event might correspond with the prediction, forthwith went down to the Tiber. In the meantime the Roman priest sacrificed the cow to Diana, gave great satisfaction to the king, and to the whole state.

Servius, though he had now acquired an indisputable right to the kingdom by long possession, yet, as he heard that expressions were sometimes thrown out by young Tarquin, to the effect that he occupied the throne without the consent of the people, having first secured the good-will of the people by dividing among them, man by man, the land taken from their enemies, he ventured to propose the question to them, whether they chose and ordered that he should be king, and was declared king with greater unanimity than any other of his predecessors. And yet even this circumstance did not lessen Tarquin's hope of obtaining the throne; nay, because he had observed that the matter of the

distribution of land to the people was against the will of the fathers, he thought that an opportunity was now presented to him of arraigning Servius before the fathers with greater violence, and of increasing his own influence in the senate, being himself a hot-tempered youth, while his wife Tullia roused his restless temper at home. For the royal house of the Roman kings also exhibited an example of tragic guilt, so that through their disgust of kings, liberty came more speedily, and the rule of this king, which was attained through crime, was the last. This Lucius Tarquinius (whether he was the son or grandson of Tarquinius Priscus is not clear: following the greater number of authorities, however, I should feel inclined to pronounce him his son) had a brother, Arruns Tarquinius, a youth of a mild disposition. To these two, as has been already stated, the two Tullias, daughters of the king, had been married, they also themselves being of widely different characters. It had come to pass, through the good fortune, I believe, of the Roman people, that two violent dispositions should not be united in marriage, in order that the reign of Servius might last longer, and the constitution of the state be firmly established. The haughty spirit of Tullia was chagrined, that there was no predisposition in her husband, either to ambition or daring. Directing all her regard to the other Tarquinius, him she admired, him she declared to be a man, and sprung from royal blood; she expressed her contempt for her sister, because, having a man for her husband, she lacked that spirit of daring that a woman ought to possess. Similarity of disposition soon drew them together, as wickedness is in general most congenial to wickedness; but the beginning of the general confusion originated with the woman. Accustomed to the secret conversations of the husband of another, there was no abusive language that she did not use about her husband to his brother, about her sister to her sister's husband, asserting that it would have been better for herself to remain unmarried, and he single, than that she should be united with one who was no fit mate for her, so that her life had to be passed in utter inactivity by reason of the cowardice of another. If the gods had granted her the husband she deserved, she would soon have seen the crown in possession of her own house, which she now saw in possession of her father. She soon filled the young man with her own daring. Lucius Tarquinius and the younger Tullia, when the pair had, by almost simultaneous murders, made their houses vacant for new nuptials, were united in marriage, Servius rather offering no opposition than actually approving.

Then indeed the old age of Tullius began to be every day more endangered, his throne more imperilled. For now the woman from one crime directed her thoughts to another, and allowed her husband no rest either by night or by day, that their past crimes might not prove unprofitable, saying that what she wanted was not one whose wife she might be only in name, or one with whom she might live an inactive life of slavery: what she wanted was one who would consider himself worthy of the throne, who would remember that he was the son of Tarquinius Priscus, who would rather have a kingdom than hope for it. "If you, to whom I consider myself married, are such a one, I greet you both as husband and king; but if not, our condition has been changed so far for the worse, in that in your crime is associated with cowardice. Why do you not gird yourself to the task? You need not, like your father, from Corinth or Tarquinii, struggle for a kingdom in a foreign land. Your household and country's gods, the statue of your father, the royal palace and the kingly throne in that palace, and the Tarquinian name, elect and call you king. Or if you have too little spirit for this, why do you disappoint the state? Why suffer yourself to be looked up to as a prince? Get hence to Tarquinii or Corinth. Sink back again to your original stock, more like your brother than your father." By chiding him with these and other words, she urged on the young man: nor could she rest herself, at the thought that though Tanaquil, a woman of foreign birth, had been able to conceive and carry out so vast a project, as to bestow two thrones in succession on her husband, and then on her son-in-law, she, sprung from royal blood, had no decisive influence in bestowing and taking away a kingdom. Tarquinius, driven on by the blind passion of the woman, began to go round and solicit the support of the patricians, especially those of the younger families:[46] he reminded them of his father's kindness, and claimed a return for it, enticed the young men by presents, increased his influence everywhere both by making magnificent promises on his own part, as well as by accusations against the king. At length, as soon as the time seemed convenient for carrying out his purpose, he rushed into the forum, accompanied by a band of armed men; then, while all were struck with dismay, seating himself on the throne before the senate-house, he ordered the fathers to be summoned to the senate-house by the crier to attend King Tarquinius. They assembled immediately, some having been already prepared for this, others through fear, lest it should prove dangerous to them not to have come, astounded at such a strange and unheard-of event, and considering that the reign of Servius was now at an end. Then Tarquinius began his invectives with his immediate ancestors: That a slave, the son of a slave, after the shameful death of his father, without an interregnum being adopted, as on former occasions, without any election being held, without the suffrages of the people, or the sanction of the fathers, he had taken possession of the kingdom by the gift of a woman; that so born, so created king, a strong supporter of the most degraded class, to which he himself belonged, through a hatred of the high station of others, he had deprived the leading men of the state of their land and divided it among the very lowest; that he had laid all the burdens, which were formerly shared by all alike, on the chief members of the community; that he had instituted the census, in order that the fortune of the wealthier citizens might be conspicuous in order to excite envy, and ready to hand, that out of it he might bestow largesses on the most needy, whenever

he pleased.

Servius, aroused by the alarming announcement, having come upon the scene during this harangue, immediately shouted with a loud voice from the porch of the senate-house: "What means this, Tarquin? By what audacity hast thou dared to summon the fathers, while I am still alive, or to sit on my throne?" When the other haughtily replied, that he, a king's son, was occupying the throne of his father, a much fitter successor to the throne than a slave; that he had insulted his masters full long enough by shuffling insolence, a shout arose from the partisans of both, the people rushed into the senate-house, and it was evident that whoever came off victor would gain the throne. Then Tarquin, forced by actual necessity to proceed to extremities, having a decided advantage both in years and strength, seized Servius by the waist, and having carried him out of the senate-house, hurled him down the steps to the bottom. He then returned to the senate house to assemble the senate. The king's officers and attendants took to flight. The king himself, almost lifeless (when he was returning home with his royal retinue frightened to death and had reached the top of the Cyprian Street), was slain by those who had been sent by Tarquin, and had overtaken him in his flight. As the act is not inconsistent with the rest of her atrocious conduct, it is believed to have been done by Tullia's advice. Anyhow, as is generally admitted, driving into the forum in her chariot, unabashed by the crowd of men present, she called her husband out of the senate-house, and was the first to greet him, king; and when, being bidden by him to withdraw from such a tumult, she was returning home, and had reached the top of the Cyprian Street, where Diana's chapel lately stood, as she was turning on the right to the Urian Hill, in order to ride up to the Esquiline, the driver stopped terrified, and drew in his reins, and pointed out to his mistress the body of the murdered Servius lying on the ground. On this occasion a revolting and inhuman crime is said to have been committed, and the place bears record of it. They call it the Wicked Street, where Tullia, frantic and urged on by the avenging furies of her sister and husband, is said to have driven her chariot over her father's body, and to have carried a portion of the blood of her murdered father on her blood-stained chariot, herself also defiled and sprinkled with it, to her own and her husband's household gods, through whose vengeance results corresponding with the evil beginning of the reign were soon destined to follow. Servius Tullius reigned forty-four years in such a manner that it was no easy task even for a good and moderate successor to compete with him. However, this also has proved an additional source of renown to him that together with him perished all just and legitimate reigns. This same authority, so mild and so moderate, because it was vested in one man, some say that he nevertheless had intended to resign, had not the wickedness of his family interfered with him as he was forming plans for the liberation of his country.

After this period Lucius Tarquinius began to reign, whose acts procured him the surname of Proud, for he, the son-in-law, refused his father-in-law burial, alleging that even Romulus was not buried after death. He put to death the principal senators, whom he suspected of having favoured the cause of Servius. Then, conscious that the precedent of obtaining the crown by evil means might be borrowed from him and employed against himself, he surrounded his person with a body-guard of armed men, for he had no claim to the kingdom except force, as being one who reigned without either the order of the people or the sanction of the senate. To this was added the fact that, as he reposed no hope in the affection of his citizens, he had to secure his kingdom by terror; and in order to inspire a greater number with this, he carried out the investigation of capital cases solely by himself without assessors, and under that pretext had it in his power to put to death, banish, or fine, not only those who were suspected or hated, but those also from whom he could expect to gain nothing else but plunder. The number of the fathers more particularly being in this manner diminished, he determined to elect none into the senate in their place, that the order might become more contemptible owing to this very reduction in numbers, and that it might feel the less resentment at no business being transacted by it. For he was the first of the kings who violated the custom derived from his predecessors of consulting the senate on all matters, and administered the business of the state by taking counsel with his friends alone. War, peace, treaties, alliances, all these he contracted and dissolved with whomsoever he pleased, without the sanction of the people and senate, entirely on his own responsibility. The nation of the Latins he was particularly anxious to attach to him, so that by foreign influence also he might be more secure among his own subjects; and he contracted ties not only of hospitality but also of marriage with their leading men. On Octavius Mamilius of Tusculum, who was by far the most eminent of those who bore the Latin name, being descended, if we believe tradition, from Ulysses and the goddess Circe, he bestowed his daughter in marriage, and by this match attached to himself many of his kinsmen and friends.

The influence of Tarquin among the chief men of the Latins being now considerable, he issued an order that they should assemble on a certain day at the grove of Ferentina,[47] saying that there were matters of common interest about which he wished to confer with them. They assembled in great numbers at daybreak. Tarquinius himself kept the day indeed, but did not arrive until shortly before sunset. Many matters were there discussed in the meeting throughout the day in various conversations. Turnus Herdonius of Aricia inveighed violently against the absent Tarquin, saying that it was no

wonder the surname of Proud was given him at Rome; for so they now called him secretly and in whispers, but still generally. Could anything show more haughtiness than this insolent mockery of the entire Latin nation? After their chiefs had been summoned so great a distance from home, he who had proclaimed the meeting did not attend; assuredly their patience was being tried, in order that, if they submitted to the yoke, he might crush them when at his mercy. For who could fail to see that he was aiming at sovereignty over the Latins? This sovereignty, if his own countrymen had done well in having intrusted it to him, or if it had been intrusted and not seized on by murder, the Latins also ought to intrust to him (and yet not even so, inasmuch as he was a foreigner). But if his own subjects were dissatisfied with him (seeing that they were butchered one after another, driven into exile, and deprived of their property), what better prospects were held out to the Latins? If they listened to him, they would depart thence, each to his own home, and take no more notice of the day of meeting than he who had proclaimed it. When this man, mutinous and full of daring, and one who had obtained influence at home by such methods, was pressing these and other observations to the same effect, Tarquin appeared on the scene. This put an end to his harangue. All turned away from him to salute Tarquin, who, on silence being proclaimed, being advised by those next him to make some excuse for having come so late, said that he had been chosen arbitrator between a father and a son: that, from his anxiety to reconcile them, he had delayed: and, because that duty had taken up that day, that on the morrow he would carry out what he had determined. They say that he did not make even that observation unrebuked by Turnus, who declared that no controversy could be more quickly decided than one between father and son, and that it could be settled in a few words—unless the son submitted to the father, he would be punished.

The Arician withdrew from the meeting, uttering these reproaches against the Roman king. Tarquin, feeling the matter much more sorely than he seemed to, immediately set about planning the death of Turnus, in order to inspire the Latins with the same terror as that with which he had crushed the spirits of his own subjects at home: and because he could not be put to death openly, by virtue of his authority, he accomplished the ruin of this innocent man by bringing a false charge against him. By means of some Aricians of the opposite party, he bribed a servant of Turnus with gold, to allow a great number of swords to be secretly brought into his lodging. When these preparations had been completed in the course of a single night, Tarquin, having summoned the chief of the Latins to him a little before day, as if alarmed by some strange occurrence, said that his delay of yesterday, which had been caused as it were by some providential care of the gods, had been the means of preservation to himself and to them; that he had been told that destruction was being plotted by Turnus for him and the chiefs of the Latin peoples, that he alone might obtain the government of the Latins. That he would have attacked them yesterday at the meeting; that the attempt had been deferred, because the person who summoned the meeting was absent, who was the chief object of his attack? That that was the reason of the abuse heaped upon him during his absence, because he had disappointed his hopes by delaying. That he had no doubt that, if the truth were told him, he would come attended by a band of conspirators, at break of day, when the assembly met, ready prepared and armed. That it was reported that a great number of swords had been conveyed to his house. Whether that was true or not, could be known immediately. He requested them to accompany him thence to the house of Turnus. Both the daring temper of Turnus, and his harangue of the previous day, and the delay of Tarquin, rendered the matter suspicious, because it seemed possible that the murder might have been put off in consequence of the latter. They started with minds inclined indeed to believe, yet determined to consider everything else false, unless the swords were found. When they arrived there, Turnus was aroused from sleep, and surrounded by guards: the slaves, who, from affection to their master, were preparing to use force, being secured, and the swords, which had been concealed, drawn out from all corners of the lodging, then indeed there seemed no doubt about the matter: Turnus was loaded with chains, and forthwith a meeting of the Latins was summoned amid great confusion. There, on the swords being exhibited in the midst, such violent hatred arose against him, that, without being allowed a defence, he was put to death in an unusual manner; he was thrown into the basin of the spring of Ferentina, a hurdle was placed over him, and stones being heaped up in it, he was drowned.

Tarquin then recalled the Latins to the meeting, and having applauded them for having inflicted well-merited punishment on Turnus, as one convicted of murder, by his attempt to bring about a change of government, spoke as follows: That he could indeed proceed by a long-established right; because, since all the Latins were sprung from Alba, they were comprehended in that treaty by which, dating from the time of Tullus, the entire Alban nation, with its colonies, had passed under the dominion of Rome. However, for the sake of the interest of all parties, he thought rather that that treaty should be renewed, and that the Latins should rather share in the enjoyment of the prosperity of the Roman people, than be constantly either apprehending or suffering the demolition of their towns and the devastation of their lands, which they had formerly suffered in the reign of Ancus, and afterward in the reign of his own father. The Latins were easily persuaded, though in that treaty the advantage lay on the side of Rome: however, they both saw that the chiefs of the Latin nation sided with and supported the king, and Turnus was a warning example, still fresh in their recollections, of the danger that

threatened each individually, if he should make any opposition. Thus the treaty was renewed, and notice was given to the young men of the Latins that, according to the treaty, they should attend in considerable numbers in arms, on a certain day, at the grove of Ferentina. And when they assembled from all the states according to the edict of the Roman king, in order that they should have neither a general of their own, nor a separate command, nor standards of their own, he formed mixed companies of Latins and Romans so as out of a pair of companies to make single companies, and out of single companies to make a pair: and when the companies had thus been doubled, he appointed centurions over them.

Nor was Tarquin, though a tyrannical prince in time of peace, an incompetent general in war; nay, he would have equalled his predecessors in that art, had not his degeneracy in other ways likewise detracted from his merit in this respect. He first began the war against the Volsci, which was to last two hundred years after his time, and took Suessa Pometia from them by storm; and when by the sale of the spoils he had realized forty talents of silver, he conceived the idea of building a temple to Jupiter on such a magnificent scale that it should be worthy of the king of gods and men, of the Roman Empire, and of the dignity of the place itself: for the building of this temple he set apart the money realized by the sale of the spoils. Soon after a war claimed his attention, which proved more protracted than he had expected, in which, having in vain attempted to storm Gabii,[48] a city in the neighbourhood, when, after suffering a repulse from the walls, he was deprived also of all hope of taking it by siege, he assailed it by fraud and stratagem, a method by no means natural to the Romans. For when, as if the war had been abandoned, he pretended to be busily engaged in laying the foundations of the temple, and with other works in the city, Sextus, the youngest of his three sons, according to a preconcerted arrangement, fled to Gabii, complaining of the unbearable cruelty of his father toward himself: that his tyranny had now shifted from others against his own family, and that he was also uneasy at the number of his own children, and intended to bring about the same desolation in his own house as he had done in the senate, in order that he might leave behind him no issue, no heir to his kingdom. That for his own part, as he had escaped from the midst of the swords and weapons of his father, he was persuaded he could find no safety anywhere save among the enemies of Lucius Tarquinius: for—let them make no mistake—the war, which it was now pretended had been abandoned, still threatened them, and he would attack them when off their guard on a favourable opportunity. But if there were no refuge for suppliants among them, he would traverse all Latium, and would apply next to the Volscians, Aequans, and Hernicans, until he should come to people who knew how to protect children from the impious and cruel persecutions of parents. That perhaps he would even find some eagerness to take up arms and wage war against this most tyrannical king and his equally savage subjects. As he seemed likely to go further, enraged as he was, if they paid him no regard, he was kindly received by the Gabians. They bade him not be surprised, if one at last behaved in the same manner toward his children as he had done toward his subjects and allies—that he would ultimately vent his rage on himself, if other objects failed him—that his own coming was very acceptable to them, and they believed that in a short time it would come to pass that by his aid the war would be transferred from the gates of Gabii up to the very walls of Rome.

Upon this, he was admitted into their public councils, in which, while, with regard to other matters, he declared himself willing to submit to the judgment of the elders of Gabii, who were better acquainted with them, yet he every now and again advised them to renew the war, claiming for himself superior knowledge in this, on the ground of being well acquainted with the strength of both nations, and also because he knew that the king's pride, which even his own children had been unable to endure, had become decidedly hateful to his subjects. As he thus by degrees stirred up the nobles of the Gabians to renew the war, and himself accompanied the most active of their youth on plundering parties and expeditions, and unreasonable credit was increasingly given to all his words and actions, framed as they were with the object of deceiving, he was at last chosen general-in-chief in the war. In the course of this war when—the people being still ignorant of what was going on—trifling skirmishes with the Romans took place, in which the Gabians generally had the advantage, then all the Gabians, from the highest to the lowest, were eager to believe that Sextus Tarquinius had been sent to them as their general, by the favour of the gods. By exposing himself equally with the soldiers to fatigues and dangers, and by his generosity in bestowing the plunder, he became so loved by the soldiers, that his father Tarquin had not greater power at Rome than his son at Gabii. Accordingly, when he saw he had sufficient strength collected to support him in any undertaking, he sent one of his confidants to his father at Rome to inquire what he wished him to do, seeing the gods had granted him to be all-powerful at Gabii. To this courier no answer by word of mouth was given, because, I suppose, he appeared of questionable fidelity. The king went into a garden of the palace, as if in deep thought, followed by his son's messenger; walking there for some time without uttering a word, he is said to have struck off the heads of the tallest poppies with his staff.[49] The messenger, wearied with asking and waiting for an answer, returned to Gabii apparently without having accomplished his object, and told what he had himself said and seen, adding that Tarquin, either through passion, aversion to him, or his innate pride, had not uttered a single word. As soon as it was clear to Sextus what his father wished, and what

conduct he enjoined by those intimations without words, he put to death the most eminent men of the city, some by accusing them before the people, as well as others, who from their own personal unpopularity were liable to attack. Many were executed publicly, and some, in whose case impeachment was likely to prove less plausible, were secretly assassinated. Some who wished to go into voluntary exile were allowed to do so, others were banished, and their estates, as well as the estates of those who were put to death, publicly divided in their absence. Out of these largesses and plunder were distributed; and by the sweets of private gain the sense of public calamities became extinguished, till the state of Gabii, destitute of counsel and assistance, surrendered itself without a struggle into the power of the Roman king.

Tarquin, having thus gained possession of Gabii, made peace with the nation of the Aequi, and renewed the treaty with the Etruscans. He next turned his attention to the affairs of the city. The chief of these was that of leaving behind him the Temple of Jupiter on the Tarpeian Mount, as a monument of his name and reign; to remind posterity that of two Tarquinii, both kings, the father had vowed, the son completed it.[50] Further, that the open space, to the exclusion of all other forms of worship, might be entirely appropriated to Jupiter and his temple, which was to be erected upon it, he resolved to cancel the inauguration of the small temples and chapels, several of which had been first vowed by King Tatius, in the crisis of the battle against Romulus, and afterward consecrated and dedicated by him. At the very outset of the foundation of this work it is said that the gods exerted their divinity to declare the future greatness of so mighty an empire; for, though the birds declared for the unhallowing of all the other chapels, they did not declare themselves in favour of it in the case of that of Terminus.[51] This omen and augury were taken to import that the fact of Terminus not changing his residence, and that he was the only one of the gods who was not called out of the consecrated bounds devoted to his worship, was a presage of the lasting stability of the state in general. This being accepted as an omen of its lasting character, there followed another prodigy portending the greatness of the empire. It was reported that the head of a man, with the face entire, was found by the workmen when digging the foundation of the temple. The sight of this phenomenon by no doubtful indications portended that this temple should be the seat of empire, and the capital of the world; and so declared the soothsayers, both those who were in the city, and those whom they had summoned from Etruria, to consult on this subject. The king's mind was thereby encouraged to greater expense; in consequence of which the spoils of Pometia, which had been destined to complete the work, scarcely sufficed for laying the foundation. On this account I am more inclined to believe Fabius (not to mention his being the more ancient authority), that there were only forty talents, than Piso, who says that forty thousand pounds of silver by weight were set apart for that purpose, a sum of money neither to be expected from the spoils of any one city in those times, and one that would more than suffice for the foundations of any building, even the magnificent buildings of the present day.

Tarquin, intent upon the completion of the temple, having sent for workmen from all parts of Etruria, employed on it not only the public money, but also workmen from the people; and when this labour, in itself no inconsiderable one, was added to their military service, still the people murmured less at building the temples of the gods with their own hands, than at being transferred, as they afterward were, to other works, which, while less dignified, required considerably greater toil; such were the erection of benches in the circus, and conducting underground the principal sewer, the receptacle of all the filth of the city; two works the like of which even modern splendour has scarcely been able to produce.[52] After the people had been employed in these works, because he both considered that such a number of inhabitants was a burden to the city where there was no employment for them, and further, was anxious that the frontiers of the empire should be more extensively occupied by sending colonists, he sent colonists to Signia[53] and Circeii,[54] to serve as defensive outposts hereafter to the city on land and sea. While he was thus employed a frightful prodigy appeared to him. A serpent gliding out of a wooden pillar, after causing dismay and flight in the palace, not so much struck the king's heart with sudden terror, as it filled him with anxious solicitude. Accordingly, since Etruscan soothsayers were only employed for public prodigies, terrified at this so to say private apparition, he determined to send to the oracle of Delphi, the most celebrated in the world; and not venturing to intrust the responses of the oracle to any other person, he despatched his two sons to Greece through lands unknown at that time, and yet more unknown seas. Titus and Arruns were the two who set out. They were accompanied by Lucius Junius Brutus, the son of Tarquinia, the king's sister, a youth of an entirely different cast of mind from that of which he had assumed the disguise. He, having heard that the chief men of the city, among them his own brother, had been put to death by his uncle, resolved to leave nothing in regard to his ability that might be dreaded by the king, nor anything in his fortune that might be coveted, and thus to be secure in the contempt in which he was held, seeing that there was but little protection in justice. Therefore, having designedly fashioned himself to the semblance of foolishness, and allowing himself and his whole estate to become the prey of the king, he did not refuse to take even the surname of Brutus,[55] that, under the cloak of this surname, the genius that was to be the future liberator of the Roman people, lying concealed, might bide its opportunity. He, in reality being brought to Delphi by the Tarquinii rather as an object of ridicule than as a companion, is said to

have borne with him as an offering to Apollo a golden rod, inclosed in a staff of cornel-wood hollowed out for the purpose, a mystical emblem of his own mind. When they arrived there, and had executed their father's commission, the young men's minds were seized with the desire of inquiring to which of them the sovereignty of Rome should fall. They say that the reply was uttered from the inmost recesses of the cave, "Young men, whichever of you shall first kiss his mother shall enjoy the sovereign power at Rome." The Tarquinii ordered the matter to be kept secret with the utmost care, that Sextus, who had been left behind at Rome, might be ignorant of the response of the oracle, and have no share in the kingdom; they then cast lots among themselves, to decide which of them should first kiss his mother, after they had returned to Rome. Brutus, thinking that the Pythian response had another meaning, as if he had stumbled and fallen, touched the ground with his lips, she being, forsooth, the common mother of all mankind. After this they returned to Rome, where preparations were being made with the greatest vigour for a war against the Rutulians.

The Rutulians, a very wealthy nation, considering the country and age in which they lived, were at that time in possession of Ardea.[56] Their wealth was itself the actual occasion of the war: for the Roman king, whose resources had been drained by the magnificence of his public works, was desirous of enriching himself, and also of soothing the minds of his subjects by a large present of booty, as they, independently of the other instances of his tyranny, were incensed against his government, because they felt indignant that they had been kept so long employed by the king as mechanics, and in labour only fit for slaves. An attempt was made, to see if Ardea could be taken at the first assault; when that proved unsuccessful, the enemy began to be distressed by a blockade, and by siege-works. In the standing camp, as usually happens when a war is tedious rather than severe, furloughs were easily obtained, more so by the officers, however, than the common soldiers. The young princes also sometimes spent their leisure hours in feasting and mutual entertainments. One day as they were drinking in the tent of Sextus Tarquinius, where Collatinus Tarquinius, the son of Egerius, was also at supper, they fell to talking about their wives. Every one commended his own extravagantly: a dispute thereupon arising, Collatinus said there was no occasion for words, that it might be known in a few hours how far his wife Lucretia excelled all the rest. "If, then," added he, "we have any youthful vigour, why should we not mount our horses and in person examine the behaviour of our wives? Let that be the surest proof to every one, which shall meet his eyes on the unexpected arrival of the husband." They were heated with wine. "Come on, then," cried all. They immediately galloped to Rome, where they arrived when darkness was beginning to fall. From thence they proceeded to Collatia,[57] where they found Lucretia, not after the manner of the king's daughters-in-law, whom they had seen spending their time in luxurious banqueting with their companions, but, although the night was far advanced, employed at her wool, sitting in the middle of the house in the midst of her maids who were working around her. The honour of the contest regarding the women rested with Lucretia. Her husband on his arrival, and the Tarquinii, were kindly received; the husband, proud of his victory, gave the young princes a polite invitation. There an evil desire of violating Lucretia by force seized Sextus Tarquinius; both her beauty, and her proved chastity urged him on. Then, after this youthful frolic of the night, they returned to the camp.

After an interval of a few days, Sextus Tarquinius, without the knowledge of Collatinus, came to Collatia with one attendant only: there he was made welcome by them, as they had no suspicion of his design, and, having been conducted after supper into the guest chamber, burning with passion, when all around seemed sufficiently secure, and all fast asleep, he came to the bedside of Lucretia, as she lay asleep, with a drawn sword, and with his left hand pressing down the woman's breast, said: "Be silent, Lucretia; I am Sextus Tarquinius. I have a sword in my hand. You shall die if you utter a word." When the woman, awaking terrified from sleep, saw there was no help, and that impending death was nigh at hand, then Tarquin declared his passion, entreated, mixed threats with entreaties, tried all means to influence the woman's mind. When he saw she was resolved, and uninfluenced even by the fear of death, to the fear of death he added the fear of dishonour, declaring that he would lay a murdered slave naked by her side when dead, so that it should be said that she had been slain in base adultery. When by the terror of this disgrace his lust (as it were victorious) had overcome her inflexible chastity, and Tarquin had departed, exulting in having triumphed over a woman's honour by force, Lucretia, in melancholy distress at so dreadful a misfortune, despatched one and the same messenger both to her father at Rome, and to her husband at Ardea, bidding them come each with a trusty friend; that they must do so, and use despatch, for a monstrous deed had been wrought. Spurius Lucretius came accompanied by Publius Valerius, the son of Volesus, Collatinus with Lucius Junius Brutus, in company with whom, as he was returning to Rome, he happened to be met by his wife's messenger. They found Lucretia sitting in her chamber in sorrowful dejection. On the arrival of her friends the tears burst from her eyes; and on her husband inquiring, whether all was well, "By no means," she replied, "for how can it be well with a woman who has lost her honour? The traces of another man are on your bed, Collatinus. But the body only has been violated, the mind is guiltless; death shall be my witness. But give me your right hands, and your word of honour, that the adulterer shall not come off unpunished. It is Sextus Tarquinius, who, an enemy last night in the guise of a guest has borne hence by force of arms,

a triumph destructive to me, and one that will prove so to himself also, if you be men." All gave their word in succession; they attempted to console her, grieved in heart as she was, by turning the guilt of the act from her, constrained as she had been by force, upon the perpetrator of the crime, declaring that it is the mind sins, not the body; and that where there is no intention, there is no guilt. "It is for you to see," said she, "what is due to him. As for me, though I acquit myself of guilt, I do not discharge myself from punishment; nor shall any woman survive her dishonour by pleading the example of Lucretia." She plunged a knife, which she kept concealed beneath her garment, into her heart, and falling forward on the wound, dropped down expiring. Her husband and father shrieked aloud.

While they were overwhelmed with grief, Brutus drew the knife out of the wound, and, holding it up before him reeking with blood, said: "By this blood, most pure before the outrage of a prince, I swear, and I call you, O gods, to witness my oath, that I will henceforth pursue Lucius Tarquinius Superbus, his wicked wife, and all their children, with fire, sword, and all other violent means in my power; nor will I ever suffer them or any other to reign at Rome." Then he gave the knife to Collatinus, and after him to Lucretius and Valerius, who were amazed at such an extraordinary occurrence, and could not understand the newly developed character of Brutus. However, they all took the oath as they were directed, and, their sorrow being completely changed to wrath, followed the lead of Brutus, who from that time ceased not to call upon them to abolish the regal power. They carried forth the body of Lucretia from her house, and conveyed it to the forum, where they caused a number of persons to assemble, as generally happens, by reason of the unheard-of and atrocious nature of an extraordinary occurrence. They complained, each for himself, of the royal villainy and violence. Both the grief of the father affected them, and also Brutus, who reproved their tears and unavailing complaints, and advised them to take up arms, as became men and Romans, against those who dared to treat them like enemies. All the most spirited youths voluntarily presented themselves in arms; the rest of the young men followed also. From thence, after an adequate garrison had been left at the gates at Collatia, and sentinels appointed, to prevent any one giving intelligence of the disturbance to the royal party, the rest set out for Rome in arms under the conduct of Brutus. When they arrived there, the armed multitude caused panic and confusion wherever they went. Again, when they saw the principal men of the state placing themselves at their head, they thought that, whatever it might be, it was not without good reason. Nor did the heinousness of the event excite less violent emotions at Rome than it had done at Collatia: accordingly, they ran from all parts of the city into the forum, and as soon as they came thither, the public crier summoned them to attend the tribune of the celeres [58], with which office Brutus happened to be at the time invested. There a harangue was delivered by him, by no means of the style and character which had been counterfeited by him up to that day, concerning the violence and lust of Sextus Tarquinius, the horrid violation of Lucretia and her lamentable death, the bereavement of Tricipitinus,[59], in whose eyes the cause of his daughter's death was more shameful and deplorable than that death itself. To this was added the haughty insolence of the king himself, and the sufferings and toils of the people, buried in the earth in the task of cleansing ditches and sewers: he declared that Romans, the conquerors of all the surrounding states, instead of warriors had become labourers and stone-cutters. The unnatural murder of King Servius Tullius was recalled, and the fact of his daughter having driven over the body of her father in her impious chariot, and the gods who avenge parents were invoked by him. By stating these and, I believe, other facts still more shocking, which, though by no means easy to be detailed by writers, the then heinous state of things suggested, he so worked upon the already incensed multitude, that they deprived the king of his authority, and ordered the banishment of Lucius Tarquinius with his wife and children. He himself, having selected and armed some of the younger men, who gave in their names as volunteers, set out for the camp at Ardea to rouse the army against the king: the command in the city he left to Lucretius, who had been already appointed prefect of the city by the king. During this tumult Tullia fled from her house, both men and women cursing her wherever she went, and invoking upon her the wrath of the furies, the avengers of parents.

News of these transactions having reached the camp, when the king, alarmed at this sudden revolution, was proceeding to Rome to quell the disturbances, Brutus—for he had had notice of his approach—turned aside, to avoid meeting him; and much about the same time Brutus and Tarquinius arrived by different routes, the one at Ardea, the other at Rome. The gates were shut against Tarquin, and sentence of banishment declared against him; the camp welcomed with great joy the deliverer of the city, and the king's sons were expelled. Two of them followed their father, and went into exile to Caere, a city of Etruria. Sextus Tarquinius, who had gone to Gabii, as if to his own kingdom, was slain by the avengers of the old feuds, which he had stirred up against himself by his rapines and murders. Lucius Tarquinius Superbus reigned twenty-five years: the regal form of government lasted, from the building of the city to its deliverance, two hundred and forty-four years. Two consuls, Lucius Junius Brutus and Lucius Tarquinius Collatinus, were elected by the prefect of at the comitia of centuries, according to the commentaries of Servius Tullius.

[Footnote 1: Books I-III are based upon the translation by John Henry Freese, but in many places have been revised or retranslated by Duffield Osborne.]

[Footnote 2: The king was originally the high priest, his office more sacerdotal than military: as such he would have the selection and appointment of the Vestal Virgins, the priestesses of Vesta, the hearth-goddess. Their chief duty was to keep the sacred fire burning ("the fire that burns for aye"), and to guard the relics in the Temple of Vesta. If convicted of unchastity they were buried alive.]

[Footnote 3: Surely there is no lack of "historical criticism" here and on a subject where a Roman writer might be pardoned for some credulity.—D.O.]

[Footnote 4: Livy ignores the more accepted and prettier tradition that this event took place where the sacred fig-tree originally stood, and that later it was miraculously transplanted to the comitium by Attius Navius, the famous augur, "That it might stand in the midst of the meetings of the Romans"—D.O.]

[Footnote 5: According to Varro, Rome was founded B.C. 753; according to Cato, B.C. 751. Livy here derives Roma from Romulus, but this is rejected by modern etymologists; according to Mommsen the word means "stream-town," from its position on the Tiber.]

[Footnote 6: The remarkable beauty of the white or mouse-coloured cattle of central Italy gives a touch of realism to this story.—D.O.]

[Footnote 7: The introduction of the art of writing among the Romans was ascribed to Evander. The Roman alphabet was derived from the Greek, through the Grecian (Chalcidian) colony at Cumae.]

[Footnote 8: The title patres originally signified the heads of families, and was in early times used of the patrician senate, as selected from these. When later, plebeians were admitted into the senate, the members of the senate were all called patres, while patricians, as opposed to plebeians, enjoyed certain distinctions and privileges.]

[Footnote 9: This story of the rape of the Sabines belongs to the class of what are called "etiological" myths—i. e., stories invented to account for a rite or custom, or to explain local names or characteristics. The custom prevailed among Greeks and Romans of the bridegroom pretending to carry off the bride from her home by force. Such a custom still exists among the nomad tribes of Asia Minor. The rape of the Sabine women was invented to account for this custom.]

[Footnote 10: The spolia opima (grand spoils)—a term used to denote the arms taken by one general from another—were only gained twice afterward during the history of the republic; in B.C. 437, when A. Cornelius Cossus slew Lars Tolumnius of Veii; and in B.C. 222, when the consul M. Claudius Marcellus slew Viridomarus, chief of the Insubrian Gauls.]

[Footnote 11: The place afterward retained its name, even when filled up and dry. Livy (Book VII) gives a different reason for the name: that it was so called from one Marcus Curtius having sprung, armed, and on horseback, several hundred years ago (B.C. 362), into a gulf that suddenly opened in the forum; it being imagined that it would not close until an offering was made of what was most valuable in the state—i. e., a warrior armed and on horseback. According to Varro, it was a locus fulguritus (i. e., struck by lightning), which was inclosed by a consul named Curtius.]

[Footnote 12: Supposed to be derived from "Lucumo," the name or, according to more accepted commentators, title of an Etruscan chief who came to help Romulus.—D.O.]

[Footnote 13: The inhabitants of Fidenae, about five miles from Rome, situated on the Tiber, near Castel Giubileo.—D.O.]

[Footnote 14: About twelve and a half miles north of Rome, close to the little river Cremera; it was one of the most important of the twelve confederate Etruscan towns. Plutarch describes it as the bulwark of Etruria: not inferior to Rome in military equipment and numbers.]

[Footnote 15: A naïvely circumstantial story characteristically told. Though a republican, it is quite evident that Livy wishes to convey the idea that Romulus, having by the creation of a body-guard aspired to tyrannical power, was assassinated by the senate.—D.O.]

[Footnote 16: The reading in this section is uncertain.]

[Footnote 17: Two interpretations are given of this passage—(1) that out of each decury one senator was chosen by lot to make up the governing body of ten; (2) that each decury as a whole held office in succession, so that one decury was in power for fifty days.]

[Footnote 18: At this time a grove: later it became one of the artificers' quarters, lying beyond the forum and in the jaws of the suburra, which stretched away over the level ground to the foot of the Esquiline and Quirinal Hills.—D.O.]

[Footnote 19: Romulus had made his year to consist of ten months, the first month being March, and the number of days in the year only 304, which corresponded neither with the course of the sun nor moon. Numa, who added the two months of January and February, divided the year into twelve months, according to the course of the moon. This was the lunar Greek year, and consisted of 354 days. Numa, however, adopted 355 days for his year, from his partiality to odd numbers. The lunar year of 354 days fell short of the solar year by 11-1/4 days; this in 8 years amounted to (11-1/4 x 8) 90 days. These 90 days he divided into 2 months of 22, and 2 of 23 days [(2 x 22) + (2 x 23) = 90], and introduced them alternately every second year for two octennial periods: every third octennial period, however, Numa intercalated only 66 days instead of 90 days—i. e., he inserted 3 months of only 22 days each. The reason was, because he adopted 355 days as the length of his lunar year instead of 354, and this in 24 years (3 octennial periods) produced an error of 24 days; this error was exactly compensated by intercalating only 66 days (90—24) in the third octennial period. The intercalations were generally made in the month of February, after the 23d of the month. The management was left to the pontiffs—ad metam eandem solis unde orsi essent—dies congruerent; "that the days might correspond to the same starting-point of the sun in the heavens whence they had set out." That is, taking for instance the Tropic of Cancer for the place or starting-point of the sun any one year, and observing that he was in that point of the heavens on precisely the 21st of June, the object was so to dispense the year, that the day on which the sun was observed to arrive at that same meta or starting-point again, should also be called the 21st of June.]

[Footnote 20: A more general form of the legend ran to the effect that but one of these shields fell from heaven, and that the others were made like it, to lessen the chance of the genuine one being stolen.—D.O.]

[Footnote 21: The chief of the fetiales.]

[Footnote 22: This vervain was used for religious purposes, and plucked up by the roots from consecrated ground; it was carried by ambassadors to protect them from violence.]

[Footnote 23: This gate became later the starting-point of the Appian Way.—D.O.]

[Footnote 24: An imaginary sacred line that marked the bounds of the city. It did not always coincide with the line of the walls, but was extended from time to time. Such extension could only be made by a magistrate who had extended the boundaries of the empire by his victories,—D.O.]

[Footnote 25: Literally, "Horatian javelins."—D.O.]

[Footnote: Evidently so established after the destruction of the inhabitants in the storming (see p. 17, above).—D. O.]

[Footnote 27: Tiber and Anio.—D. O.]

[Footnote 28: Scourging and beheading, scourging to death, burying alive, and crucifixion (for slaves) may make us question the justice of this boast. Foreign generals captured in war were only strangled. Altogether, the Roman indifference to suffering was very marked as compared with the humanity of the Greeks.—D. O.]

[Footnote 29: The Lares were of human origin, being only the deified ancestors of the family: the Penates of divine origin, the tutelary gods of the family.]

[Footnote 30: "Curia Hostilia." It was at the northwest corner of the forum, northeast of the comitium.—D. O.]

[Footnote 31: Identified with Juno.—D. O.]

[Footnote 32: This story makes us suspect that it was the case of another warlike king who had incurred the enmity of the senate. The patricians alone controlled or were taught in religious matters.—D.O.]

[Footnote 33: Supposed to be an Etruscan goddess, afterward identified with Jana, the female form of Janus, as was customary with the Romans.—D.O.] The Janiculum [Footnote: The heights across the Tiber.—D.O.]

[Footnote 34: Called Mamertinus; though apparently not until the Middle Ages.]

[Footnote 35: Lucumo seems to have been, originally at least, an Etruscan title rather than name.—D.O.]

[Footnote 36: No one was noble who could not show images of his ancestors: and no one was allowed to have an image who had not filled the highest offices of state: this was called jus imaginum.]

[Footnote 37: This part of the Via Nova probably corresponded pretty closely with the present Via S. Teodoro, and Tarquin's house is supposed to have stood not far from the church of Sta. Anastasia.—D.O.]

[Footnote 38: A white toga with horizontal purple stripes. This was originally the royal robe. Later it became the ceremonial dress of the equestrian order. The Salii, priests of Mars Gradivus, also wore it—D.O.]

[Footnote 39: This was a quinquennial registering of every man's age, family, profession, property, and residence, by which the amount of his taxes was regulated. Formerly each full citizen contributed an equal amount. Servius introduced a regulation of the taxes according to property qualifications, and clients and plebeians alike had to pay their contribution, if they possessed the requisite amount of property.]

[Footnote 40: Or, "pounds weight of bronze," originally reckoned by the possession of a certain number of jugera (20 jugera being equal to 5,000 asses).]

[Footnote 41: Between the ages of forty-six and sixty.—D.O.]

[Footnote 42: Between the ages of seventeen and forty-six—D.O.].

[Footnote 43: A ceremony of purification, from sus, ovis, and taurus: the three victims were led three times round the army and sacrificed to Mars. The ceremony took place every fifth year]

[Footnote 44: These were the walls of Rome down to about 271-276 A.D., when the Emperor Aurelian began the walls that now inclose the city. Remains of the Servian wall are numerous and of considerable extent.—D.O.]

[Footnote 45: On the summit of the Aventine.—D. O.]

[Footnote 46: Those introduced by Tarquinius Priscus, as related above.—D.O.]

[Footnote 47: At the foot of the Alban Hill. The general councils of the Latins were held here up to the time of their final subjugation.]

[Footnote 48: A few ruins on the Via Praenestina, about nine miles from the Porta Maggiore, mark the site of Gabii. They are on the bank of the drained Lago Castiglione, whence Macaulay's "Gabii of the Pool".—D.O.]

[Footnote 49: This message without words is the same as that which, according to Herodotus, was sent by Thrasybulus of Miletus to Periander of Corinth. The trick by which Sextus gained the confidence of the people of Gabii is also related by him of Zophyrus and Darius.]

[Footnote 50: The name "Tarpeian," as given from the Tarpeia, whose story is told above, was generally confined to the rock or precipice from which traitors were thrown. Its exact location on the Capitoline Hill does not seem positively determined; in fact, most of the sites on this hill have been subjects of considerable dispute.—D.O.]

[Footnote 51: The god of boundaries. His action seems quite in keeping with his office.—D.O.]

[Footnote 52: The Cloaca Maxima, upon which Rome still relies for much of her drainage, is more generally attributed to Tarquinius Priscus.—D.O.]

[Footnote 53: The modern Segni, upward of thirty miles from Rome, on the Rome-Naples line.—D.O.]

[Footnote 54: On the coast, near Terracina. The Promontoria Circeo is the traditional site of the palace and grave of Circe, whose story is told in the Odyssey.—D.O.]

[Footnote 55: Dullard.—D.O.]

[Footnote 56: In the Pomptine marshes, about twenty miles south of

Rome and five from the coast.—D.O.]

[Footnote 57: Its site, about nine miles from Rome, on the road to Tivoli, is now known as Lunghezza.—D.O.]

[Footnote 58: The royal body-guard. See the story of Romulus above.—D.O.]

[Footnote 59: Spurius Lucretius.—D.O.]

BOOK II

THE FIRST COMMONWEALTH

The acts, civil and military, of the Roman people, henceforth free, their annual magistrates, and the sovereignty of the laws, more powerful than that of men, I will now proceed to recount. The haughty insolence of the last king had caused this liberty to be the more welcome: for the former kings reigned in such a manner that they all in succession may be deservedly reckoned founders of those parts at least of the city, which they independently added as new dwelling-places for the population, which had been increased by themselves. Nor is there any doubt that that same Brutus, who gained such renown from the expulsion of King Superbus, would have acted to the greatest injury of the public weal, if, through the desire of liberty before the people were fit for it, he had wrested the kingdom from any of the preceding kings. For what would have been the consequence, if that rabble of shepherds and strangers, runaways from their own peoples, had found, under the protection of an inviolable sanctuary, either freedom, or at least impunity for former offences, and, freed from all dread of regal authority, had begun to be distracted by tribunician storms, and to engage in contests with the fathers in a strange city, before the pledges of wives and children, and affection for the soil itself, to which people become habituated only by length of time, had united their affections? Their condition, not yet matured, would have been destroyed by discord; but the tranquillizing moderation of the government so fostered this condition, and by proper nourishment brought it to such perfection, that, when their strength was now developed, they were able to bring forth the wholesome fruits of liberty. The first beginnings of liberty, however, one may date from this period, rather because the consular authority was made annual, than because of the royal prerogative was in any way curtailed. The first consuls kept all the privileges and outward signs of authority, care only being taken to prevent the terror appearing doubled, should both have the fasces at the same time. Brutus, with the consent of his colleague, was first attended by the fasces, he who proved himself afterward as keen in protecting liberty as he had previously shown himself in asserting it. First of all he bound over the people, jealous of their newly-acquired liberty, by an oath that they would suffer no one to be king in Rome, for fear that later they might be influenced by the importunities or bribes of the royal house. Next, that a full house might give additional strength to the senate, he filled up the number of senators, which had been diminished by the assassinations of Tarquinius, to the full number of three hundred, by electing the principal men of equestrian rank to fill their places: from this is said to have been derived the custom of summoning into the senate both the patres and those who were conscripti. They called those who were elected, conscripti, enrolled, that is, as a new senate. It is surprising how much that contributed to the harmony of the state, and toward uniting the patricians and commons in friendship.

Attention was then paid to religious matters, and, as certain public functions had been regularly performed by the kings in person, to prevent their loss being felt in any particular, they appointed a king of the sacrifices.[1] This office they made subordinate to the pontifex maximus, that the holder might not, if high office were added to the title, prove detrimental to liberty, which was then their principal care. And I do not know but that, by fencing it in on every side to excess, even in the most trivial matters, they exceeded bounds. For, though there was nothing else that gave offence, the name of one of the consuls was an object of dislike to the state. They declared that the Tarquins had been too much habituated to sovereignty; that it had originated with Priscus: that Servius Tullius had reigned next; that Tarquinius Superbus had not even, in spite of the interval that had elapsed, given up all thoughts of the kingdom as being the property of another, which it really was, but thought to regain it by crime and violence, as if it were the heirloom of his family; that after the expulsion of Superbus, the government was inthe hands of Collatinus: that the Tarquins knew not how to live in a private station; that the name pleased them not; that it was dangerous to liberty. Such language, used at first by persons quietly sounding the dispositions of the people, was circulated through the whole state; and the people, now excited by suspicion, were summoned by Brutus to a meeting. There first of all he read aloud the people's oath: that they would neither suffer any one to be king, nor allow any one to live at Rome from whom danger to liberty might arise. He declared that this ought to be maintained with all their might, and that nothing, that had any reference to it, ought to be treated with indifference: that he said this with reluctance, for the sake of the individual; and that he would not have said it, did not

his affection for the commonwealth predominate; that the people of Rome did not believe that complete liberty had been recovered; that the regal family, the regal name, was not only in the state but also in power; that that was a stumbling-block, was a hindrance to liberty. "Do you, Lucius Tarquinius," said he, "of your own free will, remove this apprehension? We remember, we own it, you expelled the royal family; complete your services: take hence the royal name; your property your fellow-citizens shall not only hand over to you, by my advice, but, if it is insufficient, they will liberally supply the want. Depart in a spirit of friendship. Relieve the state from a dread which may be only groundless. So firmly are men's minds persuaded that only with the Tarquinian race will kingly power depart hence." Amazement at so extraordinary and sudden an occurrence at first impeded the consul's utterance; then, as he was commencing to speak, the chief men of the state stood around him, and with pressing entreaties urged the same request. The rest of them indeed had less weight with him, but after Spurius Lucretius, superior to all the others in age and high character, who was besides his own father-in-law, began to try various methods, alternately entreating and advising, in order to induce him to allow himself to be prevailed on by the general feeling of the state, the consul, apprehensive that hereafter the same lot might befall him, when his term of office had expired, as well as loss of property and other additional disgrace, resigned his consulship, and removing all his effects to Lavinium, withdrew from the city. Brutus, according to a decree of the senate, proposed to the people, that all who belonged to the family of the Tarquins should be banished from Rome: in the assembly of centuries he elected Publius Valerius, with whose assistance he had expelled the kings, as his colleague.

Though nobody doubted that a war was impending from the Tarquins, yet it broke out later than was generally expected; however, liberty was well-nigh lost by fraud and treachery, a thing they never apprehended. There were among the Roman youth several young men—and these of no no rank—who, while the regal government lasted, had enjoyed greater license in their pleasures, being the equals in age, boon companions of the young Tarquins, and accustomed to live after the fashion of princes. Missing that freedom, now that the privileges of all were equalized,[2] they complained among themselves that the liberty of others had turned out slavery for them: that a king was a human being, from whom one could obtain what one wanted, whether the deed might be an act of justice or of wrong; that there was room for favour and good offices; that he could be angry, and forgive; that he knew the difference between a friend and an enemy; that the laws were a deaf, inexorable thing, more beneficial and advantageous for the poor than for the rich; that they allowed no relaxation or indulgence, if one transgressed due bounds; that it was perilous, amid so many human errors, to have no security for life but innocence. While their minds were already of their own accord thus discontented, ambassadors from the royal family arrived unexpectedly, merely demanding restitution of their personal property, without any mention of their return. After their application had been heard in the senate, the deliberation about it lasted for several days, as they feared that the non-restitution of the property might be made a pretext for war, its restitution a fund and assistance for the same. In the meantime the ambassadors were planning a different scheme: while openly demanding the restoration of property, they secretly concerted measures for recovering the throne, and soliciting them, as if to promote that which appeared to be the object in view, they sounded the minds of the young nobles; to those by whom their proposals were favourably received they gave letters from the Tarquins, and conferred with them about admitting the royal family into the city secretly by night.

The matter was first intrusted to the brothers Vitellii and Aquilii. A sister of the Vitellii was married to Brutus the consul, and the issue of that marriage was the grown-up sons, Titus and Tiberius; they also were admitted by their uncles to share the plot; several young nobles also were taken into their confidence, recollection of whose names has been lost from lapse of time. In the meantime, as that opinion had prevailed in the Senate, which was in favour of the property being restored, the ambassadors made use of this as a pretext for lingering in the city, and the time which they had obtained from the consuls to procure conveyances, in which to remove the effects of the royal family, they spent entirely in consultations with the conspirators, and by persistent entreaties succeeded in getting letters given to them for the Tarquins. Otherwise how could they feel sure that the representations made by the ambassadors on matters of such importance were not false? The letters, given as an intended pledge of their sincerity, caused the plot to be discovered: for when, the day before the ambassadors set out to the Tarquins, they had supped by chance at the house of the Vitellii, and the conspirators had there discoursed much together in private, as was natural, concerning their revolutionary design, one of the slaves, who had already observed what was on foot, overheard their conversation; he waited, however, for the opportunity when the letters should be given to the ambassadors, the detection of which would put the matter beyond a doubt. When he found that they had been given, he laid the whole affair before the consuls. The consuls left their home to seize the ambassadors and conspirators, and quashed the whole affair without any disturbance, particular care being taken of the letters, to prevent their being lost or stolen. The traitors were immediately thrown into prison: some doubt was entertained concerning the treatment of the ambassadors, and though their conduct seemed to justify their being considered as enemies, the law of nations nevertheless prevailed.

The consideration of the restoration of the king's effects, for which the senate had formerly voted, was laid anew before them. The fathers, overcome by indignation, expressly forbade either their restoration or confiscation. They were given to the people to be rifled, that, having been polluted as it were by participation in the royal plunder, they might lose forever all hopes of reconciliation with the Tarquins. A field belonging to the latter, which lay between the city and the Tiber, having been consecrated to Mars, was afterward called the Campus Martius. It is said that there was by chance, at that time, a crop of corn upon it ripe for harvest; this produce of the field, as they thought it unlawful to use it, after it had been reaped, a large number of men, sent into the field together, carried in baskets corn and straw together, and threw it into the Tiber, which then was flowing with shallow water, as is usual in the heat of summer; thus the heaps of corn as they stuck in the shallows settled down, covered over with mud; by means of these and other substances carried down to the same spot, which the river brings along hap-hazard, an island[3] was gradually formed. Afterward I believe that substructures were added, and that aid was given by human handicraft, that the surface might be well raised, as it is now and strong enough besides to bear the weight even of temples and colonnades. After the tyrant's effects had been plundered, the traitors were condemned and punishment inflicted. This punishment was the more noticeable, because the consulship imposed on the father the office of punishing his own children, and to him, who should have been removed even as a spectator, was assigned by fortune the duty of carrying out the punishment. Young men of the highest rank stood bound to the stake; but the consul's sons diverted the eyes of all the spectators from the rest of the criminals, as from persons unknown; and the people felt pity, not so much on account of their punishment, as of the crime by which they had deserved it. That they, in that year above all others, should have brought themselves to betray into the hands of one, who, formerly a haughty tyrant, was now an exasperated exile, their country recently delivered, their father its deliverer, the consulate which took its rise from the Junian family, the fathers, the people, and all the gods and citizens of Rome. The consuls advanced to take their seats, and the lictors were despatched to inflict punishment. The young men were stripped naked, beaten with rods, and their heads struck off with the axe, while all the time the looks and countenance of the father presented a touching spectacle, as his natural feelings displayed themselves during the discharge of his duty in inflicting public punishment. After the punishment of the guilty, that the example might be a striking one in both aspects for the prevention of crime, a sum of money was granted out of the treasury as a reward to the informer: liberty also and the rights of citizenship were conferred upon him. He is said to have been the first person made free by the vindicta; some think that even the term vindicta is derived from him, and that his name was Vindicius. [4] After him it was observed as a rule, that all who were set free in this manner were considered to be admitted to the rights of Roman citizens.

On receiving the announcement of these events as they had occurred, Tarquin, inflamed not only with grief at the annihilation of such great hopes, but also with hatred and resentment, when he saw that the way was blocked against stratagem, considering that war ought to be openly resorted to, went round as a suppliant to the cities of Etruria, imploring above all the Veientines and Tarquinians, not to suffer him, a man sprung from themselves, of the same stock, to perish before their eyes, an exile and in want, together with his grown-up sons, after they had possessed a kingdom recently so flourishing. That others had been invited to Rome from foreign lands to succeed to the throne; that he, a king, while engaged in extending the Roman Empire by arms, had been driven out by his nearest relatives by a villainous conspiracy, that they had seized and divided his kingdom in portions among themselves, because no one individual among them was deemed sufficiently deserving of it: and had given up his effects to the people to pillage, that no one might be without a share in the guilt. That he was desirous of recovering his country and his kingdom, and punishing his ungrateful subjects. Let them bring succour and aid him; let them also avenge the wrongs done to them of old, the frequent slaughter of their legions, the robbery of their land. These arguments prevailed on the people of Veii, and with menaces they loudly declared, each in their own name, that now at least, under the conduct of a Roman general, their former disgrace would be wiped out, and what they had lost in war would be recovered. His name and relationship influenced the people of Tarquinii, for it seemed a high honour that their countrymen should reign at Rome. Accordingly, the armies of these two states followed Tarquin to aid in the recovery of his kingdom, and to take vengeance upon the Romans in war. When they entered Roman territory, the consuls marched to meet the enemy. Valerius led the infantry in a square battalion: Brutus marched in front with the cavalry to reconnoitre. In like manner the enemy's horse formed the van of the army: Arruns Tarquinius, the king's son, was in command: the king himself followed with the legions. Arruns, when he knew at a distance by the lictors that it was a consul, and on drawing nearer more surely discovered that it was Brutus by his face, inflamed with rage, cried out: "Yonder is the man who has driven us into exile from our native country! See how he rides in state adorned with the insignia of our rank! Now assist me, ye gods, the avengers of kings." He put spurs to his horse and charged furiously against the consul. Brutus perceived that he was being attacked, and, as it was honourable in those days for the generals to personally engage in battle, he accordingly eagerly offered himself for combat. They charged with such furious animosity, neither of them heedful of protecting his own person, provided he could wound his opponent, that each, pierced through the

buckler by his adversary's blow, fell from his horse in the throes of death, still transfixed by the two spears. The engagement between the rest of the horse began at the same time, and soon after the foot came up. There they fought with varying success, and as it were with equal advantage. The right wings of both armies were victorious, the left worsted. The Veientines, accustomed to defeat at the hands of the Roman soldiers, were routed and put to flight. The Tarquinians, who were a new foe, not only stood their ground, but on their side even forced the Romans to give way.

After the engagement had thus been fought, so great a terror seized Tarquinius and the Etruscans, that both armies, the Veientine and Tarquinian, abandoning the attempt as a fruitless one, departed by night to their respective homes. Strange incidents are also reported in the account of this battle—that in the stillness of the next night a loud voice was heard from the Arsian wood;[5] that it was believed to be the voice of Silvanus. That the following words were uttered: that more of the Tuscans by one man had fallen in the fight: that the Romans were victorious in the war. Under these circumstances, the Romans departed thence as conquerors, the Etruscans as practically conquered. For as soon as it was light, and not one of the enemy was to be seen anywhere, Publius Valerius, the consul, collected the spoils, and returned thence in triumph to Rome. He celebrated the funeral of his colleague with all the magnificence possible at the time. But a far greater honour to his death was the public sorrow, especially remarkable in this particular, that the matrons mourned him for a year as a parent, because he had shown himself so vigorous an avenger of violated chastity. Afterward, the consul who survived—so changeable are the minds of the people—after enjoying great popularity, encountered not only jealousy, but suspicion, that originated with a monstrous charge. Report represented that he was aspiring to kingly power, because he had not substituted a colleague in the room of Brutus, and was building on the top of Mount Velia:[6] that an impregnable stronghold was being erected there in an elevated and well-fortified position. These reports, widely circulated and believed, disquieted the consul's mind at the unworthiness of the charge; and, having summoned the people to an assembly, he mounted the platform, after lowering the fasces. It was a pleasing sight to the multitude that the insignia of authority were lowered before them, and that acknowledgment was made, that the dignity and power of the people were greater than that of the consul. Then, after they had been bidden to listen, the consul highly extolled the good fortune of his colleague, in that, after having delivered his country, he had died while still invested with the highest rank, fighting in defence of the commonwealth, when his glory was at its height, and had not yet turned to jealousy. He himself (said he) had outlived his glory, and only survived to incur accusation and odium: that, from being the liberator of his country, he had fallen back to the level of the Aquilii and Vitellii. "Will no merit then," said he, "ever be so approved in your eyes as to be exempt from the attacks of suspicion? Was I to apprehend that I, that bitterest enemy of kings, should myself have to submit to the charge of desiring kingly power? Was I to believe that, even though I should dwell in the citadel and the Capitol itself, I should be dreaded by my fellow-citizens? Does my character among you depend on so mere a trifle? Does your confidence in me rest on such slight foundations, that it matters more where I am than what I am? The house of Publius Valerius shall not stand in the way of your liberty, Quirites; the Velian Mount shall be secure to you. I will not only bring down my house into the plain, but will build it beneath the hill, that you may dwell above me, the suspected citizen. Let those build on the Velian Mount, to whom liberty can be more safely intrusted than to Publius Valerius." Immediately all the materials were brought down to the foot of the Velian Mount, and the house was built at the foot of the hill, where the Temple of Vica Pota[7] now stands.

After this laws were proposed by the consul, such as not only freed him from all suspicion of aiming at regal power, but had so contrary a tendency, that they even made him popular. At this time he was surnamed Publicola. Above all, the laws regarding an appeal to the people against the magistrates, and declaring accursed the life and property of any one who should have formed the design of seizing regal authority,[8] were welcome to the people. Having passed these laws while sole consul, so that the merit of them might be exclusively his own, he then held an assembly for the election of a new colleague. Spurius Lucretius was elected consul, who, owing to his great age, and his strength being inadequate to discharge the consular duties, died within a few days. Marcus Horatius Pulvillus was chosen in the room of Lucretius. In some ancient authorities I find no mention of Lucretius as consul; they place Horatius immediately after Brutus. My own belief is that, because no important event signalized his consulate, all record of it has been lost. The Temple of Jupiter on the Capitol had not yet been dedicated; the conuls Valerius and Horatius cast lots which should dedicate it. The duty fell by lot to Horatius. Publicola departed to conduct the war against the Veientines. The friends of Valerius were more annoyed than the circumstances demanded that the dedication of so celebrated a temple was given to Horatius. Having endeavoured by every means to prevent it, when all other attempts had been tried and failed, at the moment when the consul was holding the door-post during his offering of prayer to the gods, they suddenly announced to him the startling intelligence that his son was dead, and that, while his family was polluted by death, he could not dedicate the temple. Whether he did not believe that it was true, or whether he possessed such great strength of mind, is neither handed down for certain, nor is it easy to decide. On receiving the news, holding the door-post, without turning off his

attention in any other way from the business he was engaged completed the form of prayer, and dedicated the temple. Such were the transactions at home and abroad during the first year after the expulsion of the kings. After this Publius Valerius, for the second time, and Titus Lucretius were elected consuls.

By this time the Tarquins had fled to Lars Porsina, King of Clusium. There, mingling advice with entreaties, they now besought him not to suffer them, who were descended from the Etruscans, and of the same stock and name, to live in exile and poverty; now advised him also not to let the rising practice of expelling kings pass unpunished. Liberty in itself had charms enough; and, unless kings defended their thrones with as much vigour as the people strove for liberty, the highest was put on a level with the lowest; there would be nothing exalted in states, nothing to be distinguished above the rest; that the end of regal government, the most beautiful institution both among gods and men, was close at hand. Porsina, thinking it a great honour to the Tuscans both that there should be a king at Rome, and that one belonging to the Etruscan nation, marched toward Rome with a hostile army. Never before on any other occasion did such terror seize the senate; so powerful was the state of Clusium[9] at that time, and so great the renown of Porsina. Nor did they dread their enemies only, but even their own citizens, lest the common people of Rome, smitten with fear, should, by receiving the Tarquins into the city, accept peace even at the price of slavery. Many concessions were therefore granted to the people by the senate during that period by way of conciliating them. Their attention, in the first place, was directed to the markets, and persons were sent, some to the country of the Volscians, others to Cumae, to buy up corn. The privilege of selling salt also was withdrawn from private individuals because it was sold at an exorbitant price, while all the expense fell upon the state:[10] and the people were freed from duties and taxes, inasmuch as the rich, since they were in a position to bear the burden, should contribute them; the poor, they said, paid taxes enough if they brought up their children. This indulgence on the part of the fathers accordingly kept the state so united during their subsequent adversity in time of siege and famine, that the lowest as much as the highest abhorred the name of king; nor did any single individual afterward gain such popularity by intriguing practices, as the whole body of the senate at that time by their excellent government.

On the approach of the enemy, they all withdrew for protection from the country into the city, and protected the city itself with military garrisons. Some parts seemed secured by the walls, others by the Tiber between. The Sublician [11] bridge well-nigh afforded a passage to the enemy, had it not been for one man, Horatius Cocles: in him the protecting spirit of Rome on that day found a defence. 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 at full speed, and his own party, in confusion, abandoning their arms and ranks, seizing hold of them one by one, standing in their way, and appealing to the faith of gods and men, he declared, that their flight would avail them nothing if they deserted their post; if they crossed the bridge and left it behind them, there would soon be greater numbers of the enemy in the Palatium and Capitol than in the Janiculum; therefore he advised and charged them to break down the bridge, by sword, by fire, or by any violent means whatsoever; that he himself would receive the attack of the enemy as far as resistance could be offered by the person of one man. He then strode to the front entrance of the bridge, and being easily distinguished among those whose backs were seen as they gave way before the battle, he struck the enemy with amazement by his surprising boldness as he faced round in arms to engage the foe hand to hand. Two, however, a sense of shame kept back with him, Spurius Larcius and Titus Herminius, both men of high birth, and renowned for their gallant exploits. With them he for a short time stood the first storm of danger, and the severest brunt of the battle. Afterward, as those who were cutting down the bridge called upon them to retire, and only a small portion of it was left, he obliged them also to withdraw to a place of safety. Then, casting his stern eyes threateningly upon all the nobles of the Etruscans, he now challenged them singly, now reproached them all as the slaves of haughty tyrants, who, unmindful of their own freedom, came to attack that of others. For a considerable time they hesitated, looking round one upon another, waiting to begin the fight. A feeling of shame then stirred the army, and raising a shout, they hurled their weapons from all sides on their single adversary; and when they had all stuck in the shield he held before him, and he with no less obstinacy kept possession of the bridge with firm step, they now began to strive to thrust him down from it by their united attack, when the crash of the falling bridge, and at the same time the shout raised by the Romans for joy at having completed their task, checked their assault with sudden consternation. Then Cocles said, "Father Tiberinus, holy one, I pray thee, receive these arms, and this thy soldier, in thy favouring stream." So, in full armour, just as he was, he leapedinto the Tiber, and, amid showers of darts that fell upon him, swam across unharmed to his comrades, having dared a deed which is likely to obtain more fame than belief with posterity.[12] The state showed itself grateful toward such distinguished valour; a statue of him was erected in the comitium, and as much land was given to him as he could draw a furrow round in one day with a plough. The zeal of private individuals also was conspicuous in the midst of public honours. For, notwithstanding the great scarcity, each person contributed something to him in proportion to his private means, depriving himself of his own means of support.

Porsina, repulsed in his first attempt, having changed his plans to a siege of the city, and a blockade, and pitched his camp in the plain and on the bank of the Tiber, placed a garrison in the Janiculum. Then, sending for boats from all parts, both to guard the river, so as to prevent any provisions being conveyed up stream to Rome, and also that his soldiers might get across to plunder in different places as opportunity offered, in a short time he so harassed all the country round Rome, that not only was everything else conveyed out of the country, but even the cattle were driven into the city, and nobody ventured to drive them without the gates. This liberty of action was granted to the Etruscans, not more from fear than from design: for the consul Valerius, eager for an opportunity of falling unawares upon a number of them together in loose order, careless of taking vengeance in trifling matters, reserved himself as a serious avenger for more important occasions. Accordingly, in order to draw out the pillagers, he ordered a large body of his men to drive out their cattle the next day by the Esquiline gate, which was farthest from the enemy, thinking that they would get intelligence of it, because during the blockade and scarcity of provisions some of the slaves would turn traitors and desert. And in fact they did learn by the information of a deserter, and parties far more numerous than usual crossed the river in the hope of seizing all the booty at once. Then Publius Valerius commanded Titus Herminius, with a small force, to lie in ambush at the second milestone on the road to Gabii, and Spurius Larcius, with a party of light-armed youths, to post himself at the Colline gate while the enemy was passing by, and then to throw himself in their way to cut off their return to the river. The other consul, Titus Lucretius, marched out of the Naevian gate with some companies of soldiers, while Valerius himself led some chosen cohorts down from the Colan Mount. These were the first who were seen by the enemy. Herminius, when he perceived the alarm, rushed from his ambush and fell upon the rear of the Etruscans, who had turned against Valerius. The shout was returned on the right and left, from the Colline gate on the one side and the Naevian on the other. Thus the plunderers were put to the sword between both, being neither their match in strength for fighting, and all the ways being blocked up to prevent escape: this put an end to the disorderly raids of the Etruscans.

The blockade, however, was carried on none the less, and corn was both scarce and very dear. Porsina still entertained the hope that, by continuing the blockade, he would be able to reduce the city, when Gaius Mucius, a young noble, who considered it a disgrace that the Roman people, who, even when in a state of slavery, while under the kings, had never been confined within their walls during any war, or blockaded by any enemy, should now, when a free people, be blockaded by these very Etruscans whose armies they had often routed—and thinking that such disgrace ought to be avenged by some great and daring deed, at first designed on his own responsibility to make his way into the enemy's camp. Then, being afraid that, if he went without the permission of the consuls, and unknown to all, he might perhaps be seized by the Roman guards and brought back as a deserter, since the circumstances of the city at the time rendered such a charge credible, he approached the senate. "Fathers," said he, "I desire to cross the Tiber, and enter the enemy's camp, if I may be able, not as a plunderer, nor as an avenger to exact retribution for their devastations: a greater deed is in my mind, if the gods assist." The senate approved. He set out with a dagger concealed under his garment. When he reached the camp, he stationed himself where the crowd was thickest, near the king's tribunal. There, as the soldiers happened to be receiving their pay, and the king's secretary, sitting by him, similarly attired, was busily engaged, and generally addressed by the soldiers, he killed the secretary, against whom chance blindly directed the blow, instead of the king, being afraid to ask which of the two was Porsina, lest, by displaying his ignorance of the king, he should disclose who he himself was. As he was moving off in the direction where with his bloody dagger he had made a way for himself through the dismayed multitude, the crowd ran up on hearing the noise, and he was immediately seized and brought back by the king's guards: being set before the king's tribunal, even then, amid the perilous fortune that threatened him, more capable of inspiring dread than of feeling it, "I am," said he, "a Roman citizen; men call me Gaius Mucius; an enemy, I wished to slay an enemy, nor have I less courage to suffer death than I had to inflict it. Both to do and to suffer bravely is a Roman's part. Nor have I alone harboured such feelings toward you; there follows after me a long succession of aspirants to the same honour. Therefore, if you choose, prepare yourself for this peril, to be in danger of your life from hour to hour: to find the sword and the enemy at the very entrance of your tent: such is the war we, the youth of Rome, declare against you; dread not an army in the field, nor a battle; you will have to contend alone and with each of us one by one." When the king, furious with rage, and at the same time terrified at the danger, threateningly commanded fires to be kindled about him, if he did not speedily disclose the plots, at which in his threats he had darkly hinted, Mucius said, "See here, that you may understand of how little account the body is to those who have great glory in view"; and immediately thrust his right hand into the fire that was lighted for sacrifice. When he allowed it to burn as if his spirit were quite insensible to any feeling of pain, the king, well-nigh astounded at this surprising sight, leaped from his seat and commanded the young man to be removed from the altar. "Depart," said he, "thou who hast acted more like an enemy toward thyself than toward me. I would bid thee go on and prosper in thy valour, if that valour were on the side of my country. I now dismiss thee unharmed and unhurt, exempt from the right of war." Then Mucius, as if in return for the kindness, said: "Since bravery is held in honour with you, that you may obtain from me by your kindness that which you could

not obtain by threats, know that we are three hundred, the chief of the Roman youth, who have conspired to attack you in this manner. The lot fell upon me first. The rest will be with you each in his turn, according to the fortune that shall befall me who drew the first lot, until fortune on some favourable opportunity shall have delivered you into their hands."

Mucius, to whom the surname of Scaevola[13] was afterward given from the loss of his right hand, was let go and ambassadors from Porsina followed him to Rome. The danger of the first attempt, in which nothing had protected him but the mistake of his secret assailant, and the thought of the risk of life he would have to run so often in proportion to the number of surviving conspirators that remained, made so strong an impression upon him that of his own accord he offered terms of peace to the Romans. In these terms the restoration of the Tarquins to the throne was proposed and discussed without success, rather because he felt he could not refuse that to the Tarquins, than from ignorance that it would be refused him by the Romans. In regard to the restoration of territory to the Veientines his request was granted, and the obligation of giving hostages, if they wished the garrison to be withdrawn from the Janiculum, was extorted from the Romans. Peace being concluded on these terms, Porsina led his troops down from the Janiculum, and withdrew from Roman territory. The fathers bestowed upon Gaius Mucius, in reward for his valour, some land on the other side of the Tiber, which was afterward called the Mucian meadows. By this honour paid to valour women also were roused to deeds that brought glory to the state. Among others, a young woman named Claelia, one of the hostages, escaped her keepers, and, as the camp of the Etruscans had been pitched not far from the bank of the Tiber, swam over the river, amid the darts of the enemy, at the head of a band of maidens, and brought them all back in safety to their relations at Rome. When news of this was brought to the king, at first, furious with rage, he sent deputies to Rome to demand the hostage Claelia, saying that he did not set great store by the rest: afterward, his feelings being changed to admiration, he said that this deed surpassed those of men like Cocles and Mucius, and further declared that, as he would consider the treaty broken if the hostage were not delivered up, so, if she were given up, he would send her back unharmed and unhurt to her friends. Both sides kept faith: the Romans restored their pledge of peace according to treaty: and with the Etruscan king valour found not only security, but also honour; and, after praising the maiden, he promised to give her, as a present, half the hostages, allowing her to choose whom she pleased. When they had all been led forth, she is said to have picked out those below the age of puberty, a choice which both reflected honour upon her maiden delicacy, and was one likely to be approved of by consent of the hostages themselves—that those who were of such an age as was most exposed to injury should above all others be delivered from the enemy. Peace being renewed, the Romans rewarded this instance of bravery uncommon in a woman with an uncommon kind of honour: an equestrian statue, which, representing a maiden sitting on horseback, was erected at the top of the Via Sacra.[14]

The custom handed down from the ancients, and which has continued down to our times among other usages at public sales, that of selling the goods of King Porsina, is inconsistent with this account of so peaceful a departure of the Etruscan king from the city. The origin of this custom must either have arisen during the war, and not been abandoned in time of peace, or it must have grown from a milder beginning than the form of expression seems, on the face of it, to indicate, of selling the goods as if taken from an enemy. Of the accounts handed down, the most probable is, that Porsina, when retiring from the Janiculum, made a present to the Romans of his camp rich with stores of provisions conveyed from the neighbouring fertile fields of Etruria, as the city was then exhausted owing to the long siege: that then, to prevent its contents being plundered as if it belonged to an enemy when the people were admitted, they were sold, and called the goods of Porsina, the expression rather conveying the idea of a thankworthy gift than an auction of the king's property, seeing that this never even came into the power of the Roman people. Porsina, having abandoned the war against the Romans, that his army might not seem to have been led into those parts to no purpose, sent his son Arruns with part of his forces to besiege Aricia. The unexpected occurrence at first terrified the Aricians: afterward aid, which had been sent for, both from the people of Latium and from Cumæ,[15] inspired such hope that they ventured to try the issue of a pitched battle. At the beginning of the battle the Etruscans attacked so furiously that they routed the Aricians at the first onset. But the Cuman cohorts, employing stratagem against force, moved off a little to one side, and when the enemy were carried beyond them in loose array, they wheeled round and attacked them in the rear. By this means the Etruscans, when on the point of victory, were hemmed in and cut to pieces. A very small number of them, having lost their general, and having no nearer refuge, came to Rome without their arms, in the plight and guise of suppliants. There they were kindly received and distributed in different lodgings. When their wounds had been attended to, some with. Affection for their hosts and for the city caused many others to remain at Rome: a quarter was assigned them to dwell in, which has ever since been called the Tuscan Street.[16]

Spurius Lucretius and Publius Valerius Publicola were next elected consuls. In that year ambassadors came from Porsina for the last time, to discuss the restoration of Tarquin to the throne. And when

answer had been given them, that the senate would send deputies to the king, the most distinguished of that order were forthwith despatched to explain that it was not because the answer could not have been given in a few words—that the royal family would not be received—that select members of the senate had been deputed to him, rather than an answer given to his ambassadors at Rome, but in order that all mention of the matter might be put an end to forever, and that their minds might not be disturbed amid so many mutual acts of kindness on both sides, by his asking what was adverse to the liberty of the Roman people, and by their refusing him (unless they were willing to promote their own destruction) whom they would willingly refuse nothing. That the Roman people were not now under a kingly government, but in the enjoyment of freedom, and were accordingly resolved to open their gates to enemies sooner than to kings. That it was the wish of all, that the end of their city's freedom might also be the end of the city itself. Wherefore, if he wished Rome to be safe, they entreated him to suffer it to be free. The king, overcome by feelings of respect, replied: "Since that is your firm and fixed resolve, I will neither annoy you by importunities, by urging the same request too often to no purpose, nor will I disappoint the Tarquins by holding out hopes of aid, which it is not in my power to give them; whether they have need of peace, or of war, let them go hence and seek another place of exile, that nothing may hinder the peace between us." To kindly words he added deeds still more friendly: he delivered up the remainder of the hostages, and restored to them the land of the Veientines, which had been taken from them by the treaty concluded at the Janiculum. Tarquin, now that all hope of return was cut off, went into exile to Tusculum [17] to his son-in-law Octavius Mamilius. Thus a lasting peace was concluded between Porsina and the Romans.

The next consuls were Marcus Valerius and Publius Postumius. During that year war was carried on successfully against the Sabines; the consuls received the honour of a triumph. Upon this the Sabines made preparations for war on a larger scale. To make head against them, and to prevent any sudden danger arising from Tusculum, from which quarter war, though not openly declared, was suspected, Publius Valerius was created consul a fourth time, and Titus Lucretius a second time. A disturbance that arose among the Sabines between the advocates of war and of peace transferred considerable strength from them to the Romans. For Attius Clausus, who was afterward called Appius Claudius at Rome, being himself an advocate of peace, when hard pressed by the agitators for war, and being no match for the party, fled from Regillum to Rome, accompanied by a great number of dependents. The rights of citizenship and land on the other side of the Anio were bestowed on them. This settlement was called the old Claudian tribe, and was subsequently increased by the addition of new tribesmen who kept arriving from that district. Appius, being chosen into the senate, was soon after advanced to the rank of the highest in that order. The consuls entered the territories of the Sabines with a hostile army, and when, both by laying waste their country, and afterward by defeating them in battle, they had so weakened the power of the enemy that for a long time there was no reason to dread the renewal of the war in that quarter, they returned to Rome in triumph. The following year, Agrippa Menenius and Publius Postumius being consuls, Publius Valerius, by universal consent the ablest man in Rome, in the arts both of peace and war, died covered with glory, but in such straitened private circumstances that there was not enough to defray the expenses of a public funeral: one was given him at the public charge. The matrons mourned for him as they had done for Brutus. The same year two Latin colonies, Pometia and Cora,[18] revolted to the Auruncans.[19] War was commenced against the Auruncans, and after a large army, which boldly met the consuls as they were entering their frontiers, had been defeated, all the operations of the Auruncan war were concentrated at Pometia. Nor, after the battle was over, did they refrain from slaughter any more than when it was going on: the number of the slain was considerably greater than that of the prisoners, and the latter they put to death indiscriminately. Nor did the wrath of war spare even the hostages, three hundred in number, whom they had received. This year also the consuls celebrated a triumph at Rome.

The succeeding consuls, Opiter Verginius and Spurius Cassius, first endeavoured to take Pometia by storm, and afterward by means of mantlets [20] and other works. But the Auruncans, stirred up against them more by an irreconcilable hatred than induced by any hopes of success, or by a favourable opportunity, having sallied forth, more of them armed with lighted torches than swords, filled all places with fire and slaughter. Having fired the mantlets, slain and wounded many of the enemy, they almost succeeded in slaying one of the consuls, who had been thrown from his horse and severely wounded: which of them it was, authorities do not mention. Upon this the Romans returned to the city unsuccessful: the consul was taken back with many more wounded, with doubtful hope of his recovery. After a short interval, sufficient for attending to their wounds and recruiting their army, they attacked Pometia with greater fury and increased strength. When, after the mantlets and the other military works had been repaired, the soldiers were on the point of mounting the walls, the town surrendered. Yet, though the town had surrendered, the Auruncans were treated with no less cruelty than if it had been taken by assault: the chief men were beheaded: the rest, who were colonists, were sold by auction, the town was razed, and the land sold. The consuls obtained a triumph more from having violently gratified their[21] resentment than in consequence of the importance of the war thus concluded.

In the following year Postumus Cominius and Titus Larcius were consuls. In that year, during the celebration of the games at Rome, as some courtesans were being carried off by some of the Sabine youth in wanton frolic, a crowd assembled, a quarrel ensued, and almost a battle: and in consequence of this trifling occurrence the whole affair seemed to point to a renewal of hostilities, which inspired even more apprehension than a Latin war. Their fears were further increased, because it was known for certain that thirty different states had already entered into a confederacy against them, at the instigation of Octavius Mamilius. While the state was troubled during the expectation of such important events, the idea of nominating a dictator was mentioned for the first time.

But in what year, or who the consuls were in whom confidence was not reposed, because they belonged to the party of the Tarquins—for that also is reported—or who was elected dictator for the first time, is not satisfactorily established. Among the oldest authorities, however, I find that Titus Larcius was appointed the first dictator, and Spurius Cassius master of the horse. They chose men of consular dignity: so the law that was passed for the election of a dictator ordained. For this reason, I am more inclined to believe that Larcius, who was of consular rank, was attached to the consuls as their director and superior, rather than Manius Valerius, the son of Marcus and grandson of Volesus, who had not vet been consul. Moreover, had they intended a dictator to be chosen from that family under any circumstances, they would much rather have chosen his father, Marcus Valerius, a man of consular rank, and of approved merit. On the first creation of the dictator at Rome, when they saw the axes carried before him, great awe came upon the people,[22] so that they became more attentive to obey orders. For neither, as was the case under the consuls, who possessed equal power, could the assistance of one of them be invoked, nor was there any appeal, nor any chance of redress but in attentive submission. The creation of a dictator at Rome also terrified the Sabines, and the more so because they thought he was created on their account. Accordingly, they sent ambassadors to treat concerning peace. To these, when they earnestly entreated the dictator and senate to pardon a youthful offence, the answer was given, that the young men might be forgiven, but not the old, seeing that they were continually stirring up one war after another. Nevertheless they continued to treat about peace, which would have been granted, if the Sabines had brought themselves to make good the expenses incurred during the war, as was demanded. War was proclaimed; a truce, however, with the tacit consent of both parties, preserved peace throughout the year.

Servius Sulpicius and Manius Tullius were consuls the next year: nothing worth mentioning happened. Titus Aebutius and Gaius Vetusius succeeded. In their consulship Fideae was besieged, Crustumeria taken, and Præneste[23] revolted from the Latins to the Romans. Nor was the Latin war, which had now been fomenting for several years, any longer deferred. Aulus Postumius the dictator, and Titus Aebutius his master of the horse, setting out with a numerous army of horse and foot, met the enemy's forces at the Lake Regillus,[24] in the territory of Tusculum, and, because it was rumoured that the Tarquins were in the army of the Latins, their rage could not be restrained, so that they immediately came to an engagement. Accordingly, the battle was considerably more severe and fierce than others. For the generals were present not only to direct matters by their instructions, but, exposing their own persons, they met in combat. And there was hardly one of the principal officers of either army who came off unwounded, except the Roman dictator. As Postumius was encouraging his men in the first line, and drawing them up in order, Tarquinius Superbus, though now advanced in years and enfeebled, urged on his horse to attack him: and, being wounded in the side, he was carried off by a party of his men to a place of safety. In like manner, on the other wing, Aebutius, master of the horse, had charged Octavius Mamilius; nor was his approach unobserved by the Etruscan general, who in like manner spurred his horse against him. And such was their impetuosity as they advanced with lances couched, that Aebutius was pierced through the arm and Mamilius run through the breast. The Latins received the latter into their second line; Aebutius, as he was unable to wield his lance with his wounded arm, retired from the battle. The Latin general, no way discouraged by his wound, stirred up the fight: and, because he saw that his own men were disheartened, sent for a company of Roman exiles, commanded by the son of Lucius Tarquinius. This body, inasmuch as they fought with greater fury, owing to the loss of their country, and the seizure of their estates, for a while revived the battle.

When the Romans were now beginning to give ground in that quarter, Marcus Valerius, brother of Publicola, having observed young Tarquin boldly parading himself at the head of his exiles, fired besides with the renown of his house, that the family, which had gained glory by having expelled the kings, might also have the glory of destroying them, put spurs to his horse, and with his javelin couched made toward Tarquin. Tarquin retreated before his infuriated foe to a battalion of his own men. As Valerius rode rashly into the line of the exiles, one of them attacked him and ran him sideways through the body, and as the horse was in no way impeded by the wound of his rider, the Roman sank to the ground expiring, with his arms falling over his body. Postumius the dictator, seeing the fall of so distinguished a man, and that the exiles were advancing boldly at a run, and his own men disheartened and giving ground, gave the signal to his own cohort, a chosen body of men which he kept for the defence of his person, to treat every Roman soldier, whom they saw fleeing from the battle, as an

enemy. Upon this the Romans, in fear of the danger on both sides, turned from flight and attacked the enemy, and the battle was restored. The dictator's cohort then for the first time engaged in the fight, and with persons and courage unimpaired, fell on the wearied exiles, and cut them to pieces. There another engagement took place between the leading officers. The Latin general, on seeing the cohort of the exiles almost surrounded by the Roman dictator, hurried up some companies of reserves to the front. Titus Herminius, a lieutenant-general, seeing them advancing in a body, and recognising Mamilius, distinguished among them by his armour and dress, encountered the leader of the enemy with violence so much greater than the master of the horse had shown a little before, that at one thrust he ran him through the side and slew him. While stripping the body of his enemy, he himself received a wound with a javelin, and, though brought back to the camp victorious, died while it was being dressed. Then the dictator hurried up to the cavalry, entreating them, as the infantry were tired out, to dismount and take up the fight. They obeyed his orders, dismounted, flew to the front, and, taking the place of the first line, covered themselves with their targets. The infantry immediately recovered their courage when they saw the young nobles sustaining a share of the danger with them, the mode of fighting being now the same for all. Then at length the Latins were beaten back, and their line, disheartened, gave way. The horses were then brought up to the cavalry, that they might pursue the enemy: the infantry likewise followed. Thereupon the dictator, disregarding nothing that held out hope of divine or human aid, is said to have vowed a temple to Castor, and to have promised rewards to the first and second of the soldiers who should enter the enemy's camp. Such was the ardour of the Romans that they took the camp with the same impetuosity wherewith they had routed the enemy in the field. Such was the engagement at the Lake Regillus.

The dictator and master of the horse returned to the city in triumph. For the next three years there was neither settled peace nor open war. The consuls were Q. Cloelius and T. Larcius. They were succeeded by A. Sempronius and M. Minucius. During their consulship a temple was dedicated to Saturn and the festival of the Saturnalia instituted. The next consuls were A. Postumius and T. Verginius. I find in some authors this year given as the date of the battle at Lake Regillus, and that A. Postumius laid down his consulship because the fidelity of his colleague was suspected, on which a Dictator was appointed. So many errors as to dates occur, owing to the order in which the consuls succeeded being variously given, that the remoteness in time of both the events and the authorities make it impossible to determine either which consuls succeeded which, or in what year any particular event occurred. Ap. Claudius and P. Servilius were the next consuls. This year is memorable for the news of Tarquin's death. His death took place at Cuma, whither he had retired, to seek the protection of the tyrant Aristodemus after the power of the Latins was broken. The news was received with delight by both senate and plebs. But the elation of the patricians was carried to excess. Up to that time they had treated the commons with the utmost deference, now their leaders began to practice injustice upon them. The same year a fresh batch of colonists was sent to complete the number at Signia, a colony founded by King Tarquin. The number of tribes at Rome was increased to twenty-one. The temple of Mercury was dedicated on May 15.

The relations with the Volscians during the Latin war were neither friendly nor openly hostile. The Volscians had collected a force which they were intending to send to the aid of the Latins had not the Dictator forestalled them by the rapidity of his movements, a rapidity due to his anxiety to avoid a battle with the combined armies. To punish them the consuls led the legions into the Volscian country. This unexpected movement paralysed the Volscians, who were not expecting retribution for what had been only an intention. Unable to offer resistance, they gave as hostages three hundred children belonging to their nobility, drawn from Cora and Pometia. The legions, accordingly, were marched back without fighting. Relieved from the immediate danger, the Volscians soon fell back on their old policy, and after forming an armed alliance with the Hernicans, made secret preparations for war. They also despatched envoys through the length and breadth of Latium to induce that nation to join them. But after their defeat at Lake Regillus the Latins were so incensed against every one who advocated a resumption of hostilities that they did not even spare the Volscian envoys, who were arrested and conducted to Rome. There they were handed over to the consuls and evidence was produced showing that the Volscians and Hernicans were preparing for war with Rome. When the matter was brought before the senate, they were so gratified by the action of the Latins that they sent back six thousand prisoners who had been sold into slavery, and also referred to the new magistrates the question of a treaty which they had hitherto persistently refused to consider. The Latins congratulated themselves upon the course they had adopted, and the advocates of peace were in high honour. They sent a golden crown as a gift to the Capitoline Jupiter. The deputation who brought the gift were accompanied by a large number of the released prisoners, who visited the houses where they had worked as slaves to thank their former masters for the kindness and consideration shown them in their misfortunes, and to form ties of hospitality with them. At no previous period had the Latin nation been on more friendly terms both politically and personally with the Roman government.

But a war with the Volscians was imminent, and the State was torn with internal dissensions; the

patricians and the plebeians were bitterly hostile to one another, owing mainly to the desperate condition of the debtors. They loudly complained that whilst fighting in the field for liberty and empire they were oppressed and enslaved by their fellow-citizens at home; their freedom was more secure in war than in peace, safer amongst the enemy than amongst their own people. The discontent, which was becoming of itself continually more embittered, was still further aggravated by the striking sufferings of an individual. A man advanced in years rushed into the forum with the tokens of his utter misery upon him. His clothes were covered with filth, his personal appearance still more pitiable, pale, and emaciated. In addition, a long beard and hair gave a wild look to his countenance. Notwithstanding his wretched appearance however, he was recognised, and people said that he had been a centurion, and, compassionating him, recounted other distinctions that he had gained in war: he himself exhibited scars on his breast in front, which bore witness to honourable battles in several places. When they repeatedly inquired the reason of his plight, and wretched appearance, a crowd having now gathered round him almost like a regular assembly, he said, that, while serving in the Sabine war, because he had not only been deprived of the produce of his land in consequence of the depredations of the enemy, but his residence had also been burned down, all his effects pillaged, his cattle driven off, and a tax imposed on him at a time when it pressed most hardly upon him, he had got into debt: that this debt, increased by exorbitant interest, had stripped him first of his father's and grandfather's farm, then of all his other property; lastly that, like a wasting sickness, it had reached his person: that he had been dragged by his creditor, not into servitude, but into a house of correction and a place of torture. He then showed his back disfigured with the marks of recent scourging. At this sight and these words a great uproar arose. The tumult now no longer confined itself to the forum, but spread everywhere through the entire city. The nexi,[25] both those who were imprisoned, and those who were now at liberty, hurried into the streets from all quarters and implored the protection of the Quirites. Nowhere was there lack of volunteers to join the disturbance. They ran in crowds through all the streets, from all points, to the forum with loud shouts. Such of the senators as happened to be in the forum fell in with this mob at great peril to themselves; and it might not have refrained from actual violence had not the consuls, Publius Servilius and Appius Claudius, hastily interfered to quell the disturbance. The multitude, however, turning toward them, and showing their chains and other marks of wretchedness, said that they deserved all this,[26] mentioning, each of them, in reproachful terms, the military services performed by himself, by one in one place, by another in another. They called upon them with menaces, rather than entreaties, to assemble the senate, and stood round the senate-house in a body, determined themselves to be witnesses and directors of the public resolves. Very few of the senators, whom chance had thrown in the way, were got together by the consuls; fear kept the rest away not only from the senate-house, but even from the forum, and no business could be transacted owing to their small attendance. Then indeed the people began to think they were being tricked, and put off: and that such of the senators as absented themselves did so not through accident or fear, but with the express purpose of obstructing business: that the consuls themselves were shuffling, that their miseries were without doubt held up to ridicule. Matters had now almost come to such a pass that not even the majesty of the consuls could restrain the violence of the people. Wherefore, uncertain whether they would incur greater danger by staying at home, or venturing abroad, they at length came into the senate; but, though the house was now by this time full, not only were the senators unable to agree, but even the consuls themselves. Appius, a man of violent temperament, thought the matter ought to be settled by the authority of the consuls, and that, if one or two were seized, the rest would keep quiet. Servilius, more inclined to moderate remedies, thought that, while their minds were in this state of excitement, they could be bent with greater ease and safety than they could be broken.

Meanwhile an alarm of a more serious nature presented itself. Some Latin horse came full speed to Rome, with the alarming news that the Volscians were marching with a hostile army to besiege the city. This announcement—so completely had discord split the state into two—affected the senators and people in a far different manner. The people exulted with joy, and said that the gods were coming to take vengeance on the tyranny of the patricians. They encouraged one another not to give in their names,[27] declaring that it was better that all should perish together than that they should perish alone. Let the patricians serve as soldiers; let the patricians take up arms, so that those who reaped the advantages of war should also undergo its dangers. But the senate, dejected and confounded by the double alarm they felt, inspired both by their own countryman and by the enemy, entreated the consul Servilius, whose disposition was more inclined to favour the people, that he would extricate the commonwealth, beset as it was with so great terrors. Then the consul, having dismissed the senate, came forward into the assembly. There he declared that the senate were solicitous that the interests of the people should be consulted: but that alarm for the safety of the whole commonwealth had interrupted their deliberation regarding that portion of the state, which, though indeed the largest portion, was yet only a portion: nor could they, seeing that the enemy were almost at the gates, allow anything to take precedence of the war: nor, even though there should be some respite, was it either to the credit of the people not to have taken up arms in defence of their country unless they first received pay, nor consistent with the dignity of the senators to have adopted measures of relief for the distressed fortunes of their countrymen through fear rather than afterward of their own free will. He

then further gave his speech the stamp of sincerity by an edict, by which he ordained that no one should detain a Roman citizen either in chains or in prison, so that he would thereby be deprived of the opportunity of enrolling his name under the consuls, and that no one should either take possession of or sell the goods of any soldier, while on service, or detain his children or grandchildren in custody for debt. On the publication of this edict, both the debtors who were present immediately gave in their names, and crowds of persons, hastening from all quarters of the city from private houses, as their creditors had no right to detain their persons, ran together into the forum, to take the military oath. These made up a considerable body of men, nor did any others exhibit more conspicuous bravery or activity during the Volscian war. The consul led out his forces against the enemy, and pitched his camp at a little distance from them.

The next night the Volscians, relying on the dissension among the Romans, made an attempt on their camp, to see if there were any chance of desertion or treachery during the night. The sentinels on guard perceived them: the army was called up, and, the signals being given, they ran to arms. Thus the attempt of the Volscians was frustrated; the remainder of the night was given up to repose on both sides. The next morning at daybreak the Volscians, having filled the trenches, attacked the rampart. And already the fortifications were being demolished on every side, when the consul, after having delayed a little while for the purpose of testing the feelings of the soldiers, although all from every quarter, and before all the debtors, were crying out for him to give the signal, at length, when their great eagerness became unmistakable, gave the signal for sallying forth, and let out the soldiery impatient for the fight. At the very first onset the enemy was routed; the fugitives were harassed in the rear, as far as the infantry were able to follow them: the cavalry drove then in consternation up to their camp. In a short time the legions having been drawn around it, the camp itself was taken and plundered, since panic had driven the Volscians even from thence also. On the next day the legions were led to Suessa Pometia, whither the enemy had retreated. In a few days the town was taken, and, after being taken, was given up for plunder, whereby the needs of the soldiers were somewhat relieved. The consul led back his victorious army to Rome with the greatest renown to himself. On his departure for Rome, he was met by the deputies of the Ecetrans, a tribe of the Volscians, who were alarmed for the safety of their state after the capture of Pometia. By a decree of the senate peace was granted them, but they were deprived of their land.

Immediately after this the Sabines also frightened the Romans: for it was rather an alarm than a war. News was brought into the city during the night that a Sabine army had advanced as far as the river Anio, plundering the country: that the country houses there were being pillaged and set fire to indiscriminately. Aulus Postumius, who had been dictator in the Latin war, was immediately sent thither with all the cavalry forces. The consul Servilius followed him with a picked body of infantry. The cavalry cut off most of the stragglers; nor did the Sabine legions make any resistance against the battalion of infantry when it came up with them. Tired both by their march and nightly raids, surfeited with eating and drinking in the country houses, a great number of them had scarcely sufficient strength to flee. Thus the Sabine war was heard of and finished in a single night. On the following day, when all were sanguine that peace had been secured in every quarter, ambassadors from the Auruncans presented themselves before the senate, threatening to declare war unless the troops were withdrawn from the Volscian territory. The army of the Auruncans had set out from home at the same time as the ambassadors, and the report that this army had been seen not far from Aricia threw the Romans into such a state of confusion that neither could the senate be consulted in regular form, nor could the Romans, while themselves taking up arms, give a pacific answer to those who were advancing to attack them. They marched to Aricia in hostile array, engaged with the Auruncans not far from that town and in one battle the war was ended.

After the defeat of the Auruncans, the people of Rome, victorious in so many wars within a few days, were looking to the consul to fulfill his promises, and to the senate to keep their word, when Appius, both from his natural pride, and in order to undermine the credit of his colleague, issued a decree concerning borrowed money in the harshest possible terms. From this time, both those who had been formerly in confinement were delivered up to their creditors, and others also were taken into custody. Whenever this happened to any soldier, he appealed to the other consul. A crowd gathered about Servilius: they threw his promises in his teeth, severally upbraiding him with their services in war, and the scars they had received. They called upon him either to lay the matter before the senate, or, as consul, to assist his fellow-citizens, as commander, his soldiers. These remonstrances affected the consul, but the situation of affairs obliged him to act in a shuffling manner: so completely had not only his colleague, but the whole of the patrician party, enthusiastically taken up the opposite cause. And thus, by playing a middle part, he neither escaped the odium of the people, nor gained the favour of the senators. The patricians looked upon him as wanting in energy and a popularity-hunting consul, the people, as deceitful: and it soon became evident that he had become as unpopular as Appius himself. A dispute had arisen between the consuls, as to which of them should dedicate the Temple of Mercury. The senate referred the matter from themselves to the people, and ordained that, to whichever of them

the task of dedication should be intrusted by order of the people, he should preside over the markets, establish a guild of merchants,[28] and perform the ceremonies in presence of the Pontifex Maximus. The people intrusted the dedication of the temple to Marcus Laetorius, a centurion of the firstrank, which, as would be clear to all, was done not so muchout of respect to a person on whom an office above his rank had been conferred, as to affront the consuls. Upon this one of the consuls particularly, and the senators were highly incensed: however, the people had gained fresh courage, and proceeded in quite a different manner to what they had at first intended. For when they despaired of redress from the consuls and senate, whenever they saw a debtor led into court, they rushed together from all quarters. Neither could the decree of the consul be heard distinctly for the noise and shouting, nor, when he had pronounced the decree, did any one obey it. Violence was the order of the day, and apprehension and danger in regard to personal liberty was entirely transferred from the debtors to the creditors, who were individually maltreated by the crowd before the very eyes of the consul. In addition, the dread of the Sabine war spread, and when a levy was decreed, nobody gave in his name: Appius was enraged, and bitterly inveighed against the self-seeking conduct of his colleague, in that he, by the inactivity he displayed to win the favour of the people, was betraying the republic, and, besides not having enforced justice in the matter of debt, likewise neglected even to hold a levy, in obedience to the decree of the senate. Yet he declared that the commonwealth was not entirely deserted, nor the consular authority altogether degraded; that he, alone and unaided, would vindicate both his own dignity and that of the senators. When day by day the mob, emboldened by license, stood round him, he commanded a noted ringleader of the seditious outbreaks to be arrested. He, as he was being dragged off by the lictors, appealed to the people; nor would the consul have allowed the appeal, because there was no doubt regarding the decision of the people, had not his obstinacy been with difficulty overcome, rather by the advice and influence of the leading men, than by the clamours of the people; with such a superabundance of courage was he endowed to support the weight of public odium. The evil gained ground daily, not only by open clamours, but, what was far more dangerous, by secession and by secret conferences. At length the consuls, so odious to the commons, resigned office, Servilius liked by neither party, Appius highly esteemed by the senators.

Then Aulus Verginius and Titus Vetusius entered on the consulship. Upon this the commons, uncertain what sort of consuls they were likely to have, held nightly meetings, some of them upon the Esquiline, and others upon the Aventine, lest, when assembled in the forum, they should be thrown into confusion by being obliged to adopt hasty resolutions, and proceed inconsiderately and at hap-hazard. The consuls, judging this proceeding to be of dangerous tendency, as it really was, laid the matter before the senate. But, when it was laid before them, they could not get them to consult upon it regularly; it was received with an uproar on all sides, and by the indignant shouts of the fathers, at the thought that the consuls threw on the senate the odium for that which should have been carried out by consular authority. Assuredly, if there were real magistrates in the republic, there would have been no council at Rome but a public one. As it was, the republic was divided and split into a thousand senate-houses and assemblies, some meetings being held on the Esquiline, others on the Aventine. One man, like Appius Claudius—for such a one was of more value than a consul—would have dispersed those private meetings in a moment. When the consuls, thus rebuked, asked them what it was that they desired them to do, declaring that they would carry it out with as much energy and vigour as the senators wished, the latter issued a decree that they should push on the levy as briskly as possible declaring that the people had become insolent from want of employment. When the senate had been dismissed, the consuls assembled the tribunal and summoned the younger men by name. When none of them answered to his name, the people, crowding round after the manner of a general assembly, declared that the people could no longer be imposed on: that they should never enlist one single soldier unless the engagement made publicly with the people were fulfilled: that liberty must be restored to each before arms should be given, that so they might fight for their country and fellow-citizens, and not for lords and masters. The consuls understood the orders of the senate, but saw none of those who talked so big within the walls of the senate-house present themselves to share the odium they would incur. In fact, a desperate contest with the commons seemed at hand. Therefore, before they had recourse to extremities, they thought it advisable to consult the senate a second time. Then indeed all the younger senators almost flew to the chairs of the consuls, commanding them to resign the consulate, and lay aside an office which they lacked the courage to support.

Both plans having been sufficiently made proof of, the consuls at length said: "Conscript fathers, that you may not say that you have not been forewarned, know that a great disturbance is at hand. We demand that those who accuse us most loudly of cowardice shall assist us when holding the levy; we will proceed according to the resolution of the most intrepid among you, since it so pleases you." Returning to their tribunal, they purposely commanded one of the leaders of the disturbance, who were in sight, to be summoned by name. When he stood without saying a word, and a number of men stood round him in a ring, to prevent violence being offered, the consuls sent a lictor to seize him, but he was thrust back by the people. Then, indeed, those of the fathers who attended the consuls, exclaiming against it as an intolerable insult, hurried down from the tribunal to assist the lictor. But when the

violence of the people was turned from the lictor, who had merely been prevented from arresting the man, against the fathers, the riot was quelled by the interposition of consuls, during which, however, without the use of stones or weapons, there was more noise and angry words than actual injury inflicted. The senate, summoned in a tumultuous manner was consulted in a manner still more tumultuous, those who had been beaten demanding an inquiry, and the most violent of them attempting to carry their point, not so much by votes as by clamour and bustle. At length, when their passion had subsided, and the consuls reproached them that there was no more presence of mind in the senate than in the forum, the matter began to be considered in order. Three different opinions were held. Publius Verginius was against extending relief to all. He voted that they should consider only those who, relying on the promise of Publius Servilius the consul, had served in the war against the Volscians, Auruncans, and Sabines. Titus Larcius was of opinion, that it was not now a fitting time for services only to be rewarded: that all the people were overwhelmed with debt, and that a stop could not be put to the evil, unless measures were adopted for the benefit of all: nay, further, if the condition of different parties were different discord would thereby rather be inflamed than healed. Appius Claudius, being naturally of a hard disposition, and further infuriated by the hatred of the commons on the one hand, and the praises of the senators on the other, insisted that such frequent riots were caused not by distress, but by too much freedom: that the people were rather insolent than violent: that this mischief, in fact, took its rise from the right of appeal; since threats, not authority, was all that remained to the consuls, while permission was given to appeal to those who were accomplices in the crime. "Come," added he, "let us create a dictator from whom there lies no appeal, and this madness, which has set everything ablaze, will immediately subside. Then let me see the man who will dare to strike a lictor, when he shall know that that person, whose authority he has insulted, has sole and absolute power to flog and behead him."

To many the opinion of Appius appeared, as in fact it was, harsh and severe. On the other hand, the proposals of Verginius and Larcius appeared injurious, from the precedent they established: that of Larcius they considered especially so, as one that would destroy all credit. The advice of Verginius, was reckoned to be most moderate, and a happy medium between the other two. But through party spirit and men's regard for their private interest, which always has and always will stand in the way of public councils, Appius prevailed, and was himself near being created dictator—a step which would certainly have alienated the commons at a most dangerous juncture, when the Volscians, the Aequans, and the Sabines all happened to be in arms at the same time. But the consuls and elders of the senate took care that this command, in its own nature uncontrollable, should be intrusted to a man of mild disposition. They elected Marcus Valerius son of Volesus, dictator. The people, though they saw that this magistrate was appointed against themselves, yet, as they possessed the right of appeal by his brother's law, had nothing harsh or tyrannical to fear from that family. Afterward an edict published by the dictator, which was almost identical in terms with that of the consul Servilius, further inspirited them. But, thinking reliance could be more safely placed both in the man and in his authority,[29] they abandoned the struggle and gave in their names. Ten legions were raised, a larger army than had ever been raised before.[30] Of these, each of the consuls had three legions assigned him; the dictator commanded four.

The war could not now be any longer deferred. The Aequans had invaded the territory of the Latins: the deputies of the latter begged the senate either to send them assistance, or to allow them to arm themselves for the purpose of defending their own frontiers. It seemed safer that the Latins should be defended without their being armed, than to allow them to handle arms again. Vetusius the consul was sent to their assistance: thereby a stop was put to the raids. The Aequans retired from the plains, and depending more on the advantages of position than on their arms, secured themselves on the heights of the mountains. The other consul, having set out against the Volscians, lest he in like manner might waste time,[31] provoked the enemy to pitch their camp nearer, and to risk a regular engagement, by ravaging their lands. Both armies stood ready to advance, in front of their lines, in hostile array, in a plain between the two camps. The Volscians had considerably the advantage in numbers: accordingly, they entered into battle in loose order, and in a spirit of contempt. The Roman consul neither advanced his forces, nor allowed the enemy's shouts to be returned, but ordered his men to stand with their spears fixed in the ground, and whenever the enemy came to a hand-to-hand encounter, to draw their swords, and attacking them with all their force, to carry on the fight. The Volscians, wearied with running and shouting attacked the Romans, who appeared to them paralyzed with fear; but when they perceived the vigorous resistance that was made, and saw the swords glittering before their eyes, just as if they had fallen into an ambuscade, they turned and fled in confusion. Nor had they sufficient strength even to flee as they had entered into action at full speed. The Romans, on the other hand, as they had quietly stood their ground at the beginning of the action, with physical vigour unimpaired, easily overtook the weary foe, took their camp by assault, and, having driven them from it, pursued them to Velitrae, [32] into which city conquered and conquerors together rushed in one body. By the promiscuous slaughter of all ranks, which there ensued, more blood was shed than in the battle itself. Quarter was given to a few, who threw down their arms and surrendered.

While these operations were going on among the Volscians, the dictator routed the Sabines, among

whom by far the most important operations of the war were carried on, put them to flight, and stripped them of their camp. By a charge of cavalry he had thrown the centre of the enemy's line into confusion, in the part where, owing to the wings being extended too widely, they had not properly strengthened their line with companies in the centre. The infantry fell upon them in their confusion: by one and the same charge the camp was taken and the war concluded. There was no other battle in those times more memorable than this since the action at the Lake Regillus. The dictator rode into the city in triumph. Besides the usual honours, a place in the circus was assigned to him and his descendants, to see the public games: a curule chair.[33] was fixed in that place. The territory of Velitrae was taken from the conquered Volscians: colonists were sent from Rome to Velitrae, and a colony led out thither. Some considerable time afterward an engagement with the Aequans took place, but against the wish of the consul, because they had to approach the enemy on unfavourable ground: the soldiers, however, complaining that the affair was being purposely protracted, in order that the dictator might resign his office before they themselves returned to the city, and so his promises might come to nothing, like those of the consul before, forced him at all hazards to march his army up the hills. This imprudent step, through the cowardice of the enemy, turned out successful: for, before the Romans came within range, the Aequans, amazed at their boldness, abandoned their camp, which they had pitched in a very strong position, and ran down into the valleys that lay behind them. There abundant plunder was found: the victory was a bloodless one. While military operations had thus proved successful in three quarters, neither senators nor people had dismissed their anxiety in regard to the issue of domestic questions. With such powerful influence and such skill had the usurers made arrangements, so as to disappoint not only the people, but even the dictator himself. For Valerius, after the return of the consul Vetusius, of all the measures brought before the senate, made that on behalf of the victorious people the first, and put the question, what it was their pleasure should be done with respect to the debtors. And when his report was disallowed, he said: "As a supporter of reconciliation, I am not approved of. You will ere long wish, depend on it, that the commons of Rome had supporters like myself. For my part, I will neither further disappoint my Fellow-citizens, nor will I be dictator to no purpose. Intestine dissensions and foreign wars have caused the republic to stand in need of such a magistrate. Peace has been secured abroad, it is impeded at home. I will be a witness to the disturbance as a private citizen rather than as dictator." Accordingly, quitting the senate-house, he resigned his dictatorship. The reason was clear to the people: that he had resigned his office from indignation at their treatment. Accordingly, as if his promise had been fully kept, since it had not been his fault that his word had not been made good, they escorted him on his return home with favouring shouts of acclamation.

Fear then seized the senators lest, if the army was disbanded, secret meetings and conspiracies would be renewed; accordingly, although the levy had been held by the dictator, yet, supposing that, as they had sworn obedience to the consuls, the soldiers were bound by their oath, they ordered the legions to be led out of the city, under the pretext of hostilities having been renewed by the Aequans. By this course of action the sedition was accelerated. And indeed it is said that it was at first contemplated to put the consuls to death, that the legions might be discharged from their oath: but that, being afterward informed that no religious obligation could be rendered void by a criminal act, they, by the advice of one Sicinius, retired, without the orders of the consuls, to the Sacred Mount,[34] beyond the river Anio, three miles from the city: this account is more commonly adopted than that which Piso[35] has given, that the secession was made to the Aventine. There, without any leader, their camp being fortified with a rampart and trench, remaining quiet, taking nothing but what was necessary for subsistence, they remained for several days, neither molested nor molesting. Great was the panic in the city, and through mutual fear all was in suspense. The people, left by their fellows in the city, dreaded the violence of the senators: the senators dreaded the people who remained in the city, not feeling sure whether they preferred them to stay or depart. On the other hand, how long would the multitude which had seceded, remain quiet? What would be the consequences hereafter, if, in the meantime, any foreign war should break out? They certainly considered there was no hope left, save in the concord of the citizens: that this must be restored to the state at any price. Under these circumstances it was resolved that Agrippa Menenius, an eloquent man, and a favourite with the people, because he was sprung from them, should be sent to negotiate with them. Being admitted into the camp, he is said to have simply related to them the following story in an old-fashioned and unpolished style: "At the time when the parts of the human body did not, as now, all agree together, but the several members had each their own counsel, and their own language, the other parts were indignant that, while everything was provided for the gratification of the belly by their labour and service, the belly, resting calmly in their midst, did nothing but enjoy the pleasures afforded it. They accordingly entered into a conspiracy, that neither should the hands convey food to the mouth, nor the mouth receive it when presented, nor the teeth have anything to chew: while desiring, under the influence of this indignation, to starve out the belly, the individual members themselves and the entire body were reduced to the last degree of emaciation. Thence it became apparent that the office of the belly as well was no idle one, that it did not receive more nourishment than it supplied, sending, as it did, to all parts of the body that blood from which we derive life and vigour, distributed equally through the veins when perfected by the digestion of the food." [36] By drawing a comparison from this, how

like was the internal sedition of the body to the resentment of the people against the senators, he succeeded in persuading the minds of the multitude.

Then the question of reconciliation began to be discussed, and a compromise was effected on certain conditions: that the commons should have magistrates of their own, whose persons should be inviolable, who should have the power of rendering assistance against the consuls, and that no patrician should be permitted to hold that office. Accordingly, two tribunes of the commons were created, Gaius Licinius and Lucius Albinus. These created three colleagues for themselves. It is clear that among these was Sicinius, the ring-leader of the sedition; with respect to the other two, there is less agreement who they were. There are some who say that only two tribunes were elected on the Sacred Mount and that there the lex sacrata [37] was passed.

During the secession of the commons, Spurius Cassius and Postumus Cominius entered on the consulship. During their consulate, a treaty was concluded with the Latin states. To ratify this, one of the consuls remained at Rome: the other, who was sent to take command in the Volscian war, routed and put to flight the Volscians of Antium,[38] and pursuing them till they had been driven into the town of Longula, took possession of the walls. Next he took Polusca, also a city of the Volscians: he then attacked Corioli [39] with great violence. There was at that time in the camp, among the young nobles, Gnaeus Marcius, a youth distinguished both for intelligence and courage, who was afterward surnamed Coriolanus. While the Roman army was besieging Corioli, devoting all its attention to the townspeople, who were kept, shut up within the walls, and there was no apprehension of attack threatening from without, the Volscian legions, setting out from Antium, suddenly attacked them, and the enemy sallied forth at the same time from the town. Marcius at that time happened to be on guard. He, with a chosen body of men, not only beat back the attack of those who had sallied forth, but boldly rushed in through the open gate, and, having cut down all who were in the part of the city nearest to it, and hastily seized some blazing torches, threw them into the houses adjoining the wall. Upon this, the shouts of the townsmen, mingled with the wailings of the women and children occasioned at first by fright, as is usually the case, both increased the courage of the Romans, and naturally dispirited the Volscians who had come to bring help, seeing that the city was taken. Thus the Volscians of Antium were defeated, and the town of Corioli was taken. And so much did Marcius by his valour eclipse the reputation of the consul, that, had not the treaty concluded with the Latins by Spurius Cassius alone, in consequence of the absence of his colleagues, and which was engraved on a brazen column, served as a memorial of it, it would have been forgotten that Postumus Cominius had conducted the war with the Volscians. In the same year died Agrippa Menenius, a man all his life equally a favourite with senators and commons, endeared still more to the commons after the secession. This man, the mediator and impartial promoter of harmony among his countrymen, the ambassador of the senators to the commons, the man who brought back the commons to the city, did not leave enough to bury him publicly. The people buried him by the contribution of a sextans [40] per man.

Titus Geganius and Publius Minucius were next elected consuls. In this year, when abroad there was complete rest from war, and at home dissensions were healed, another far more serious evil fell upon the state: first, dearness of provisions, a consequence of the lands lying untilled owing to the secession of the commons; then a famine, such as attacks those who are besieged. And matters would certainly have ended in the destruction of the slaves and commons, had not the consuls adopted precautionary measures, by sending persons in every direction to buy up corn, not only into Etruria on the coast to the right of Ostia, and through the territory of the Volscians along the coast on the left as far as Cumae, but into Sicily also, in quest of it. To such an extent had the hatred of their neighbours obliged them to stand in need of assistance from distant countries. When corn had been bought up at Cumae, the ships were detained as security for the property of the Tarquinians by the tyrant Aristodemus, who was their heir. Among the Volscians and in the Pomptine territory it could not even be purchased. The corn dealers themselves incurred danger from the violence of the inhabitants. Corn was brought from Etruria by way of the Tiber: by means of this the people were supported. In such straitened resources they would have been harassed by a most inopportune war, had not a dreadful pestilence attacked the Volscians when on the point of beginning hostilities. The minds of the enemy being so terrified by this calamity, that they felt a certain alarm, even after it had abated the Romans both augmented the number of their colonists at Velitrae, and despatched a new colony to the mountains Of Norba [41] to serve as a stronghold in the Pomptine district. Then in the consulship of Marcus Minucius and Aulus Sempronius a great quantity of corn was imported from Sicily and it was debated in the senate at what price it should be offered to the commons. Many were of opinion that the time was come for crushing the commons, and recovering those rights which had been wrested from the senators by secession and violence. In particular, Marcius Coriolanus, an enemy to tribunician power, said: "If they desire corn at its old price, let them restore to the senators their former rights. Why do I, like a captive sent under the yoke, as if I had been ransomed from robbers, behold plebeian magistrates, and Sicinius invested with power? Am I to submit to these indignities longer than is necessary? Am I, who have refused to endure Tarquin as king, to tolerate Sicinius? Let him now secede, let him call away the commons. The road lies

open to the Sacred Mount and to other hills. Let them carry off the corn from our lands, as they did three years since. Let them have the benefit of that scarcity which in their mad folly they have themselves occasioned. I venture to say, that, overcome by these sufferings, they will themselves become tillers of the lands, rather than, taking up arms, and seceding, prevent them from being tilled." It is not so easy to say whether it should have been done, but I think that it might have been practicable for the senators, on the condition of lowering the price of provisions, to have rid themselves of both the tribunician power, and all the regulations imposed on them against their will.

This proposal both appeared to the senate too harsh and from exasperation well-nigh drove the people to arms: they complained that they were now being attacked with famine, as if they were enemies, that they were being robbed of food and sustenance, that the corn brought from foreign countries, the only support with which fortune had unexpectedly furnished them, was being snatched from their mouth, unless the tribunes were delivered in chains to Gnaeus Marcius, unless satisfaction were exacted from the backs of the commons of Rome. That in him a new executioner had arisen, one to bid them either die or be slaves. He would have been attacked as he was leaving the senate-house, had not the tribunes very opportunely appointed him a day for trial: thereupon their rage was suppressed, every one saw himself become the judge, the arbiter of the life and death of his foe. At first Marcius listened to the threats of the tribunes with contempt, saying that it was the right of affording aid, not of inflicting punishment that had been conferred upon that office: that they were tribunes of the commons and not of the senators. But the commons had risen with such violent determination, that the senators felt themselves obliged to sacrifice one man to arrive at a settlement. They resisted, however, in spite of opposing odium, and exerted, collectively, the powers of the whole order, as well as, individually, each his own. At first, an attempt was made to see if, by posting their clients [42] in several places, they could quash the whole affair, by deterring individuals from attending meetings and cabals. Then they all proceeded in a body—one would have said that all the senators were on their trial —earnestly entreating the commons that, if they would not acquit an innocent man, they would at least for their sake pardon, assuming him guilty, one citizen, one senator. As he did not attend in person on the day appointed, they persisted in their resentment. He was condemned in his absence, and went into exile among the Volscians, threatening his country, and even then cherishing all the resentment of an enemy.[43] The Volscians received him kindly on his arrival, and treated him still more kindly every day, in proportion as his resentful feelings toward his countrymen became more marked, and at one time frequent complaints, at another threats, were heard. He enjoyed the hospitality of Attius Tullius, who was at that time by far the chief man of the Volscian people, and had always been a determined enemy of the Romans. Thus, while long-standing animosity stimulated the one and recent resentment the other, they concerted schemes for bringing about a war with Rome. They did not readily believe that their own people could be persuaded to take up arms, so often unsuccessfully tried, seeing that by many frequent wars, and lastly, by the loss of their youth in the pestilence, their spirits were now broken; they felt that in a case where animosity had now died away from length of time they must proceed by scheming, that their feelings might become exasperated under the influence of some fresh cause for resentment.

It happened that preparations were being made at Rome for a renewal of the great games.[44] The cause of this renewal was as follows: On the day of the games, in the morning when the show had not yet begun, a certain head of a family had driven a slave of his through the middle of the circus while he was being flogged, tied to the fork:[45] after this the games had been begun, as if the matter had nothing to do with any religious difficulty. Soon afterward Titus Latinius, a plebeian, had a dream, in which Jupiter appeared to him and said that the person who danced before the games had displeased him; unless those games were renewed on a splendid scale, danger would threaten the city: let him go and announce this to the consuls. Though his mind was not altogether free from religious awe, his reverence for the dignity of the magistrates, lest he might become a subject for ridicule in the mouths of all, overcame his religious fear. This delay cost him dear, for he lost his son within a few days; and, that there might be no doubt about the cause of this sudden calamity, the same vision, presenting itself to him in the midst of his sorrow of heart, seemed to ask him, whether he had been sufficiently requited for his contempt of the deity; that a still heavier penalty threatened him, unless he went immediately and delivered the message to the consuls. The matter was now still more urgent. While, however, he still delayed and kept putting it off, he was attacked by a severe stroke of disease, a sudden paralysis. Then indeed the anger of the gods frightened him. Wearied out therefore by his past sufferings and by those that threatened him, he convened a meeting of his friends and relatives, and, after he had detailed to them all he had seen and heard, and the fact of Jupiter having so often presented himself to him in his sleep, and the threats and anger of Heaven speedily fulfilled in his own calamities, he was, with the unhesitating assent of all who were present, conveyed in a litter into the forum to the presence of the consuls. From the forum, by order of the consuls, he was carried into the senate-house, and, after he had recounted the same story to the senators, to the great surprise of all, behold another miracle: he who had been carried into the senate-house deprived of the use of all his limbs, is reported to have returned home on his own feet, after he had discharged his duty.

The senate decreed that the games should be celebrated on as magnificent a scale as possible. To those games a great number of Volscians came at the suggestion of Attius Tullius. Before the games had commenced, Tullius, as had been arranged privately with Marcius, approached the consuls, and said that there were certain matters concerning the common-wealth about which he wished to treat with them in private. When all witnesses had been ordered to retire, he said: "I am reluctant to say anything of my countrymen that may seem disparaging. I do not, however, come to accuse them of any crime actually committed by them, but to see to it that they do not commit one. The minds of our people are far more fickle than I could wish. We have learned that by many disasters; seeing that we are still preserved, not through our own merits, but thanks to your forbearance. There is now here a great multitude of Volscians; the games are going on: the city will be intent on the exhibition. I remember what was done in this city on a similar occasion by the youth of the Sabines. My mind shudders at the thought that anything should be done inconsiderately and rashly. I have deemed it right that these matters should be mentioned beforehand to you, consuls, both for your sakes and ours. With regard to myself, it is my determination to depart hence home immediately, that I may not be tainted with the suspicion of any word or deed if I remain." Having said this, he departed. When the consuls had laid the matter before the senate, a matter that was doubtful, though vouched for by a thoroughly reliable authority, the authority, more than the matter itself, as usually happens, urged them to adopt even needless precautions; and a decree of the senate having been passed that the Volscians should quit the city, criers were sent in different directions to order them all to depart before night. They were at first smitten with great panic, as they ran in different directions to their lodgings to carry away their effects. Afterward, when setting out, indignation arose in their breasts, to think that they, as if polluted with crime and contaminated, had been driven away from the games on festival days, a meeting, so to speak, both of gods and men.

As they went along in an almost unbroken line, Tullius, who had preceded them to the fountain of Ferentina, [46]received the chief men, as each arrived, and, complaining and giving vent to expressions of indignation, led both those, who eagerly listened to language that favoured their resentment, and through them the rest of the multitude, into a plain adjoining the road. There, having begun an address after the manner of a public harangue, he said: "Though you were to forget the former wrongs inflicted upon you by the Roman people, the calamities of the nation of the Volscians, and all other such matters, with what feelings, pray, do you regard this outrage offered you to-day, whereby they have opened the games by insulting us? Did you not feel that a triumph has been gained over you this day? That you, when leaving, were the observed of all, citizens, foreigners, and so many neighbouring states? That your wives, your children were led in mockery before the eyes of men? What do you suppose were the feelings of those who heard the voice of the crier? what of those who saw us departing? What of those who met this ignominious cavalcade? What, except that it is assuredly a matter of some offence against the gods: and that, because, if we were present at the show, we should profane the games, and be guilty of an act that would need expiation, for this reason we are driven away from the dwellings of these pious people, from their meeting and assembly? What then? Does it not occur to you that we still live, because we have hastened our departure?—if indeed this is a departure and not rather a flight. And do you not consider this to be the city of enemies, in which, if you had delayed a single day, you must all have died? War has been declared against you, to the great injury of those who declared it, if you be men." Thus, being both on their own account filled with resentment, and further incited by this harangue, they severally departed to their homes, and by stirring up each his own state, succeeded in bringing about the revolt of the entire Volscian nation.

The generals selected to take command in that war by theunanimous choice of all the states were Attius Tullius and Gnaeus Marcius, an exile from Rome, in the latter of whom far greater hopes were reposed. These hopes he by no means disappointed, so that it was clearly seen that the Roman commonwealth was powerful by reason of its generals rather than its military force. Having marched to Circeii, he first expelled from thence the Roman colonists, and handed over that city in a state of freedom to the Volscians. From thence passing across the country through by-roads into the Latin way, he deprived the Romans of the following recently acquired towns, Satricum, Longula, Polusca, Corioli. He next himself master of Lavinium, and then took in succession Corbio, Vitellia, Trebia, Labici, and Pedum.[47]

Lastly he marched from Pedum toward Rome, and having pitched his camp at the Cluilian trenches five miles from the city, he openly ravaged the Roman territory, guards being sent among the devastators to preserve the lands of the patricians uninjured, whether it was that he was chiefly incensed against the plebeians, or whether his object was that dissension might arise between the senators and the people. And it certainly would have arisen—so powerfully did the tribunes, by inveighing against the leading men of the state, incite the plebeians, already exasperated in themselves—had not apprehension of danger from abroad, the strongest bond of union, united their minds, though distrustful and mutually hostile. The only matter in which they were not agreed was this: that, while the senate and consuls rested their hopes on nothing else but arms, the plebeians preferred anything to

war. Spurius Nautius and Sextus Furius were now consuls. While they were reviewing the legions, posting guards along the walls and other places where they had determined that there should be outposts and watches, a vast multitude of persons demanding peace terrified them first by their seditious clamouring, and then compelled them to convene the senate, to consider the question of sending ambassadors to Gnaeus Marcius. The senate approved the proposal, when it was evident that the spirits of the plebeians were giving way, ambassadors, sent to Marcius to treat concerning peace, brought back the haughty answer: If their lands were restored to the Volscians, the question of peace might then be considered; if they were minded to enjoy the plunder of war at their ease, he, remembering both the injurious treatment of his countrymen, as well as the kindness of strangers, would do his utmost to make it appear that his spirit was irritated by exile, not crushed. The same envoys, being sent a second time, were not admitted into the camp. It is recorded that the priests also, arrayed in the vestments of their office, went as suppliants to the enemy's camp, but that they did not influence his mind any more than the ambassadors.

Then the matrons assembled in a body around Veturia, the mother of Coriolanus, and his wife, Volumnia: whether that was the result of public counsel, or of women's fear, I can not clearly ascertain. Anyhow, they succeeded in inducing Veturia, a woman advanced in years, and Volumnia with her two sons by Marcius, to go into the camp of the enemy, and in prevailing upon women to defend the city by entreaties and tears, since men were unable to defend it by arms. When they reached the camp, and it was announced to Coriolanus that a great crowd of women was approaching, he, as one who had been affected neither by the public majesty of the state, as represented by its ambassadors, nor by the sanctity of religion so strikingly spread before his eyes and understanding in the person of its priests, was at first much more obdurate against women's tears. Then one of his acquaintances, who had recognised Veturia, distinguished beyond all the rest by her sorrowful mien, standing in the midst with her daughter-in-law and grandchildren, said, "Unless my eyes deceive me, your mother, and wife and children, are at hand." Coriolanus, bewildered, almost like one who had lost his reason, rushed from his seat, and offered to embrace his mother as she met him; but she, turning from entreaties to wrath, said: "Before I permit your embrace, let me know whether I have come to an enemy or to a son, whether I am in your camp a captive or a mother? Has length of life and a hapless old age reserved me for this—to behold you first an exile, then an enemy? Have you had the heart to lay waste this land, which gave you birth and nurtured you? Though you had come in an incensed and vengeful spirit, did not your resentment abate when you entered its borders? When Rome came within view, did not the thought enter your mind—within those walls are my house and household gods, my mother, wife, and children? So then, had I not been a mother, Rome would not now be besieged: had I not a son, I might have died free in a free country. But I can now suffer nothing that will not bring more disgrace on you than misery on me; nor, most wretched as I am, shall I be so for long. Look to these, whom, if you persist, either an untimely death or lengthened slavery awaits." Then his wife and children embraced him: and the lamentation proceeding from the entire crowd of women and their bemoaning their own lot and their country's, at length overcame the man. Then, having embraced his family, he sent them away; he himself withdrew his camp from the city. After he had drawn off his troops from Roman territory, they say that he died overwhelmed by the hatred excited against him on account of this act; different writers give different accounts of his death: I find in Fabius,[48] far the most ancient authority, that he lived to an advanced age: at any rate, this writer states, that in his old age he often made use of the expression, "that exile was far more miserable to the aged." The men of Rome were not grudging in the award of their due praise to the women, so truly did they live without disparaging the merit of others: a temple was built, and dedicated to female Fortune, to serve also as a record of the event.

The Volscians afterward returned, having been joined by the Aequans, into Roman territory: the latter, however, would no longer have Attius Tullius as their leader; hence from a dispute, whether the Volscians or the Aequans should give the general to the allied army, a quarrel, and afterward a furious battle, broke out. Therein the good fortune of the Roman people destroyed the two armies of the enemy, by a contest no less ruinous than obstinate. Titus Sicinius and Gaius Aquilius were made consuls. The Volscians fell to Sicinius as his province; the Hernicans—for they, too, were in arms—to Aquilius. That year the Hernicans were completely defeated; they met and parted with the Volscians without any advantage being gained on either side.

Spurius Cassius and Proculus Verginius were next made consuls; a treaty was concluded with the Hernicans; two thirds of their land were taken from them: of this the consul Cassius proposed to distribute one half among the Latins, the other half among the commons. To this donation he desired to add a considerable portion of land, which, though public property, [49] he alleged was possessed by private individuals. This proceeding alarmed several of the senators, the actual possessors, at the danger that threatened their property; the senators moreover felt anxiety on public grounds, fearing that the consul by his donation was establishing an influence dangerous to liberty. Then, for the first time, an agrarian law was proposed, which from that time down to the memory of our own days has

never been discussed without the greatest civil disturbances. The other consul opposed the donation, supported by the senators, nor, indeed, were all the commons opposed to him: they had at first begun to feel disgust that this gift had been extended from the citizens to the allies, and thus rendered common: in the next place they frequently heard the consul Verginius in the assemblies as it were prophesying, that the gift of his colleague was pestilential: that those lands were sure to bring slavery to those who received them: that the way was being paved to a throne. Else why were it that the allies were thus included, and the Latin nation? What was the object of a third of the land that had been taken being restored to the Hernicans, so lately their enemies, except that those nations might have Cassius for their leader instead of Coriolanus? The dissuader and opposer of the agrarian law now began to be popular. Both consuls then vied with each other in humouring the commons. Verginius said that he would suffer the lands to be assigned, provided they were assigned to no one but a Roman citizen. Cassius, because in the agrarian donation he sought popularity among the allies, and was therefore lowered in the estimation of his countrymen, commanded, in order that by another gift he might win the affections of the citizens, that the money received for the Sicilian corn should be refunded to the people. That, however, the people spurned as nothing else than a ready money bribe for regal authority: so uncompromisingly were his gifts rejected, as if there was abundance of everything, in consequence of their inveterate suspicion that he was aiming at sovereign power. As soon as he went out of office, it is certain that he was condemned and put to death. There are some who represent that his father was the person who carried out the punishment: that he, having tried the case at home, scourged him and put him to death, and consecrated his son's private property to Ceres; that out of this a statue was set up and inscribed, "Presented out of the property of the Cassian family." In some authors I find it stated, which is more probable, that a day was assigned him to stand his trial for high treason, by the quaestors,[50] Caeso Fabius and Lucius Valerius, and that he was condemned by the decision of the people; that his house was demolished by a public decree: this is the spot where there is now an open space before the Temple of Tellus.[51] However, whether the trial was held in private or public, he was condemned in the consulship of Servius Cornelius and Quintus Fabius.

The resentment of the people against Cassius was not lasting. The charm of the agrarian law, now that its proposer was removed, of itself entered their minds: and their desire of it was further kindled by the meanness of the senators, who, after the Volscians and Æquans had been completely defeated in that year, defrauded the soldiers of their share of the booty; whatever was taken from the enemy, was sold by the consul Fabius, and the proceeds lodged in the public treasury. All who bore the name of Fabius became odious to the commons on account of the last consul: the patricians, however, succeeded in getting Cæso Fabius elected consul with Lucius Æmilius. The commons, still further aggravated at this, provoked war abroad by exciting disturbance at home;[52] in consequence of the war civil dissensions were then discontinued. Patricians and commons uniting, under the command of Æmilius, overcame the Volscians and Æquans, who renewed hostilities, in a successful engagement. The retreat, however, destroyed more of the enemy than the battle; so perseveringly did the cavalry pursue them when routed. During the same year, on the ides of July,[53]the Temple of Castor was dedicated: it had been vowed during the Latin war in the dictatorship of Postumius: his son, who was elected duumvir for that special purpose, dedicated it.

In that year, also, the minds of the people were excited by the allurements of the agrarian law. The tribunes of the people endeavoured to enhance their authority, in itself agreeable to the people, by promoting a popular law. The patricians, considering that there was enough and more than enough frenzy in the multitude without any additional incitement, viewed with horror largesses and all inducements to ill-considered action: the patricians found in the consuls most energetic abettors in resistance. That portion of the commonwealth therefore prevailed; and not for the moment only, but for the coming year also they succeeded in securing the election of Marcus Fabius, Cæso's brother, as consul, and one still more detested by the commons for his persecution of Cassius—namely, Lucius Valerius. In that year also was a contest with the tribunes. The law came to nothing, and the supporters of the law proved to be mere boasters, by their frequent promises of a gift that was never granted. The Fabian name was thenceforward held in high repute, after three successive consulates, and all as it were uniformly tested in contending with the tribunes; accordingly, the honour remained for a considerable time in that family, as being right well placed. A war with Veii was then begun: the Volscians also renewed hostilities; but, while their strength was almost more than sufficient for foreign wars, they only abused it by contending among themselves. In addition to the distracted state of the public mind prodigies from heaven increased the general alarm, exhibiting almost daily threats in the city and in the country, and the soothsayers, being consulted by the state and by private individuals, declared, at one time by means of entrails, at another by birds, that there was no other cause for the deity having been roused to anger, save that the ceremonies of religion were not duly performed. These terrors, however, terminated in this, that Oppia, a vestal virgin, being found guilty of a breach of chastity, suffered punishment. [54] Quintus Fabius and Gaius Julius were next elected consuls. During this year the dissension at home was not abated, while the war abroad was more desperate. The Æquans took up arms: the Veientines also invaded and plundered the Roman territory: as the anxiety

about these wars increased, Cæso Fabius and Spurius Furius were appointed consuls. The Æquans were laying siege to Ortona, a Latin city. The Veientines, now sated with plunder, threatened to besiege Rome itself. These terrors, which ought to have assuaged the feelings of the commons, increased them still further: and the people resumed the practice of declining military service, not of their own accord, as before, but Spurius Licinius, a tribune of the people, thinking that the time had come for forcing the agrarian law on the patricians by extreme necessity, had undertaken the task of obstructing the military preparations. However, all the odium against the tribunician power was directed against the author of this proceeding: and even his own colleagues rose up against him as vigorously as the consuls; and by their assistance the consuls held the levy. An army was raised for the two wars simultaneously; one was intrusted to Fabius to be led against the Veientines, the other to Furius to operate against the Æquans. In regard to the latter, indeed, nothing took place worthy of mention. Fabius had considerably more trouble with his countrymen than with the enemy: that one man alone, as consul, sustained the commonwealth, which the army was doing its best to betray, as far as in it lay, from hatred of the consul. For when the consul, in addition to his other military talents, of which he had exhibited abundant instances in his preparations for and in his conduct of war, had so drawn up his line that he routed the enemy's army solely by a charge of his cavalry, the infantry refused to pursue them when routed; nor, although the exhortation of their general, whom they hated, had no effect upon them, could even their own infamy, and the immediate public disgrace and subsequent danger likely to arise, if the enemy recovered their courage, induce them to quicken their pace, or even, if nothing else, to stand in order of battle. Without orders they faced about, and with a sorrowful air (one would have thought them defeated) they returned to camp, execrating at one time their general, at another the vigour displayed by the cavalry. Nor did the general know where to look for any remedies for so harmful a precedent: so true is it that the most distinguished talents will be more likely found deficient in the art of managing a countryman, than in that of conquering an enemy. The consul returned to Rome, not having so much increased his military glory as irritated and exasperated the hatred of his soldiers toward him. The patricians, however, succeeded in keeping the consulship in the Fabian family. They elected Marcus Fabius consul; Gnaeus Manlius was assigned as a colleague to Fabius.

This year also found a tribune to support an agrarian law. This was Tiberius Pontificius, who, pursuing the same tactics, as if it had succeeded in the case of Spurius Licinius, obstructed the levy for a little time. The patricians being once more perplexed, Appius Claudius declared that the tribunician power had been put down the year before, for the moment by the fact, for the future by the precedent established, since it was found that it could be rendered ineffective by its own strength; for that there never would be wanting a tribune who would both be willing to obtain a victory for himself over his colleague, and the good-will of the better party to on advancement of the public weal: that more tribunes than one, if there were need of more than one, would be ready to assist the consuls: and that in fact one would be sufficient even against all.[55] Only let the consuls and leading members of the senate take care to win over, if not all, at least some of the tribunes, to the side of the commonwealth and the senate. The senators, instructed by the counsels of Appius, both collectively addressed the tribunes with kindness and courtesy, and the men of consular rank, according as each possessed private personal influence over them individually, and, partly by conciliation, partly by authority, prevailed so far as to make them consent that the powers of the tribunician office should be beneficial to the state; and by the aid of four tribunes against one obstructor of the public good, the consuls carried out the levy. They then set out to the war against Veii, to which auxiliaries had assembled from all parts of Etruria, not so much influenced by feelings of regard for the Veientines, as because they had formed a hope that the power of Rome could be destroyed by internal discord. And in the general councils of all the states of Etruria the leading men murmured that the power of Rome would last forever, unless they were distracted by disturbances among themselves: that this was the only poison, this the bane discovered for powerful states, to render mighty empires mortal: that this evil, a long time checked, partly by the wise measures of the patricians, partly by the forbearance of the commons, had now proceeded to extremities: that two states were now formed out of one: that each party had its own magistrates, its own laws: that, although at first they were accustomed to be turbulent during the levies, still these same individuals had notwithstanding ever been obedient to their commanders during war: that as long as military discipline was retained, no matter what might be the state of the city, the evil might have been withstood: but that now the custom of not obeying their officers followed the Roman soldier even to the camp: that in the last war, even in a regular engagement and in the very heat of battle, by consent of the army the victory had been voluntarily surrendered to the vanquished Aequans: that the standards had been deserted, the general abandoned on the field, and that the army had returned to camp without orders: without doubt, if they persevered, Rome might be conquered by means of her own soldiery: nothing else was necessary save a declaration and show of war: the fates and the gods would of themselves manage the rest. These hopes had armed the Etruscans, who by many changes of fortune had been vanquished and victors in turn.

The Roman consuls also dreaded nothing else but their own strength and their own arms. The recollection of the most mischievous precedent set in the last war was a terrible warning to them not to

let matters go so far that they would have two armies to fear at the same time. Accordingly, they kept within their camp, avoiding battle, owing to the two-fold danger that threatened them, thinking that length of time and circumstances themselves would perchance soften down resentment, and bring them to a healthy frame of mind. The Veientine enemy and the Etruscans proceeded with proportionately greater precipitation; they provoked them to battle, at first by riding up to the camp and challenging them; at length when they produced no effect, by reviling the consuls and the army alike, they declared that the pretence of internal dissension was assumed as a cloak for cowardice: and that the consuls rather distrusted the courage than disbelieved the sincerity of their soldiers: that inaction and idleness among men in arms were a novel form of sedition. Besides this they uttered insinuations, partly true and partly false, as to the upstart nature of their race and origin. While they loudly proclaimed this close to the very rampart and gates, the consuls bore it without impatience: but at one time indignation, at another shame, agitated the breasts of the ignorant multitude, and diverted their attention from intestine evils; they were unwilling that the enemy should remain unpunished; they did not wish success either to the patricians or the consuls; foreign and domestic hatred struggled for the mastery in their minds: at length the former prevailed, so haughty and insolent were the jeers of the enemy; they crowded in a body to the general's tent; they desired battle, they demanded that the signal should be given. The consuls conferred together as if to deliberate; they continued the conference for a long time: they were desirous of fighting, but that desire they considered should be checked and concealed, that by opposition and delay they might increase the ardour of the soldiery now that it was once roused. The answer was returned that the matter in question was premature, that it was not yet time for fighting: let them keep within their camp. They then issued a proclamation that they should abstain from fighting: if any one fought without orders, they would punish him as an enemy. When they were thus dismissed, their eagerness for fighting increased in proportion as they believed the consuls were less disposed for it; the enemy, moreover, who now showed themselves with greater boldness, as soon as it was known that the consuls had determined not to fight, further kindled their ardour. For they supposed that they could insult them with impunity; that the soldiers were not trusted with arms; that the affair would explode in a violent mutiny; that an end had come to the Roman Empire. Relying on these hopes, they ran up to the gates, heaped abuse on the Romans, and with difficulty refrained from assaulting the camp. Then indeed the Romans could no longer endure their insults: they ran from every quarter of the camp to the consuls: they no longer, as formerly, put forth their demands with reserve, through the mediation of the centurions of the first rank, but all proceeded indiscriminately with loud clamours. The affair was now ripe; yet still they hesitated. Then Fabius, as his colleague was now inclined to give way in consequence of his dread of mutiny in face of the increasing uproar, having commanded silence by sound of trumpet, said: "I know that those soldiers are able to conquer, Gneius Manlius: by their own conduct they themselves have prevented me from knowing that they are willing. Accordingly, I have resolved and determined not to give the signal, unless they swear that they will return from this battle victorious. The soldier has once deceived the Roman consul in the field, the gods he will never deceive." There was a centurion, Marcus Flavoleius, one of the foremost in demanding battle: said he, "Marcus Fabius, I will return victorious from the field." He invoked upon himself, should he deceive them, the wrath of Father Jove, Mars Gradivus, and the other gods. After him in succession the whole army severally took the same oath. After they had been sworn, the signal was given: they took up arms and marched into battle, full of rage and of hope. They bade the Etruscans now utter their reproaches: now severally demanded that the enemy, so ready of tongue, should face them, now that they were armed. On that day, both commons and patricians alike showed distinguished bravery: the Fabian family shone forth most conspicuous: they were determined to recover in that battle the affections of the commons, estranged by many civil contests.

The army was drawn up in order of battle; nor did the Veientine foe and the Etruscan legions decline the contest. They entertained an almost certain hope that the Romans would no more fight with them than they had with the Aequans; that even some more serious attempt was not to be despaired of, considering the sorely irritated state of their feelings, and the critical condition of affairs. The result turned out altogether different: for never before in any other war did the Roman soldiers enter the field with greater fury, so exasperated were they by the taunts of the enemy on the one hand, and the dilatoriness of the consuls on the other. Before the Etruscans had time to form their ranks, their javelins having been rather thrown away at random, in the first confusion, than aimed at the enemy, the battle had become a hand-to-hand encounter, even with swords, in which the fury of war rages most fiercely. Among the foremost the Fabian family was distinguished for the sight it afforded and the example it presented to its fellow-citizens; one of these, Quintus Fabius, who had been consul two years before, as he advanced at the head of his men against a dense body of Veientines, and incautiously engaged amid numerous parties of the enemy, received a sword-thrust through the breast at the hands of a Tuscan emboldened by his bodily strength and skill in arms: on the weapon being extracted, Fabius fell forward on the wound. Both armies felt the fall of this one man, and the Romans in consequence were beginning to give way, when the consul Marcus Fabius leaped over the body of his prostrate kinsman, and, holding his buckler in front, cried out: "Is this what you swore, soldiers, that you would return to the camp in flight? Are you so afraid of your most cowardly foes, rather than of Jupiter and

Mars, by whom you have sworn? Well, then, I, who have taken no oath, will either return victorious, or will fall fighting here beside thee, Quintus Fabius." Then Caeso Fabius, the consul of the preceding year, addressed the consul: "Brother, is it by these words you think you will prevail on them to fight? The gods, by whom they have sworn, will bring it about. Let us also, as becomes men of noble birth, as is worthy of the Fabian name, kindle the courage of the soldiers by fighting rather than by exhortation." Thus the two Fabii rushed forward to the front with spears presented, and carried the whole line with them.

The battle being thus restored in one quarter, Gnaeus Manlius, the consul, with no less ardour, encouraged the fight on the other wing, where the course of the fortune of war was almost identical. For, as the soldiers eagerly followed Quintus Fabius on the one wing, so did they follow the consul Manlius on this, as he was driving the enemy before him now nearly routed. When, having received a severe wound, he retired from the battle, they fell back, supposing that he was slain, and would have abandoned the position had not the other consul, galloping at full speed to that quarter with some troops of horse, supported their drooping fortune, crying out that his colleague was still alive, that he himself was now at hand victorious, having routed the other wing. Manlius also showed himself in sight of all to restore the battle. The well-known faces of the two consuls kindled the courage of the soldiers: at the same time, too, the enemy's line was now thinner, since, relying on their superior numbers, they had drawn off their reserves and despatched them to storm the camp This was assaulted without much resistance: and, while they wasted time, bethinking themselves of plunder rather than fighting, the Roman triarii,[56] who had not been able to sustain the first shock, having sent a report to the consuls of the position of affairs, returned in a compact body to the prætorium,[57] and of their own accord renewed the battle. The consul Manlius also having returned to the camp, and posted soldiers at all the gates, had blocked up every passage against the enemy. This desperate situation aroused the fury rather than the bravery of the Etruscans; for when, rushing on wherever hope held out the prospect of escape, they had advanced with several fruitless efforts, a body of young men attacked the consul himself, who was conspicuous by his arms. The first missiles were intercepted by those who stood around him; afterward their violence could not be withstood. The consul fell, smitten with a mortal wound, and all around him were put to flight. The courage of the Etruscans increased. Terror drove the Romans in dismay through the entire camp; and matters would have come to extremities had not the lieutenants,[58] hastily seizing the body of the consul opened a passage for the enemy at one gate.[59] Through this they rushed out; and going away in the utmost disorder, they fell in with the other consul, who had been victorious; there a second time they were cut down and routed in every direction. A glorious victory was won, saddened, however, by two such illustrious deaths. The consul, therefore, on the senate voting him a triumph, replied, that if the army could triumph without its general, he would readily accede to it in consideration of its distinguished service in that war: that for his own part, as his family was plunged in grief in consequence of the death of his brother Quintus Fabius, and the commonwealth in some degree bereaved by the loss of one of her consuls, he would not accept the laurel disfigured by public and private grief. The triumph thus declined was more illustrious than any triumph actually enjoyed; so true it is, that glory refused at a fitting moment sometimes returns with accumulated lustre. He next celebrated the two funerals of his colleague and brother, one after the other, himself delivering the funeral oration over both, wherein, by yielding up to them the praise that was his own due, he himself obtained the greatest share of it; and, not unmindful of that which he had determined upon at the beginning of his consulate, namely, the regaining the affection of the people, he distributed the wounded soldiers among the patricians to be attended to. Most of them were given to the Fabii: nor were they treated with greater attention anywhere else. From this time the Fabii began to be popular, and that not by aught save such conduct as was beneficial to the state.

Accordingly, Caeso Fabius, having been elected consul with Titus Verginius not more with the good-will of the senators than of the commons, gave no attention either to wars, or levies, or anything else in preference, until, the hope of concord being now in some measure assured, the feelings of the commons should be united with those of the senators at the earliest opportunity. Accordingly, at the beginning of the year he proposed that before any tribune should stand forth as a supporter of the agrarian law, the patricians themselves should be beforehand in bestowing the gift unasked and making it their own: that they should distribute among the commons the land taken from the enemy in as equal a proportion as possible; that it was but just that those should enjoy it by whose blood and labour it had been won. The patricians rejected the proposal with scorn: some even complained that the once vigorous spirit of Caeso was running riot, and decaying through a surfeit of glory. There were afterward no party struggles in the city. The Latins, however, were harassed by the incursions of the Aequans. Caeso being sent thither with an army, crossed into the territory of the Aequans themselves to lay it waste. The Aequans retired into the towns, and kept themselves within the walls: on that account no battle worth mentioning was fought.

However, a reverse was sustained at the hands of the Veientine foe owing to the rashness of the other consul; and the army would have been all cut off, had not Caeso Fabius come to their assistance

in time. From that time there was neither peace nor war with the Veientines: their mode of operation had now come very near to the form of brigandage. They retired before the Roman troops into the city; when they perceived that the troops were drawn off, they made incursions into the country, alternately mocking war with peace and peace with war. Thus the matter could neither be dropped altogether, nor brought to a conclusion. Besides, other wars were threatening either at the moment, as from the Aequans and Volscians, who remained inactive no longer than was necessary, to allow the recent smart of their late disaster to pass away, or at no distant date, as it was evident that the Sabines, ever hostile, and all Etruria would soon begin to stir up war: but the Veientines, a constant rather than a formidable enemy, kept their minds in a state of perpetual uneasiness by petty annoyances more frequently than by any real danger to be apprehended from them, because they could at no time be neglected, and did not suffer the Romans to turn their attention elsewhere. Then the Fabian family approached the senate: the consul spoke in the name of the family: "Conscript fathers, the Veientine war requires, as you know, an unremitting rather than a strong defence. Do you attend to other wars: assign the Fabii as enemies to the Veientines. We pledge ourselves that the majesty of the Roman name shall be safe in that quarter. That war, as if it were a family matter, it is our determination to conduct at our own private expense. In regard to it let the republic be spared the expense of soldiers and money." The warmest thanks were returned to them. The consul, leaving the senate-house, accompanied by the Fabii in a body, who had been standing in the porch of the senate-house, awaiting the decree of the senate, returned home. They were ordered to attend on the following day in arms at the consul's gate: they then retired to their homes.

The report spread through the entire city; they extolled the Fabii to the skies: that a single family had undertaken the burden of the state; that the Veientine war had now become a private concern, a private quarrel. If there were two families of the same strength in the city, let them demand, the one the Volscians for itself, the other the Aequans; that all the neighbouring states could be subdued, while the Roman people all the time enjoyed profound peace. The day following, the Fabii took up arms; they assembled where they had been ordered. The consul, coming forth in his military robe, beheld the whole family in the porch drawn up in order of march; being received into the centre, he ordered the standards to be advanced. Never did an army march through the city, either smaller in number, or more distinguished in renown and more admired by all. Three hundred and six soldiers, all patricians, all of one family, not one of whom an honest senate would reject as a leader under any circumstances whatever, proceeded on their march, threatening the Veientine state with destruction by the might of a single family. A crowd followed, one part belonging to themselves, consisting of their kinsmen and comrades, who contemplated no half measures, either as to their hope or anxiety, but everything on a grand scale:[60] the other aroused by solicitude for the public weal, unable to express their esteem and admiration. They bade them proceed in their brave resolve, proceed with happy omens, and render the issue proportionate to the undertaking: thence to expect consulships and triumphs, all rewards, all honours from them. As they passed the Capitol and the citadel, and the other sacred edifices, they offered up prayers to all the gods that presented themselves to their sight, or to their mind, that they would send forward that band with prosperity and success, and soon send them back safe into their country to their parents. In vain were these prayers uttered. Having set out on their luckless road by the right-hand arch of the Carmental gate,[61] they arrived at the river Cremera:[62] this appeared a favourable situation for fortifying an outpost.

Lucius Aemilius and Gaius Servilius were then created consuls. And as long as there was nothing else to occupy them but mutual devastations, the Fabii were not only able to protect their garrison, but through the entire tract, where the Tuscan territory adjoins the Roman, they protected all their own districts and ravaged those of the enemy, spreading their forces along both frontiers. There was afterward a cessation, though not for long, of these depredations: while both the Veientines, having sent for an army from Etruria,[63] assaulted the outpost at the Cremera, and the Roman troops, brought up by the consul Lucius Aemilius, came to a close engagement in the field with the Etruscans; the Veientines, however, had scarcely time to draw up their line: for, during the first alarm, while they were entering the lines behind their colours, and they were stationing their reserves, a brigade of Roman cavalry, charging them suddenly in flank, deprived them of all opportunity not only of opening the fight, but even of standing their ground. Thus being driven back to the Red Rocks [64]. (where they had pitched their camp), as suppliants they sued for peace; and, after it was granted, owing to the natural inconsistency of their minds, they regretted it even before the Roman garrison was withdrawn from the Cremera.

Again the Veientine state had to contend with the Fabii without any additional military armament: and not merely did they make raids into each other's territories, or sudden attacks upon those carrying on the raids, but they fought repeatedly on level ground, and in pitched battles: and one family of the Roman people oftentimes gained the victory over an entire Etruscan state, and a most powerful one for those times. This at first appeared mortifying and humiliating to the Veientines: then they conceived the design, suggested by the state of affairs, of surprising their daring enemy by an ambuscade; they

were even glad that the confidence of the Fabii was increasing owing to their great success. Wherefore cattle were frequently driven in the path of the plundering parties, as if they had fallen in their way by accident, and tracts of land left abandoned by the flight of the peasants: and reserve bodies of armed men, sent to prevent the devastations, retreated more frequently in pretended than in real alarm. By this time the Fabii had conceived such contempt for the enemy that they believed that their arms, as yet invincible, could not be resisted either in any place or on any occasion: this presumption carried them so far that at the sight of some cattle at a distance from Cremera, with an extensive plain lying between, they ran down to them, in spite of the fact that some scattered bodies of the enemy were visible: and when, anticipating nothing, and in disorderly haste, they had passed the ambuscade placed on either side of the road itself, and, dispersed in different directions, had begun to carry off the cattle that were straying about, as is usual when frightened, the enemy started suddenly in a body from their ambuscade, and surrounded them both in front and on every side. At first the noise of their shouts, spreading, terrified them; then weapons assailed them from every side: and, as the Etruscans closed in, they also were compelled, hemmed in as they were by an unbroken body of armed men, to form themselves into a square of narrower compass the more the enemy pressed on: this circumstance rendered both their own scarcity of numbers noticeable and the superior numbers of the Etruscans, whose ranks were crowded in a narrow space. Then, having abandoned the plan of fighting, which they had directed with equal effort in every quarter, they all turned their forces toward one point; straining every effort in that direction, both with their arms and bodies, and forming themselves into a wedge, they forced a passage. The way led to a gradually ascending hill: here they first halted: presently, as soon as the higher ground afforded them time to gain breath, and to recover from so great a panic, they repulsed the foe as they ascended: and the small band, assisted by the advantages of the ground, was gaining the victory, had not a party of the Veientines, sent round the ridge of the hill, made their way to the summit: thus the enemy again got possession of the higher ground; all the Fabii were cut down to a man, and the fort was taken by assault: it is generally agreed that three hundred and six were slain; that one only, who had nearly attained the age of puberty, survived, who was to be the stock for the Fabian family, and was destined to prove the greatest support of the Roman people in dangerous emergencies on many occasions both at home and in war.[65]

At the time when this disaster was sustained, Gaius Horatius and Titus Menenius were consuls. Menenius was immediately sent against the Tuscans, now elated with victory. On that occasion also an unsuccessful battle was fought, and the enemy took possession of the Janiculum: and the city would have been besieged, since scarcity of provisions distressed them in addition to the war—for the Etruscans had passed the Tiber—had not the consul Horatius been recalled from the Volscians; and so closely did that war approach the very walls, that the first battle was fought near the Temple of Hope[66] with doubtful success, and a second at the Colline gate. There, although the Romans gained the upper hand by only a trifling advantage, yet that contest rendered the soldiers more serviceable for future battles by the restoration of their former courage.

Aulus Verginius and Spurius Servilius were next chosen consuls. After the defeat sustained in the last battle, the Veientines declined an engagement.[67] Ravages were committed, and they made repeated attacks in every direction upon the Roman territory from the Janiculum, as if from a fortress: nowhere were cattle or husbandmen safe. They were afterward entrapped by the same stratagem as that by which they had entrapped the Fabii: having pursued cattle which had been intentionally driven on in all directions to decoy them, they fell into an ambuscade; in proportion as they were more numerous,[68] the slaughter was greater. The violent resentment resulting from this disaster was the cause and beginning of one still greater: for having crossed the Tiber by night, they attempted to assault the camp of the consul Servilius; being repulsed from thence with great slaughter, they with difficulty made good their retreat to the Janiculum. The consul himself also immediately crossed the Tiber, and fortified his camp at the foot of the Janiculum: at daybreak on the following morning, being both somewhat elated by the success of the battle of the day before, more, however, because the scarcity of corn forced him to adopt measures, however dangerous, provided only they were more expeditious, he rashly marched his army up the steep of the Janiculum to the camp of the enemy, and, being repulsed from thence with more disgrace than when he had repulsed them on the preceding day, he was saved, both himself and his army, by the intervention of his colleague. The Etruscans, hemmed in between the two armies, and presenting their rear to the one and the other by turns, were completely destroyed. Thus the Veientine war was crushed by a successful piece of audacity. [69]

Together with peace, provisions came in to the city in greater abundance, both by reason of corn having been brought in from Campania, and, as soon as the fear of want, which every one felt was likely to befall himself, left them, by the corn being brought out, which had been stored. Then their minds once more became wanton from plenty and ease, and they sought at home their former subjects of complaint, now that there was none abroad; the tribunes began to excite the commons by their poisonous charm, the agrarian law: they roused them against the senators who opposed it, and not only against them as a body, but against particular individuals. Quintus Considius and Titus Genucius, the

proposers of the agrarian law, appointed a day of trial for Titus Menenius: the loss of the fort of Cremera, while the consul had his standing camp at no great distance from thence, was the cause of his unpopularity. This crushed him, though both the senators had exerted themselves in his behalf with no less earnestness than in behalf of Coriolanus, and the popularity of his father Agrippa was not yet forgotten. The tribunes, however, acted leniently in the matter of the fine: though they had arraigned him for a capital offence, they imposed on him, when found guilty, a fine of only two thousand asses. This proved fatal to him. They say that he could not brook disgrace and anguish of mind: and that, in consequence, he was carried off by disease. Another senator, Spurius Servilius was soon after arraigned, as soon as he went out of office a day of trial having been appointed for him by the tribunes, Lucius Caedicius and Titus Statius, immediately at the beginning of the year, in the consulship of Gaius Nautius and Publius Valerius: he did not, however, like Menenius, meet the attacks of the tribunes with supplications on the part of himself and the patricians, but with firm reliance on his own integrity and his personal popularity. The battle with the Tuscans at the Janiculum was also the charge brought against him: but being a man of impetuous spirit, as he had formerly done in time of public peril, so now in the danger which threatened himself, he dispelled it by boldly meeting it, by confuting not only the tribunes but the commons also, in a haughty speech, and upbraiding them with the condemnation and death of Titus Menenius, by the good offices of whose father the commons had formerly been re-established, and now had those magistrates and enjoyed those laws, by virtue of which they then acted so insolently: his colleague Verginius also, who was brought forward as a witness, aided him by assigning to him a share of his own glory: however—so had they changed their mind—the condemnation of Menenius was of greater service to him.

The contests at home were now concluded. A war against the Veientines, with whom the Sabines had united their forces, broke out afresh. The consul Publius Valerius, after auxiliaries had been sent for from the Latins and Hernicans, being despatched to Veii with an army, immediately attacked the Sabine camp, which had been pitched before the walls of their allies, and occasioned such great consternation that, while scattered in different directions, they sallied forth in small parties to repel the assault of the enemy, the gate which he first atacked was taken: then within the rampart a massacre rather than a battle took place. From within the camp the alarm spread also into the city; the Veientines ran to arms in as great a panic as if Veii had been taken: some came up to the support of the Sabines, others fell upon the Romans, who had directed all their force against the camp. For a little while they were disconcerted and thrown into confusion; then they in like manner formed two fronts and made a stand: and the cavalry, being commanded by the consul to charge, routed the Tuscans and put them to flight; and in the self-same hour two armies and two of the most influential and powerful of the neighbouring states were vanquished. While these events were taking place at Veii, the Volscians and Æquans had pitched their camp in Latin territory, and laid waste their frontiers. The Latins, being joined by the Hernicans, without either a Roman general or Roman auxiliaries, by their own efforts, stripped them of their camp. Besides recovering their own effects, they obtained immense booty. The consul Gaius Nautius, however, was sent against the Volscians from Rome. The custom, I suppose, was not approved of, that the allies should carry on wars with their own forces and according to their own plans without a Roman general and troops. There was no kind of injury and petty annoyance that was not practised against the Volscians; they could not, however, be prevailed on to come to an engagement in the field.

Lucius Furius and Gaius Manlius were the next consuls. The Veientines fell to Manlius as his province. No war, however, followed: a truce for forty years was granted them at their request, but they were ordered to provide corn and pay for the soldiers. Disturbance at home immediately followed in close succession on peace abroad: the commons were goaded by the spur employed by the tribunes in the shape of the agrarian law. The consuls, no whit intimidated by the condemnation of Menenius, nor by the danger of Servilius, resisted with their utmost might; Gnæus Genucius, a tribune of the people, dragged the consuls before the court on their going out of office. Lucius Æmilius and Opiter Verginius entered upon the consulate. Instead of Verginius I find Vopiscus Julius given as consul in some annals. In this year (whoever were the consuls) Furius and Manlius, being summoned to trial before the people, in sordid garb solicited the aid of the younger patricians as much as that of the commons: they advised, they cautioned them to keep themselves from public offices and the administration of public affairs, and indeed to consider the consular fasces, the toga prætexta and curule chair, as nothing else but a funeral parade: that when decked with these splendid insignia, as with fillets, [70] they were doomed to death. But if the charms of the consulate were so great they should even now rest satisfied that the consulate was held in captivity and crushed by the tribunician power; that everything had to be done by the consul, at the beck and command of the tribune, as if he were a tribune's beadle. If he stirred, if he regarded the patricians at all, if he thought that there existed any other party in the state but the commons, let him set before his eyes the banishment of Gnæeus Marcius, the condemnation and death of Menenius. Fired by these words, the patricians from that time held their consultations not in public, but in private houses, and remote from the knowledge of the majority, at which, when this one point only was agreed on, that the accused must be rescued

either by fair means or foul, the most desperate proposals were most approved; nor did any deed, however daring, lack a supporter.[71] Accordingly, on the day of trial, when the people stood in the forum on tiptoe of expectation, they at first began to feel surprised that the tribune did not come down; then, the delay now becoming more suspicious, they believed that he was hindered by the nobles, and complained that the public cause was abandoned and betrayed. At length those who had been waiting before the entrance of the tribune's residence announced that he had been found dead in his house. As soon as rumour spread the news through the whole assembly, just as an army disperses on the fall of its general, so did they scatter in different directions. Panic chiefly seized the tribunes, now taught by their colleague's death how utterly ineffectual was the aid the devoting laws afforded them.[72] Nor did the patricians display their exultation with due moderation; and so far was any of them from feeling compunction at the guilty act, that even those who were innocent wished to be considered to have perpetrated it, and it was openly declared that the tribunician power ought to be subdued by chastisement.

Immediately after this victory, that involved a most ruinous precedent, a levy was proclaimed; and, the tribunes being now overawed, the consuls accomplished their object without any opposition. Then indeed the commons became enraged more at the inactivity of the tribunes than at the authority of the consuls: they declared there was an end of their liberty: that things had returned to their old condition: that the tribunician power had died along with Genucius and was buried with him; that other means must be devised and adopted, by which the patricians might be resisted: and that the only means to that end was for the people to defend themselves, since they had no other help: that four-and-twenty lictors waited on the consuls, and they men of the common people: that nothing could be more despicable, or weaker, if only there were persons to despise them; that each person magnified those things and made them objects of terror to himself. When they had excited one another by these words, a lictor was despatched by the consuls to Volero Publilius, a man belonging to the commons, because he declared that, having been a centurion, he ought not to be made a common soldier. Volero appealed to the tribunes. When no one came to his assistance, the consuls ordered the man to be stripped and the rods to be got ready. "I appeal to the people," said Volero, "since the tribunes prefer to see a Roman citizen scourged before their eyes, than themselves to be butchered by you each in his bed." The more vehemently he cried out, the more violently did the lictor tear off his clothes and strip him. Then Volero, being both himself a man of great bodily strength, and aided by his partisans, having thrust back the lictor, retired into the thickest part of the crowd, where the outcry of those who expressed their indignation was loudest, crying out: "I appeal, and implore the protection of the commons; assist me, fellow-citizens: assist me, fellow-soldiers: it is no use to wait for the tribunes, who themselves stand in need of your aid." The men, excited, made ready as if for battle: and it was clear that a general crisis was at hand, that no one would have respect for anything, either public or private right. When the consuls had faced this violent storm, they soon found out that authority unsupported by strength had but little security; the lictors being maltreated, and the fasces broken, they were driven from the forum into the senate-house, uncertain how far Volero would follow up his victory. After that, the disturbance subsiding, having ordered the members to be summoned to the senate, they complained of the insults offered to themselves, of the violence of the people, of the daring conduct of Volero. After many violent measures had been proposed, the older members prevailed, who did not approve of the rash behaviour of the commons being met by the resentment of the patricians.

The commons having warmly espoused the cause of Volero, at the next meeting, secured his election as tribune of the people for that year, in which Lucius Pinarius and Publics Furius were consuls: and, contrary to the opinion of all, who thought that he would make free use of his tribuneship to harass the consuls of the preceding year, postponing private resentment to the public interest, without the consuls being attacked even by a single word, he brought a bill before the people that plebeian magistrates should be elected at the comitia tributa.[73] A measure of no small importance was now proposed, under an aspect at first sight by no means alarming; but one of such a nature that it really deprived the patricians of all power of electing whatever tribunes they pleased by the suffrage of their clients. The patricians resisted to the utmost this proposal, which met with the greatest approval of the commons: and though none of the college[74] could be induced by the influence either of the consuls or of the chief members of the senate to enter a protest against it, which was the only means of effectual resistance, yet the matter, a weighty one from its own importance, was spun out by party struggles for a whole year. The commons re-elected Volero as tribune. The senators, considering that the matter would end in a desperate struggle, elected as Consul Appius Claudius, the son of Appius, who was both hated by and had hated the commons, ever since the contests between them and his father. Titus Quinctius was assigned to him as his colleague. Immediately, at the beginning of the year,[75]no other question took precedence of that regarding the law. But like Volero, the originator of it, so his colleague, Lætorius, was both a more recent, as well as a more energetic, supporter of it. His great renown in war made him overbearing, because, in the age in which he lived, no one was more prompt in action. He, while Volero confined himself to the discussion of the law, avoiding all abuse of the consuls, broke out into accusations against Appius and his family, as having ever been most

overbearing and cruel toward the Roman commons, contending that he had been elected by the senators, not as consul, but as executioner, to harass and torture the people: his tongue, unskilled in speech, as was natural in a soldier, was unable to give adequate expression to the freedom of his sentiments. When, therefore, language failed him, he said: "Romans, since I do not speak with as much readiness as I make good what I have spoken, attend here to-morrow. I will either die before your eyes, or will carry the law." On the following day the tribunes took possession of the platform: the consuls and the nobles took their places together in the assembly to obstruct the law. Lætorius ordered all persons to be removed, except those going to vote. The young nobles kept their places, paying no regard to the officer; then Lætorius ordered some of them to be seized. The consul Appius insisted that the tribune had no jurisdiction over any one except a plebeian; for that he was not a magistrate of the people in general, but only of the commons; and that even he himself could not, according to the usage of their ancestors, by virtue of his authority remove any person, because the words were as follows: "If ye think proper, depart, Quirites." He was easily able to disconcert Lætorius by discussing his right thus contemptuously. The tribune, therefore, burning with rage, sent his officer to the consul; the consul sent his lictor to the tribune, exclaiming that he was a private individual, without military office and without civil authority: and the tribune would have been roughly handled, had not both the entire assembly risen up with great warmth in behalf of the tribune against the consul, and a crowd of people belonging to the excited multitude, rushed from all parts of the city into the forum. Appius, however, withstood this great storm with obstinacy, and the contest would have ended in a battle, not without bloodshed, had not Quinctius, the other consul, having intrusted the men of consular rank with the task of removing his colleague from the forum by force, if they could not do so in any other way, himself now assuaged the raging people by entreaties, now implored the tribunes to dismiss the assembly. Let them, said he, give their passion time to cool: delay would not in any respect deprive them of their power, but would add prudence to strength; and the senators would be under the control of the people, and the consul under that of the senators.

The people were with difficulty pacified by Quinctius; the other consul with much more difficulty by the patricians. The assembly of the people having been at length dismissed, the consuls convened the senate; in which, though fear and resentment by turns had produced a diversity of opinions, the more their minds were called off, by lapse of time, from passion to reflection, the more adverse did they become to contentiousness, so that they returned thanks to Quinctius, because it was owing to his exertions that the disturbance had been quieted. Appius was requested to give his consent that the consular dignity should be merely so great as it could be in a state if it was to be united: it was declared that, as long as the tribunes and consuls claimed all power, each for his own side, no strength was left between: that the commonwealth was distracted and torn asunder: that the object aimed at was rather to whom it should belong, than that it should be safe. Appius, on the contrary, called gods and men to witness that the commonwealth was being betrayed and abandoned through cowardice; that it was not the consul who had failed to support the senate, but the senate the consul: that more oppressive conditions were now being submitted to than had been submitted to on the Sacred Mount. Overcome, however, by the unanimous feeling of the senators, he desisted: the law was carried without opposition.

Then for the first time the tribunes were elected in the comita tributa. Piso is the authority for the statement that three were added to the number, as if there had been only two before. He also gives the names of the tribunes, Gnæus Siccius, Lucius Numitorius, Marcus Duellius, Spurius Icilius, Lucius Mecilius. During the disturbance at Rome, a war broke out with the Volscians and Æquans, who had laid waste the country, so that, if any secession of the people took place, they might find a refuge with them. Afterward, when matters were settled, they moved back their camp. Appius Claudius was sent against the Volscians; the Æquans fell to Quinctius as his province. Appius exhibited the same severity in war as at home, only more unrestrained, because it was free from the control of the tribunes. He hated the commons with a hatred greater than that inherited from his father: he had been defeated by them: when he had been chosen consul as the only man able to oppose the influence of the tribunes, a law had been passed, which former consuls had obstructed with less effect, amid hopes of the senators by no means so great as those now placed in him. His resentment and indignation at this stirred his imperious temper to harass the army by the severity of his command; it could not, however, be subdued by any exercise of authority, with such a spirit of opposition were the soldiers filled. They carried out all orders slowly, indolently, carelessly, and stubbornly: neither shame nor fear restrained them. If he wished the march to be accelerated, they designedly went more slowly: if he came up to them to encourage them in their work, they all relaxed the energy which they had before exerted of their own accord: they cast down their eyes in his presence, they silently cursed him as he passed by; so that that spirit, unconquered by plebeian hatred, was sometimes moved. Every kind of severity having been tried without effect, he no longer held any intercourse with the soldiers; he said the army was corrupted by the centurions; he sometimes gibingly called them tribunes of the people and Voleros.

None of these circumstances were unknown to the Volscians, and they pressed on with so much the more vigour, hoping that the Roman soldiers would entertain the same spirit of opposition against

Appius as they had formerly exhibited against the consul Fabius. However, they showed themselves still more embittered against Appius than against Fabius. For they were not only unwilling to conquer, like the army of Fabius, but even wished to be conquered. When led forth into the field, they made for their camp in ignominious flight, and did not stand their ground until they saw the Volscians advancing against their fortifications, and the dreadful havoc in the rear of their army. Then they were compelled to put forth their strength for battle, in order that the now victorious enemy might be dislodged from their lines; while, however, it was sufficiently clear that the Roman soldiers were only unwilling that the camp should be taken, in regard to all else they gloried in their own defeat and disgrace. When the haughty spirit of Appius, in no wise broken by this behaviour of the soldiers, purposed to act with still greater severity, and summoned a meeting, the lieutenants and tribunes flocked around him, recommending him by no means to decide to put his authority to the proof, the entire strength of which lay in unanimous obedience, saying that the soldiers generally refused to come to the assembly, and that their voices were heard on all sides, demanding that the camp should be removed from the Volscian territory: that the victorious enemy were but a little time ago almost at the very gates and rampart, and that not merely a suspicion but the visible form of a grievous disaster presented itself to their eyes. Yielding at last—since they gained nothing save a respite from punishment—having prorogued the assembly, and given orders that their march should be proclaimed for the following day, at daybreak he gave the signal for departure by sound of trumpet. At the very moment when the army, having got clear of the camp, was forming itself, the Volscians, as if they had been aroused by the same signal, fell upon those in the rear: from these the alarm spreading to the van, threw both the battalions and companies into such a state of consternation, that neither could the general's orders be distinctly heard, nor the lines drawn up. No one thought of anything but flight. In such loose order did they make their way through heaps of dead bodies and arms, that the enemy ceased their pursuit sooner than the Romans their flight. The soldiers having at length rallied from their disordered flight, the consul, after he had in vain followed his men, bidding them return, pitched his camp in a peaceful part of the country; and having convened an assembly, after inveighing not without good reason against the army, as traitors to military discipline, deserters of their posts, asking them, one by one where were their standards, where their arms, he first beat with rods and then beheaded those soldiers who had thrown down their arms, the standard-bearers who had lost their standards, and also the centurions, and those who received double allowance,[76] who had deserted their ranks. With respect to the rest of the rank and file, every tenth man was drawn by lot for punishment.

On the other hand, the consul and soldiers among the Æquans vied with each other in courtesy and acts of kindness: Quinctius was naturally milder in disposition, and the ill-fated severity of his colleague had caused him to give freer vent to his own good temper. This remarkable agreement between the general and his army the Æquans did not venture to meet, but suffered the enemy to go through their country committing devastations in every direction. Nor were depredations committed more extensively in that quarter in any preceding war. The whole of the booty was given to the soldiers. In addition, they received praise, in which the minds of soldiers find no less pleasure than in rewards. The army returned more reconciled both to their general, and also, thanks to the general, to the patricians, declaring that a parent had been given to them, a tyrant to the other army by the senate. The year which had passed with varied success in war, and violent dissensions at home and abroad, was rendered memorable chiefly by the elections of tribes, a matter which was more important from the victory in the contest[77] that was undertaken than from any real advantage; for more dignity was withdrawn from the elections themselves by the fact that the patricians were excluded from the council, than influence either added to the commons or taken from the patricians.[78]

A still more stormy year followed, when Lucius Valerius and Titus Æmilius were consuls, both by reason of the struggles between the different orders concerning the agrarian law, as well as on account of the trial of Appius Claudius, for whom Marcus Duilius and Gnæus Siccius appointed a day of trial, as a most active opposer of the law, and one who supported the cause of the possessors of the public land, as if he were a third consul [79]. Never before was an accused person so hateful to the commons brought to trial before the people, overwhelmed with their resentment against himself and also against his father. The patricians too seldom made equal exertions so readily on one's behalf: they declared that the champion of the senate, and the upholder of their dignity, set up as a barrier against all the storms of the tribunes and commons, was exposed to the resentment of the commons, although he had only exceeded the bounds of moderation in the contest. Appius Claudius himself was the only one of the patricians who made light both of the tribunes and commons and his own trial. Neither the threats of the commons, nor the entreaties of the senate, could ever persuade him even to change his garb, or accost persons as a suppliant, or even to soften or moderate his usual harshness of speech in the least degree, when his cause was to be pleaded before the people. The expression of his countenance was the same; the same stubbornness in his looks, the same spirit of pride in his language: so that a great part of the commons felt no less awe of Appius when on his trial than they had felt for him when consul. He pleaded his cause only once, and in the same haughty style of an accuser which he had been accustomed to adopt on all occasions: and he so astounded both the tribunes and the commons by his

intrepidity, that, of their own accord, they postponed the day of trial, and then allowed the matter to die out. No long interval elapsed: before, however, the appointed day came, he died of some disease; and when the tribunes of the people endeavoured to put a stop to his funeral panegyric, the commons would not allow the burial day of so great a man to be defrauded of the customary honours: and they listened to his eulogy when dead as patiently as they had listened to the charges brought against him when living, and attended his obsequies in vast numbers.

In the same year the consul Valerius, having marched with an army against the Aequans, and being unable to draw out the enemy to an engagement, proceeded to attack their camp. A dreadful storm coming down from heaven accompanied by thunder and hail prevented him. Then, on a signal for a retreat being given, their surprise was excited by the return of such fair weather, that they felt scruples about attacking a second time a camp which was defended as it were by some divine power: all the violence of the war was directed to plundering the country. The other consul, Aemilius, conducted the war in Sabine territory. There also, because the enemy confined themselves within their walls, the lands were laid waste. Then the Sabines, roused by the burning not only of the farms, but of the villages also, which were thickly inhabited, after they had fallen in with the raiders retired from an engagement the issue of which was left undecided, and on the following day removed their camp into a safer situation. This seemed a sufficient reason to the consul why he should leave the enemy as conquered, and depart thence, although the war was as yet unfinished.

During these wars, while dissensions still continued at home, Titus Numicius Priscus and Aulus Verginius were elected consuls. The commons appeared determined no longer to brook the delay in accepting the agrarian law, and extreme violence was on the point of being resorted to, when it became known by the smoke from the burning farms and the flight of the peasants that the Volscians were at hand; this circumstance checked the sedition that was now ripe and on the point of breaking out. The consuls, under the immediate compulsion of the senate, led forth the youth from the city to war, and thereby rendered the rest of the commons more quiet. And the enemy indeed, having merely filled the Romans with fear that proved groundless, departed in great haste. Numicius marched to Antium against the Volscians, Verginius against the Aequans. There, after they had nearly met with a great disaster in an attack from an ambuscade, the bravery of the soldiers restored their fortunes, which had been endangered through the carelessness of the consul. Affairs were conducted better in the case of the Volscians. The enemy were routed in the first engagement, and driven in flight into the city of Antium, a very wealthy place, considering the times: the consul, not venturing to attack it, took from the people of Antium another town, Caeno,[80] which was by no means so wealthy While the Aequans and Volscians engaged the attention of the Roman armies, the Sabines advanced in their depredations even to the gates of the city: then they themselves, a few days later, sustained from the two armies heavier losses than they had inflicted, both the consuls having entered their territories under the influence of exasperation.

At the close of the year to some extent there was peace, but, as frequently at other times, a peace disturbed by contests between the patricians and commons. The exasperated commons refused to attend the consular elections: Titus Quinctius and Quintus Servilius were elected consuls through the influence of the patricians and their dependents: the consuls had a year similar to the preceding, disturbed at the beginning, and afterward tranquil by reason of war abroad. The Sabines crossing the plains of Crustumerium by forced marches, after carrying fire and sword along the banks of the Anio, being repulsed when they had nearly come up to the Colline gate and the walls, drove off, however, great booty of men and cattle: the consul Servilius, having pursued them with an army bent on attacking them, was unable to overtake the main body itself in the level country: he, however, extended his devastations over such a wide area, that he left nothing unmolested by war, and returned after having obtained booty many times greater than that carried off by the enemy. The public cause was also extremely well supported among the Volscians by the exertions both of the general and the soldiers. First a pitched battle was fought, on level ground, with great slaughter and much bloodshed on both sides: and the Romans, because their small numbers caused their loss to be more keenly felt, would have given way, had not the consul, by a well-timed fiction, reanimated the army, by crying out that the enemy was in flight on the other wing; having charged, they, by believing themselves victorious, became so. The consul, fearing lest, by pressing on too far, he might renew the contest, gave the signal for retreat. A few days intervened, both sides resting as if by tacit suspension of hostilities: during these days a vast number of persons from all the states of the Volscians and Equans came to the camp, feeling no doubt that the Romans would depart during the night, if they perceived them. Accordingly, about the third watch [81], they came to attack the camp. Quinctius having allayed the confusion which the sudden panic had occasioned, and ordered the soldiers to remain quiet in their tents, led out a cohort of the Hernicans for an advance guard: the trumpeters and horn blowers he mounted on horseback, and commanded them to sound their trumpets before the rampart, and to keep the enemy in suspense till daylight: during the rest of the night everything was so quiet in the camp, that the Romans had even the opportunity of sleeping.[82] The sight of the armed infantry, whom they

both considered to be more numerous than they were, and at the same time Romans, the bustle and neighing of the horses, which became restless, both from the fact of strange riders being mounted on them, and moreover from the sound of the trumpets frightening them, kept the Volscians intently awaiting an attack of the enemy.

When the day dawned, the Romans, invigorated and having enjoyed a full sleep, on being marched out to battle, at the first onset caused the Volscians to give way, wearied as they were from standing and keeping watch: though indeed the enemy rather retired than were routed, because in the rear there were hills to which the unbroken ranks behind the first line had a safe retreat. The consul, when he came to the uneven ground, halted his army; the infantry were kept back with difficulty; they loudly demanded to be allowed to pursue the discomfited foe. The cavalry were more violent: crowding round the general, they cried out that they would proceed in front of the first line. While the consul hesitated, relying on the valour of his men, yet having little confidence in the nature of the ground, they all cried out that they would proceed; and execution followed the shout. Fixing their spears in the ground, in order that they might be lighter to mount the heights, they advanced uphill at a run. The Volscians, having discharged their missile weapons at the first onset, hurled down the stones that lay at their feet upon the Romans as they were making their way up, and having thrown them into confusion by incessant blows, strove to drive them from the higher ground: thus the left wing of the Romans was nearly overborne, had not the consul dispelled their fear by rousing them to a sense of shame as they were on the point of retreating, chiding at the same time their temerity and their cowardice. At first they stood their ground with determined firmness; then, as they recovered their strength by still holding their position, they ventured to advance of themselves, and, renewing their shouts, they encouraged the whole body to advance: then having made a fresh attack, they forced their way up and surmounted the unfavourable ground. They were now on the point of gaining the summit of the hill, when the enemy turned their backs, and pursued and pursuer at full speed rushed into the camp almost in one body. During this panic the camp was taken; such of the Volscians as were able to make good their escape, made for Antium. The Roman army also was led thither; after having been invested for a few days, the town surrendered, not in consequence of any new efforts on the part of the besiegers, but because the spirits of the inhabitants had sunk ever since the unsuccessful battle and the loss of their camp.

[Footnote 1: The functions of the old priest-king were divided, the political being assigned to the consuls, the duty of sacrificing to the newly-created rex sacrificulus, who was chosen from the patricians: he was, nevertheless, subject to the control of the Pontifex Maximus, by whom he was chosen from several nominees of the college of priests.]

[Footnote 2: This, of course applied only to patricians. Plebians were accounted nobodies.—D.O.]

[Footnote 3: The insula Tiberina between Rome and the Janiculum.]

[Footnote 4: Vindicta was properly the rod which was laid on the head of a slave by the magistrate who emancipated him, or by one of his attendants: the word is supposed to be derived from vim dicere (to declare authority).]

[Footnote 5: Near the Janiculum, between the Via Aurelia and the Via Claudia.]

[Footnote 6: A part of the Palatine.—D.O.]

[Footnote 7: The goddess of victory [vi(n)co-pot(is)].]

[Footnote 8: Practically a sentence of combined excommunication and outlawry.—D.O.]

[Footnote 9: Now Chiusi.]

[Footnote 10: They did not let these salt-works by auction, but took them under their own management, and carried them on by means of persons employed to work on the public account. These salt-works, first established at Ostia by Ancus, were, like other public property, farmed out to the publicans. As they had a high rent to pay, the price of salt was raised in proportion; but now the patricians, to curry favour with the plebeians, did not let the salt-pits to private tenants, but kept them in the hands of public labourers, to collect all the salt for the public use; and appointed salesmen to retail it to the people at a cheaper rate.]

[Footnote 11: Just below the sole remaining pillar of the Pons Aemilius.—D.O.]

[Footnote 12: Macaulay, in his "Lays of Ancient Rome," has made this incident the basis of one of the

most stirring poems in the English language. Though familiar to all, it does not seem out of place to quote from his "Horatius" in connection with the story as told by Livy:

"Alone stood brave Horatius,
But constant still in mind;
Thrice thirty thousand foes before
And the broad flood behind.
'Down with him!' cried false Sextus,
With smile on his pale face.
'Now yield thee,' cried Lars Porsena,
'Now yield thee to our grace.'

* * * * *

'O Tiber! father Tiber!
To whom the Romans pray,
A Roman's life, a Roman's arms,
Take thou in charge this day!'
So he spake, and speaking, sheathed
The good sword by his side,
And with his harness on his back
Plunged headlong in the tide.

No sound of joy or sorrow
Was heard from either bank,
But friends and foes, in dumb surprise,
With parted lips and straining eyes,
Stood gazing where he sank;
And when above the surges
They saw his crest appear,
All Rome sent forth a rapturous cry,
And even the ranks of Tuscany
Could scarce forbear to cheer.

But fiercely ran the current,
Swollen high by months of rain;
And fast his blood was flowing,
And he was sore in pain,
And heavy with his armour,
And spent with changing blows;
And oft they thought him sinking,
But still again he rose.

* * * * *

'Curse on him!' quoth false Sextus,
'Will not the villain drown?
But for this stay, ere close of day,
We should have sacked the town!'
'Heaven help him!' quoth Lars Porsena
'And bring him safe to shore;
For such a gallant feat of arms
Was never seen before.'

And now he feels the bottom;
Now on dry earth he stands;
Now round him throng the fathers
To press his gory hands;
And now with shouts and clapping,
And noise of weeping loud,
He enters through the River-gate
Borne by the joyous crowd.

* * * * *

When the goodman mends his armour,
And trims his helmet's plume;

When the good wife's shuttle merrily
Goes flashing through the loom;
With weeping and with laughter
Still is the story told,
How well Horatius kept the bridge
In the brave days of old."]

[Footnote 13: Of the left hand.—D.O.]

[Footnote 14: Probably where the Cliva Capitolina begins to ascend the slope of the Capitol.—D.O.]

[Footnote 15: The most ancient of the Greek colonies in Italy. Its ruins are on the coast north of the Promontory of Miseno.—D.O.]

[Footnote 16: Leading from the forum to the Velabrum.]

[Footnote 17: It was situated in the Alban Hills about ten miles from Rome, on the site of the modern Frascati.—D.O.]

[Footnote 18: Suessa-Pometia, mentioned in former note. Cora is now Cori.—D.O.]

[Footnote 19: Their home was in Campania.—D.O.]

[Footnote 20: Wooden roofs covered with earth or wet hides, and rolled forward on wheels for the protection of those engaged in battering or mining the walls.—D.O.]

[Footnote 21: That is, the Romans'.]

[Footnote 22: Perhaps because the twenty-four axes of both consuls went to the dictator.—D.O.]

[Footnote 23: Now Palestrina]

[Footnote 24: See Macaulay's "Lays of Ancient Rome": The Battle of Lake Regillus.]

[Footnote 25: The bound (by the law of debt), from nexo, to join or connect.—D.O.]

[Footnote 26: That is, for allowing themselves to suffer it and yet fight for their oppressors.—D.O.]

[Footnote 27: For military service.]

[Footnote:28 Known as Mercuriales. Mercury was the patron of merchants.—D.O.]

[Footnote 29: That is, over the senate.—D.O.]

[Footnote 30: About 40,000 men.—D.O.]

[Footnote 31: That is, like Vetusius, watching the Aequans, who uncrippled were lying in their mountain fastnesses in northern Latium, waiting a chance to renew their ravages.—D.O.]

[Footnote 32: Modern Velletri.]

[Footnote 33: a chair-shaped X .Its use was an insignia first of royalty, then of the higher magistracies.—D.O.]

[Footnote 34: Supposed to be the hill beyond and to the right of the Ponte Nomentano.—D.O.]

[Footnote 35: Lucius Calpurnius Piso, the historian.]

[Footnote 36: This fable is of very great antiquity. Max Müller says it is found among the Hindus.]

[Footnote 37: The law which declared the persons of the tribunes inviolate and him who transgressed it accursed.—D.O.]

[Footnote 38: Modern Anzio, south of Ostia on the coast of Latium.—D.O.]

[Footnote 39: Between Ardea and Aricia.]

[Footnote 40: The sixth part of the as, the Roman money unit, which represented a pound's weight of

copper.—D.O.]

[Footnote 41: Its ruins lie on the road to Terracina, near Norma, and about forty-five miles from Rome.—D.O.]

[Footnote 42: The clientes formed a distinct class; they were the hereditary dependents of certain patrician families (their patroni) to whom they were under various obligations; they naturally sided with the patricians.]

[Footnote 43: Dionysius and Plutarch give an account of the prosecution much more favourable to the defendant.—D. O.]

[Footnote 44: Celebrated annually in the Circus Maximus, September 4th to 12th, in honour of Jupiter, Juno, and Minerva, or, according to some authorities, of Consus and Neptunus Equestus.—D.O.]

[Footnote 45: A >-shaped yoke placed on the slave's neck, with his hands tied to the ends.—D.O.]

[Footnote 46: In a grove at the foot of the Alban Hill.—D.O.]

[Footnote 47: There seems to be something wrong here, as Satricum, etc., were situated west of the Via Appia, while Livy places them on the Via Latina. Niebuhr thinks that the words "passing across … Latin way," should be transposed, and inserted after the words "he then took in succession." For the position of these towns, see Map.]

[Footnote 48: Quintus Fabius Pictor, the historian.—D.O.]

[Footnote 49: The ager publicus consisted of the landed estates which had belonged to the kings, and were increased by land taken from enemies who had been conquered in war. The patricians, having the chief political power, gained exclusive occupation (possessio) of this ager publicus, for which they paid a nominal rent in the shape of produce and tithes. The nature of the charge brought by Cassius was not the fact of its being occupied by privati, but by patricians to the exclusion of plebeians.]

[Footnote 50: "Quaestors," this is the first mention of these officers in Livy; in early times it appears to have been part of their duty to prosecute those who were guilty of treason, and to carry out the punishment.]

[Footnote 51: On the west slope of the Esquiline.—D.O.]

[Footnote 52: There seems to be something wrong in the text here, as the subterfuge was distinctively a patrician one, and the commons had nothing to gain and all to lose by it. If Livy means that the commons provoked war by giving cause for the patricians to seek refuge in it, he certainly puts it very vaguely.—D. O.]

[Footnote 53: July 15th.]

[Footnote 54: By being buried alive. The idea being that the ceremonies could not be duly performed by an unchaste vestal.—D. O.]

[Footnote 55: By his power of veto.—D.O.]

[Footnote 56: These were veterans and formed the third line. The first were the "hastati," so called from their carrying long spears, which were later discarded for heavy javelins. The second were the "principes," the main line.—D. O.]

[Footnote 57: The space assigned for the general's tent.—D. O.]

[Footnote 58: The legati of a general were at once his council of war and his staff.—D. O.]

[Footnote 59: There is much in the description of this battle not easy to understand, and I am inclined to believe it was at least no better than drawn. The plundered camp, the defeat of the triarii, and the failure to mention pursuit or consequences, all favour this supposition.—D. O.]

[Footnote 60: It was to be victory or annihilation.—D. O.]

[Footnote 61: so called from the altar of Carmenta, which stood near it. It was located in or near what is now the Piazza Montanara, and was always after considered a gate of evil omen.—D. O.]

[Footnote 62: Now the Valchetta.—D. O.]

[Footnote 63: Probably of mercenaries, as the Veientines are alluded to throughout the paragraph as

commanding, and it was apparently not a case of alliance.—D. O.]

[Footnote 64: On the Via Flaminia (near the grotta rossa).]

[Footnote 65: This story has been much questioned by learned commentators. I see nothing improbable in it if we pare down the exploits a little, and the evidence, such as it is all pro.—D.O.]

[Footnote 66: As this temple was about a mile from the city, it is probable the Romans were defeated and that the second fight at the gate means simply that they repulsed an assault on the walls.—D.O.]

[Footnote 67: That is, did not renew their assault on the walls.—D.O.]

[Footnote 68: Evidently only a small detatchment, since they were in condition to assault a fortified consular camp despite their defeat.—D.O.]

[Footnote 69: The story of this war is much more doubtful than the exploit of the Fabii, and Livy, as usual, furnishes the material for his own criticism.—D.O.]

[Footnote 70: After the manner of animals about to be sacrificed.—D.O.]

[Footnote 71: This was probably the origin of the "clubs" of young patricians, to which so much of the later violance was due.—D.O.]

[Footnote 72: The lex sacrata, which declared their persons inviolate.—D.O.]

[Footnote 73: The assembly of the plebeians by tribes.—D.O.]

[Footnote 74: Of tribunes.]

[Footnote 75: The consular year.]

[Footnote 76: One of the rewards of good conduct was double rations.—D.O.]

[Footnote 77: That is, the contest to obtain the reform.—D.O.]

[Footnote 78: While the plebeians lost the dignity conferred on the assembly by the presence of distinguished patricians, they gained nothing, as, in the mere matter of votes, they already had a majority; and the patricians lost nothing, as the number of their votes would not be sufficient to render them of much importance.]

[Footnote 79: There were other specific charges, but Livy confines himself to the spirit of the prosecution.—D.O.]

[Footnote 80: The port of Antium, now Nettuno.—D.O.]

[Footnote 81: Midnight.—D. O.]

[Footnote 82: The rendering of the rest of this section is vague and unsatisfactory.—D. O.]

BOOK III

THE DECEMVIRATE

After the capture of Antium, Titus Æmilius and Quintus Fabius became consuls. This was the Fabius who was the sole survivor of the family that had been annihilated at the Cremera. Æmilius had already in his former consulship recommended the bestowal of land on the people. Accordingly, in his second consulship also, both the advocates of the agrarian law encouraged themselves to hope for the passing of the measure, and the tribunes took it up, thinking that a result, that had been frequently attempted in opposition to the consuls, might be obtained now that at any rate one consul supported it: the consul remained firm in his opinion. The possessors of state land [1]—and these a considerable part of the patricians—transferred the odium of the entire affair from the tribunes to the consul, complaining that a man, who held the first office in the state, was busying himself with proposals more befitting the tribunes, and was gaining popularity by making presents out of other people's property. A violent contest was at hand; had not Fabius compromised the matter by a suggestion disagreeable to neither party. That under the conduct and auspices of Titus Quinctius a considerable tract of land had been taken in the preceding year from the Volscians: that a colony might be sent to Antium, a neighbouring and conveniently situated maritime city: in this manner the commons would come in for lands without any complaints on the part of the present occupiers, and the state remain at peace. This proposition

was accepted. He secured the appointment of Titus Quinctius, Aulus Verginius, and Publius Furius as triumvirs for distributing the land: such as wished to receive land were ordered to give in their names. The attainment of their object created disgust immediately, as usually happens, and so few gave in their names that Volscian colonists were added to fill up the number: the rest of the people preferred to ask for land in Rome, rather than to receive it elsewhere. The Aequans sued for peace from Quintus Fabius (he had gone thither with an army), and they themselves broke it by a sudden incursion into Latin territory.

In the following year Quintus Servilius (for he was consul with Spurius Postumius), being sent against the Aequans, pitched his camp permanently in Latin territory: unavoidable inaction held the army in check, since it was attacked by illness. The war was protracted to the third year, when Quintus Fabius and Titus Quinctius were consuls. To Fabius, because he, as conqueror, had granted peace to the Aequans that sphere of action was assigned in an unusual manner.[2]He, setting out with a sure hope that his name and renown would reduce the Aequans to submission, sent ambassadors to the council of the nation, and ordered them to announce that Quintus Fabius, the consul, stated that he had brought peace to Rome from the Aequans, that from Rome he now brought them war, with that same right hand, but now armed, which he had formerly given to them in amity; that the gods were now witnesses, and would presently take vengeance on those by whose perfidy and perjury that had come to pass. That he, however, be matters as they might, even now preferred that the Aequans should repent of their own accord rather than suffer the vengeance of an enemy. If they repented, they would have a safe retreat in the clemency they had already experienced; but if they still took pleasure in perjury, they would wage war with the gods enraged against them rather than their enemies. These words had so little effect on any of them that the ambassadors were near being ill-treated, and an army was sent to Algidum[3] against the Romans. When news of this was brought to Rome, the indignity of the affair, rather than the danger, caused the other consul to be summoned from the city; thus two consular armies advanced against the enemy in order of battle, intending to come to an engagement at once. But as it happened that not much of the day remained, one of the advance guard of the enemy cried out: "This is making a show of war, Romans, not waging it: you draw up your army in line of battle, when night is at hand; we need a longer period of daylight for the contest which is to come. Tomorrow at sunrise return to the field: you shall have an opportunity of fighting, never fear." The soldiers, stung by these taunts, were marched back into camp till the following day, thinking that a long night was approaching, which would cause the contest to be delayed. Then indeed they refreshed their bodies with food and sleep: on the following day, when it was light, the Roman army took up their position some considerable time before. At length the Aequans also advanced. The battle was hotly contested on both sides, because the Romans fought under the influence of resentment and hatred, while the Aequans were compelled by a consciousness of danger incurred by misconduct, and despair of any confidence being reposed in them hereafter, to venture and to have recourse to the most desperate efforts. The Aequans, however, did not withstand the attack of the Roman troops, and when, having been defeated, they had retired to their own territories, the savage multitude, with feelings not at all more disposed to peace, began to rebuke their leaders: that their fortunes had been intrusted to the hazard of a pitched battle, in which mode of fighting the Romans were superior. That the Aequans were better adapted for depredations and incursions, and that several parties, acting in different directions, conducted wars with greater success than the unwieldy mass of a single army.

Accordingly, having left a guard over the camp, they marched out and attacked the Roman frontiers with such fury that they carried terror even to the city: the fact that this was unexpected also caused more alarm, because it was least of all to be feared that an enemy, vanquished and almost besieged in their camp, should entertain thoughts of depredation: and the peasants, rushing through the gates in a state of panic, cried out that it was not a mere raid, nor small parties of plunderers, but, exaggerating everything in their groundless fear, whole armies and legions of the enemy that were close at hand, and that they were hastening toward the city in hostile array. Those who were nearest carried to others the reports heard from these, reports vague and on that account more groundless: and the hurry and clamour of those calling to arms bore no distant resemblance to the panic that arises when a city has been taken by storm. It so happened that the consul Quinctius had returned to Rome from Algidum: this brought some relief to their terror; and, the tumult being calmed, after chiding them for their dread of a vanquished enemy, he set a guard on the gates. Then a meeting of the senate was summoned, and a suspension of business proclaimed by their authority: he himself, having set out to defend the frontiers, leaving behind Quintus Servilius as prefect of the city, found no enemy in the country. Affairs were conducted with distinguished success by the other consul; who, having attacked the enemy, where he knew that they would arrive, laden with booty, and therefore marching with their army the more encumbered, caused their depredation to prove their destruction. Few of the enemy escaped from the ambuscade; all the booty was recovered. Thus the return of the consul Quinctius to the city put an end to the suspension of business, which lasted four days. A census[4] was then held, and the lustrum [Footnote: The ceremony of purification took place every five years, hence "Justrum" came to be used for a period of five years.] closed by Quinctius: the number of citizens rated is said to

have been one hundred and four thousand seven hundred and fourteen, not counting orphans of both sexes. Nothing memorable occurred afterward among the Æquans; they retired into their towns, allowing their possessions to be consumed by fire and devastated. The consul, after he had repeatedly carried devastation with a hostile army through the whole of the enemy's country, returned to Rome with great glory and booty.

The next consuls were Aulus Postumius Albus and Spurius Furius Fusus. Furii is by some writers written Fusii; this I mention, to prevent any one thinking that the change, which is only in the names, is in the persons themselves. There was no doubt that one of the consuls was about tobegin hostilities against the Æquans. The latter accordingly sought help from the Volscians of Ecetra; this was readily granted (so keenly did these states contend in inveterate hatred against the Romans), and preparations for war were made with the utmost vigour. The Hernicans came to hear of it, and warned the Romans that the Ecetrans had revolted to the Æquans: the colony of Antium also was suspected, because, after the town had been taken a great number of the inhabitants had fled thence for refuge to the Æquans: and these soldiers behaved with the very greatest bravery during the course of the war. After the Æquans had been driven into the towns, when this rabble returned to Antium, it alienated from the Romans the colonists who were already of their own accord disposed to treachery. The matter not yet being ripe, when it had been announced to the senate that a revolt was intended, the consuls were charged to inquire what was going on, the leading men of the colony being summoned to Rome. When they had attended without reluctance, they were conducted before the senate by the consuls, and gave such answers to the questions that were put to them that they were dismissed more suspected than they had come.

After this, war was regarded as inevitable. Spurius Furius, one of the consuls to whom that sphere of action had fallen, having marched against the Aequans, found the enemy committing depredations in the country of the Hernicans; and being ignorant of their numbers, because they had nowhere been seen all together, he rashly hazarded an engagement with an army which was no match for their forces. Being driven from his position at the first onset, he retreated to his camp; nor was that the end of his danger; for both on the next night and the following day, his camp was beset and assaulted with such vigour that not even a messenger could be despatched thence to Rome. The Hernicans brought news both that an unsuccessful battle had been fought, and that the consul and army were besieged; and inspired the senate with such terror, that the other consul Postumius was charged to see to it that the commonwealth took no harm,[5] a form of decree which has ever been deemed to be one of extreme urgency. It seemed most advisable that the consul himself should remain at Rome to enlist all such as were able to bear arms: that Titus Quinctius should be sent as proconsul[6] to the relief of the camp with the army of the allies: to complete this army the Latins and Hernicans, and the colony of Antium were ordered to supply Quinctius with troops hurriedly raised-such was the name (subitarii) that they gave to auxiliaries raised for sudden emergencies.

During those days many manoeuvres and many attacks were carried out on both sides, because the enemy, having the advantage in numbers, attempted to harass the Roman forces by attacking them on many sides, as not likely to prove sufficient to meet all attacks. While the camp was being besieged, at the same time part of the army was sent to devastate Roman territory, and to make an attempt upon the city itself, should fortune favour. Lucius Valerius was left to guard the city: the consul Postumius was sent to prevent the plundering of the frontiers. There was no abatement in any quarter either of vigilance or activity; watches were stationed in the city, outposts before the gates, and guards along the walls: and a cessation of business was observed for several days, as was necessary amid such general confusion. In the meantime the consul Furius, after he had at first passively endured the siege in his camp, sallied forth through the main gate[7] against the enemy when off their guard; and though he might have pursued them, he stopped through apprehension, that an attack might be made on the camp from the other side. The lieutenant Furius (he was also the consul's brother) was carried away too far in pursuit: nor did he, in his eagerness to follow them up, observe eitherhis own party returning, or the attack of the enemy on his rear: being thus shut out, having repeatedly made many unavailing efforts to force his way to the camp, he fell, fighting bravely. In like manner the consul, turning about to renew the fight, on being informed that his brother was surrounded, rushing into the thick of the fight rashly rather than with sufficient caution, was wounded, and with difficulty rescued by those around him. This both damped the courage of his own men, and increased the boldness of the enemy; who, being encouraged by the death of the lieutenant, and by the consul's wound, could not afterward have been withstood by any force, as the Romans, having been driven into their camp, were again being besieged, being a match for them neither in hopes nor in strength, and the very existence of the state would have been imperilled, had not Titus Quinctius come to their relief with foreign troops, the Latin and Hernican army. He attacked the Aequans on their rear while their attention was fixed on the Roman camp, and while they were insultingly displaying the head of the lieutenant: and, a sally being made at the same time from the camp at a signal given by himself from a distance, he surrounded a large force of the enemy. Of the Aequans in Roman territory the slaughter was less, their flight more

disorderly. As they straggled in different directions, driving their plunder before them, Postumius attacked them in several places, where he had posted bodies of troops in advantageous positions. They, while straying about and pursuing their flight in great disorder, fell in with the victorious Quinctius as he was returning with the wounded consul. Then the consular army by its distinguished bravery amply avenged the consul's wound, and the death of the lieutenant and the slaughter of the cohorts; heavy losses were both inflicted and received on both sides during those days. In a matter of such antiquity it is difficult to state, so as to inspire conviction, the exact number of those who fought or fell: Antias Valerius, however, ventures to give an estimate of the numbers: that in the Hernican territory there fell five thousand eight hundred Romans; that of the predatory parties of the Aequans, who strayed through the Roman frontiers for the purpose of plundering, two thousand four hundred were slain by the consul Aulus Postumius; that the rest of the body which fell in with Quinctius while driving its booty before them, by no means got off with a loss equally small: of these he asserts that four thousand, and by way of stating the number exactly, two hundred and thirty were slain. After their return to Rome, the cessation of business was abandoned. The sky seemed to be all ablaze with fire; and other prodigies either actually presented themselves before men's eyes, or exhibited imaginary appearances to their affrighted minds. To avert these terrors, a solemn festival for three days was proclaimed, during which all the shrines were filled with a crowd of men and women, earnestly imploring the favour of the gods. After this the Latin and Hernican cohorts were sent back to their respective homes, after they had been thanked by the senate for their spirited conduct in war. The thousand soldiers from Antium were dismissed almost with disgrace, because they had come after the battle too late to render assistance.

The elections were then held: Lucius Aebutius and Publius Servilius were elected consuls, and entered on their office on the calends of August[8] according to the practice of beginning the year on that date. It was an unhealthy season, and it so happened that the year [9] was pestilential to the city and country, and not more to men than to cattle; and they themselves increased the severity of the disease by admitting the cattle and the peasants into the city in consequence of their dread of devastation. This collection of animals of every kind mingled together both distressed the inhabitants of the city by the unusual stench, and also the peasants, crowded together into their confined dwellings, by heat and want of sleep while their attendance on each other, and actual contact helped to spread disease. While they were hardly able to endure the calamities that pressed upon them, ambassadors from the Hernicans suddenly brought word that the Aequans and Volscians had united their forces, and pitched their camp in their territory: that from thence they were devastating their frontiers with an immense army. In addition to the fact that the small attendance of the senate was a proof to the allies that the state was prostrated by the pestilence, they further received this melancholy answer: That the Hernicans, as well as the Latins, must now defend their possessions by their own unaided exertions. That the city of Rome, through the sudden anger of the gods, was ravaged by disease. If any relief from that calamity should arise, that they would afford aid to their allies, as they had done the year before, and always on other occasions. The allies departed, carrying home, instead of the melancholy news they had brought, news still more melancholy, seeing that they were now obliged to sustain by their own resources a war, which they would have with difficulty sustained even if backed by the power of Rome. The enemy no longer confined themselves to the Hernican territory. They proceeded thence with determined hostility into the Roman territories, which were already devastated without the injuries of war. There, without any one meeting them, not even an unarmed person, they passed through entire tracts destitute not only of troops, but even uncultivated, and reached the third milestone on the Gabinian road.[10] Aebutius, the Roman consul, was dead: his colleague, Servilius, was dragging out his life with slender hope of recovery; most of the leading men, the chief part of the patricians, nearly all those of military age, were stricken down with disease, so that they not only had not sufficient strength for the expeditions, which amid such an alarm the state of affairs required, but scarcely even for quietly mounting guard. Those senators, whose age and health permitted them, personally discharged the duty of sentinels. The patrol and general supervision was assigned to the plebeian aediles: on them devolved the chief conduct of affairs and the majesty of the consular authority.

The commonwealth thus desolate, since it was without a head, and without strength, was saved by the guardian gods and good fortune of the city, which inspired the Volscians and Æquans with the disposition of freebooters rather than of enemies; for so far were their minds from entertaining any hope not only of taking but even of approaching the walls of Rome, and so thoroughly did the sight of the houses in the distance, and the adjacent hills, divert their thoughts, that, on a murmur arising throughout the entire camp—why should they waste time in indolence without booty in a wild and desert land, amid the pestilence engendered by cattle and human beings, when they could repair to places as yet unattacked—the Tusculan territory abounding in wealth? They suddenly pulled up their standards,[11] and, by cross-country marches, passed through the Lavican territory to the Tusculan hills: to that quarter the whole violence and storm of the war was directed. In the meantime the Hernicans and Latins, influenced not only by compassion but by a feeling of shame, if they neither opposed the common enemy who were making for the city of Rome with a hostile army, nor afforded any aid to their allies when besieged, marched to Rome with united forces. Not finding the enemy

there, they followed their tracks in the direction they were reported to have taken, and met them as they were coming down from Tusculan territory into the Alban valley: there a battle was fought under circumstances by no means equal; and their fidelity proved by no means favourable to the allies for the time being. The havoc caused by pestilence at Rome was not less than that caused by the sword among the allies: the only surviving consul died, as well as other distinguished men, Marcus Valerius, Titus Verginius Rutilus, augurs: Servius Sulpicius, chief priest of the curies:[12] while among undistinguished persons the virulence of the disease spread extensively: and the senate, destitute of human aid, directed the people's attention to the gods and to vows: they were ordered to go and offer supplications with their wives and children, and to entreat the favour of Heaven. Besides the fact that their own sufferings obliged each to do so, when summoned by public authority, they filled all the shrines; the prostrate matrons in every quarter sweeping the temples with their hair, begged for a remission of the divine displeasure, and a termination to the pestilence.

From this time, whether it was that the favour of the gods was obtained, or that the more unhealthful season of the year was now over, the bodily condition of the people, now rid of disease, gradually began to be more healthy, and their attention being now directed to public concerns, after the expiration of several interregna, Publius Valerius Publicola, on the third day after he had entered on his office of interrex,[13] procured the election of Lucius Lucretius Tricipitinus, and Titus Veturius (or Vetusius) Geminus, to the consulship. They entered on their consulship on the third day before the ides of August,[14] the state being now strong enough not only to repel a a hostile attack, but even to act itself on the offensive. Therefore when the Hernicans announced that the enemy had crossed over into their boundaries, assistance was readily promised: two consular armies were enrolled. Veturius was sent against the Volscians to carry on an offensive war. Tricipitinus, being posted to protect the territory of the allies from devastation, proceeded no further than into the countryof the Hernicans. Veturius routed and put the enemy to flight in the first engagement. A party of plunderers, led over the Praenestine Mountains, and from thence sent down into the plains, was unobserved by Lucretius, while he lay encamped among the Hernicans. These laid waste all the countryaround Praeneste and Gabii: from the Gabinian territory they turned their course toward the heights of Tusculum; great alarm was excited in the city of Rome also, more from the suddenness of the affair than because there was not sufficient strength to repel the attack. Quintus Fabius was in command of the city; he, having armed the young men and posted guards, made things secure and tranquil. The enemy, therefore, not venturing to approach the city, when they were returning by a circuitous route, carrying off plunder from the adjacent places, their caution being now more relaxed, in proportion as they removed to a greater distance from the enemy's city, fell in with the consul Lucretius, who had already reconnoitred his lines of march, and whose army was drawn up in battle array and resolved upon an engagement. Accordingly, having attacked them with predetermined resolution, though with considerably inferior forces, they routed and put to flight their numerous army, while smitten with sudden panic, and having driven them into the deep valleys, where means of egress were not easy, they surrounded them. There the power of the Volscians was almost entirely annihilated. In some annals, I find that thirteen thousand four hundred and seventy fell in battle and in flight that one thousand seven hundred and fifty were taken alive, that twenty-seven military standards were captured: and although in accounts there may have been some exaggeration in regard to numbers, undoubtedly great slaughter took place. The victorious consul, having obtained immense booty, returned to his former standing camp. Then the consuls joined camps. The Volscians and Æquans also united their shattered strength. This was the third battle in that year; the same good fortune gave them victory; the enemy was routed, and their camp taken.

Thus the affairs of Rome returned to their former condition; and successes abroad immediately excited commotions in the city. Gaius Terentilius Harsa was tribune of the people in that year: he, considering that an opportunity was afforded for tribunician intrigues during the absence of the consuls began, after railing against the arrogance of the patricians for several days before the people, to inveigh chiefly against the consular authority, as being excessive and intolerable for a free state: for that in name only was it less hateful, in reality it was almost more cruel than the authority of the kings: that forsooth in place of one, two masters had been accepted, with unbounded and unlimited power, who, themselves unrestrained and unbridled, directed all the terrors of the law, and all kinds of punishments against the commons. Now, in order that their unbounded license might not last forever, he would bring forward a law that five persons be appointed to draw up laws regarding the consular power, by which the consul should use that right which the people should have given him over them, not considering their own caprice and license as law. Notice having been given of this law, as the patricians were afraid, lest, in the absence of the consuls, they should be subjected to the yoke; the senate was convened by Quintus Fabius, prefect of the city, who inveighed so vehemently against the bill and its proposer that no kind of threats or intimidation was omitted by him, which both the consuls could supply, even though they surrounded the tribune in all their exasperation: That he had lain in wait, and, having seized a favourable opportunity, had made an attack on the commonwealth. If the gods in their anger had given them any tribune like him in the preceding year, during the pestilence

and war, it could not have been endured: that, when both the consuls were dead, and the state prostrate and enfeebled, in the midst of the general confusion he would have proposed laws to abolish the consular government altogether from the state; that he would have headed the Volscians and Æquans in an attack on the city. What, if the consuls behaved in a tyrannical or cruel manner against any of the citizens, was it not open to him to appoint a day of trial for them, to arraign them before those very judges against any one of whom severity might have been exercised? That he by his conduct was rendering, not the consular authority, but the tribunician power hateful and insupportable; which, after having been in a state of peace, and on good terms with the patricians, was now being brought back anew to its former mischievous practices; nor did he beg of him not to proceed as he had begun. "Of you, the other tribunes," said Fabius, "we beg that you will first of all consider that that power was appointed for the aid of individuals, not for the ruin of the community; that you were created tribunes of the commons, not enemies of the patricians. To us it is distressing, to you a source of odium, that the republic, now bereft of its chief magistrates, should be attacked; you will diminish not your rights, but the odium against you. Confer with your colleague that he may postpone this business till the arrival of the consuls, to be then discussed afresh; even the Æquans and the Volscians, when our consuls were carried off by pestilence last year, did not harass us with a cruel and tyrannical war." The tribunes conferred with Terentilius, and the bill being to all appearance deferred, but in reality abandoned, the consuls were immediately sent for.

Lucretius returned with immense spoil, and much greater glory; and this glory he increased on his arrival, by exposing all the booty in the Campus Martius, so that each person might, for the space of three days, recognise what belonged to him and carry it away; the remainder, for which no owners were forthcoming, was sold. A triumph was by universal consent due to the consul; but the matter was deferred, as the tribune again urged his law; this to the consul seemed of greater importance. The business was discussed for several days, both in the senate and before the people: at last the tribune yielded to the majesty of the consul, and desisted; then their due honour was paid to the general and his army. He triumphed over the Volscians and Æquans; his troops followed him in his triumph. The other consul was allowed to enter the city in ovation[15]unaccompanied by his soldiers.

In the following year the Terentilian law, being brought forward again by the entire college, engaged the serious attention of the new consuls, who were Publius Volumnius and Servius Sulpicius. In that year the sky seemed to be on fire, and a violent earthquake took place: it was believed that an ox spoke, a phenomenon which had not been credited in the previous year: among other prodigies there was a shower of flesh, which a large flock of birds is said to have carried off by pecking at the falling pieces: that which fell to the ground is said to have lain scattered about just as it was for several days, without becoming tainted. The books were consulted[16] by the duumviri for sacred rites: dangers of attacks to be made on the highest parts of the city, and of consequent bloodshed, were predicted as threatening from an assemblage of strangers; among other things, admonition was given that all intestine disturbances should be abandoned.[17] The tribunes alleged that that was done to obstruct the law, and a desperate contest was at hand.

On a sudden, however, that the same order of events might be renewed each year, the Hernicans announced that the Volscians and the Æquans, in spite of their strength being much impaired, were recruiting their armies: that the centre of events was situated at Antium; that the colonists of Antium openly held councils at Ecetra: that there was the head—there was the strength—of the war. As soon as this announcement was made in the senate, a levy was proclaimed: the consuls were commanded to divide the management of the war between them; that the Volscians should be the sphere of action of the one, the Æquans of the other. The tribunes loudly declared openly in the forum that the story of the Volscian war was nothing but a got-up farce: that the Hernicans had been trained to act their parts: that the liberty of the Roman people was now not even crushed by manly efforts, but was baffled by cunning; because it was now no longer believed that the Volscians and the Æquans who were almost utterly annihilated, could of themselves begin hostilities, new enemies were sought for: that a loyal colony, and one in their very vicinity, was being rendered infamous: that war was proclaimed against the unoffending people of Antium, in reality waged with the commons of Rome, whom, loaded with arms, they were determined to drive out of the city with precipitous haste, wreaking their vengeance on the tribunes by the exile and expulsion of their fellow-citizens. That by these means—and let them not think that there was any other object contemplated—the law was defeated, unless, while the matter was still in abeyance, while they were still at home and in the grab of citizens, they took precautions, so as to avoid being driven out of possession of the city, or being subjected to the yoke. If they only had spirit, support would not be wanting: that all the tribunes were unanimous: that there was no apprehension from abroad, no danger. That the gods had taken care, in the preceding year that their liberty could be defended with safety. Thus spoke the tribunes.

But on the other side, the consuls, having placed their chairs[18] within view of them, were holding the levy; thither the tribunes hastened down, and carried the assembly along with them; a few [19]

were summoned, as it were, by way of making an experiment, and instantly violence ensued. Whomsoever the lictor laid hold of by order of the consul, him the tribune ordered to be released; nor did his own proper jurisdiction set a limit to each, but they rested their hopes on force, and whatever they set their mind upon, was to be gained by violence. Just as the tribunes had behaved in impeding the levy, in the same manner did the consuls conduct themselves in obstructing the law which was brought forward on each assembly day. The beginning of the riot was that the patricians refused to allow themselves to be moved away, when the tribunes ordered the people to proceed to give their vote. Scarcely any of the older citizens mixed themselves up in the affair, inasmuch as it was one that would not be directed by prudence, but was entirely abandoned to temerity and daring. The consuls also frequently kept out of the way, lest in the general confusion they might expose their dignity to insult. There was one Cæso Quinctius, a youth who prided himself both on the nobility of his descent, and his bodily stature and strength; to these endowments bestowed on him by the gods, he himself had added many brave deeds in war, and eloquence in the forum; so that no one in the state was considered readier either in speech or action. When he had taken his place in the midst of a body of the patricians, pre-eminent above the rest, carrying as it were in his eloquence and bodily strength dictatorships and consulships combined, he alone withstood the storms of the tribunes and the populace. Under his guidance the tribunes were frequently driven from the forum, the commons routed and dispersed; such as came in his way, came off ill-treated and stripped: so that it became quite clear that, if he were allowed to proceed in this way, the law was as good as defeated Then, when the other tribunes were now almost thrown into despair, Aulus Verginius, one of the colleges, appointed a day for Cæso to take his trial on a capital charge. By this proceeding he rather irritated than intimidated his violent temper: so much the more vigorously did he oppose the law, harass the commons, and persecute the tribunes, as if in a regular war. The accuser suffered the accused to rush headlong to his ruin, and to fan the flame of odium and supply material for the charges he intended to bring against him: in the meantime he proceeded with the law, not so much in the hope of carrying it through, as with the object of provoking rash action on the part of Cæso. After that many inconsiderate expressions and actions of the younger patricians were put down to the temper of Cæso alone, owing to the suspicion with which he was regarded: still the law was resisted. Also Aulus Verginius frequently remarked to the people: "Are you now sensible, Quirites that you can not at the same time have Cæso as a fellow-citizen, and the law which you desire? Though why do I speak of the law? He is a hindrance to your liberty; he surpasses all the Tarquins in arrogance. Wait till that man is made consul or dictator, whom, though but a private citizen, you now see exercising kingly power by his strength and audacity." Many agreed, complaining that they had been beaten by him: and, moreover, urged the tribune to go through with the prosecution.

The day of trial was now at hand, and it was evident that people in general considered that their liberty depended on the condemnation of Cæso: then, at length being forced to do so, he solicited the commons individually, though with a strong feeling of indignation; his relatives and the principal men of the state attended him. Titus Quinctius Capitolinus, who had been thrice consul, recounting many splendid achievements of his own, and of his family, declared that neither in the Quinctian family, nor in the Roman state, had there ever appeared such a promising genius displaying such early valour. That he himself was the first under whom he had served, that he had often in his sight fought against the enemy. Spurius Furius declared that Cæso, having been sent to him by Quinctius Capitolinus, had come to his aid when in the midst of danger; that there was no single individual by whose exertions he considered the common weal had been more effectually re-established. Lucius Lucretius, the consul of the preceding year, in the full splendour of recent glory, shared his own meritorious services with Cæso; he recounted his battles detailed his distinguished exploits, both in expeditions and in pitched battle; he recommended and advised them to choose rather that a youth so distinguished, endowed with all the advantages of nature and fortune, and one who should prove the greatest support of whatsoever state he should visit, should continue to be a fellow-citizen of their own, rather than become the citizen of a foreign state: that with respect to those qualities which gave offence in him, hot-headedness and overboldness, they were such as increasing years removed more and more every day: that what was lacking, prudence, increased day by day: that as his faults declined, and his virtues ripened, they should allow so distinguished a man to grow old in the state. Among these his father, Lucius Quinctius, who bore the surname of Cincinnatus, without dwelling too often on his services, so as not to heighten public hatred, but soliciting pardon for his youthful errors, implored them to forgive his son for his sake, who had not given offence to any either by word or deed. But while some, through respect or fear, turned away from his entreaties, others, by the harshness of their answer, complaining that they and their friends had been ill-treated, made no secret of what their decision would be.

Independently of the general odium, one charge in particular bore heavily on the accused; that Marcus Volscius Fictor, who some years before had been tribune of the people, had come forward to bear testimony: that not long after the pestilence had raged in the city, he had fallen in with a party of young men rioting in the Subura;[20] that a scuffle had taken place: and that his elder brother, not yet perfectly recovered from his illness, had been knocked down by Cæso with a blow of his fist: that he

had been carried home half dead in the arms of some bystanders, and that he was ready to declare that he had died from the blow: and that he had not been permitted by the consuls of former years to obtain redress for such an atrocious affair. In consequence of Volscius vociferating these charges, the people became so excited that Cæso was near being killed through the violence of the crowd. Verginius ordered him to be seized and dragged off to prison. The patricians opposed force to force. Titus Quinctius exclaimed that a person for whom a day of trial for a capital offence had been appointed, and whose trial was now close at hand, ought not to be outraged before he was condemned, and without a hearing. The tribune replied that he would not inflict punishment on him before he was condemned: that he would, however, keep him in prison until the day of trial, that the Roman people might have an opportunity of inflicting punishment on one who had killed a man.[21] The tribunes being appealed to, got themselves out of the difficulty in regard to their prerogative of rendering aid, by a resolution that adopted a middle course: they forbade his being thrown into confinement, and declared it to be their wish that the accused should be brought to trial, and that a sum of money should be promised to the people, in case he should not appear. How large a sum of money ought to be promised was a matter of doubt: the decision was accordingly referred to the senate. The accused was detained in public custody until the patricians should be consulted: it was decided that bail should be given: they bound each surety in the sum of three thousand asses; how many sureties should be given was left to the tribunes; they fixed the number at ten: on this number of sureties the prosecutor admitted the accused to bail. [22] He was the first who gave public sureties. Being discharged from the forum, he went the following night into exile among the Tuscans. When on the day of trial it was pleaded that he had withdrawn into voluntary exile, nevertheless, at a meeting of the comitia under the presidency of Verginius, his colleagues, when appealed to, dismissed the assembly: [23] the fine was rigorously exacted from his father, so that, having sold all his effects, he lived for a considerable time in an out-of-the-way cottage on the other side of the Tiber, as if in exile.

This trial and the proposal of the law gave full employment to the state: in regard to foreign wars there was peace. When the tribunes, as if victorious, imagined that the law was all but passed owing to the dismay of the patricians at the banishment of Cæso, and in fact, as far as regarded the seniors of the patricians, they had relinquished all share in the administration of the commonwealth, the juniors, more especially those who were the intimate friends of Cæso, redoubled their resentful feelings against the commons, and did not allow their spirits to fail; but the greatest improvement was made in this particular, that they tempered their animosity by a certain degree of moderation. The first time when, after Cseso's banishment, the law began to be brought forward, these, arrayed and well prepared, with a numerous body of clients, so attacked the tribunes, as soon as they afforded a pretext for it by attempting to remove them, that no one individual carried home from thence a greater share than another, either of glory or ill-will, but the people complained that in place of one Cæso a thousand had arisen. During the days that intervened, when the tribunes took no proceedings regarding the law, nothing could be more mild or peaceable than those same persons; they saluted the plebeians courteously, entered into conversation with them, and invited them home: they attended them in the forum,[24] and suffered the tribunes themselves to hold the rest of their meetings without interruption: they were never discourteous to any one either in public or in private, except on occasions when the matter of the law began to be agitated. In other respects the young men were popular. And not only did the tribunes transact all their other affairs without disturbance, but they were even re-elected or the following year. Without even an offensive expression, much less any violence being employed, but by soothing and carefully managing the commons the young patricians gradually rendered them tractable. By these artifices the law was evaded through the entire year.

The consuls Gaius Claudius, the son of Appius, and Publius Valerius Publicola, took over the government from their predecessors in a more tranquil condition. The next year had brought with it nothing new: thoughts about carrying the law, or submitting to it, engrossed the attention of the state. The more the younger patricians strove to insinuate themselves into favour with the plebeians, the more strenuously did the tribunes strive on the other hand to render them suspicious in the eyes of the commons by alleging that a conspiracy had been formed; that Cæso was in Rome; that plans had been concerted for assassinating the tribunes, for butchering the commons. That the commission assigned by the elder members of the patricians was, that the young men should abolish the tribunician power from the state, and the form of government should be the same as it had been before the occupation of the Sacred Mount. At the same time a war from the Volscians and Æquans, which had now become a fixed and almost regular occurrence every year, was apprehended, and another evil nearer home started up unexpectedly. Exiles and slaves, to the number of two thousand five hundred, seized the Capitol and citadel during the night, under the command of Appius Herdonius, a Sabine. Those who refused to join the conspiracy and take up arms with them were immediately massacred in the citadel: others, during the disturbance, fled in headlong panic down to the forum: the cries, "To arms!" and "The enemy are in the city!" were heard alternately. The consuls neither dared to arm the commons, nor to suffer them to remain unarmed; uncertain what sudden calamity had assailed the city, whether from without or within, whether arising from the hatred of the commons or the treachery of the slaves:

they tried to quiet the disturbances, and while trying to do so they sometimes aroused them; for the populace, panic-stricken and terrified, could not be directed by authority. They gave out arms, however, but not indiscriminately; only so that, as it was yet uncertain who the enemy were, there might be a protection sufficiently reliable to meet all emergencies. The remainder of the night they passed in posting guards in suitable places throughout the city, anxious and uncertain who the enemy were, and how great their number. Daylight subsequently disclosed the war and its leader. Appius Herdonius summoned the slaves to liberty from the Capitol, saying, that he had espoused the cause of all the most unfortunate, in order to bring back to their country those who had been exiled and driven out by wrong, and to remove the grievous yoke from the slaves: that he had rather that were done under the authority of the Roman people. If there were no hope in that quarter, he would rouse the Volscians and Aequans, and would try even the most desperate remedies.

The whole affair now began to be clearer to the patricians and consuls; besides the news, however, which was officially announced, they dreaded lest this might be a scheme of the Veientines or Sabines; and, further, as there were so many of the enemy in the city, lest the Sabine and Etruscan troops might presently come up according to a concerted plan, and their inveterate enemies, the Volscians and Aequans should come, not to ravage their territories, as before, but even to the gates of the city, as being already in part taken. Many and various were their fears, the most prominent among which was their dread of the slaves, lest each should harbour an enemy in his own house, one whom it was neither sufficiently safe to trust, nor, by distrusting, to pronounce unworthy of confidence, lest he might prove a more deadly foe. And it scarcely seemed that the evil could be resisted by harmony: no one had any fear of tribunes or commons, while other troubles so predominated and threatened to swamp the state: that fear seemed an evil of a mild nature, and one that always arose during the cessation of other ills, and then appeared to be lulled to rest by external alarm. Yet at the present time that, almost more than anything else, weighed heavily on their sinking fortunes: for such madness took possession of the tribunes, that contended that not war, but an empty appearance of war, had taken possession of the Capitol, to divert the people's minds from attending to the law: that these friends and clients of the patricians would depart in deeper silence than they had come, if they once perceived that, by the law being passed, they had raised these tumults in vain. They then held a meeting for passing the law, having called away the people from arms. In the meantime, the consuls convened the senate, another dread presenting itself by the action of the tribunes, greater than that which the nightly foe had occasioned.

When it was announced that the men were laying aside their arms, and quitting their posts, Publius Valerius, while his colleague still detained the senate, hastened from the senate-house, and went thence into the meeting-place to the tribunes. "What is all this," said he, "O tribunes? Are you determined to overthrow the commonwealth under the guidance and auspices of Appius Herdonius? Has he been so successful in corrupting you, he who, by his authority, has not even influenced your slaves? When the enemy is over our heads, is it your pleasure that we should give up our arms, and laws be proposed?" Then, directing his words to the populace: "If, Quirites, no concern for your city, or for yourselves, moves you, at least revere the gods of your country, now made captive by the enemy. Jupiter, best and greatest, Queen Juno, and Minerva, and the other gods and goddesses,[25] are being besieged; a camp of slaves now holds possession of the tutelary gods of the state. Does this seem to you the behavior of a state in its senses? Such a crowd of enemies is not only within the walls, but in the citadel, commanding the forum an senate-house: in the meanwhile meetings are being held in the forum, the senate is in the senate-house: just as when tranquility prevails, the senator gives his opinion, the other Romans their votes. Does it not behoove all patricians and plebeians, consuls, tribunes, gods, and men of all classes, to bring aid with arms in their hands, to hurry into the Capitol, to liberate and restore to peace that most august residence of Jupiter, best and greatest? O Father Romulus! Do thou inspire thy progeny with that determination of thine, by which thou didst formerly recover from these same Sabines this citadel, when captured by gold. Order them to pursue this same path, which thou, as leader, and thy army, pursued. Lo! I as consul will be the first to follow thee and thy footsteps, as far as I, a mortal, can follow a god." Then, in concluding his speech, he said that he was ready to take up arms, that he summoned every citizen of Rome to arms; if any one should oppose, that he, heedless of the consular authority, the tribunician power, and the devoting laws, would consider him as an enemy, whoever and wheresoever he might be, in the Capitol, or in the forum. Let the tribunes order arms to be taken up against Publius Valerius the consul, since they forbade it against Appius Herdonius; that he would dare to act in the case of the tribunes, as the founder of his family [26] had dared to act in the case of the kings. It was now clear that matters would come to violent extremities, and that a quarrel among Romans would be exhibited to the enemy. The law however could neither be carried, nor could the consul proceed to the Capitol. Night put an end to the struggle that had been begun; the tribunes yielded to the night, dreading the arms of the consuls.[27] When the ringleaders of the disturbances had been removed, the patricians went about among the commons, and, mingling in their meetings, spread statements suited to the occasion: they advised them to take heed into what danger they were bringing the commonwealth: that the contest was not one between patricians and commons, but that

patricians and commons together, the fortress of the city, the temples of the gods, the guardian gods of the state and of private families, were being delivered up to the enemy. While these measures were being taken in the forum for the purpose of appeasing the disturbances, the consuls in the meantime had retired to visit the gates and the walls, fearing that the Sabines or the Veientine enemy might bestir themselves.

During the same night, messengers reached Tusculum with news of the capture of the citadel, the seizure of the Capitol, and also of the generally disturbed condition of the city. Lucius Mamilius was at that time dictator at Tusculum; he, having immediately convoked the senate and introduced the messengers, earnestly advised, that they should not wait until ambassadors came from Rome, suing for assistance; that the danger itself and importance of the crisis, the gods of allies, and the good faith of treaties, demanded it; that the gods would never afford them a like opportunity of obliging so powerful a state and so near a neighbour. It was resolved that assistance should be sent the young men were enrolled, and arms given them. On their way to Rome at break of day, at a distance they exhibited the appearance of enemies. The Æquans or Volscians were thought to be coming. Then, after the groundless alarm was removed, they were admitted into the city and descended in a body into the forum. There Publius Valerius, having left his colleague with the guards of the gates, was now drawing up his forces in order of battle. The great influence of the man produced an effect on the people, when he declared that, when the Capitol was recovered, and the city restored to peace, if they allowed themselves to be convinced what hidden guile was contained in the law proposed by the tribunes, he, mindful of his ancestors, mindful of his surname, and remembering that the duty of protecting the people had been handed down to him as hereditary by his ancestors, would offer no obstruction to the meeting of the people. Following him, as their leader, in spite of the fruitless opposition of the tribunes, they marched up the ascent of the Capitoline Hill. The Tusculan troops also joined them. Allies and citizens vied with each other as to which of them should appropriate to themselves the honour of recovering the citadel. Each leader encouraged his own men. Then the enemy began to be alarmed, and placed no dependence on anything but their position. While they were in this state of alarm, the Romans and allies advanced to attack them. They had already burst into the porch of the temple, when Publius Valerius was slain while cheering on the fight at the head of his men. Publius Volumnius, a man of consular rank, saw him falling. Having directed his men to cover the body, he himself rushed forward to take the place and duty of the consul. Owing to their excitement and impetuosity, this great misfortune passed unnoticed by the soldiers, they conquered before they perceived that they were fighting without a leader. Many of the exiles defiled the temple with their blood; many were taken prisoners: Herdonius was slain. Thus the Capitol was recovered. With respect to the prisoners, punishment was inflicted on each according to his station, as he was a freeman or a slave. The Tusculans received the thanks of the Romans: the Capitol was cleansed and purified. The commons are stated to have thrown every man a farthing into the consul's house, that he might be buried with more splendid obsequies.

Order being thus established, the tribunes then urged the patricians to fulfill the Promise given by Publius Valerius; they pressed on Claudius to free the shade of his colleague from breach of faith, and to allow the matter of the law to proceed. The consul asserted that he would not suffer the discussion of the law to proceed, until he had appointed a colleague to assist him. These disputes lasted until the time of the elections for the substitution of a consul. In the month of December, by the most strenuous exertions of the patricians, Lucius Quinctius Cincinnatus, Caeso's father, was elected consul, to enter upon office without delay. The commons were dismayed at being about to have for consul a man incensed against them, powerful by the support of the patricians, by his own merit, and by reason of his three sons, not one of whom was inferior to Caeso in greatness of spirit, while they were his superiors in the exercise of prudence and moderation, whenever occasion required. When he entered upon office, in his frequent harangues from the tribunal, he was not more vehement in restraining the commons than in reproving the senate, owing to the listlessness of which body the tribunes of the commons, now become a standing institution, exercised regal authority, by means of their readiness of speech and prosecutions, not as if in a republic of the Roman people, but as if in an ill-regulated household. That with his son Caeso, valour, constancy, all the splendid qualifications of youth in war and in peace, had been driven and exiled from the city of Rome: that talkative and turbulent men, sowers of discord, twice and even thrice re-elected tribunes by the vilest intrigues, lived in the enjoyment of regal irresponsibility. "Does that Aulus Verginius," said he, "deserve less punishment than Appius Herdonius, because he was not in the Capitol? Considerably more, by Hercules, if any one will look at the matter fairly. Herdonius, if nothing else, by avowing himself an enemy, thereby as good as gave you notice to take up arms: this man, by denying the existence of war, took arms out of your hands, and exposed you defenceless to the attack of slaves and exiles. And did you—I will speak with all due respect for Gaius Claudius and Publius Valerius, now no more—did you decide to advance against the Capitoline Hill before you expelled those enemies from the forum? I feel ashamed in the sight of gods and men. When the enemy were in the citadel, in the Capitol, when the leader of the exiles and slaves, after profaning everything, took up his residence in the shrine of Jupiter, best and greatest, arms were taken up at

Tusculum sooner than at Rome. It was a matter of doubt whether Lucius Mamilius, the Tusculan leader, or Publius Valerius and Gaius Claudius, the consuls, recovered the Roman citadel, and we, who formerly did not suffer the Latins to touch arms, not even in their own defence, when they had the enemy on their very frontiers, should have been taken and destroyed now, had not the Latins taken up arms of their own accord. Tribunes, is this bringing aid to the commons, to expose them in a defenceless state to be butchered by the enemy? I suppose, if any one, even the humblest individual of your commons—which portion you have as it were broken off from the rest of the state, and created a country and a commonwealth of your own—if any one of these were to bring you word that his house was beset by an armed band of slaves, you would think that assistance should be afforded him: was then Jupiter, best and greatest, when hemmed in by the arms of exiles and of slaves, deserving of no human aid? And do these persons claim to be considered sacred and inviolable, to whom the gods themselves are neither sacred nor inviolable? Well but, loaded as you are with crimes against both gods and men, you proclaim that you will pass your law this year. Verily then, on the day I was created consul, it was a disastrous act of the state, much more so even than the day when Publius Valerius the consul fell, if you shall pass it. Now, first of all," said he, "Quirites, it is the intention of myself and of my colleague to march the legions against the Volscians and the Aequans. I know not by what fatality we find the gods more propitious when we are at war than in peace. How great the danger from those states would have been, had they known that the Capitol was besieged by exiles, it is better to conjecture from what is past, than to learn by actual experience."

The consul's harangue had a great effect on the commons: the patricians, recovering their spirits, believed the state re-established. The other consul, a more ardent partner than promoter of a measure, readily allowing his colleague to take the lead in measures of such importance, claimed to himself his share of the consular duty in carrying these measures into execution. Then the tribunes, mocking these declarations as empty, went on to ask how the consuls were going to lead out an army, seeing that no one would allow them to hold a levy? "But," replied Quinctius, "we have no need of a levy, since, at the time Publius Valerius gave arms to the commons to recover the Capitol, they all took an oath to him, that they would assemble at the command of the consul, and would not depart without his permission. We therefore publish an order that all of you, who have sworn, attend to-morrow under arms at the Lake Regillus." The tribunes then began to quibble, and wanted to absolve the people from their obligation, asserting that Quinctius was a private person at the time when they were bound by the oath. But that disregard of the gods, which possesses the present generation, had not yet gained ground: nor did every one accommodate oaths and laws to his own purposes, by interpreting them as it suited him, but rather adapted his own conduct to them. Wherefore the tribunes, as there was no hope of obstructing the matter, attempted to delay the departure of the army the more earnestly on this account, because a report had gone out, both that the augurs had been ordered to attend at the Lake Regillius and that a place was to be consecrated, where business might be transacted with the people by auspices: and whatever had been passed at Rome by tribunician violence, might be repealed there in the assembly.[28] That all would order what the consuls desired: for that there was no appeal at a greater distance than a mile [29] from the city: and that the tribunes, if they should come there, would, like the rest of the Quirites, be subjected to the consular authority. This alarmed them: but the greatest anxiety which affected their minds was because Quinctius frequently declared that he would not hold an election of consuls. That the malady of the state was not of an ordinary nature, so that it could be stopped by the ordinary remedies. That the commonwealth required a dictator, so that whoever attempted to disturb the condition of the state, might feel that from the dictatorship there was no appeal.

The senate was assembled in the Capitol. Thither the tribunes came with the commons in a state of great consternation: the multitude, with loud clamours, implored the protection, now of the consuls, now of the patricians: nor could they move the consul from his determination, until the tribunes promised that they would submit to the authority of the senate. Then, on the consul's laying before them the demands of the tribunes and commons, decrees of the senate were passed: that neither should the tribunes propose the law during that year, nor should the consuls lead out the army from the city—that, for the future, the senate decided that it was against the interests of the commonwealth that the same magistrates should be continued and the same tribunes be reappointed. The consuls conformed to the authority of the senate: the tribunes were reappointed, notwithstanding the remonstrance of the consuls. The patricians also, that they might not yield to the commons in any particular, themselves proposed to re-elect Lucius Quinctius consul. No address of the consul was delivered with greater warmth during the entire year. "Can I be surprised," said he, "if your authority with the people is held in contempt, O conscript fathers? It is you yourselves who are weakening it. Forsooth, because the commons have violated a decree of the senate, by reappointing their magistrates, you yourselves also wish it to be violated, that you may not be outdone by the populace in rashness; as if greater power in the state consisted in the possession of greater inconstancy and liberty of action; for it is certainly more inconstant and greater folly to render null and void one's own decrees and resolutions, than those of others. Do you, O conscript fathers, imitate the unthinking multitude; and

do you, who should be an example to others, prefer to transgress by the example of others, rather than that others should act rightly by yours, provided only I do not imitate the tribunes, nor allow myself to be declared consul, contrary to the decree of the senate. But as for you, Gaius Claudius, I recommend that you, as well as myself, restrain the Roman people from this licentious spirit, and that you be persuaded of this, as far as I am concerned, that I shall take it in such a spirit, that I shall not consider that my attainment of office has been obstructed by you, but that the glory of having declined the honour has been augmented, and the odium, which would threaten me if it were continued, lessened." Thereupon they issued this order jointly: That no one should support the election of Lucius Quinctius as consul: if any one should do so, that they would not allow the vote.

The consuls elected were Quintus Fabius Vibulanus (for the third time), and Lucius Cornelius Maluginensis. The census was taken during that year; it was a matter of religious scruple that the lustrum should be closed, on account of the seizure of the Capitol and the death of the consul. In the consulship of Quintus Fabius and Lucius Cornelius, disturbances woke out immediately at the beginning of the year. The tribunes were urging on the commons. The Latins and Hernicans brought word that a formidable war was threatening on the part of the Volscians and Æquans; that the troops of the Volscians were now in the neighbourhood of Antium. Great apprehension was also entertained, that the colony itself would revolt: and with difficulty the tribunes were prevailed upon to allow the war to be attended to first. The consuls divided their respective spheres of action. Fabius was commissioned to march the legions to Antium: to Cornelius was assigned the duty of keeping guard at Rome, lest any portion of the enemy's troops, as was the practice of the Aequans, should advance to commit depredations. The Hernicans and Latins were ordered to supply soldiers in accordance with the treaty; and of the army two thirds consisted of allies, the remainder of Roman citizens. When the allies arrived on the appointed day, the consul pitched his camp outside the porta Capena.[30] Then, after the army had been reviewed, he set out for Antium, and encamped not far from the town and fixed quarters of the enemy. There, when the Volscians, not venturing to risk an engagement, because the contingent from the Aequans had not yet arrived, were making preparations to see how they might protect themselves quietly within their ramparts, on the following day Fabius drew up not one mixed army of allies and citizens, but three bodies of the three states separately around the enemy's works. He himself occupied the centre with the Roman legions. He ordered them to watch for the signal for action, so that at the same time both the allies might begin the action together, and retire together if he should give orders to sound a retreat. He also posted the proper cavalry of each division behind the front line. Having thus assailed the camp at three different points, he surrounded it: and, pressing on from every side, he dislodged the Volscians, who were unable to withstand his attack, from the rampart. Having then crossed the fortifications, he drove out from the camp the crowd who were panic-stricken and inclining to make for one direction. Upon this the cavalry, who could not have easily passed over the rampart, having stood by till then as mere spectators of the fight, came up with them while flying in disorder over the open plain, and enjoyed a share of the victory, by cutting down the affrighted troops. Great was the slaughter of the fugitives, both in the camp and outside the lines; but the booty was still greater, because the enemy were scarcely able to carry off their arms with them; and the entire army would have been destroyed, had not the woods covered them in their flight.

While these events were taking place at Antium, the Aequans, in the meanwhile, sending forward the flower of their youth surprised the citadel of Tusculum by night: and with the rest of their army sat down at no great distance from the walls of Tusculutn, so as to divide the forces of the enemy.[31] News of this being quickly brought to Rome, and from Rome to the camp at Antium, affected the Romans no less than if it had been announced that the Capitol was taken; so recent was the service rendered by the Tusculans, and the very similarity of the danger seemed to demand a return of the aid that had been afforded. Fabius, giving up all thought of everything else, removed the booty hastily from the camp to Antium: and, having left a small garrison there, hurried on his army by forced marches to Tusculum. The soldiers were allowed to take with them nothing but their arms, and whatever baked provision was at hand. The consul Cornelius sent up provisions from Rome. The war was carried on at Tusculum for several months. With one part of his army the consul assailed the camp of the Aequans; he had given part to the Tusculans to aid in the recovery of their citadel. They could never have made their way up to it by force: at length famine caused the enemy to withdraw from it. When matters subsequently came to extremities, they were all sent under the yoke, [32] by the Tusculans, unarmed and naked. While returning home in ignominious flight, they were overtaken by the Roman consul at Algidum, and cut to pieces to a man.[33] After this victory, having marched back his army to Columen (so is the place named), he pitched his camp there. The other consul also, as soon as the Roman walls ceased to be in danger, now that the enemy had been defeated, set out from Rome. Thus the consuls, having entered the territories of the enemies on two different sides, in eager rivalry plundered the territory of the Volscians on the one hand, and of the Aequans on the other. I find it stated by several writers that the people of Antium revolted during the same year. That Lucius Cornelius, the consul, conducted that war and took the town; I would not venture to assert it for certain, because no mention is made of the matter in the older writers.

This war being concluded, a tribunician war at home alarmed the senate. The tribunes held that the detention of the army abroad was due to a fraudulent motive: that that deception was intended to prevent the passing of the law; that they, however, would none the less go through with the matter they had undertaken. Publius Lucretius, however, the prefect of the city, so far prevailed, that the proceedings of the tribunes were postponed till the arrival of the consuls. A new cause of disturbance had also arisen. The quæstors, [34] Aulus Cornelius and Quintus Servilius, appointed a day of trial for Marcus Volscius, because he had come forward as a manifestly false witness against Caeso. For it was established by many proofs, that the brother of Volscius, from the time he first fell ill, had not only never been seen in public, but that he had not even left his bed after he had been attacked by illness, and that he had died of a wasting disease of several months' standing; and that at the time to which the witness had referred the commission of the crime, Caeso had not been seen at Rome: while those who had served in the army with him positively stated that at that time he had regularly attended at his post along with them without any leave of absence. Many, on their own account, proposed to Volscius to refer the matter to the decision of an arbitrator. As he did not venture to go to trial, all these points coinciding rendered the condemnation of Volscius no less certain than that of Caeso had been on the testimony of Volscius. The tribunes were the cause of delay, who said that they would not suffer the quæstors to hold the assembly concerning the accused, unless it were first held concerning the law. Thus both matters were spun out till the arrival of the consuls. When they entered the city in triumph with their victorious army, because nothing was said about the law, many thought that the tribunes were struck with dismay. But they in reality (for it was now the close of the year), being eager to obtain a fourth tribuneship, had turned away their efforts from the law to the discussion of the elections; and when the consuls, with the object of lessening their dignity, opposed the continuation of their tribuneship with no less earnestness than if the law in question had been proposed, the victory in the contest was on the side of the tribunes.

In the same year peace was granted to the Aequans on their suing for it. The census, begun in the preceding year, was completed: this is said to have been the tenth lustrum that was completed from the date of the foundation of the city. The number of citizens rated was one hundred and seventeen thousand three hundred and nineteen. The consuls obtained great glory this year both at home and in war, because they established peace abroad, while at home, though the state was not in a condition of absolute harmony, yet it was less harassed by dissensions than at other times.

Lucius Minucius and Gaius Nautius being next elected consuls took up the two causes which remained undecided from the preceding year. As before, the consuls obstructed the law, the tribunes the trial of Volscius: but in the new quæstors there was greater power and greater influence. With Marcus Valerius, son of Manius and grandson of Volesus Titus Quinctius Capitolinus, who had been thrice consul, was appointed quaestor. Since Caeso could neither be restored to the Quinctian family, nor to the state, though a most promising youth, did he, justly, and as in duty bound, prosecute the false witness who had deprived an innocent person of the power of pleading his cause. When Verginius, more than any of the tribunes, busied himself about the passing of the law, the space of two months was allowed the consuls to examine into the law: on condition that, when they had satisfied the people as to what secret designs were concealed under it, [35] they should then allow them to give their votes. The granting of this respite established tranquility in the city. The Aequans, however, did not allow them long rest: in violation of the treaty which had been made with the Romans the year before, they conferred the chief command on Gracchus Cloelius. He was then by far the chief man among the Aequans. Under the command of Gracchus they advanced with hostile depredations into the district of Labici, from thence into that of Tusculum, and, laden with booty, pitched their camp at Algidum. To that camp came Quintus Fabius, Publius Volumnius, Aulus Postumius, ambassadors from Rome, to complain of the wrongs committed, and to demand restitution in accordance with the treaty. The general of the Aequans commanded them to deliver to the oak the message they brought from the Roman senate; that he in the meantime would attend to other matters. An oak, a mighty tree, whose shade formed a cool resting-place, overhung the general's tent. Then one of the ambassadors, when departing, cried out: "Let both this consecrated oak and all the gods hear that the treaty has been broken by you, and both lend a favourable ear to our complaints now, and assist our arms presently, when we shall avenge the rights of gods and men that have been violated simultaneously." As soon as the ambassadors returned to Rome, the senate ordered one of the consuls to lead his army into Algidum against Gracchus, to the other they assigned as his sphere of action the devastation of the country of the Aequans. The tribunes, after their usual manner, attempted to obstruct the levy, and probably would have eventually succeeded in doing so, had not a new and additional cause of alarm suddenly arisen.

A large force of Sabines, committing dreadful devastation advanced almost up to the walls of the city. The fields were laid waste, the city was smitten with terror. Then the commons cheerfully took up arms; two large armies were raised, the remonstrance of the tribunes being of no avail. Nautius led one against the Sabines, and, having pitched his camp at Eretum,[36] by trifling incursions, mostly by night,

he so desolated the Sabine territory that, in comparison with it, the Roman borders seemed almost undamaged by the war. Minucius neither had the same good fortune nor displayed the same energy in conducting his operations: for after he had pitched his camp at no great distance from the enemy, without having experienced any reverse of importance, he kept himself through fear within the camp. When the enemy perceived this, their boldness increased, as usually happens, from the fears of others; and, having attacked his camp by night, when open force availed little, they drew lines of circumvallation around it on the following day. Before these could close the means of egress, by a rampart thrown up on all sides, five horsemen, despatched between the enemies' posts, brought news to Rome, that the consul and his army were besieged. Nothing could have happened so unexpected nor so unlooked-for. Accordingly, the panic and the alarm were as great as if the enemy were besieging the city, not the camp. They summoned the consul Nautius; and when there seemed to be but insufficient protection in him, and it was determined that a dictator should be appointed to retrieve their shattered fortunes, Lucius Quinctius Cincinnatus was appointed by universal consent.

It is worth while for those persons who despise all things human in comparison with riches, and who suppose that there is no room either for exalted honour, or for virtue, except where riches abound in great profusion, to listen to the following: Lucius Quinctius, the sole hope of the empire of the Roman people, cultivated a farm of four acres on the other side of the Tiber, which is called the Quinctian meadows, exactly opposite the place where the dock-yard now is. There, whether leaning on a stake while digging a trench, or while ploughing, at any rate, as is certain, while engaged on some work in the fields, after mutual exchange of salutations had taken place, being requested by the ambassadors to put on his toga, and listen to the commands of the senate (with wishes that it might turn out well both for him and the commonwealth), he was astonished, and, asking whether all was well, bade his wife Racilia immediately bring his toga from the hut. As soon as he had put it on and come forward, after having first wiped off the dust and sweat, the ambassadors congratulating him, united in saluting him as dictator: they summoned him into the city, and told him what terror prevailed in the army. A vessel was prepared for Quinctius by order of the government, and his three sons, having come out to meet him, received him on landing at the other side; then his other relatives and his friends: then the greater part of the patricians. Accompanied by this numerous attendance, the lictors going before him, he was conducted to his residence.[37] There was a numerous concourse of the commons also: but they by no means looked on Quinctius with the same satisfaction, as they considered both that he was vested with excessive authority, and was likely to prove still more arbitrary by the exercise of that same authority. During that night, however, nothing was done except that guards were posted in the city.

On the next day the dictator, having entered the forum before daylight, appointed as his master of the horse Lucius Tarquitius, a man of patrician family, but who, though he had served his campaigns on foot by reason of his scanty means, was yet considered by far the most capable in military matters among the Roman youth. With his master of the horse he entered the assembly, proclaimed a suspension of public business, ordered the shops to be closed throughout the city, and forbade any one to attend to any private affairs. Then he commanded all who were of military age to attend under arms, in the Campus Martius, before sunset, with dressed provisions for five days and twelve stakes apiece: those whose age rendered them unfit for active service were ordered to prepare victuals for the soldiers near them, while the latter were getting their arms ready, and procuring stakes. Accordingly, the young men ran in all directions to procure the stakes; they took them whatever was nearest to each: no one was prevented from doing so: all attended readily according to the dictator's order. Then, the troops being drawn up, not more suitably for a march than for an engagement, should occasion require it, the dictator himself marched at the head of the legions, the master of the horse at the head of his cavalry. In both bodies such exhortations were delivered as circumstances required: that they should quicken their pace; that there was need of despatch, that they might reach the enemy by night; that the consul and the Roman army were besieged; that they had now been shut up for three days; that it was uncertain what each day or night might bring with it; that the issues of the most important affairs often depended on a moment of time. The soldiers, to please their leaders, exclaimed among themselves: "Standard-bearer, hasten; follow, soldier." At midnight they reached Algidum: and, as soon as they perceived that they were near the enemy, they halted.

There the dictator, riding about, and having observe as far as could be ascertained by night, what the extent of the camp was, and what was its nature, commanded the tribunes of the soldiers to order the baggage to be thrown into one place, and that the soldiers with their arms and bundles of stakes should return to their ranks. His orders were executed. Then, with the regularity which they had observed on the march, he drew the entire army in a long column around the enemy's camp, and directed that, when the signal was given, they should all raise a shout, and that, on the shout being raised, each man should throw up a trench before his post, and fix his palisade. The orders being issued, the signal followed: the soldiers carried out their instructions; the shout echoed around the enemy: it then passed beyond the camp of the enemy, and reached that of the consul: in the one it occasioned panic, in the other great joy. The Romans, observing to each other with exultation that this was the shout of their

countrymen, and that aid was at hand, took the initiative, and from their watch-guards and outposts dismayed the enemy. The consul declared that there must be no delay; that by that shouts not only their arrival was intimated, but that hostilities were already begun by their friends; and that it would be a wonder if the enemy's camp were not attacked on the farther side. He therefore ordered his men to take up arms and follow him. The battle was begun during the night. They gave notice by a shout to the dictator's legions that on that side also the decisive moment had arrived. The AEquans were now preparing to prevent the works from being drawn around them, when, the battle being begun by the enemy from within, having turned their attention from those employed on the fortifications to those who were fighting on the inside, lest a sally should be made through the centre of their camp, they left the night free for the completion of the work, and continued the fight with the consul till daylight. At daybreak they were now encompassed by the dictator's works, and were scarcely able to maintain the fight against one army. Then their lines were attacked by the army of Quinctius, which, immediately after completing its work, returned to arms. Here a new engagement pressed on them: the former one had in no wise slackened. Then, as the danger that beset them on both sides pressed them hard, turning from fighting to entreaties, they implored the dictator on the one hand, the consul on the other, not to make the victory their total destruction, and to suffer them to depart without arms. They were ordered by the consul to apply to the dictator: he, incensed against them, added disgrace to defeat. He gave orders that Gracchus Cloelius, their general, and the other leaders should be brought to him in chains, and that the town of Corbio should be evacuated; he added that he did not desire the lives of the Æquans: that they were at liberty to depart; but that a confession might at last be wrung from them that their nation was defeated and subdued, they would have to pass under the yoke. The yoke was formed of three spears, two fixed in the ground, and one tied across between the upper ends of them. Under this yoke the dictator sent the Æquans.

The enemy's camp, which was full of all their belongings—for he had sent them out of the camp half naked—having been taken, he distributed all the booty among his own soldiers only: rebuking the consul's army and the consul himself, he said: "Soldiers, you shall not enjoy any portion of the spoil taken from that enemy to whom you yourselves nearly became a spoil: and you, Lucius Minucius, until you begin to assume a spirit worthy of a consul, shall command these legions only as lieutenant." Minucius accordingly resigned his office of consul, and remained with the army, as he had been commanded. But so meekly obedient were the minds of men at that time to authority combined with superior merit, that this army, remembering his kindness, rather than their own disgrace, both voted a golden crown of a pound weight to the dictator, and saluted him as their preserver when he set out. The senate at Rome, convened by Quintus Fabius, prefect of the city, ordered Quinctius to enter the city in triumph, in the order of march in which he was coming. The leaders of the enemy were led before his car: the military standards were carried before him: his army followed laden with spoil. Banquets are said to have been spread before the houses of all, and the soldiers, partaking of the entertainment, followed the chariot with the triumphal hymn and the usual jests,[38] after the manner of revellers. On that day the freedom of the state was granted to Lucius Mamilius of Tusculum, amid universal approbation. The dictator would have immediately laid down his office had not the assembly for the trial of Marcus Volscius, the false witness, detained him; the fear of the dictator prevented the tribunes from obstructing it. Volscius was condemned and went into exile at Lanuvium. Quinctius laid down his dictatorship on the sixteenth day, having been invested with it for six months. During those days the consul Nautius engaged the Sabines at Eretum with distinguished success: besides the devastation of their lands, this additional blow also befell the Sabines. Fabius was sent to Algidum as successor to Minucius. Toward the end of the year the tribunes began to agitate concerning the law; but, because two armies were away, the patricians carried their point, that no proposal should be made before the people. The commons succeeded in electing the same tribunes for the fifth time. It is said that wolves seen in the Capitol were driven away by dogs, and that on account of that prodigy the Capitol was purified. Such were the transactions of that year.

Quintus Minucius and Gaius Horatius Pulvillus were the next consuls. At the beginning of this year, when there was peace abroad, the same tribunes and the same law occasioned disturbances at home; and matters would have proceeded further—so highly were men's minds inflamed-had not news been brought, as if for the very purpose, that by a night attack of the AEquans the garrison at Corbio had been cut off. The consuls convened the senate: they were ordered to raise a hasty levy and to lead it to Algidum. Then, the struggle about the law being abandoned, a new dispute arose regarding the levy. The consular authority was on the point of being overpowered by tribunician influence, when an additional cause of alarm arose: that the Sabine army had made a descent upon Roman territory to commit depredations and from thence was advancing toward the city. This fear influenced the tribunes to allow the soldiers to be enrolled, not without a stipulation, however, that since they themselves had been foiled for five years, and as the present college was but inadequate protection for the commons, ten tribunes of the people should henceforward be elected. Necessity extorted this concession from the patricians: they only exacted this proviso, that they should not hereafter see the same men tribunes. The election for the tribunes was held immediately, lest that measure also, like others, might remain

unfulfilled after the war. In the thirty-sixth year after the first tribunes, ten were elected, two from each class; and provision was made that they should be elected in this manner for the future. The levy being then held, Minucius marched out against the Sabines, but found no enemy. Horatius, when the Æquans, having put the garrison at Corbio to the sword, had taken Ortona also, fought a battle at Algidum, in which he slew a great number of the enemy and drove them not only from Algidum, but from Corbio and Ortona. He also razed Corbio to the ground for having betrayed the garrison.

Marcus Valerius and Spurius Verginius were next elected consuls. Quiet prevailed at home and abroad. The people were distressed for provisions on account of the excessive rains. A law was proposed to make Mount Aventine public property. [39] The same tribunes of the people were re-elected. In the following year, Titus Romilius and Gaius Veturius being consuls, they strongly recommended the law in all their harangues, declaring that they were ashamed that their number had been increased to no purpose, it that matter should be neglected during their two years in the same manner as it had been during the whole preceding five. While they were most busily employed in these matters, an alarming message came from Tusculum that the Æquans were in Tusculan territory. The recent services of that state made them ashamed of delaying relief. Both the consuls were sent with an army, and found the enemy in their usual post in Algidum. There a battle was fought: upward of seven thousand of the enemy were slain, the rest were put to flight: immense booty was obtained. This the consuls sold on account of the low state of the treasury. This proceeding, however, brought them into odium with the army, and also afforded the tribunes material for bringing a charge against the consuls before the commons. Accordingly, as soon as they went out of office, in the consulship of Spurius Tarpeius and Aulus Aternius, a day of trial was appointed for Romilius by Gaius Calvius Cicero, tribune of the people; for Veturius, by Lucius Alienus plebeian ædile. They were both condemned, to the great mortification of the patricians: Romilius to pay ten thousand asses, Veturius fifteen thousand. Nor did this misfortune of their predecessors render the new consuls more timid. They said that on the one hand they might be condemned, and that on the other the commons and tribunes could not carry the law. Then, having abandoned the law, which, by being repeatedly brought forward, had now lost consideration, the tribunes, adopted a milder method of proceeding with the patricians. Let them, said they, at length put an end to disputes. If laws drawn up by plebeians displeased them, at least let them allow legislators to be chosen in common, both from the commons and from the patricians, who might propose measures advantageous to both parties, and such as would tend to the establishment of liberty on principles of equality. The patricians did not disdain to accept the proposal. They claimed that no one should propose laws, except he were a patrician. When they agreed with respect to the laws, and differed only in regard to the proposer, ambassadors were sent to Athens, Spurius Postumius Albus, Aulus Manlius, Publius Sulpicius Camerinus, who were ordered to copy out the celebrated laws of Solon, and to make themselves acquainted with the institutions, customs, and laws of the other states of Greece.

The year was peaceful as regards foreign wars; the following one, when Publius Curiatius and Sextus Quinctilius were consuls, was still more quiet, owing to the tribunes observing uninterrupted silence, which was occasioned in the first place by their waiting for the return of the ambassadors who had gone to Athens, and for the account of the foreign laws; in the next place, two grievous calamities arose at the same time, famine and pestilence, destructive to man, and equally so to cattle. The lands were left desolate; the city exhausted by a constant succession of deaths. Many illustrious families were in mourning. The Flamen Quirinalis, [40]Servius Cornelius, died; also the augur, Gaius Horatius Pulvillus; in his place the augurs elected Gaius Veturius, and that with all the more eagerness, because he had been condemned by the commons. The consul Quinctilius died, and four tribunes of the people. The year was rendered a melancholy one by these manifold disasters; as far as foreign foes were concerned there was perfect quiet. Then Gaius Menenius and Publius Sestius Capitolinus were elected consuls. Nor in that year was there any foreign war: but disturbances arose at home. The ambassadors had now returned with the Athenian laws; the tribunes therefore insisted the more urgently that a beginning should at length be made of compiling the laws. It was resolved that decemvirs should be elected to rule without appeal, and that there should be no other magistrate during that year. There was, for a considerable time, a dispute whether plebeians should be admitted among them: at length the point was conceded to the patricians, provided that the Icilian law regarding the Aventine and the other devoting laws were not repealed.

In the three hundred and second year after the foundation of Rome, the form of government was a second time changed, the supreme power being transferred from consuls to decemvirs as it had passed before from kings to consuls. The change was less remarkable, because not of long duration; for the joyous commencement of that government afterward ran riot through excess. On that account the sooner did the arrangement fall to the ground, and the practice was revived, that the name and authority of consuls should be committed to two persons. The decemvirs appointed were, Appius Claudius, Titus Genucius, Publius Sestius, Lucius Veturius, Gaius Julius, Aulus Manlius, Publius Sulpicius, Publius Curiatius, Titus Romilius, Spurius Postumius. On Claudius and Genucius, because

they had been consuls elect for that year, the honour was conferred in compensation for the honour of the consulate; and on Sestius, one of the consuls of the former year, because he had proposed the plan itself to the senate against the will of his colleague. Next to these were considered the three ambassadors who had gone to Athens, so that the honour might serve at once as a recompense for so distant an embassy, while at the same time they considered that persons acquainted with the foreign laws would be of use in drawing up the new code of justice. The others made up the number. They say that also persons advanced in years were appointed by the last suffrages, in order that they might oppose with less warmth the opinions of others. The direction of the entire government rested with Appius through the favour of the commons, and he had assumed a demeanour so different that, from being a severe and harsh persecutor of the people, he became suddenly a courter of the commons, and strove to catch every breath of popular favour. They administered justice to the people individually every tenth day. On that day the twelve fasces attended the administrator of justice; one officer attended each of his nine colleagues, and in the midst of the singular unanimity that existed among themselves—a harmony that sometimes proves prejudicial to private persons—the strictest equity was shown to others. In proof of their moderation it will be enough to instance a single case as an example. Though they had been appointed to govern without appeal, yet, upon a dead body being found buried in the house of Publius Sestius,[41] a man of patrician rank, and produced in the assembly, Gaius Julius, a decemvir, appointed a day of trial for Sestius, in a matter at once clear and heinous, and appeared before the people as prosecutor of the man whose lawful judge he was if accused: and relinquished his right,[42] so that he might add what had been taken from the power of the office to the liberty of the people.

While highest and lowest alike obtained from them this prompt administration of justice, undefiled, as if from an oracle, at the same time their attention was devoted to the framing of laws; and, the ten tables being proposed amid the intense expectation of all, they summoned the people to an assembly: and ordered them to go and read the laws that were exhibited, [43] and Heaven grant it might prove favourable, advantageous, and of happy result to the commonwealth, themselves, and their children. That they had equalized the rights of all, both the highest and the lowest, as far as could be devised by the abilities of ten men: that the understanding and counsels of a greater number had greater weight; let them turn over in their minds each particular among themselves, discuss it in conversation, and bring forward for public discussion whatever might be superfluous or defective under each particular: that the Roman people should have such laws only as the general consent might appear not so much to have ratified when proposed as to have itself proposed. When they seemed sufficiently corrected in accordance with public opinion regarding each section of the laws as it was published, the laws of the ten tables were passed at the assembly voting by centuries, which, even at the present time, amid the immense heap of laws crowded one upon the other, still remain the source of all public and private jurisprudence. A rumour then spread that two tables were needed, on the addition of which a digest, as it were, of the whole Roman law could be completed. The desire for this gave rise, as the day of election approached, to a request that decemvirs be appointed again. The commons by this time, besides that they detested the name of consuls no less than that of kings, did not even require the tribunician aid, as the decemvirs in turn allowed an appeal.

But when the assembly for the election of decemvirs was proclaimed for the third market-day, the flame of ambition burst out so powerfully that even the first men of the state began to canvass individuals—fearing, I suppose, that the possession of such high authority might become accessible to persons not sufficiently worthy if the post were left unoccupied by themselves—humbly soliciting, from those very commons with whom they had often contended, an honour which had been opposed by them with all their might. The fact of their dignity being now laid aside in a contest, at their time of life, and after they had filled such high official positions, stimulated the exertions of Appius Claudius. You would not have known whether to reckon him among the decemvirs or the candidates; he resembled at times more closely one canvassing for office than one invested with it; he aspersed the nobles, extolled all the most unimportant and insignificant candidates; surrounded by the Duellii and Icilii who had been tribunes, he himself bustled about the forum, through their means he recommended himself to the commons; until even his colleagues, who till then had been devoted to him heart and soul, turned their eyes on him, wondering what he was about. It was evident to them that there was no sincerity in it; that such affability amid such pride would surely prove not disinterested. That this excessive lowering of himself, and condescending to familiarity with private citizens, was characteristic not so much of one eager to retire from office, as of one seeking the means of continuing that office. Not daring openly to oppose his wishes, they set about mitigating his ardour by humouring it. They by common consent conferred on him, as being the youngest, the office of presiding at the elections. This was an artifice, to prevent his appointing himself; which no one ever did, except the tribunes of the people, and that with the very worst precedent. He, however, declaring that, with the favour of fortune, he would preside at the elections, seized upon what should have been an obstacle as a lucky opportunity: and having succeeded by a coalition in keeping out of office the two Quinctii, Capitolinus and Cincinnatus, and his own uncle Gaius Claudius, a man most steadfast in the cause of the nobility, and other citizens of equal

eminence, he secured the appointment as decemvirs of men by no means their equals distinction—himself in the first instance, a proceeding which honourable men disapproved of greatly, as no one believed that he would have ventured to do it. With him were elected Marcus Cornelius Maluginensis, Marcus Sergius, Lucius Minucius, Quintus Fabius Vibulanus, Quintus Poetilius, Titus Antonius Merenda, Cæso Duilius, Spurius Oppius Cornicen, Manius Rabuleius.

This was the end of Appius's playing a part at variance with his disposition. Henceforward he began to live according to his natural character, and to mould to his own temper his new colleagues before they entered upon office. They daily held meetings in private: then, instructed in their unruly designs, which they concocted apart from others, now no longer dissembling their arrogance, difficult of access, captious to all who conversed with them, they protracted the matter until the ides of May. The ides of May was at that time the usual period for beginning office. Accordingly, at the attainment of their magistracy, they rendered the first day of their office remarkable by threats that inspired great terror. For, while the preceding decemvirs had observed the rule, that only one should have the fasces, and that this emblem of royalty should pass to all in rotation, to each in his turn, lo! On a sudden they all came forth, each with twelve fasces. One hundred and twenty lictors filled the forum, and carried before them the axes tied up with the fasces,[44] giving the explanation that it was of no consequence that the axe should be taken away, since they had been appointed without appeal. There appeared to be ten kings, and terrors were multiplied not only among the humblest individuals, but even among the principal men of the patricians, who thought that an excuse for the beginning of bloodshed was being sought for: so that, if any one should have uttered a word that hinted at liberty, either in the senate or in a meeting of the people, the rods and axes would also instantly be brought forward, for the purpose of intimidating the rest. For, besides that there was no protection in the people, as the right of appeal had been abolished, they had also by mutual consent prohibited interference with each other: whereas the preceding decemvirs had allowed the decisions pronounced by themselves to be amended by appeal to any one of their colleagues, and had referred to the people some points which seemed naturally to come within their own jurisdiction. For a considerable time the terror seemed equally distributed among all ranks; gradually it began to be directed entirely against the commons. While they spared the patricians, arbitrary and cruel measures were taken against the lower classes. As being persons with whom interest usurped the force of justice, they all took account of persons rather than of causes. They concerted their decisions at home, and pronounced them in the forum. If any one appealed to a colleague, he departed from the one to whom he had appealed in such a manner that he regretted that he had not abided by the sentence of the former. An irresponsible rumour had also gone abroad that they had conspired in their tyranny not only for the present time, but that a clandestine league had been concluded among them on oath, that they would not hold the comitia, but by perpetuating the decemvirate would retain supreme power now that it had once come into their possession.

The plebeians then began narrowly to watch the countenances of the patricians, and to strive to catch a glimpse of liberty from that quarter, by apprehending slavery from which they had brought the republic into its present condition. The leading members of the senate detested the decemvirs, detested the commons; they neither approved of what was going on, and they considered that what befell the latter was not undeserved. They were unwilling to assist men who, by rushing too eagerly toward liberty, had fallen into slavery: they even heaped injuries on them, that, from disgust at the present state of things, two consuls and the former constitution might at length be regretted. By this time the greater part of the year had passed, and two tables of laws had been added to the ten tables of the former year; and if these laws also had been passed in the assembly of the centuries, there would now have remained no reason why the republic should require that form of government. They were anxiously waiting to see how long it would be before the assembly would be proclaimed for the election of consuls. The only thing that troubled the commons was by what means they should re-establish the tribunician power, that bulwark of their liberty, now so long discontinued, no mention in the meantime being made of the elections. Further, the decemvirs, who had at first exhibited themselves to the people surrounded by men of tribunician rank, because that was deemed popular, now guarded themselves by bands of young patricians: crowds of these beset the tribunals. They harried the commons, and plundered their effects: when fortune was on the side of the more powerful individual in regard to whatever was coveted. And now they spared not even their persons: some were beaten with rods, others had to submit to the axe; and, that such cruelty might not go unrewarded, a grant of his effects followed the punishment of the owner. Corrupted by such bribes, the young nobles not only made no opposition to oppression, but openly avowed a preference for their own selfish gratification rather than for the liberty of all.

The ides of May came round. Without any magistrates being elected in place of those retiring, private persons [45]came forward as decemvirs, without any abatement either in their determination to enforce their authority, or any alteration in the insignia displayed as outward signs of office. That indeed seemed undoubted regal tyranny. Liberty was now deplored as lost forever: no champion of it stood forth, or seemed likely to do so. And not only were the Romans themselves sunk in despondency,

but they began to be looked down upon by the neighbouring states, who felt indignant that sovereign power should be in the hands of a state where liberty did not exist. The Sabines with a numerous body of men made an incursion into Roman territory; and having committed extensive devastations, after they had driven off with impunity booty of men and cattle, they recalled their troops, which had been dispersed in different directions, to Eretum, where they pitched their camp, grounding their hopes on the dissensions at Rome, which they expected would prove an obstruction to the levy. Not only the couriers, but also the flight of the country people through the city inspired them with alarm. The decemvirs, left in a dilemma between the hatred of the patricians and people, took counsel what was to be done. Fortune, moreover, brought an additional cause of alarm. The AEquans on the opposite side pitched their camp at Algidum, and by raids from there ravaged Tusculan territory. News of this was brought by ambassadors from Tusculum imploring assistance. The panic thereby occasioned urged the decemvirs to consult the senate, now that two wars at once threatened the city. They ordered the patricians to be summoned into the senate-house, well aware what a storm of resentment was ready to break upon them; they felt that all would heap upon them the blame for the devastation of their territory, and for the dangers that threatened; and that that would give them an opportunity of endeavouring to abolish their office, if they did not unite in resisting, and by enforcing their authority with severity on a few who showed an intractable spirit repress the attempts of others. When the voice of the crier was heard in the forum summoning the senators into the senate-house to the presence of the decemvirs, this proceeding, as altogether new, because they had long since given up the custom of consulting the senate, attracted the attention of the people, who, full of surprise, wanted to know what had happened, and why, after so long an interval they were reviving a custom that had fallen into abeyance: stating that they ought to thank the enemy and the war, that any of the customs of a free state were complied with. They looked around for a senator through all parts of the forum, and seldom recognised one anywhere: they then directed their attention to the senate-house, and to the solitude around the decemvirs, who both themselves judged that their power was universally detested, while the commons were of opinion that the senators refused to assemble because the decemvirs, now reduced to the rank of private citizens, had no authority to convene them: that a nucleus was now formed of those who would help them to recover their liberty, if the commons would but side with the senate, and if, as the patricians, when summoned, refused to attend the senate, so also the commons would refuse to enlist. Thus the commons grumbled. There was hardly one of the patricians in the forum, and but very few in the city. In disgust at the state of affairs, they had retired into the country, and busied themselves only with their private affairs, giving up all thought of state concerns, considering that they themselves were out of reach of ill-treatment in proportion as they removed themselves from the meeting and converse of their imperious masters. When those who had been summoned did not assemble, state messengers were despatched to their houses, both to levy the penalties,[46] and to make inquiries whether they purposely refused to attend. They brought back word that the senate was in the country. This was more pleasing to the decemvirs, than if they brought word that they were present and refused obedience to their commands. They commanded them all to be summoned, and proclaimed a meeting of the senate for the following day, which assembled in much greater numbers than they themselves had expected. By this proceeding the commons considered that their liberty was betrayed by the patricians, because the senate had obeyed those persons, as if they had a right to compel them, who had already gone out of office, and were mere private individuals, were it not for the violence displayed by them.

However, they showed more obedience in coming into the senate than obsequiousness in the opinions expressed by them, as we have learned. It is recorded that, after Appius Claudius laid the subject of debate before the meeting, and before their opinions were asked in order, Lucius Valerius Potitus excited a commotion, by demanding permission to express his sentiments concerning the state, and—when the decemvirs prevented him with threats [47]—by declaring that he would present himself before the people. It is also recorded that Marcus Horatius Barbatus entered the lists with no less boldness, calling them "ten Tarquins," and reminding them that under the leadership of the Valerii and Horatii the kings had been expelled. Nor was it the mere name that men were then disgusted with, as being that by which it was proper that Jupiter should be styled, as also Romulus, the founder of the city, and the succeeding kings, and a name too which had been retained also for the ceremonies of religion, [48] as a solemn one; that it was the tyranny and arrogance of a king they then detested: and if these were not to be tolerated in that same king or the son of a king, who would tolerate it in so many private citizens? Let them beware lest, by preventing persons from expressing their sentiments freely in the senate, they obliged them to raise their voice outside the senate-house. Nor could he see how it was less allowable for him, a private citizen, to summon the people to an assembly, than for them to convene the senate. They might try, whenever they pleased, how much more determined a sense of wrong would be found to be, when it was a question of vindicating one's own liberty, than ambition, when the object was to preserve an unjust dominion. That they proposed the question concerning the war with the Sabines, as if the Roman people had any more important war on hand than that against those who, having been elected for the purpose of framing laws, had left no law in the state; who had abolished elections, annual magistrates, the regular change of rulers, which was the only means of

equalizing liberty; who, though private citizens, still possessed the fasces and regal dominion. That after the expulsion of the kings, patrician magistrates had been appointed, and subsequently, after the secession of the people, plebeian magistrates. What party was it, he asked, to which they belonged? To the popular party? What had they ever done with the concurrence of the people? To the party of the nobles? Who for now nearly an entire year had not held a meeting of the senate, and then held one in such a manner that they prevented the expression of sentiments regarding the commonwealth? Let them not place too much hope in the fears of others; the grievances which they were now suffering appeared to men more oppressive than any they might apprehend.

While Horatius was exclaiming thus and the decemvirs could not discover the proper bounds either of their anger or forbearance, nor saw how the matter would end, Gaius Claudius, who was the uncle of Appius the decemvir, delivered an address more in the style of entreaty than reproach, beseeching him by the shade of his brother and of his father, that he would hold in recollection the civil society in which he had been born, rather than the confederacy nefariously entered into with his colleagues, adding that he besought this much more on Appius's own account, than for the sake of the commonwealth. For the commonwealth would claim its rights in spite of them, if it could not obtain them with their consent: that however, from a great contest great animosities were generally aroused: it was the result of the latter that he dreaded. Though the decemvirs forbade them to speak on any subject save that which they had submitted to them, they felt too much respect for Claudius to interrupt him He therefore concluded the expression of his opinion by moving that it was their wish that no decree of the senate should be passed. And all understood the matter thus, that they were judged by Claudius to be private citizens;[49] and many of those of consular standing expressed their assent in words. Another measure, more severe in appearance, which ordered the patricians to assemble to nominate an interrex, in reality had much less force; for by this motion the mover gave expression to a decided opinion that those persons were magistrates of some kind or other who might hold a meeting of the senate, while he who recommended that no decree of the senate should be passed, had thereby declared them private citizens. When the cause of the decemvirs was now failing, Lucius Cornelius Maluginensis, brother of Marcus Cornelius the decemvir, having been purposely reserved from among those of consular rank to close the debate, by affecting an anxiety about the war, defended his brother and his colleagues by declaring that he wondered by what fatality it had occurred, that those who had been candidates for the decemvirate, either these or their friends, had above all others attacked the decemvirs: or why, when no one had disputed for so many months while the state was free from anxiety, whether legal magistrates were at the head of affairs, they now at length sowed the seeds of civil discord, when the enemy were nearly at the gates, except it were that in a state of confusion they thought that their object would be less clearly seen through. For the rest, it was unfair that any one should prejudge a matter of such importance, while their minds were occupied with a more momentous concern. It was his opinion that, in regard to what Valerius and Horatius alleged—that the decemvirs had gone out of office before the ides of May—the matter should be discussed in the senate and left to them to decide, when the wars which were now impending were over, and the commonwealth restored to tranquility, and that Appius Claudius was even now preparing to take notice that an account had to be rendered by him of the election which he himself as decemvir held for electing decemvirs, whether they were elected for one year, or until the laws, which were wanting, were ratified. It was his opinion that all other matters should be disregarded for the present, except the war; and if they thought that the reports regarding it were propagated without foundation, and that not only the messengers but also the ambassadors of the Tusculans had stated what was false, he thought that scouts should be dispatched to bring back more certain information; but if credit were given both to the messengers and the ambassadors, that the levy should be held at the very earliest opportunity; that the decemvirs should lead the armies, whither each thought proper: and that no other matter should take precedence.

The junior patricians almost succeeded in getting this resolution passed on a division. Accordingly, Valerius and Horatius, rising again with greater vehemence, loudly demanded that it should be allowed them to express their sentiments concerning the republic; that they would address a meeting of the people, if owing to party efforts they were not allowed to do so in the senate: for that private individuals, whether in the senate or in a general assembly, could not prevent them: nor would they yield to their imaginary fasces. Appius, now considering that the crisis was already nigh at hand, when their authority would be overpowered, unless the violence of these were resisted with equal boldness, said, "It will be better for you not to utter a word on any subject, except the subject of discussion"; and against Valerius, when he refused to be silent for a private individual, he commanded a lictor to proceed. When Valerius, from the threshold of the senate-house, now craved the protection of the citizens, Lucius Cornelius, embracing Appius, put an end to the struggle, not in reality consulting the interest of him whose interest he pretended to consult;[50] and after permission to say what he pleased had been obtained for Valerius by means of Cornelius, when this liberty did not extend beyond words, the decemvirs attained their object. The men of consular rank also and senior members, from the hatred of tribunician power still rankling in their bosoms, the longing for which they considered was much more keenly felt by the commons than for the consular power, almost preferred that the

decemvirs themselves should voluntarily resign their office at some future period, than that the people should once more become prominent through hatred against these. If the matter, quietly conducted, should again return to the consuls without popular turbulence, that the commons might be induced to forget their tribunes, either by the intervention of wars or by the moderation of the consuls in exercising their authority.

A levy was proclaimed without objection on the part of the patricians; the young men answered to their names, as the government was without appeal. The legions having been enrolled, the decemvirs proceeded to arrange among themselves who should set out to the war, who should command the armies. The leading men among the decemvirs were Quintus Fabius and Appius Claudius. The war at home appeared more serious than abroad. The decemvirs considered the violence of Appius better suited to suppress commotions in the city; that Fabius possessed a disposition rather lacking in firmness in a good purpose than energetic in a bad one. For this man, formerly distinguished at home and abroad, had been so altered by his office of decemvir and the influence of his colleagues that he chose rather to be like Appius than like himself. To him the war among the Sabines was intrusted, Manius Rabuleius and Quintus Paetilius being sent with him as colleagues. Marcus Cornelius was sent to Algidum with Lucius Minucius, Titus Antonius, Caeso Duillius, and Marcus Sergius: they appointed Spurius Oppius to assist Appius Claudius in protecting the city, while all the decemvirs were to enjoy equal authority.

The republic was managed with no better success in war than at home. In this the only fault in the generals was, that they had rendered themselves objects of hatred to their fellow-citizens: in other respects the entire blame lay with the soldiers, who, lest any enterprise should be successfully conducted under the leadership and auspices of the decemvirs, suffered themselves to be beaten, to their own disgrace and that of their generals. Their armies were routed both by the Sabines at Eretum, and by the Æquans in Algidum. Fleeing from Eretum during the silence of the night, they fortified their camp nearer the city, on an elevated position between Fidenae and Crustumeria; nowhere encountering on equal ground the enemy who pursued them, they protected themselves by the nature of the ground and a rampart, not by valour or arms. Their conduct was more disgraceful, and greater loss also was sustained in Algidum; their camp too was lost, and the soldiers, stripped of all their arms, munitions, and supplies, betook themselves to Tusculum, determined to procure the means of subsistence from the good faith and compassion of their hosts, and in these, notwithstanding their conduct, they were not disappointed. Such alarming accounts were brought to Rome, that the patricians, having now laid aside their hatred of the decemvirs, passed an order that watches should be held in the city, and commanded that all who were not hindered by reason of their age from carrying arms, should mount guard on the walls, and form outposts before the gates; they also voted that arms should be sent to Tusculum, besides a re-enforcement; and that the decemvirs should come down from the citadel of Tusculum and keep their troops encamped; that the other camp should be removed from Fidenas into Sabine territory, and the enemy, by their thus attacking them first, should be deterred from entertaining any idea of assaulting the city.

In addition to the reverses sustained at the hands of the enemy, the decemvirs were guilty of two monstrous deeds, one abroad, and the other in the city. They sent Lucius Siccius, who was quartered among the Sabines, to take observations for the purpose of selecting a site for a camp: he, availing himself of the unpopularity of the decemvirs, was introducing, in his secret conversations with the common soldiers, suggestions of a secession and the election of tribunes: the soldiers, whom they had sent to accompany him in that expedition, were commissioned to attack him in a convenient place and slay him. They did not kill him with impunity; several of the assassins fell around him, as he offered resistance, since, possessing great personal strength and displaying courage equal to that strength, he defended himself against them, although surrounded. The rest brought news into the camp that Siccius, while fighting bravely, had fallen into an ambush, and that some soldiers had been lost with him. At first the account was believed; afterward a party of men, who went by permission of the decemvirs to bury those who had fallen, when they observed that none of the bodies there were stripped, and that Siccius lay in the midst fully armed, and that all the bodies were turned toward him, while there was neither the body of any of the enemy, nor any traces of their departure, brought back his body, saying that he had assuredly been slain by his own men. The camp was now filled with indignation, and it was resolved that Siccius should be forthwith brought to Rome, had not the decemvirs hastened to bury him with military honours at the public expense. He was buried amid the great grief of the soldiery, and with the worst possible infamy of the decemvirs among the common people.

Another monstrous deed followed in the city, originating in lust, and attended by results not less tragical than that deed which had brought about the expulsion of the Tarquins from the city and the throne through the violation and death of Lucretia: so that the decemvirs not only came to the same end as the kings, but the reason also of their losing their power was the same. Appius Claudius was

seized with a criminal passion for violating the person of a young woman of plebeian rank. Lucius Verginius, the girl's father, held an honourable rank among the centurions at Algidum, a man who was a pattern of uprightness both at home and in the service. His wife and children were brought up in the same manner. He had betrothed his daughter to Lucius Icilius, who had been tribune, a man of spirit and of approved zeal in the interest of the people. Appius, burning with desire, attempted to seduce by bribes and promises this young woman, now grown up, and of distinguished beauty; and when he perceived that all the avenues of his lust were barred by modesty, he turned his thoughts to cruel and tyrannical violence. Considering that, as the girl's father was absent, there was an opportunity for committing the wrong; he instructed a dependent of his, Marcus Claudius, to claim the girl as his slave, and not to yield to those who demanded her enjoyment of liberty pending judgment. The tool of the decemvir's lust laid hands on the girl as she was coming into the forum—for there the elementary schools were held in booths—calling her the daughter of his slave and a slave herself, and commanded her to follow him, declaring that he would drag her off by force if she demurred. The girl being struck dumb with terror, a crowd collected at the cries of her nurse, who besought the protection of the citizens. The popular names of her father, Verginius, and of her betrothed, Icilius, were in every one's mouth. Esteem for them gained the good-will of their acquaintances, the heinousness of the proceeding, that of the crowd. She was now safe from violence, forasmuch as the claimant said that there was no occasion for rousing the mob; that he was proceeding by law, not by force. He summoned the girl into court. Her supporters advising her to follow him, they reached the tribunal of Appius. The claimant rehearsed the farce well known to the judge, as being in presence of the actual author of the plot, that the girl, born in his house, and clandestinely transferred from thence to the house of Verginius, had been fathered on the latter: that what he stated was established by certain evidence, and that he would prove it, even if Verginius himself, who would be the principal sufferer, were judge: that meanwhile it was only fair the servant should accompany her master. The supporters of Verginia, after they had urged that Verginius was absent on business of the state, that he would be present in two days if word were sent to him, and that it was unfair that in his absence he should run any risk regarding his children, demanded that Appius should adjourn the whole matter till the arrival of the father; that he should allow the claim for her liberty pending judgment according to the law passed by himself, and not allow a maiden of ripe age to encounter the risk of her reputation before that of her liberty.

Appius prefaced his decision by observing that the very same law, which the friends of Verginius put forward as the plea of their demand, showed how strongly he himself was in favour of liberty: that liberty, however, would find secure protection in the law on this condition only, that it varied neither with respect to cases or persons. For with respect to those individuals who were claimed as free, that point of law was good, because any citizen could proceed by law in such a matter: but in the case of her who was in the hands of her father, there was no other person in whose favour her master need relinquish his right of possession.[51] That it was his decision, therefore, that her father should be sent for: that, in the meantime, the claimant should not be deprived of the right, which allowed him to carry off the girl with him, at the same time promising that she should be produced on the arrival of him who was called her father. When there were many who murmured against the injustice of this decision rather than any one individual who ventured to protest against it, the girl's great-uncle, Publius Numitorius, and her betrothed, Icilius, appeared on the scene: and, way being made for them through the crowd, the multitude thinking that Appius could be most effectually resisted by the intervention of Icilius, the lictor declared that he had decided the matter, and attempted to remove Icilius, when he began to raise his voice. Such a monstrous injustice would have fired even a cool temper. "By the sword, Appius," said he, "must I be removed hence, that you may secure silence about that which you wish to be concealed. This young woman I am about to marry, to have and to hold as my lawful wife. Wherefore call together all the lictors of your colleagues also; order the rods and axes to be got ready: the betrothed wife of Icilius shall not pass the night outside her father's house. No: though you have taken from us the aid of our tribunes, and the power of appeal to the commons of Rome, the two bulwarks for the maintenance of our liberty, absolute authority has not therefore been given to your lust over our wives and children. Vent your fury on our backs and necks; let chastity at least be secure. If violence shall be offered to her, I shall implore the protection of the citizens here present on behalf of my betrothed, Verginius that of the soldiers on behalf of his only daughter, all of us the protection of gods and men, nor shall you carry that sentence into effect without our blood. I demand of you, Appius, consider again and again to what lengths you are proceeding. Verginius, when he comes, will see to it, what conduct he is to pursue with respect to his daughter: only let him be assured of this, that if he yields to the claims of this man, he will have to look out for another match for his daughter. As for my part, in vindicating the liberty of my spouse, life shall leave me sooner than honour."

The multitude was now roused, and a contest seemed threatening. The lictors had taken their stand around Icilius; they did not, however, proceed beyond threats, while Appius said that it was not Verginia who was being defended by Icilius, but that, being a restless man, and even now breathing the spirit of the tribuneship, he was seeking an opportunity for creating a disturbance. That he would not

afford him the chance of doing so on that day; but in order that he might now know that the concession had been made not to his petulance, but to the absent Verginius, to the name of father and to liberty, that he would not decide the case on that day, nor introduce a decree: that he would request Marcus Claudius to forego somewhat of his right, and to suffer the girl to be bailed till the next day. However, unless the father attended on the following day, he gave notice to Icilius and to men like Icilius, that, as the framer of it, he would maintain his own law, as a decemvir, his firmness: that he would certainly not assemble the lictors of his colleagues to put down the promoters of sedition; that he would be content with his own. When the time of this act of injustice had been deferred, and the friends of the maiden had retired, it was first of all determined that the brother of Icilius, and the son of Numitorius, both active young men, should proceed thence straight to the city gate, and that Verginius should be summoned from the camp with all possible haste: that the safety of the girl depended on his being present next day at the proper time, to protect her from wrong. They proceeded according to directions, and galloping at full speed, carried the news to her father. When the claimant of the maiden was pressing Icilius to lay claim to her, and give bail for her appearance, and Icilius said that that was the very thing that was being done, purposely wasting the time, until the messengers sent to the camp should finish their journey, the multitude raised their hands on all sides, and every one showed himself ready to go surety for Icilius. And he, with his eyes full of tears, said: "This is a great favour; to-morrow I will avail myself of your assistance: at present I have sufficient sureties." Thus Verginia was bailed on the security of her relations. Appius, having delayed a short time, that he might not appear to have sat on account of that case alone, when no one made application to him, all other concerns being set aside owing to the interest displayed in this one case, betook himself home, and wrote to his colleague in the camp, not to grant leave of absence to Verginius, and even to keep him in confinement. This wicked scheme was too late, as it deserved: for Verginius, having already obtained his leave had set out at the first watch, while the letter regarding his detention was delivered on the following morning without effect.

But in the city, at daybreak, when the citizens were standing in the forum on the tiptoe of expectation, Verginius, clad in mourning, conducted his daughter, also shabbily attired, attended by some matrons, into the forum, with a considerable body of supporters. He there began to go around and solicit people: and not only entreated their aid given out of kindness, but demanded it as a right: saying that he stood daily in the field of battle in defence of their wives and children, nor was there any other man, whose brave and intrepid deeds in war could be recorded in greater numbers. What availed it, if, while the city was secure from dangers, their children had to endure these calamities, which were the worst that could be dreaded if it were taken? Uttering these words just like one delivering a public harangue, he solicited the people individually. Similar arguments were put forward by Icilius: the attendant throng of women produced more effect by their silent tears than any words. With a mind stubbornly proof against all this—such an attack of frenzy, rather than of love, had perverted his mind —Appius ascended the tribunal, and when the claimant went on to complain briefly, that justice had not been administered to him on the preceding day through party influence, before either he could go through with his claim, or an opportunity of reply was afforded to Verginius, Appius interrupted him. The preamble with which he prefaced his decision, ancient authors may have handed down perhaps with some degree of truth; but since I nowhere find any that is probable in the case of so scandalous a decision, I think it best to state the bare fact, which is generally admitted, that he passed a sentence consigning her to slavery. At first a feeling of bewilderment astounded all, caused by amazement at so heinous a proceeding: then for some time silence prevailed. Then, when Marcus Claudius proceeded to seize the maiden, while the matrons stood around, and was met by the piteous lamentations of the women, Verginius, menacingly stretching forth his hands toward Appius, said: "To Icilius, and not to you, Appius, have I betrothed my daughter, and for matrimony, not for prostitution, have I brought her up. Would you have men gratify their lust promiscuously, like cattle and wild beasts? Whether these persons will endure such things, I know not; I do not think that those will do so who have arms in their hands." When the claimant of the girl was repulsed by the crowd of women and supporters who were standing around her, silence was proclaimed by the crier.

The decemvir, as if he had lost his reason owing to his passion, stated that not only from Icilius's abusive harangue of the day before, and the violence of Verginius, of which he could produce the entire Roman people as witnesses, but from authentic information also he had ascertained that secret meetings were held in the city throughout the night with the object of stirring up sedition: that he, accordingly, being aware of that danger, had come down with armed soldiers, not to molest any peaceable person, but in order to punish, as the majesty of the government demanded, those who disturbed the tranquility of the state. "It will, therefore," said he, "be better to remain quiet: go, lictor, disperse the crowd, and clear the way for the master to lay hold of his slave." After he had thundered out these words, full of wrath, the multitude of their own accord dispersed, and the girl stood deserted, a sacrifice to injustice. Then Verginius, when he saw no aid anywhere, said: "I beg you, Appius, first pardon a father's grief, if I have attacked you too harshly: in the next place, suffer me to ask the nurse here in presence of the maiden, what all this means, that, if I have been falsely called her father, I may

depart hence with mind more tranquil." Permission having been granted, he drew the girl and the nurse aside to the booths near the chapel of Cloacina,[52] which now go by the name of the New Booths:[53] and there, snatching a knife from a butcher, "In this, the only one way I can, my daughter," said he, "do I secure to you your liberty." He then plunged it into the girl's breast, and looking back toward the tribunal, said "With this blood I devote thee,[54] Appius, and thy head!" Appius, aroused by the cry raised at so dreadful a deed, ordered Verginius to be seized. He, armed with the knife, cleared the way whithersoever he went, until, protected by the crowd of persons attending him, he reached the gate. Icilius and Numitorius took up the lifeless body and showed it to the people; they deplored the villainy of Appius, the fatal beauty of the maiden, and the cruel lot of the father.[55] The matrons, following, cried out: Was this the condition of rearing children? Were these the rewards of chastity? And other things which female grief on such occasions suggests, when their complaints are so much the more affecting, in proportion as their grief is more intense from their want of self-control. The men, and more especially Icilius, spoke of nothing but the tribunician power, and the right of appeal to the people which had been taken from them, and gave vent to their indignation in regard to the condition of public affairs.

The multitude was excited partly by the heinousness of the misdeed, partly by the hope of recovering their liberty on a favourable opportunity. Appius first ordered Icilius to be summoned before him, then, when he refused to come, to be seized: finally, when the officers were not allowed an opportunity of approaching him, he himself, proceeding through the crowd with a body of young patricians, ordered him to be led away to prison. Now not only the multitude, but Lucius Valerius and Marcus Horatius, the leaders of the multitude, stood around Icilius and, having repulsed the lictor, declared, that, if Appius should proceed according to law, they would protect Icilius from one who was but a private citizen; if he should attempt to employ force, that even in that case they would be no unequal match for him. Hence arose a violent quarrel. The decemvir's lictor attacked Valerius and Horatius: the fasces were broken by the people. Appius ascended the tribunal; Horatius and Valerius followed him. They were attentively listened to by the assembly: the voice of the decemvir was drowned with clamour. Now Valerius, as if he possessed the authority to do so, was ordering the lictors to depart from one who was but a private citizen, when Appius, whose spirits were now broken, alarmed for his life, betook himself into a house in the vicinity of the forum, unobserved by his enemies, with his head covered up. Spurius Oppius, in order to assist his colleague, rushed into the forum by the opposite side: he saw their authority overpowered by force. Distracted then by various counsels and by listening to several advisers from every side, he had become hopelessly confused: eventually he ordered the senate to be convened. Because the official acts of the decemvirs seemed displeasing to the greater portion of the patricians, this step quieted the people with the hope that the government would be abolished through the senate. The senate was of opinion that the commons should not be stirred up, and that much more effectual measures should be taken lest the arrival of Verginius should cause any commotion in the army.

Accordingly, some of the junior patricians, being sent to the camp which was at that time on Mount Vecilius, announced to the decemvirs that they should do their utmost to keep the soldiers from mutinying. There Verginius occasioned greater commotion than he had left behind him in the city. For besides that he was seen coming with a body of nearly four hundred men, who, enraged in consequence of the disgraceful nature of the occurrence, had accompanied him from the city, the unsheathed knife, and his being himself besmeared with blood, attracted to him the attention of the entire camp; and the gowns,[56] seen in many parts of the camp had caused the number of people from the city to appear much greater than it really was. When they asked him what was the matter, in consequence of his weeping, for a long time he did not utter a word. At length, as soon as the crowd of those running together became quiet after the disturbance, and silence ensued, he related everything in order as it had occurred.

Then extending his hands toward heaven, addressing his fellow-soldiers, he begged of them, not to impute to him that which was the crime of Appius Claudius, nor to abhor him as the murderer of his child. To him the life of his daughter was dearer than his own, if she had been allowed to live in freedom and chastity. When he beheld her dragged to prostitution as if she were a slave, thinking it better that his child should be lost by death rather than by dishonour, through compassion for her he had apparently fallen into cruelty. Nor would he have survived his daughter had he not entertained the hope of avenging her death by the aid of his fellow-soldiers. For they too had daughters, sisters, and wives; nor was the lust of Appius Claudius extinguished with his daughter; but in proportion as it escaped with greater impunity, so much the more unbridled would it be. That by the calamity of another a warning was given to them to guard against a similar injury. As far as he was concerned, his wife had been taken from him by destiny; his daughter, because she could no longer have lived as a chaste woman, had met with an unfortunate but honourable death; that there was now no longer in his family an opportunity for the lust of Appius; that from any other violence of his he would defend his person with the same spirit with which he had vindicated that of his daughter: that others should take

care for themselves and their children. While he uttered these words in a loud voice, the multitude responded with a shout that they would not be backward, either to avenge his wrongs or to defend their own liberty. And the civilians mixing with the crowd of soldiers, by uttering the same complaints, and by showing how much more shocking these things must have appeared when seen than when merely heard of, and also by telling them that the disturbance at Rome was now almost over—and others having subsequently arrived who asserted that Appius, having with difficulty escaped with life, had gone into exile—all these individuals so far influenced them that there was a general cry to arms, and having pulled up the standards, they set out for Rome. The decemvirs, being alarmed at the same time both by what they now saw, as well as by what they had heard had taken place at Rome, ran about to different parts of the camp to quell the commotion. While they proceeded with mildness no answer was returned to them: if any of them attempted to exert authority, the soldiers replied that they were men and were armed. They proceeded in a body to the city and occupied the Aventine, encouraging the commons, as each person met them, recover their liberty, and elect tribunes of the people; no other expression of violence was heard. Spurius Oppius held a meeting of the senate; it was resolved that no harsh measures should be adopted, inasmuch as occasion for sedition had been given by themselves. [57] Three men of consular rank, Spurius Tarpeius, Gaius Julius, Publius Sulpicius, were sent as ambassadors, to inquire, in the name of the senate, by whose order they had deserted the camp? Or what they meant by having occupied the Aventine in arms, and, turning away their arms from the enemy, having seized their own country? They were at no loss for an answer: but they wanted some one to give the answer, there being as yet no certain leader, and individuals were not bold enough to expose themselves to the invidious office. The multitude only cried out with one accord, that they should send Lucius Valerius and Marcus Horatius to them, saying that they would give their answer to them.

The ambassadors being dismissed, Verginius reminded the soldiers that a little while before they had been embarrassed in a matter of no very great difficulty, because the multitude was without a head; and that the answer given, though not inexpedient, was the result rather of an accidental agreement than of a concerted plan. His opinion was, that ten persons should be elected to preside over the management of state affairs, and that they should be called tribunes of the soldiers, a title suited to their military dignity. When that honour was offered to himself in the first instance, he replied, "Reserve for an occasion more favourable to both of us your kind recognition of me. The fact of my daughter being unavenged, does not allow any office to be agreeable to me, nor, in the present disturbed condition of the state, is it advantageous that those should be at your head who are most exposed to party animosity. If I am of any use, the benefit to be gained from my services will be just as great while I am a private individual." They accordingly elected military tribunes ten in number.

Meanwhile the army among the Sabines was not inactive. There also, at the instance of Icilius and Numitorius, a secession from the decemvirs took place, men's minds being no less moved when they recalled to mind the murder of Siccius, than when they were fired with rage at the recent account of the disgraceful attempt made on the maiden to gratify lust. When Icilius heard that tribunes of the soldiers had been elected on the Aventine, lest the election assembly in the city should follow the precedent of the military assembly, by electing the same persons tribunes of the commons, being well versed in popular intrigues and having an eye to that office himself, he also took care, before they proceeded to the city, that the same number should be elected by his own party with equal power. They entered the city by the Colline gate under their standards, and proceeded in a body to the Aventine through the midst of the city. There, joining the other army, they commissioned the twenty tribunes of the soldiers to select two out of their number to preside over state affairs. They elected Marcus Oppius and Sextus Manilius. The patricians, alarmed for the general safety, though there was a meeting of the senate every day, wasted the time in wrangling more frequently than in deliberation. The murder of Siccius, the lust of Appius, and the disgraces incurred in war were urged as charges against the decemvirs. It was resolved that Valerius and Horatius should proceed to the Aventine. They refused to go on any other condition than that the decemvirs should lay down the badges of that office, which they had resigned at the end of the previous year. The decemvirs, complaining that they were now being degraded, declared that they would not resign their office until those laws, for the sake of which they had been appointed, were passed.

The people being informed by Marcus Duillius, who had been tribune of the people, that by reason of their continual contentions no business was transacted, passed from the Aventine to the Sacred Mount, as Duillius asserted that no concern for business would enter the minds of the patricians, until they saw the city deserted: that the Sacred Mount would remind them of the people's firmness: that they would then know that matters could not be brought back to harmony without the restoration of the tribunician power. Having set out along the Nomentan way, which was then called the Ficulean,[58] they pitched their camp on the Sacred Mount, imitating the moderation of their fathers by committing no violence. The commons followed the army, no one whose age would permit him declining to go. Their wives and children attended them, piteously asking to whom they were leaving them, in a city where neither

chastity nor liberty were respected. When the unusual solitude had created everywhere at Rome a feeling of desolation; when there was no one in the forum but a few old men: when, after the patricians had been summoned into the senate, the forum appeared deserted, by this time more besides Horatius and Valerius began to exclaim, "What will you now wait for, conscript fathers? If the decemvirs do not put an end to their obstinacy, will you suffer all things to go to wreck and ruin? What power is that of yours, decemvirs, which you embrace and hold so firmly? Do you mean to administer justice to walls and houses? Are you not ashamed that an almost greater number of your lictors is to be seen in the forum than of the other citizens? What are you going to do, in case the enemy should approach the city? What, if the commons should come presently in arms, in case we show ourselves little affected by their secession? Do you mean to end your power by the fall of the city? Well, then, either we must not have the commons, or they must have their tribunes. We shall sooner be able to dispense with our patrician magistrates, than they with their plebeian. That power, when new and untried, they wrested from our fathers; much less will they now, when once captivated by its charm, endure the loss of: more especially since we do not behave with such moderation in the exercise of our power that they are in no need of the aid of the tribunes." When these arguments were thrown out from every quarter, the decemvirs, overpowered by the united opinions of all, declared that, since such seemed to be the feeling, they would submit to the authority of the patricians. All they asked for themselves was that they might be protected from popular odium; they warned the senate, that they should not, by shedding their blood, habituate the people to inflict punishment on the patricians.

Then Valerius and Horatius, having been sent to bring back the people on such terms as might seem fit, and to adjust all differences, were directed to make provision also to protect the decemvirs from the resentment and violence of the multitude. They set forth and were received into the camp amid the great joy of the people, as their undoubted liberators, both at the beginning of the disturbance and at the termination of the matter. In consideration of these things, thanks were returned to them on their arrival. Icilius delivered a speech in the name of the people. When the terms came to be considered, on the ambassadors inquiring what the demands of the people were, he also, having already concerted the plan before the arrival of the ambassadors, made such demands, that it became evident that more hope was placed in the justice of their case than in arms. For they demanded the restoration of the tribunician office and the right of appeal, which, before the appointment of decemvirs, had been the supports of the people, and that it should be without detriment to any one to have instigated the soldiers or the commons to seek to recover their liberty by a secession. Concerning the punishment only of the decemvirs was their demand immoderate: for they thought it but just that they should be delivered up to them, and threatened to burn them alive. The ambassadors replied: "Your demands which have been the result of deliberation are so reasonable, that they should be voluntarily offered to you: for you demand therein safeguards for your liberty, not a means of arbitrary power to assail others. Your resentment we must rather pardon than indulge, seeing that from your hatred of cruelty you rush into cruelty, and almost before you are free yourselves, already wish to lord it over your opponents. Shall our state never enjoy rest from punishments, inflicted either by the patricians on the Roman commons, or by the commons on the patricians? You need a shield rather than a sword. He is sufficiently and abundantly humbled who lives in the state on an equal footing with his fellow-citizens, neither inflicting nor suffering injury. Should you, however, at any time wish to render yourselves formidable, when, after you have recovered your magistrates and laws, decisions on our lives and fortunes shall be in your hands, then you shall determine according to the merits of each case: for the present it is sufficient that your liberty be recovered."

All assenting that they should act just as they thought proper, the ambassadors assured them that they would speedily return, having brought everything to a satisfactory termination. When they had gone and laid before the patricians the message of the commons—while the other decemvirs, since, contrary to their own expectation, no mention was made of their punishment—raised no objection, Appius, being of a truculent disposition and the chief object of detestation, measuring the rancour of others toward him by his own toward them, said: "I am not ignorant of the fate which threatens me. I see that the contest against us is only deferred until our arms are delivered up to our adversaries. Blood must be offered up to popular rage. I do not even hesitate to resign my decemvirate." A decree of the senate was then passed: that the decemvirs should as soon as possible resign their office; that Quintus Furius, chief pontiff, should hold an election of plebeian tribunes, and that the secession of the soldiers and commons should not be detrimental to any one. These decrees of the senate being completed, and the senate dismissed, the decemvirs came forth into the assembly, and resigned their office, to the great joy of all. News of this was carried to the commons. All those who remained in the city escorted the ambassadors. This crowd was met by another joyous body from the camp; they congratulated each other on the restoration of liberty and concord to the state. The deputies spoke as follows before the assembly: "Be it advantageous, fortunate, and happy for you and the republic—return to your country, to your household gods, your wives and children; but carry into the city the same moderation which you observed here, where in spite of the pressing need of so many things necessary for so large a number of persons, no man's field has been injured. Go to the Aventine,

whence you set out. There, in that auspicious place, where you laid the first beginnings of your liberty, you shall elect tribunes of the people. The chief pontiff will be at hand to hold the elections." Great was their approval and joy, as evinced in their assent to every measure. They then pulled up their standards, and having set out for Rome, vied in exultation with all they met. Silently, under arms, they marched through the city and reached the Aventine. There, the chief pontiff holding the meeting for the elections, they immediately elected as their tribunes of the people, first of all Lucius Verginius, then Lucius Icilius, and Publius Numitorius, the uncle of Verginius, who had recommended the secession: then Gaius Sicinius, the offspring of him who is recorded to have been elected first tribune of the commons on the Sacred Mount; and Marcus Duillius, who had held a distinguished tribuneship before the appointment of the decemvirs, and never failed the commons in their contests with the decemvirs. Marcus Titinius, Marcus Pomponius, Gaius Apronius, Appius Villius, and Gaius Oppius, were elected more from hope entertained of them than from any actual services. When he entered on his tribuneship, Lucius Icilius immediately brought before the people, and the people enacted, that the secession from the decemvirs which had taken place should not prove detrimental to any individual. Immediately after Duillius carried a proposition for electing consuls, with right of appeal[59]. All these things were transacted in an assembly of the commons in the Flaminian meadows, which are now called the Flaminian Circus.[60]

Then, through an interrex, Lucius Valerius and Marcus Horatius were elected consuls, and immediately entered on their office; their consulship, agreeable to the people, although it did no injury to the patricians, was not, however, without giving them offence; for whatever measures were taken to secure the liberty of the people, they considered to be a diminution of their own power. First of all, when it was as it were a disputed point of law, whether patricians were bound by regulations enacted in an assembly of the commons, they proposed a law in the assembly of the centuries, that whatever the commons ordered in the assembly of the tribes, should be binding on the entire people; by which law a most keen-edged weapon of offence was given to the motions introduced by tribunes. Then another law made by a consul concerning the right of appeal, a singularly effective safeguard of liberty, that had been upset by the decemviral power, was not only restored but also guarded for the time to come, by the passing of a new law, that no one should appoint any magistrate without appeal:[61] if any person should so appoint, it should be lawful and right that he be put to death; and that such killing should not be deemed a capital offence. And when they had sufficiently secured the commons by the right of appeal on the one hand by tribunician aid on the other, they revived for the tribunes themselves the privilege that their persons should be considered inviolable—the recollection of which was now almost forgotten—by renewing after a long interval certain ceremonies which had fallen into disuse; and they rendered them inviolable by religion, as well as by a law, enacting that whosoever should offer injury to tribunes of the people, ædiles, or judicial decemvirs, his person should be devoted to Jupiter, and his property be sold at the Temple of Ceres, Liber, and Libera. Expounders of the law deny that any person is by this law inviolable, but assert that he, who may do an injury to any of them, is deemed by law accursed: and that, accordingly, an ædile may be arrested and carried to prison by superior magistrates, which, though it be not expressly warranted by law (for an injury is done to a person to whom it is not lawful to do an injury according to this law), is yet a proof that an ædile is not considered as sacred and inviolable; the tribunes, however, are sacred and inviolable according to the ancient oath of the commons, when first they created that office. There have been some who supposed that by this same Horatian law provision was made for the consuls also and the prætors, because they were elected under the same auspices as the consuls; for a consul was called a judge. This interpretation is refuted, because at this time it had not yet been customary for the consul to be styled judge, but prætor.[62] These were the laws proposed by the consuls. It was also arranged by the same consuls, that decrees of the senate, which before that used to be suppressed and altered at the pleasure of the consuls, should be deposited in the Temple of Ceres, under the care of the aediles of the commons. Then Marcus Duillius, tribune of the commons, brought before the people and the people enacted, that whoever left the people without tribunes, and whoever caused a magistrate to be elected without appeal, should be punished with stripes and beheaded. All these enactments, though against the feelings of the patricians, passed off without opposition from them, because as yet no severity was aimed at any particular individual.

Then, both the tribunician power and the liberty of the commons having been firmly established, the tribunes, now deeming it both safe and seasonable to attack individuals, singled out Verginius as the first prosecutor and Appius as defendant. When Verginius had appointed a day for Appius to take his trial, and Appius had come down to the forum, accompanied by a band of young patricians, the recollection of his most profligate exercise of power was instantly revived in the minds of all, as soon as they beheld the man himself and his satellites. Then said Verginius: "Long speeches are only meant for matters of a doubtful nature. Accordingly, I shall neither waste time in dwelling on the guilt of this man before you, from whose cruelty you have rescued yourselves by force of arms, nor will I suffer him to add impudence to his other crimes in defending himself. Wherefore, Appius Claudius, I pardon you for all the impious and nefarious deeds you have had the effrontery to commit one after another for the last

two years; with respect to one charge only, unless you shall choose a judge who shall acquit you that you have not sentenced a free person to slavery, contrary to the laws, I shall order that you be taken into custody." Neither in the aid of the tribunes, nor in the judgment of the people, could Appius place any hope: still he both appealed to the tribunes, and, when no one heeded him, being seized by the officer, he exclaimed, "I appeal." The hearing of this one word that safeguard of liberty, and the fact that it was uttered from that mouth, by which a free citizen was so recently consigned to slavery, caused silence. And, while they loudly declared, each on his own behalf, that at length the existence of the gods was proved, and that they did not disregard human affairs; and that punishments awaited tyranny and cruelty, which punishments, though late, were, however, by no means light; that that man now appealed, who had abolished all right of appeal; and that he implored the protection of the people, who had trampled under foot all the rights of the people: and that he was being dragged off to prison, destitute of the rights of liberty, who had doomed a free person to slavery, the voice of Appius himself was heard, amid the murmurs of the assembly, imploring the protection of the Roman people. He enumerated the services of his ancestors to the state, at home and abroad: his own unfortunate anxiety for the interests of the Roman commons, owing to which he had resigned the consulship, to the very great displeasure of the patricians, for the purpose of equalizing the laws; he then went on to mention those laws of his, the framer of which was dragged off to prison, though the laws still remained in force. However, in regard to what bore especially on his own case, his personal merits and demerits, he would make trial of them, when an opportunity should be afforded him of stating his defence; at present, he, a Roman citizen, demanded, by the common right of citizenship, that he be allowed to speak on the day appointed, and to appeal to the judgment of the Roman people: he did not dread popular odium so much as not to place any hope in the fairness and compassion of his fellow-citizens. But if he were led to prison without being heard, that he once more appealed to the tribunes of the people, and warned them not to imitate those whom they hated. But if the tribunes acknowledged themselves bound by the same agreement for abolishing the right of appeal, which they charged the decemvirs with having conspired to form, then he appealed to the people, he implored the aid of the laws passed that very year, both by the consuls and tribunes, regarding the right of appeal. For who would there be to appeal, if this were not allowed a person as yet uncondemned, whose case had not been heard? What plebeian or humble individual would find protection in the laws, if Appius Claudius could not? That he would be a proof whether tyranny or liberty was established by the new laws, and whether the right of appeal and of challenge against the injustice of magistrates was only held out in idle words, or really granted.

Verginius, on the other hand, affirmed that Appius Claudius was the only person who had no part or share in the laws, or in any covenant civil or human. Men should look to the tribunal, the fortress of all villainies, where that perpetual decemvir, venting his fury on the property, person, and life of the citizens, threatening all with his rods and axes, a despiser of gods and men, surrounded by men who were executioners, not lictors, turning his thoughts from rapine and murder to lust, tore a free-born maiden, as if she had been a prisoner of war, from the embraces of her father, before the eyes of the Roman people, and gave her as a present to a dependent, the minister to his secret pleasures: where too by a cruel decree, and a most outrageous decision, he armed the right hand of the father against the daughter: where he ordered the betrothed and uncle, on their raising the lifeless body of the girl, to be led away to prison, affected more by the interruption of his lust than by her death: that the prison was built for him also which he was wont to call the domicile of the Roman commons. Wherefore, though he might appeal again and again, he himself would again and again propose a judge, to try him on the charge of having sentenced a free person to slavery; if he would not go before a judge, he ordered him to be taken to prison as one already condemned. He was thrown into prison, though without the disapprobation of any individual, yet not without considerable emotion of the public mind, since, in consequence of the punishment by itself of so distinguished a man, their own liberty began to be considered by the commons themselves as excessive.[63]

The tribunes adjourned the day of trial.

Meanwhile, ambassadors from the Hernicans and Latins came to Rome to offer their congratulations on the harmony existing between the patricians and commons, and as an offering on that account to Jupiter, best and greatest, they brought into the Capitol a golden crown, of small weight, as money at that time was not plentiful, and the duties of religion were performed rather with piety than splendour. On the same authority it was ascertained that the Aequans and Volscians were preparing for war with the utmost energy. The consuls were therefore ordered to divide the provinces between them. The Sabines fell to the lot of Horatius, the Æquans to Valerius. After they had proclaimed a levy for these wars, through the good offices of the commons, not only the younger men, but a large number, consisting of volunteers from among those who had served their time,[64] attended to give in their names: and hence the army was stronger not only in the number but also in the quality of its soldiers, owing to the admixture of veterans. Before they marched out of the city, they engraved on brass, and fixed up in public view, the decemviral laws, which are named "the twelve tables." There are some who

state that the aediles discharged that office by order of the tribunes.

Gaius Claudius, who, detesting the crimes of the decemvirs and, above all, incensed at the arrogant conduct of his brother-in-law, had retired to Regillum, his ancestral home. Though advanced in years, he now returned to the City, to deprecate the dangers threatening the man whose vicious practices had driven him into retirement. Going down to the Forum in mourning garb, accompanied by the members of his house and by his clients, he appealed to the citizens individually, and implored them not to stain the house of the Claudii with such an indelible disgrace as to deem them worthy of bonds and imprisonment. To think that a man whose image would be held in highest honour by posterity, the framer of their laws and the founder of Roman jurisprudence, should be lying manacled amongst nocturnal thieves and robbers! Let them turn their thoughts for a moment from feelings of exasperation to calm examination and reflection, and forgive one man at the intercession of so many of the Claudii, rather than through their hatred of one man despise the prayers of many. So far he himself would go for the honour of his family and his name, but he was not reconciled to the man whose distressed condition he was anxious to relieve. By courage their liberties had been recovered, by clemency the harmony of the orders in the State could be strengthened. Some were moved, but it was more by the affection he showed for his nephew than by any regard for the man for whom he was pleading. But Verginius begged them with tears to keep their compassion for him and his daughter, and not to listen to the prayers of the Claudii, who had assumed sovereign power over the plebs, but to the three tribunes, kinsmen of Verginia, who, after being elected to protect the plebeians, were now seeking their protection. This appeal was felt to have more justice in it. All hope being now cut off, Appius put an end to his life before the day of trial came.

Soon after Sp. Oppius was arraigned by P. Numitorius. He was only less detested than Appius, because he had been in the City when his colleague pronounced the iniquitous judgment. More indignation, however, was aroused by an atrocity which Oppius had committed than by his not having prevented one. A witness was produced, who after reckoning up twenty-seven years of service, and eight occasions on which he had been decorated for conspicuous bravery, appeared before the people wearing all his decorations. Tearing open his dress he exhibited his back lacerated with stripes. He asked for nothing but a proof on Oppius' part of any single charge against him; if such proof were forthcoming, Oppius, though now only a private citizen, might repeat all his cruelty towards him. Oppius was taken to prison and there, before the day of trial, he put an end to his life. His property and that of Claudius were confiscated by the tribunes. Their colleagues changed their domicile by going into exile; their property also was confiscated. M. Claudius, who had been the claimant of Verginia, was tried and condemned; Verginius himself, however, refused to press for the extreme penalty, so he was allowed to go into exile to Tibur. Verginia was more fortunate after her death than in her lifetime; her shade, after wandering through so many houses in quest of expiatory penalties, at length found rest, not one guilty person being now left.

Great alarm seized the patricians; the looks of the tribunes were now as menacing as those of the decemvirs had been. M. Duillius the tribune imposed a salutary check upon their excessive exercise of authority. "We have gone," he said, "far enough in the assertion of our liberty and the punishment of our opponents, so for this year I will allow no man to be brought to trial or cast into prison. I disapprove of old crimes, long forgotten, being raked up, now that the recent ones have been atoned for by the punishment of the decemvirs. The unceasing care which both the consuls are taking to protect your liberties is a guarantee that nothing will be done which will call for the power of the tribunes." This spirit of moderation shown by the tribune relieved the fears of the patricians, but it also intensified their resentment against the consuls, for they seemed to be so wholly devoted to the plebs, that the safety and liberty of the patricians were a matter of more immediate concern to the plebeian than they were to the patrician magistrates. It seemed as though their adversaries would grow weary of inflicting punishment on them sooner than the consuls would curb their insolence. It was pretty generally asserted that they had shown weakness, since their laws had been sanctioned by the senate, and no doubt was entertained that they had yielded to the pressure of circumstances.

After matters had been settled in the City and the position of the plebs firmly assured, the consuls left for their respective provinces. Valerius wisely suspended operations against the armies of the Aequans and the Volscians, which had now united at Algidum: whereas, if he had immediately intrusted the issue to fortune, I am inclined to think that, considering the feelings both of the Romans and of their enemies at that time, after the unfavourable auspices of the decemvirs,[65] the contest would have cost him heavy loss. Having pitched his camp at the distance of a mile from the enemy, he kept his men quiet. The enemy filled the space lying between the two camps with their army in order of battle, and not a single Roman made answer when they challenged them to fight. At length, wearied with standing and waiting in vain for a contest, the Aequans and Volscians, considering that the victory was almost yielded to them, went off some to Hernican, others to Latin territory, to commit depredations. There was left in the camp rather a garrison for its defence than sufficient force for a contest. When the

consul perceived this, he in turn inspired the terror which his own men had previously felt, and having drawn up his troops in order of battle on his side, provoked the enemy to fight. When they, conscious of their lack of forces, declined battle, the courage of the Romans immediately increased, and they considered them vanquished, as they stood panic-stricken within their rampart. Having stood throughout the day eager for the contest, they retired at night. And the Romans, now full of hope, set about refreshing themselves. The enemy, in by no means equal spirits, being now anxious, despatched messengers in every direction to recall the plundering parties.

Those in the nearest places returned: those who were farther off were not found. When day dawned, the Romans left the camp, determined on assaulting the rampart, unless an opportunity of fighting presented itself; and when the day was now far advanced, and no movement was made by the enemy, the consul ordered an advance; and the troops being put in motion, the Aequans and Volscians were seized with indignation, at the thought that victorious armies had to be defended by a rampart rather than by valour and arms. Wherefore they also earnestly demanded the signal for battle from their generals, and received it. And now half of them had got out of the gates, and the others in succession were marching in order, as they went down each to his own post, when the Roman consul, before the enemy's line, supported by their entire strength, could get into close order, advanced upon them; and having attacked them before they were all as yet led forth, and before those, who were, had their lines properly drawn out, he fell upon them, a crowd almost beginning to waver, as they ran from one place to another, and gazed around upon themselves, and looked eagerly for their friends, the shouts and violent attack adding to the already panic-stricken condition of their minds. The enemy at first gave way; then, having rallied their spirits, when their generals on every side reproachfully asked them, whether they intended to yield to vanquished foes, the battle was restored.

On the other side, the consul desired the Romans to remember that on that day, for the first time, they fought as free men in defence of Rome, now a free city. That it was for themselves they were about to conquer, not to become, when victorious, the prize of the decemvirs. That it was not under the command of Appius that operations were being conducted, but under their consul Valerius, descended from the liberators of the Roman people, himself their liberator. Let them show that in former battles it had been the fault of the generals and not of the soldiers, that they did not conquer. That it was shameful to have exhibited more courage against their own countrymen than against their enemies, and to have dreaded slavery more at home than abroad. That Verginia was the only person whose chastity had been in danger in time of peace; that Appius had been the only citizen of dangerous lust. But if the fortune of war should turn against them, the children of all would be in danger from so many thousands of enemies; that he was unwilling to forebode what neither Jupiter nor their father Mars would be likely to suffer to befall a city built under such auspices. He reminded them of the Aventine and the Sacred Mount; that they should bring back dominion unimpaired to that spot, where their liberty had been won but a few months before; and that they should show that the Roman soldiers retained the same disposition after the expulsion of the decemvirs, as they had possessed before they were appointed, and that the valour of the Roman people had not deteriorated after the laws had been equalized. After he uttered these words among the battalions of the infantry, he hurried from them to the cavalry. "Come, young men," said he, "show yourselves superior to the infantry in valour, as you already are their superiors in honour and in rank. The infantry at the first onset have made the enemy give way; now that they have given way, do you give reins to your horses and drive them from the field. They will not stand your charge; even now they rather hesitate than resist." They spurred on their horses, and charged at full speed against the enemy, who were already thrown into confusion by the attack of the infantry: and having broken through the ranks, some dashing on to the rear of their line, others wheeling about in the open space from the flanks, turned most of them away from the camp as they were now flying in all directions, and by riding beyond them headed them off. The line of infantry, the consul himself, and the whole onset of the battle was borne toward the camp, and having taken it with considerable slaughter, he got possession of still more considerable booty. The fame of this battle, carried not only to the city, but to the other army also in Sabine territory, was welcomed in the city with public rejoicing; in the camp, it inspirited the soldiers to emulate such glory. Horatius, by training them in sallies, and making trial of them in slight skirmishes, had accustomed them to trust in themselves rather than remember the ignominy incurred under the command of the decemvirs, and these trifling engagements had greatly contributed to the successful consummation of their hopes. The Sabines, elated at their success in the preceding year, ceased not to provoke and urge them to fight, constantly asking why they wasted time, sallying forth in small numbers and returning like marauders, and why they distributed the issue of a single war over a number of engagements, and those of no importance. Why did they not meet them in the field, and intrust to fortune the decision of the matter once and for all?

Besides that they had already of themselves recovered sufficient courage, the Romans were fired with exasperation at the thought that the other army would soon return victorious to the city; that the enemy were now wantonly affronting them with insolence: when, moreover, would they be a match for

the enemy, if they were not so then? When the consul ascertained that the soldiers loudly expressed these sentiments in the camp, having summoned an assembly, he spoke as follows: "How matters have fared in Algidum, I suppose that you, soldiers, have already heard. As became the army of the free people to behave, so have they behaved; through the good judgment of my colleague and the valour of the soldiers, the victory has been gained. For my part, I shall display the same judgment and determination as you yourselves, O soldiers, display. The war may either be prolonged with advantage, or be brought to a speedy conclusion. If it is to be prolonged, I shall take care, by employing the same method of warfare with which I have begun, that your hopes and your valour may increase every day. If you have now sufficient courage, and it is your wish that the matter be decided, come, raise here a shout such as you will raise in the field of battle, in token both of your wishes and your valour." Whenthe shout was raised with great alacrity, he assured them that he would comply with their wishes —and so might Heaven prosper it—and lead them next day into the field. The remainder of the day was spent in getting ready their arms. On the following day, as soon as the Sabines saw the Roman army being drawn up in order of battle, they too, having long since been eager for the encounter, advanced. The battle was one such as would be fought between two armies who both had confidence in themselves, the one on account of its long-standing and unbroken career of glory, the other recently elated by its unusual success. The Sabines aided their strength also by stratagem; for, having formed a line equal to that of the Romans, they kept two thousand men in reserve, to make an attack on the left wing of the Romans in the heat of the battle. When these, by an attack in flank, were on the point of overpowering that wing, now almost surrounded, about six hundred of the cavalry of two legions leaped down from their horses, and, as their men were giving way, rushed forward in front, and at the same time both opposed the advance of the enemy, and roused the courage of the infantry, first by sharing the danger equally with them, and then by arousing in them a sense of shame. It was a matter of shame that the cavalry should fight in their own proper fashion and in that of others, and that the infantry should not be equal to the cavalry even when dismounted.[66]

They marched therefore to the fight, which had been suspended on their part, and endeavoured to regain the ground which they had lost, and in a moment not only was the battle restored, but one of the wings of the Sabines gave way. The cavalry, protected between the ranks of the infantry, remounted their horses; they then galloped across to the other division to announce their success to their party; at the same time also they charged the enemy, now disheartened by the discomfiture of their stronger wing. The valour of none shone forth more conspicuous in that battle. The consul provided for all emergencies; he applauded the brave, rebuked wherever the battle seemed to slacken. When reproved, they displayed immediately the deeds of brave men; and a sense of shame stimulated these, as much as praises the others. The shout being raised anew, all together making a united effort, drove the enemy back; nor could the Roman attack be any longer resisted.

The Sabines, driven in every direction through the country, left their camp behind them for the enemy to plunder. There the Romans recovered the effects, not of the allies, as at Algidum, but their own property, which had been lost by the devastations of their lands. For this double victory, gained in two battles, in two different places, the senate in a niggardly spirit merely decreed thanksgivings in the name of the consuls for one day only. The people went, however, on the second day also, in great numbers of their own accord to offer thanksgiving; and this unauthorized and popular thanksgiving, owing to their zeal, was even better attended. The consuls by agreement came to the city within the same two days, and summoned the senate to the Campius Martius.[67] When they were there relating the services performed by themselves, the chiefs of the patricians complained that the senate was designedly convened among the soldiers for the purpose of intimidation. The consuls, therefore, that there might be no room for such a charge, called away the senate to the Flaminian meadows, where the Temple of Apollo now is (even then it was called the Apollinare). There, when a triumph was refused by a large majority of the patricians, Lucius Icilius, tribune of the commons, brought a proposition before the people regarding the triumph of the consuls, many persons coming forward to argue against the measure, but in particular Gaius Claudius, who exclaimed, that it was over the senate, not over the enemy, that the consuls wished to triumph; and that it was intended as a return for a private service to a tribune, and not as an honour due to valour. That never before had the matter of a triumph been managed through the people; but that the consideration of that honour and the disposal of it, had always rested with the senate; that not even the kings had infringed on the majesty of this most august body. The tribunes should not so occupy every department with their own authority, as to allow the existence of no public council; that the state would be free, and the laws equalized by these means only, if each order retained its own rights and its own dignity. After much had been said by the other senior patricians also to the same purpose, all the tribes approved the proposition. Then for the first time a triumph was celebrated by order of the people, without the authority of the senate.

This victory of the tribunes and people was well-nigh terminating in an extravagance by no means salutary, a conspiracy being formed among the tribunes that the same tribunes might be re-elected, and, in order that their own ambition might be the less conspicuous, that the consuls also might have

their office prolonged. They pleaded, in excuse, the combination of the patricians by which the privileges of the commons were attempted to be undermined by the affronts of the consuls. What would be the consequence, when the laws were as yet not firmly established, if they attacked the new tribunes through consuls of their own party? Men like Horatius and Valerius would not always be consuls, who would regard their own interests as secondary after the liberty of the people. By some concurrence of circumstances, useful in view of the situation, it fell by lot to Marcus Duillius before all others to preside at the elections, a man of prudence, and who perceived the storm of public odium that was hanging over them from the continuance of their office. And when he declared that he would take no account of any of the former tribunes, and his colleagues struggled to get him to allow the tribes to vote independently, or to give up the office of presiding at the elections, which he held by lot, to his colleagues, who would hold the elections according to law rather than according to the pleasure of the patricians; a contention being now excited, when Duillius had sent for the consuls to his seat and asked them what they contemplated doing with respect to the consular elections, and they answered that they would appoint new consuls; then, having secured popular supporters of a measure by no means popular, he proceeded with them into the assembly. There the consuls were brought forward before the people, and asked what they would do if the Roman people mindful of their liberty recovered at home through them, mindful also of their services in war, should again elect them consuls: and when they in no way changed their opinions, he held the election, after eulogizing the consuls, because they persevered to the last in being unlike the decemvirs; and five tribunes of the people having been elected, when, through the zealous exertions of the nine tribunes who openly pressed their canvass, the other candidates could not make up the required number of tribes, he dismissed the assembly; nor did he hold one afterward for the purpose of an election. He said that the law had been satisfied, which, without any number being anywhere specified, only enacted that tribunes who had been elected should be left to choose their colleagues and confirmed those chosen by them. He then went on to recite the formula of the law, in which it was laid down: "If I shall propose for election ten tribunes of the commons, if from any cause you shall elect this day less than ten tribunes of the people, then that those whom they may have chosen as colleagues for themselves, that these, I say, be legitimate tribunes of the people on the same conditions as those whom you shall on this day have elected tribunes of the people." When Duillius persevered to the last, stating that the republic could not have fifteen tribunes of the people, having baffled the ambition of his colleagues, he resigned office, equally approved of by patricians and commons.

The new tribunes of the people, in electing their colleagues endeavoured to gratify the wishes of the patricians; they even elected two who were patricians,[68] and men of consular rank Spurius Tarpeius and Aulus Aternius. The consuls elected, Spurius Herminius, Titus Verginius Cælimontanus, not being specially inclined to the cause either of the patricians or commons, had perfect tranquillity both at home and abroad. Lucius Trebonius, tribune of the commons, incensed against the patricians, because, as he said, he had been imposed on by them in the matter of choosing tribunes, and betrayed by his colleagues, brought forward a proposal, that whoever proposed he election of tribunes of the people before the commons, should go on taking the votes, until he elected ten tribunes of the people; and he spent his tribuneship in worrying the patricians, whence the surname of Asper was given him. Next Marcus Geganius Macerinus, and Gaius Julius, being elected consuls, quieted some disputes that had arisen between the tribunes and the youth of the nobility, without displaying any harshness against that power, and at the same time preserving the dignity of the patricians. By proclaiming a levy for the war against the Volscians and Æquans, they kept the people from riots by keeping matters in abeyance, affirming that everything was also quiet abroad, owing to the harmony in the city, and that it was only through civil discord that foreign foes took courage. Their anxiety for peace abroad was also the cause of harmony at home. But notwithstanding, the one order ever attacked the moderation of the other. Acts of injustice began to be committed by the younger patricians on the commons, although the latter kept perfectly quiet. Where the tribunes assisted the more humble, in the first place it accomplished little: and thereafter they did not even themselves escape ill-treatment: particularly in the latter months, when injustice was committed through the combinations among the more powerful, and the power of the office became considerably weaker in the latter part of the year. And now the commons placed some hopes in the tribuneship, if only they could get tribunes like Icilius: for the last two years they declared that they had only had mere names. On the other hand, the elder members of the patrician order, though they considered their young men to be too overbearing, yet preferred, if bounds were to be exceeded, that a superabundance of spirit should be exhibited by their own order rather than by their adversaries. So difficult a thing is moderation in maintaining liberty, while every one, by pretending to desire equality, exalts himself in such a manner as to put down another, and men, by their very precautions against fear, cause themselves to become objects of dread: and we saddle on others injustice repudiated on our own account, as if it were absolutely necessary either to commit injustice or to submit to it. Titus Quinctius Capitolinus for the fourth time and Agrippa Furius being then elected consuls, found neither disturbance at home nor war abroad; both, however, were impending. The discord of the citizens could now no longer be checked, both tribunes and commons being exasperated against the patricians, while, if a day of trial was appointed for any of the nobility, it

always embroiled the assemblies in new struggles. On the first report of these the Æquans and Volscians, as if they had received a signal, took up arms; also because their leaders, eager for plunder, had persuaded them that the levy proclaimed two years previously could not be proceeded with, as the commons now refused obedience to military authority: that for that reason no armies had been sent against them; that military discipline was subverted by licentiousness, and that Rome was no longer considered a common country for its citizens; that whatever resentment and animosity they might have entertained against foreigners, was now directed against themselves; that now an opportunity offered itself for destroying wolves blinded by intestine rage. Having united their forces, they first utterly laid waste the Latin territory: when none met them to avenge the wrong, then indeed, to the great exultation of the advisers of the war, they approached the very walls of Rome, carrying their depredations into the district around the Esquiline gate[69] pointing out to the city in mocking insult the devastation of the land. When they marched back thence to Corbio unmolested and driving their booty before them, Quinctius the consul summoned the people to an assembly.

There I find that he spoke to this effect: "Though I am conscious to myself of no fault, Quirites, yet it is with the greatest shame I have come forward to your assembly. To think that you should know this, that this should be handed down on record to posterity, that the Æquans and Volscians a short time since scarcely a match for the Hernicans, have with impunity come with arms in their hands to the walls of Rome, in the fourth consulate of Titus Quinctius! Had I known that this disgrace was reserved for this year, above all others, though we have now long been living in such a manner, and such is the state of affairs, that my mind can forebode nothing good, I would have avoided this honour either by exile or by death, if there had been no other means of escaping it. Then, if men of courage had held those arms, which were at our gates, Rome could have been taken during my consulate. I have had sufficient honours, enough and more than enough of life: I ought to have died in my third consulate. Whom, I pray, did these most dastardly enemies despise? Us, consuls, or you, Quirites? If the fault lies in us, take away the command from those who are unworthy of it; and, if that is not enough, further inflict punishment on us. If the fault is yours, may there be none of gods or men to punish your offences: do you yourselves only repent of them. It is not your cowardice they have despised, nor their own valour that they have put their trust in: having been so often routed and put to flight, stripped of their camp, mulcted in their land, sent under the yoke, they know both themselves and you. It is the discord among the several orders that is the curse of this city, the contests between the patricians and commons. While we have neither bounds in the pursuit of power, nor you in that of liberty, while you are wearied of patrician, we of plebeian magistrates, they have taken courage. In the name of Heaven, what would you have? You desired tribunes of the commons; we granted them for the sake of concord. You longed for decemvirs; we suffered them to be created. You became weary of decemvirs; we compelled them to resign office. Your resentment against these same persons when they became private citizens still continuing, we suffered men of the highest family and rank to die or go into exile. You wished asecond time to create tribunes of the commons; you created them. You wished to elect consuls attached to your party; and, although we saw that it was unjust to the patricians, we have even resigned ourselves to see a patrician magistracy conceded as an offering to the people. The aid of tribunes, right of appeal to the people, the acts of the commons made binding on the patricians under the pretext of equalizing the laws, the subversion of our privileges, we have endured and still endure. What end is there to be to our dissensions? When shall it be allowed us to have a united city, one common country? We, when defeated, submit with greater resignation than you when victorious. Is it enough for you, that you are objects of terror to us? The Aventine is taken against us: against us the Sacred Mount is seized. When the Esquiline was almost taken by the enemy, no one defended it, and when the Volscian foe was scaling the rampart, no one drove him off: it is against us you behave like men, against us you are armed.

"Come, when you have blockaded the senate-house here, and have made the forum the seat of war, and filled the prison with the leading men of the state, march forth through the Esquiline gate, with that same determined spirit; or, if you do not even venture thus far, behold from your walls your lands laid waste with fire and sword, booty driven off, houses set on fire in every direction and smoking. But, I may be told, it is only the public weal that is in a worse condition through this: the land is burned, the city is besieged, the glory of the war rests with the enemy. What in the name of Heaven—what is the state of your own private affairs? Even now to each of you his own private losses from the country will be announced. What, pray, is there at home, whence you can recruit them? Will the tribunes restore and re-establish what you have lost? Of sound and words they will heap on you as much as you please, and of charges against the leading men, laws one after another, and public meetings. But from these meetings never has one of you returned home more increased in substance or in fortune. Has any one ever brought back to his wife and children aught save hatred, quarrels, grudges public and private, from which you may ever be protected, not by your own valour and integrity, but by the aid of others? But, by Hercules! When you served under the command of us consuls, not under tribunes, in the camp and not in the forum, and the enemy trembled at your shout in the field of battle, not the Roman patricians in the assembly, having gained booty and taken land from the enemy, loaded with wealth and

glory, both public and private, you used to return home in triumph to your household gods: now you allow the enemy to go off laden with your property. Continue fast bound to your assemblies, live in the forum; the necessity of taking the field, which you strive to escape, still follows you. It was hard on you to march against the Æquans and the Volscians: the war is at your gates: if it is not driven from thence, it will soon be within your walls, and will scale the citadel and Capitol, and follow you into your very houses. Two years ago the senate ordered a levy to be held, and an army to be marched out to Algidum; yet we sit down listless at home, quarrelling with each other like women, delighting in present peace, and not seeing that after that short-lived inactivity war will return with interest. That there are other topics more pleasing than these, I well know; but even though my own mind did not prompt me to it, necessity obliges me to speak the truth rather than what is pleasing. I would indeed like to meet with your approval, Quirites; but I am much more anxious that you should be preserved, whatever sentiments you shall entertain toward me. It has been so ordained by nature, that he who addresses a crowd for his own private interest, is more welcome than the man whose mind has nothing in view but the public interest unless perhaps you suppose that those public sycophants those flatterers of the commons, who neither suffer you to take up arms nor to live in peace, excite and work you up for your own interests. When excited, you are to them sources either of position or of profit: and, because, when the orders are in accord, they see that they themselves are of no importance in anything, they prefer to be leaders of a bad cause, of tumults and sedition, rather than of no cause at all. If you can at last become wearied of all this, and if you are willing to resume the habits practised by your forefathers of old, and formerly by yourselves, in place of these new ones, I am ready to submit to any punishment, if I do not in a few days rout and put to flight, and strip of their camp those devastators of our lands, and transfer from our gates and walls to their cities this terror of war, by which you are now thrown into consternation."

Scarcely ever was the speech of a popular tribune more acceptable to the commons than this of a most austere consul on that occasion. The young men also, who, during such alarms, had been accustomed to employ the refusal to enlist as the sharpest weapon against the patricians, began to turn their attention to war and arms: and the flight of the rustics, and those who had been robbed and wounded in the country, by announcing events more revolting even than what was before their eyes, filled the whole city with exasperation. When they came into the senate, there all, turning to Quinctius, looked upon him as the only champion of the majesty of Rome: and the leading senators declared that his harangue was worthy of the consular authority, worthy of so many consulships formerly borne by him, worthy of his whole life, full of honours frequently enjoyed, more frequently deserved. That other consuls had either flattered the commons by betraying the dignity of the patricians, or by harshly maintaining the rights of their order, had rendered the multitude more exasperated by their efforts to subdue them: that Titus Quinctius had delivered a speech mindful of the dignity of the patricians, of the concord of the different orders, and above all, of the needs of the times. They entreated him and his colleague to assume the management of the commonwealth; they entreated the tribunes, by acting in concert with the consuls, to join in driving back the war from the city and the walls, and to induce the commons to be obedient to the senate at so perilous a conjuncture: declaring that, their lands being devastated, and their city in a manner besieged, their common country appealed to them as tribunes, and implored their aid. By universal consent the levy was decreed and held. When the consuls gave public notice that there was no time for considering claims for exemption; that all the young men should attend on the following morning at dawn in the Campus Martius; that when the war was over, they would afford time for inquiring into the excuses of those who had not given in their names; that the man should be held as a deserter, whose excuse they found unsatisfactory; all the youth attended on the following day. The cohorts [70] chose each their centurions: two senators were placed at the head of each cohort. We have read that all these measures were carried out with such expedition that the standards, which had been brought forth from the treasury on that very day by the quæstors and conveyed to the Campus, started from thence at the fourth hour; and the newly-raised army halted at the tenth milestone, followed only by a few cohorts of veteran soldiers as volunteers. The following day brought the enemy within sight, and camp was joined to camp near Corbio. On the third day, when resentment urged on the Romans, and a consciousness of guilt for having so often rebelled and a feeling of despair, the others, there was no delay in coming to an engagement.

In the Roman army, though the two consuls were invested with equal authority, the supreme command was, by the concession of Agrippa, resigned to his colleague, an arrangement most salutary in the conduct of matters of great importance; and he who was preferred made a polite return for the ready condescension of the other, who thus lowered himself, by making him his confidant in all his plans and sharing with him his honours, and by putting him on an equality with him although he was by no means as capable. On the field of battle Quinctius commanded the right, Agrippa the left wing; the command of the centre was intrusted to Spurius Postumius Albus, as lieutenant-general. Publius Sulpicius, the other lieutenant-general, was placed at the head of the cavalry. The infantry on the right wing fought with distinguished valour, while the Volscians offered a stout resistance. Publius Sulpicius with his cavalry broke through the centre of the enemy's line; and, though he might have returned

thence in the same way to his own party, before the enemy restored their broken ranks, it seemed more advisable to attack them in the rear, and in a moment, charging the line in the rear, he would have dispersed the enemy by the double attack, had not the cavalry of the Volscians and Æquans kept him for some time engaged by a mode of fighting like his own. Then indeed Sulpicius declared that there was no time for delay, crying out that they were surrounded and would be cut off from their own friends, unless they united all their efforts and despatched the engagement with the cavalry. Nor was it enough to rout the enemy without disabling them; they must slay horses and men, that none might return to the fight or renew the battle; that these could not resist them, before whom a compact body of infantry had given way. His orders were addressed to no deaf ears; by a single charge they routed the entire cavalry, dismounted great numbers, and killed with their javelins both the riders and the horses. Thus ended the cavalry engagement. Then, having attacked the enemy's infantry, they sent an account to the consuls of what had been done, where the enemy's line was already giving way. The news both gave fresh courage to the Romans who were now gaining the day, and dismayed the Æquans who were beginning to give way. They first began to be beaten in the centre, where the furious charge of the cavalry had broken their ranks. Then the left wing began to lose ground before the consul Quinctius; the contest was most obstinate on the right. Then Agrippa, in the vigour of his youth and strength, seeing matters going more favourably in every part of the battle than in his own quarter, snatched some of the standards from the standard-bearers and carried them on himself, some even he began to throw into the thick of the enemy.[71]

The soldiers, urged on by the fear of this disgrace, attacked the enemy; thus the victory was equalized in every quarter. News then came from Quinctius that he, being now victorious, was about to attack the enemy's camp; that he was unwilling to break into it, before he learned that they were beaten in the left wing also. If he had routed the enemy, let him now join him, that all the army together might take possession of the booty. Agrippa, being victorious, with mutual congratulations advanced toward his victorious colleague and the enemy's camp. There, as there were but few to defend it, and these were routed in a moment they broke into the fortifications without a struggle, and marched back the army, in possession of abundant spoil, having recovered also their own effects, which had been lost by the devastation of the lands. I have not heard that they either themselves demanded a triumph, or that one was offered to them by the senate; nor is any cause assigned for the honour being either overlooked or not hoped for. As far as I can conjecture at so great a distance of time, since a triumph had been refused to the consuls Horatius and Valerius, who, in addition to the victory over the Æquans and Volscians, had gained the glory of having also finished the Sabine war, the consuls were ashamed to demand a triumph for one half of the services done by them, lest, even if they should have obtained it, regard might appear to have been paid to persons rather than to merit.

A disgraceful decision of the people regarding the boundaries of their allies marred the honourable victory obtained over their enemies. The people of Aricia [72] and of Ardea, who had frequently contended in arms concerning a disputed piece of land, wearied out by many losses on either side, appointed the Roman people as arbitrators. When they arrived to support their claims, an assembly of the people being granted them by the magistrates, the matter was debated with great warmth. The witnesses being now produced, when it was time for the tribes to be called, and for the people to give their votes, Publius Scaptius, a plebeian advanced in years, rose up and said, "Consuls, if it is permitted me to speak on the public interest, I will not suffer the people to be led into a mistake in this matter." When the consuls said that he, as unworthy of attention, ought not to be heard, and, on his shouting that the public interest was being betrayed, ordered him to be put aside, he appealed to the tribunes. The tribunes, as they are nearly always directed by the multitude rather than direct it, granted Scaptius leave to say what he pleased in deference to the people, who were anxious to hear him. He then began: That he was now in his eighty-third year, and that he had served in that district which was now in dispute, not even then a young man, as he was already serving in his twentieth campaign, when operations were going on at Corioli. He therefore brought forward a fact forgotten by length of time—one, however, deeply fixed in his memory, namely, that the district now in dispute had belonged to the territory of Corioli, and, after the taking of Corioli, it had become come by right of war the public property of the Roman people. That he was surprised how the states of Ardea and Aricia could have the face to hope to deprive the Roman people, whom instead of lawful owners they had made arbitrators; of a district the right of which they had never claimed while the state of Corioli existed. That he for his part had but a short time to live; he could not, however, bring himself, old as he now was, to desist claiming by his voice, the only means he now had, a district which, as a soldier, he had contributed to acquire, as far as a man could. That he strenuously advised the people not to ruin their own interest by an idle feeling of delicacy.

The consuls, when they perceived that Scaptius was listened to not only in silence, but even with approbation, calling gods and men to witness, that a disgraceful enormity was being committed, summoned the principal senators: with them they went round to the tribes, entreated, that, as judges, they would not be guilty of a most heinous crime, with a still worse precedent, by converting the

subject of dispute to their own interest, more especially when, even though it may be lawful for a judge to look after his own interest, so much would by no means be acquired by keeping the land, as would be lost by alienating the affections of their allies by injustice; for that the loss of reputation and confidence was of greater importance than could be estimated. Was this the answer the ambassadors were to carry home; was this to go out to the world; were their allies to hear this; were their enemies to hear it—with what sorrow the one—with what joy the other? Could they suppose that the neighbouring states would ascribe this proceeding to Scaptius, an old babbler at assemblies? That Scaptius would be rendered distinguished by this statue: but that the Roman people would assume the character of a corrupt informer [73] and appropriator of the claims of others. For what judge in a private cause ever acted in such a way as to adjudge to himself the property in dispute? That even Scaptius himself would not act so, though he had now outlived all sense of shame. Thus the consuls, thus the senators exclaimed; but covetousness, and Scaptius, the adviser of that covetousness, had more influence. The tribes, when convened, decided that the district was the public property of the Roman people. Nor can it be denied that it might have been so, if they had gone to other judges; but, as it is, the infamy of the decision is not in any way diminished by the justice of the cause: nor did it appear more disgraceful or more repulsive to the people of Aricia and of Ardea, than it did to the Roman senate. The remainder of the year continued free from disturbances both at home and abroad. [74]

Footnotes:

[Footnote 1: The ager publicus or public land consisted of the landed estates which had belonged to the kings, and were increased by land taken from enemies who had been captured in war. The patricians had gained exclusive occupation of this, for which they paid a nominal rent in the shape of produce and tithes: the state, however, still retained the right of disposal of it. By degrees the ager publicus fell into the hands of a few rich individuals, who were continually buying up smaller estates, which were cultivated by slaves, thus reducing the number of free agricultural labourers.]

[Footnote 2: Directly, rather than by lot as was usual.]

[Footnote 4: In later times the censor performed this office.—D.O.]

[Footnote 5: This decree was practically a bestowal of absolute power.—D.O.]

[Footnote: In later times the proconsul was the consul of the previous year, appointed to act as such over one of the provinces.—D.O.]

[Footnote 7: This gate was on the west side, in the rear, farthest from the enemy: it was so called from the decumanus, a line drawn from east to west, which divided the camp into two halves: see note in revised edition of Prendeville's Livy.]

[Footnote 8: August 1st]

[Footnote 9: The consular year, not the civil one, which began in January: the time at which the consuls entered upon office varied very much until B.C. 153, when it was finally settled that the date of their doing so should be January 1st.]

[Footnote 10: Called "Via Praenestina" beyond Gabii.]

[Footnote 11: That is, broke up camp.—D.O.]

[Footnote 12: The people of Rome had been divided in early times into thirty curies: each of these had an officiating priest, called curio, and the whole body was under the presidency of the curio maximus.]

[Footnote 13: The ten leading senators held the office in rotation for five days each, until the consular comitia were held.—D.O.]

[Footnote 14: August 11th]

[Footnote 15: A lesser form of triumph.]

[Footnote 16: The Sibylline books, supposed to have been sold to Tarquinius Superbus by the Sibyl of Cumæ: they were written in Greek hexameter verses. In times of emergency and distress they were consulted and interpreted by special priests (the duumviri here mentioned).]

[Footnote 17: It will be frequently observed that the patricians utilized their monopoly of religious offices to effect their own ends.—D.O.]

[Footnote 18: Curule chairs of office.]

[Footnote 19: That is, recruits.—D.O.]

[Footnote 20: The worst quarter of the city—its White chapel as it were. It lay, roughly speaking, from the Forum eastward along the valley between Esquiline and Viminial Hills.—D.O.]

[Footnote 21: That is, to insure punishment and practically abnegate the right an accused person had of escaping sentence by voluntary exile.—D.O.]

[Footnote 22: Perhaps the first bail-bond historically noted.—D.O.]

[Footnote 23: That is, refused to accept the plea.]

[Footnote 24: That is, defended them in court.]

[Footnote 25: The Temple of Jupiter in the Capitol was divided into three parts: the middle was sacred to Jupiter, the right to Minerva, the left to Juno. By "other gods" are meant Terminus, Fides, Juventas.]

[Footnote 26: Publicola, the father of Brutus.]

[Footnote 27: That is, personal violence from the young patricians.—D.O.]

[Footnote 28: Their control over the auspices was a favourite weapon of the patricians, and one which could naturally be better used at a distance from Rome. The frequency of its use would seem to argue adaptability in the devotional feelings of the nobles at least, which might modify our reliance upon the statement made above as to the respect for the gods then prevalent in Rome.—D.O.]

[Footnote 29: This was the limit of the tribunes' authority.—D.O.]

[Footnote 30: This gate, from which at a later date the Via Appia and the Via Latina started, stood near what is now the junction of the Via S. Gregorio with the Vi di Porta S. Sebastiano.—D.O.]

[Footnote 31: By drawing part of the Roman army to the defence of the allied city.—D.O.]

[Footnote 32: Two spears were set upright and a third lashed across. To pass through and under this "yoke" was, among the Italian states, the greatest indignity that could be visited upon a captured army. It symbolized servititude in arms.—D. O.]

[Footnote 33: This would seem to augur some treachery, unless we are to believe that only the young men taken in the citadel were sent under the yoke, the slaughter took place among the flying besiegers. —D.O.]

[Footnote 34: "Quæstors," these officers are first mentioned in Book II, ch. xii. In early times it appears to have been part of their duty to prosecute those guilty of treason, and to carry the punishment into execution.]

[Footnote 35: Evidently a new pretext for delay.—D.O.]

[Footnote 36: A little beyond Crustumerium, on the Via Salaria.—D.O.]

[Footnote 37: Possibly to one assigned to him officially. Freese regards the expression as inconsistent with his alleged poverty.—D.O.]

[Footnote 38: A curious feature of a triumph were the disrespectful and often scurrilous verses chanted by the soldiers at the expense of their general—D.O.]

[Footnote 39: The meaning of this passage is obscure. Many explanations have been attempted, none of which, to my mind, is quite satisfactory.—D.O.]

[Footnote 40: Priest of Quirinus.—D. O.]

[Footnote 41: The law forbade burial within the limits of the city except in certain cases.—D.O.]

[Footnote 42: That is, relinquished his right of acting as judge in favour of the people and of popular trial.—D.O.]

[Footnote 43: A new law was hung up in the Forum for public perusal.—D.O.]

[Footnote 44: As in the case of a dictator. At first half, and finally all, of the consular lictors carried only the fasces.—D.O.]

[Footnote 45: That is, the incumbents of the past year, now of right private persons, their term of office having expired.—D. O.]

[Footnote 46: The fine for non-attendance.—D.O.]

[Footnote 47: As being out of order, the senate having been convened to consider the war.]

[Footnote 48: Rex Sacrificulus (see note, page 73).—D.O.]

[Footnote 49: As having been improperly convened.—D.O.]

[Footnote 50: That is, of Valerius, but rather of Appius himself in restraining him from precipitating matters.—D.O.]

[Footnote 51: Appius's argument is that, if Verginia was living in a state of slavery under Claudius, as any one might institute an action to establish her liberty, she would be entitled to her liberty until the matter was settled: but as she was now living under her father's protection, and was his property by the right of the patria potestas, and he was absent, and as other person had a right to keep or defend her, she ought to be given up to the man who claimed to be her master, pending her father's return.]

[Footnote 52: Venus Cloacina (she who cleanses).—D.O.]

[Footnote 53: On two sides of the forum were colonnades, between the pillars of which were tradesmen's booths known as "the Old Booths" and "the New Booths."]

[Footnote 54: That is, to the infernal gods.]

[Footnote 55: See Macaulay's "Lays of Ancient Rome: Verginia."]

[Footnote 56: The civilian togas.—D. O.]

[Footnote 57: Appius Claudius, a member of their order.—D. O.]

[Footnote 58: From the Colline gate.—D.O.]

[Footnote 59: From whose decision an appeal would lie.]

[Footnote 60: The church of S. Caterina de' Fernari now stands within its lines.—D.O.]

[Footnote 61: Evidently this could not apply to a dictator.—D. O.]

[Footnote 62: The name consul, although used by Livy (Bk. I, ch. Ix), was not really employed until after the period of the decemvirs. The title in early use was prætor: it is not definitely known when the name judex was attached to the office.]

[Footnote 63: I question the rendering of this sentence. To read plebis for plebi would very much improve the sense.—D.O.]

[Footnote 64: Twenty years.—D.O.]

[Footnote 65: The misfortunes of the previous campaign were supposed to exert an influence on the present one.—D.O.]

[Footnote 66: The cavalry at this period wore no defensive armour, and carried only an ox-hide buckler and a light lance.—D.O.]

[Footnote 67: A victorious general who had entered the city could not afterward triumph.—D.O.]

[Footnote 68: It was first necessary for these to be adopted into plebeian families, as none but plebeians were eligible.—D.O.]

[Footnote 69: It stood about where the Arch of Gallienus now stands.—D.O.]

[Footnote 70: Each legion was divided into ten cohorts.—D.O.]

[Footnote 71: A not unusual method of forcing the charge, as not only military honour but religious sentiment forbade the loss of the standards.—D. O.]

[Footnote 72: About twenty miles from Rome in the Alban Mountains. The village of Ariccia occupies the site of the ancient citadel.—D. O.]

[Footnote 73: Quadruplatores were public informers, so called because they received a fourth part of

the fine imposed: also used in a general sense of those who tried to promote their interests by underhand means.]

[Footnote 74: This is one of the best of Livy's books. The story of Verginia and of the deposition and punishment of the decemvirs is unexcelled in historical narrative.—D.O.]

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