LIVY

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Livy

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PREFACE.

This edition is intended, I suppose, mainly for use in Schools. As an ex-schoolmaster of some few years experience I should like to express the opinion, (1) that the notes in a school edition should be as brief as is consistent with the omission of no real difficulty; (2) that the main object of the notes should be to elucidate the meaning of the author. Discursive erudition should be reserved for an Appendix, and even there should be as concisely given as possible. Above all the notes should not be loaded to the muzzle with references to foreign authorities out of the reach of all schoolboys and most schoolmasters. (3) That the elucidation of the author's meaning is often best and most concisely effected by short translations. If boys make a bad use of these, it is their form-masters' fault.

The text adopted is that of Luterbacher (in the Teubner series with German notes), with some few alterations mentioned in the notes on the text. In writing the notes I have made free use of his and of Weissenborn's in the old edition. To avoid loading the book with unnecessary
mater I have frequently referred to Prof. Ramsay's excellent *Manual of Roman Antiquities*, the size and price of which place it well within the reach of boys in the middle and upper forms of a classical school. Mommsen's *Römisches Staatsrecht*, referred to in the Introduction, forms the first three volumes of Marquardt and Mommsen's *Handbook of Roman Antiquities*. I have referred to this work once or twice in the notes by the abbreviation M. and M. The references to Mommsen's *Roman History* are to the English translation.
INTRODUCTION.

The chief interest of the traditional history contained in this book, extending from B.C. 445 to B.C. 404, lies in the progress of the struggle between the patricians and plebeians. This is expressed in the social and administrative changes here recorded. These are (1) the admission of plebeians to conubium with patricians, (2) the alternative substitution of military tribunes with consular power for consuls, (3) the establishment of the censorship, (4) the admission of plebeians to the quaestorship. An economical change of some importance also belongs to this period, (5) the payment of citizens for serving in the army.

I. To understand the importance of the change effected by the lex Cimbrica (cc. 1—6 § 4), we must remember that where conubium did not exist between two sets of people, full and regular marriage could not be effected between two members of such sets. This, in effect, meant that the children of such a marriage succeeded to the position of the inferior parent only. The marriage was not quite in the modern sense illegal. The children were not what we should call illegitimate, provided the parents were free persons. The father held the same position towards them as he would have done if the marriage were an equal one. But the rule that children followed the rank of the father applied only where the father was plebeian. If a patrician married a plebeian woman, he forfeited all patrician rights for the children of such a union.

The language put into the mouth of the consuls by Livy may represent the feelings of the patricians and the arguments they
used. No doubt many of them would prefer to base their objections on legal and religious grounds rather than on outspoken class prejudice. Patrician gentes, it might be argued, were assumed by, lay at the base of the civil law and religion of Rome, they were necessary to the maintenance of both. There were legal rights innate in pure-born members of the gentes, which could not be interfered with without serious disturbance of the civil law. There were sacred duties and sacred privileges attached to and dependent on the gentes, interference with which might seriously affect the religious position of the State. Who would answer for the attitude of the gods towards the State if the sacra of the patrician gentes were performed by men of mixed origin, or the auspicia became the inheritance of men not of pure patrician blood? These arguments might very probably be used by men who did not care to say that they regarded the plebeians as an inferior creation, though some seem to have adopted this more straightforward tone. But in spite of class prejudice and religious scruples, the bill was forced through by the plebeians, aided possibly by some more far-seeing among the patricians, who apprehended danger to their order from perpetual in-marrying.

II. As regards the consular tribunate all that can be affirmed for certain is (1) that such officers were frequently substituted as supreme magistrates for consuls, during the 78 years ending B.C. 367, and (2) that their number varied, three, four and six being elected at different times, the number elected increasing apparently as the office grew older: beyond this nothing seems certain. It is not even certain that this office was introduced in B.C. 445 into the State, as the result of a struggle between the orders. There was another tradition as to the cause of the election of these officers, which is given by Livy (c. 7 § 2), that two consuls being insufficient to perform the military duties of that year, owing to the number of wars with which Rome was threatened, three military tribunes with consular powers were elected instead. The explanation of the discordant traditions may be, as

1 c. 2 § 6.
Dr Mommsen suggests, that such officers had been possible before, that the constitution allowed of the consuls being superseded in military emergencies by a larger number of supreme magistrates, as they had been in a legislative emergency by the decemvirate, or, as in the converse case, they could be superseded, when circumstances required it, by one supreme magistrate, the dictator. It may be that the patricians availed themselves of this possibility to ward off the plebeian attack on the consulship, allowing consular tribunes to be elected, perhaps for the first time, and allowing them to be elected from either order. This is in fact all that Livy's words (c. 6 § 8) absolutely warrant. He does not say that the consular tribunate was instituted at this time, but that the patricians allowed consular tribunes to be elected from either order, while no change was made in the election to the consulship itself. After this it was of course to the interest of the plebeians to get consular tribunes elected as often as possible, which would account for the frequency during this period of an office which had before perhaps never been resorted to.

Equally uncertain is the cause of the change in the number of these officers elected in different years. According to one view the addition of a fourth tribune was due to the Aemilian law, limiting the duration of the censorship to eighteen months. A magistrate, it is said, would be required to perform the censorial duties between the expiration of one censorship and the beginning of another. But even assuming the account of the Aemilian law on which this supposition is based to be historically true (on which see below), this does not seem a probable reason for the increase in the number of the tribunes. If in consular years two consuls could perform the inter-lustral censorial duties, surely three tribunes could do so. And if the fourth tribune were required to perform the duties of the purely patrician office of the censorship, then he would be required not as tribune simply, but as patrician tribune, an obvious restriction of which the tradition would surely have contained some mention. It seems more probable, as Dr Mommsen assumes, that the normal number of the consular tribunes was six, the number of tribunes in a legion,
to which office the consular tribunate was evidently nearly related, and that the reason why only three were elected for some years was that, owing probably to patrician influence, only that number obtained the requisite number of votes, and that those elected had not the power of co-optation.

The question naturally suggests itself in regard to this event. 'Did the patricians consciously give up the substance of what they were contending for, and retain only the outside of it, certain ornamental distinctions attached to the consulship, as such, that is, principally, the right to celebrate a triumph, and to hang the masks of their families in their halls?' In one sense no doubt they did this. They did it in so far as this, that the consular tribunes must, as it seems, have possessed all the powers that the consuls possessed. So far they consciously gave up their monopoly of power in the State. But on the other hand, inasmuch as they kept the consulship intact, and the consular tribunate was open to both orders indiscriminately (not a fixed number of places each year reserved for plebeians only), they might easily seem to have made a nominal concession only and reserved the substance of their monopoly. Even if some of them may have had a dim consciousness that this was the first step in a surrender of their privileged power (and it would only be a few; it requires more than a politician, even a philosophising one, more than a student, it requires a practical statesman to recognise on the spot the difference between a temporary agitation and the onward set of a popular force), still they would hold it a duty to make a stand on the very substantial portion of that power which they could easily persuade themselves still remained. Dr Mommsen says that 'if the Roman nobility had been worthy of its name, it would now have given up the struggle'. If it had, it would have been unlike any other nobility probably that has ever been. A nobility always persuades itself that the retention of its privileges concerns not only its own advantage but the true welfare of its

1 The supposition that full imperium belonged to the patrician, and only military imperium to the plebeian consular tribunes is dealt with by Dr Mommsen, *R. H.* 1. 297 note.
country, and the Roman patriciate as a whole would have felt that in surrendering at once all its privileges, it would be acting the reverse of nobly.

III. The subject of the censorship is so well treated in Professor Ramsay's *Manual*, to which I have frequently referred in the Notes, that comparatively little need be said about it here. One or two questions however are raised by Livy's account of the institution which call for brief notice.

(i) The date of the first censors given by Livy is very dubious. The circumstances of the election, as he gives them, suggest considerable suspicion of the historical accuracy of his account. According to that account, the first censors were elected in 443, the year after the first election of consular tribunes. The censors then elected were consuls who had been elected to fill the place of the consular tribunes, the latter having been obliged to resign their office in consequence of a flaw in their election. But in spite of this assertion, which is confirmed by Dionysius, the existence of these consuls, on which this early date of the first consuls depends, is very dubious. Livy and Dionysius both admit that their names did not appear in the books of the magistrates, or in the Fasti. The only authorities for them were the 'linen books' (which are probably what Dionysius alludes to as ἱεραὶ καὶ ἀπόθεται βίβλοι) and the text of the Ardeatine treaty, mentioned c. 7 § 10, as quoted by Licinius Macer. Now Macer is not a good authority for any statement which he had an interest in making, and his references to the 'linen books' do not tend to enhance the historical value of those records, if indeed they ever existed outside of his consciousness. And Dr Mommsen has shewn (*Römische Chronologie*, p. 82 n. 112) that the abdication of magistrates in consequence of vitium

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1 Dionysius assigns them to the same year.

2 Cic. *de leg.* 1. 2. 7 speaking of Roman historians says nam quid Macrum numerem? cuius loquacitas habet aliquid argutiarum, nec id tamen ex illa cruda Graecorum copia, sed ex librariolis Latinis, in orationibus (that is, speeches introduced into his history) multa sed inepta elutio summa impudentia.
and the election of new magistrates to complete their year of duty was unknown in the early republic. Moreover the names of these 'subrogated' consuls reappear as consular tribunes in 416, to which year the Ardeatine treaty may very easily have belonged. For these reasons the existence of these consuls is dubious. But if they are mythical, Livy's first censors must obviously vanish into myth with them. Now Dr Mommsen, in the book referred to above, has suggested a very probable genesis of this story of the subrogated consuls and the censors. If the existence of an old Ardeatine treaty is assumed, date unknown, this year 443 following the conflict with Ardea in 446, 445 was a plausible date to assign to it. The next step necessary would be to introduce the signatories of the treaty on the Roman side into the magistracy of that year. If, as is very likely, they appeared in the treaty as practores, in the simple sense of 'generals', it would be easy to assume that they were consuls, practores having been the ordinary designation of consuls at least down to the overthrow of the decemvirate. But in order to introduce them, it was necessary to get rid of the consular tribunes. This was done in a way which would naturally suggest itself to historians of a later date, by the story of the vitium, with its details adapted to later usage. The consuls thus invented were ready to fill the censorship, which it was desired to assign to a year anterior to 434. For the censorship was always held by ex-consuls. Now the first censors having thus been brought into office in 443, it followed that the law of Aemilius1 (which in all probability was passed when the first censors took office and fixed the duration of their term of office to begin with) must be subsequent to the first election, and its object to curtail the duration of the office, assumed to have been hitherto for five years. Now if we seek for a motive for this falsification2 (which may have been assisted by other traditional notices of which we are not informed) or of a large

1 c. 24.

2 It is of course quite possible that the censorship was instituted in the year 443. What is contended is that the first censors were not elected till 434.
INTRODUCTION.

part of it, we may with considerable probability look for it in the circumstances of the revival of the censorship after the death of Sulla. The duration of the office was then fixed at five years. It would be an advantage to the leaders of the reaction to represent this change as a return to primitive usage, and this with a little adroitness and a free use of the 'linen books' might, as we see, be effected by a political historian of the democratic party such as Licinius Macer was. The contradictions involved in the story could be kept out of sight, while the natural confusion between the duration of the lustrum and of the censorship could be utilised to support the new theory.

That the censorship should have been originally a five years' office is in the highest degree improbable. Such a term of office would have been as unnecessary as it was unprecedented. When we remember that the consuls had previously performed these in addition to their other duties, and that presumably the consuls, to whose lot the work fell, would complete it within their year of office, it seems natural to suppose that eighteen months was the term originally fixed, the margin of six months being very intelligible, if we suppose that the consuls may have found a difficulty sometimes in completing the work within the year.

(2) Livy's account of the cause of the institution of the office seems probable and is very likely correct as far as it goes, namely, that the consuls wished to be relieved of the duties now assigned to the censors. That the motive suggested by Dr Mommsen, R. H. i. 299, was also present is highly probable. But in his account of the original importance of the office Livy is careless and self-contradictory. He represents it as so onerous and insignificant that the principal men in the State refused to serve it, and the tribunes did not think it worth while to oppose the institution of it. Yet the patricians, he believes, saw all the future possibilities of the office, and the first holders of it were ex-consuls, slightly damaged ones perhaps, but still consulars, as the holders practically continued to be always. But more than this, the holders of this insignificant office, according to the account he adopts, nine years after the first institution of it were able to take revenge on an ex-dictator by
degrading him to the aerarii. The truth seems to be that the office must have been important from the beginning though not so important as it afterwards became. For (1) officials performing duties formerly performed by kings and consuls, and regularly elected from the consuls, could not be altogether insignificant; (2) the censorial power (in the modern sense), the power, that is, to inquire into the lives of citizens, to affix a stigma to those who were failing in their duty as Roman citizens, and even to remove such from their tribes, and reduce them to the position of aerarii must in all probability have belonged to the censors from the beginning, and with this supposition the tradition about the office embodied in the story of Mam. Aemilius is in agreement. Further the financial or economical functions of the censors, their position as superintendents of the state property, must also in all probability date from the commencement of the office.

The subsequent increase in the importance of the censorship was due (1) to the development of the people among whom its duties were performed, (2) to an actual addition to the censorial functions in the revision of the Senate-list, the duty of filling up vacancies in that body and expelling unworthy members from it. It was apparently by the lex Ovinia (circ. B.C. 312) that the latter power was added. Up to that time it would

1 Mommsen, Röm. Staatsrecht, II. p. 414, on this point quotes Festus who says præteriti senatores quondam in opprobrio non erant quod ut reges sibi legebant sublegebantique quos in consilio publico haberent, ita post exactos eos consules quoque et tribuni militum consulari potestate coniunctissimos sibi quosque patriciorum et deinde plebiorum legebant, donec Ovinia tribunicia intervenit, qua sanctum est ut censores ex omni ordine optimum quemque in senatum legerent; quo factum est, ut qui præteriti essent et loco moti, haberentur ignominiosi. According to this, it would appear that by the lex Ovinia (1) the duty of filling up vacancies in the senate was transferred to the censors, (2) a lectio senatus in the full and later sense of the term began by expulsion and filling up vacancies, since in speaking of the former state of things Festus mentions only præteriti senatores, who owing to the interested motives and arbitrary method of those who filled vacancies at that time incurred no
INTRODUCTION.

seem that the chief magistrates, consuls or consular tribunes, had retained the right of filling up vacancies and that the tenure of a seat in the senate had practically been for life. The story of the censors and Aemilius says nothing about his being expelled from the senate in consequence of the censors' action, so that according to tradition the censors possessed no such power at that time.

IV. The subject of the quaestorship is also so fully treated in Prof. Ramsay's book that I need only here point out that Dr Mommsen taking the opposite view to that stated by Prof. Ramsay gives good reason for supposing that the quaestores parricidii and the quaestores aerarii were originally identical (Staatsrecht, ii. 513, 525).

It is needless to load this introduction with an account of the foreign events recorded in this book. There is the regular series of campaigns, mainly against the Volsci, Aequi and Veientines, about which it is as certain that they must have been fought in some way or other, as it is probable that the details of them drawn by Livy from the annalists are imaginary. All that can be considered historical in the narrative will be found in Mommsen, R.H. Book II. cc. 4, 5. With the last act of the Veientine war, the siege of Veii, with the beginning of which the book closes, is connected the interesting fact alluded to above, the first payment of legionary soldiers for their service in the field. The connection is very probable. The siege of Veii must have lasted a considerable time and to carry it to a successful issue, it was necessary that the army should serve continuously in the field for several years. Men thus removed from their homes all the year round must be paid, or they would be absolutely ruined.

Livy's account is rather calculated to give the impression that the tributum or war-tax dated from this time. This is of course not the case. The tax paid by Roman citizens tributum, for the general expenses of any war that was undertaken with
their consent, must date from the earliest times\(^1\). The change made at this time would appear to consist in this, that the state supplemented the *tributum* out of the treasury (*ex aerario*), that is, out of the *vectigalia* or *regular* revenues of the state\(^2\) to the extent necessary to pay the soldiers who hitherto had served at their own expense.

\(^1\) Dionysius speaking of the year B.C. 508 says τιμήσεις δὲ ἐγένοντο τῶν βιων καὶ τάξεις τῶν εἰς τοὺς πολέμους ἐισφορὰν, v. 20. Compare Livy II. 9. 6 *tributo plebes liberata*.

\(^2\) Compare c. 36 § 2.
B.C. 445. Consuls, M. Genucius and C. Curtius. Proposal of C. Canuleius to legalise intermarriage between the two orders, and of nine tribunes to open the consulship to Plebeians. Taking advantage of the news of the revolt of Ardea and of hostile movements among the Veientines, Volsci, and Aequi, the Senate order a levy and make vigorous preparations for war. Canuleius after a few words of indignant protest leaves the senate to hold a contio.

Hos secuti M. Genucius et C. Curtius consules. fuit annus domi forisque infestus. nam anni principio et de conubio patrum et plebis C. Canuleius tribunus plebis roga-
tionem promulgavit, qua contaminari sanguinem suum patres confundique iura gentium rebantur, et mentio primo sensim inlata a tribunis, ut alterum ex plebe consulem liceret fieri, eo processit deinde, ut rogationem novem tribuni promul-
garent, ut populo potestas esset, seu de plebe seu de patribus vellet, consules faciendi. id vero si fieret, non vulgari modo cum infinis, sed prorsus auferri a primoribus ad plebem summum imperium credebat.

Laeti ergo audire patres Ardeatium populum ob iniu-
riam agri abiuicati descisse, et Veientes depopulatos ex-
trema agri Romani, et Volscos Aequosque ob communitam Verruginem fremere; adeo vel infelix bellum ignominiosae paci praeferebant. his itaque in maius etiam acceptis, ut inter strepitum tot bellorum conticiscerent actiones tribuniciae, dilectus haberi, bellum armaque vi summa apparari iubent, si quo intentius possit, quam T. Quinctio consule apparatum sit. tum C. Canuleius pauca in senatu vociferatus, nequiquam territando consules avertere plebem a cura novarum legum; numquam eos se vivo dilectum habituros, antequam ea, quae promulgata ab se collegisque essent, plebes scivisset, confestim ad contionem advocavit.

2 The consuls in the senate denounce the Tribunician proposals. 'The recklessness of the tribunes must be stopped. Concession only provokes fresh demands, and the end will be utter confusion and overthrow of the Roman constitution.'

Eodem tempore et consules senatum in tribunum et tribunus populum in consules incitabat. negabant consules iam ultra ferri posse furores tribunicios: ventum iam ad finem esse; domi plus belli concitari quam foris. id adeo non plebis quam patrum neque tribunorum magis quam consulum culpa accidere. cuius rei praemium sit in civitate, eam maxumis semper auctibus crescere; sic pace bonos, sic bello fieri. maximum Romae praemium seditionum esse; id singulis universisque semper honorifuisse. reminiscерentur, quam maiestatem senatus ipsi a patribus accepissent, quam liberis tradituri essent, et quemadmodum plebs gloriari posset auctiorem amplioremque se esse. finem ergo non fieri, nec futuram, donec, quam felices seditiones, tam honorati seditionum auctores essent. quas quantasque res C. Canuleium adgressum! colluvionem gentium, perturbationem auspiciorum publicorum privatorumque adferre, ne quid sinceri, ne quid incontaminati sit, ut discrimine omni sublato
nec se quisquam nec suos noverit. quam enim aliam vim conubia promiscua habere, nisi ut ferarum prope ritu vulgarit concubitus plebis patrumque? ut qui natus sit ignoret, cuius sanguinis, quorum sacrorum sit; dimidius patrum sit, dimidius plebis, ne secum quidem ipse concors. parum id videri, quod omnia divina humanaque turbentur; iam ad consulatum vulgi turbaores accingi. et primo, ut alter consul ex plebe fieret, id modo sermonibus temptasse; nunc rogari, ut, seu ex patribus seu ex plebe velit, populus con-
sules creet. et creaturos haud dubie ex plebe seditiosissi-
mum quemque; Canuleios igitur Icilioque consules fore. ne id Iuppiter Optimus Maximus sinister, regiae maiestatis imperium eo recidere; et se miliens morituros potius, quam ut tantum dedecoris admitti patiantur. certum habere maiores quoque, si divinassent concedendo omnia non mitio-
rem in se plebem, sed asperiorem alia ex aliiis iniquiora postulando, cum prima impetrasset, futuram, primo quam-
libet dimicationem subituros fuisse potius, quam eas leges sibi imponi paterentur. quia tum concessum sit de tribunis, iterum concessum esse; finem non fieri. non posse in eadem civitate tribunos plebis et patres esse; aut hunc ordinem aut illum magistratum tollendum esse, potiusque sero quam numquam obviam eundum audaciae temeritatique. illine ut impune primo discordias serentes concitent finitima bella, deinde adversus ea, quae concitaverint, armari civitatem defendique prohibeant, et cum hostes tantum non arcessie-
rint, exercitus conscribi adversus hostes non patiantur, sed audeat Canuleius in senatu proloqui se, nisi suas leges tam-
quam victoris patres accipi sinant, dilectum haberi prohibi-
turum? quid esse aliud quam minari se proditurum patriam, oppugnari atque capi passurum? quid eam vocem animorum non plebi Romanae, sed Volscis et Aequis et Veientibus ad-
laturam? nonne Canuleio duce se speraturos Capitolium
atque arcem scandere posse? nisi patribus tribuni cum iure ac maiestate ademp ta animos etiam eripuerint, consules paratos esse duces prius adversus scelus civium quam adversus hostium arma.

3 Speech of Canuleius before the contio in support of the proposals. The patricians regard the plebeians as inferior creatures. That is the reason why they refuse to them the conubium, which they grant to foreigners, and declare that opening the consulship will ruin a state in which aliens have been elected kings.

Cum maxime haec in senatu agerentur, Canuleius pro legibus suis et adversus consules ita disseruit:

2 'Quanto opere vos, Quirites, contemnerent patres, quam indignos ducerent, qui una secum urbe intra eadem moenia viveretis, saepe equidem et ante videor animadvertisse, nunc tamen maxime, quod adeo atroces in has rogationes nostras coorti sunt. quibus quid al iud quam admonemus cives nos eorum esse, et si non eadem opes habere, eandem tamen patriam incolere? altera conubium petimus, quod finitumis externisque dari solet—nos quidem civitatem, quae plus quam conubium est, hostibus etiam victis dedimus—; altera nihil novi ferimus, sed id, quod populi est, repetimus atque usurpamus, ut, quibus velit, populus Romanus honores mandet. quid tandem est, cur caelum ac terras misceant, cur in me impetus modo paene in senatu sit factus, negent se manibus temperaturos violaturosque denuntient sanctam potestatem? si populo Romano liberum suffragium datur, ut, quibus velit, consulatum mandet, et non praeciditur spes plebeio quoque, si dignus summo honore erit, apiscendi summi honoris, stare urbs haec non poterit? de imperio actum est? et perinde hoc valet plebeiusne consul fiat, tamquam servum aut libertinum aliquis consulem futurum dicat? ec quid sentitis, in quanto contemptu vivatis?
lucis vobis huius partem, si liceat, adimant; quod spiratis, quod vocem mittitis, quod formas hominum habetis, indignantur; quin etiam, si dis placet, nefas aiunt esse consulem plebeium fieri. obsecro vos: si non ad fastos, non ad commentarios pontificum admittimur, ne ea quidem scimus, quae omnes peregrini etiam scient, consules in locum regum successisse, nec aut iuris aut maiestatis quicquam habere, quod non in regibus ante fuerit? en umquam creditis fando auditum esse Numam Pompilium, non modo non patricium, sed ne cive quidem Romanum, ex Sabino agro accitum populi iussu patribus auctoribus Romae regnasse? L. deinde Tarquinium, non Romanae modo, sed ne Italicae quidem gentis, Demarati Corinthii filium, incolam a Tarquiniiis, vivis liberis Anci regem factum? Servium Tullium post hunc, captiva Corniculana natum, patre nullo, matre serva, ingenio virtute regnum tenuisse? quid enim de T. Tatio Sabino dicam, quem ipse Romulus parens urbis in societatem regni accepit? ergo dum nullum fastiditur genus, in quo eniteret virtus, crevit imperium Romanum. paeniteat nunc vos plebei consulis, cum maiores nostri advenas reges non fastidierint, et ne regibus quidem exactis clausa urbs fuerit peregrinae virtuti? Claudiam certe gentem post reges exactos ex Sabinis non in civitatem modo accepius, sed etiam in patriciorum numerum. ex peregrinone patricius, deinde consul fiat; civis Romanus si sit ex plebe, praevisa consulatus spes erit? utrum tandem non credimus fieri posse, ut vir fortis ac strenuus, pace belloque bonus, ex plebe sit, Numae, L. Tarquinio, Ser. Tullio similis, an, ne si sit quidem, ad gubernacula rei publicae accedere eum patiemur potiusque decemviris, taeterrimis mortalium, qui tamen omnes ex patribus erant, quam optimis regum, novis hominibus, similes consules sumus habituri?
4 'If no plebeian has ever been elected consul, that is no reason for not making the change. Innovations must be made in a growing state. The history of Rome hitherto has been a series of such innovations. Patricians need not intermarry with plebeians, if they do not choose. But what they really object to is treating plebeians as fellow-creatures.'

'At enim nemo post reges exactos de plebe consul fuit.' quid postea? nullane res nova institui debet, et quod nondum est factum—multa enim nondum sunt facta in novo populo—ea, ne si utilia quidem sint, fieri oportet? pontifices, augures Romulo regnante nulli erant; ab Numa Pompilio creati sunt. census in civitate et discriptio centuriarum classiumque non erat; ab Ser. Tullio est facta. consules numquam fuerant; regibus exactis creati sunt. dictatoris nec imperium nec nomen fuerat; apud patres esse coepit. tribuni plebi, aediles, quaestores nulli erant; institutum est, ut fierent. decemviros legibus scribendis intra decem hos annos et creavimus et e re publica sus-tulimus. quis dubitat, quin in aeternum urbe condita, in immensum crescente, nova imperia, sacerdotia, iura gen-
tium hominumque instituantur? hoc ipsum, ne conubium patribus cum plebe esset, non decemviri tulerunt paucis his annis pessimo publico cum summa iniuria plebis? an esse ulla maior aut insignior contumelia potest, quam partem civitatis velut contaminatam indignam conubio ha-
beri? quid est aliud quam exilium intra eadem moenia, quam relegationem pati? ne adfinitatibus, ne propinqu-
tatis immiscemur, cavent, ne societur sanguis. quid? hoc si polluit nobilitatem istam vestram—quam plerique oriundii ex Albanis et Sabinis non genere nec sanguine, sed per cooptationem in patres habetis, aut ab regibus lecti aut post reges exactos iussu populi—, sinceram servare pri-

vatis consiliis non poteratis nec ducendo ex plebe neque
vestras filias sororesque enubere sinendo e patribus? nemo plebeius patriciae virginii vim adferret—patriciorum ista libido est—; nemo invitum pactionem nuptialem quemquam facere coëgisset. verum enimvero lege id prohiberi et co-9 nubium tolli patrum ac plebis, id demum contumeliosum plebi est. cur enim non fertis, ne sit conubium divitibus ac pauperibus? quod privatorum consiliorum ubique semper fuit, ut in quam cuique feminae convenisset domum nuberet, ex qua pactus esset vir domo in matrimonium duceret, id vos sub legis superbissumae vincula conicitis, qua dirimatis societatem civilem duasque ex una civitates faciatis. cur non sancitis, ne vicinus patricio sit plebeius, ne eodem itinere eat, ne idem convivium ineat, ne in foro eodem consistat? quid enim in re est aliud, si plebeiam patricius duxerit, si patriciam plebeius? quid iuris tandem mutatur? nempe patrem sequuntur liberi. nec, quod nos ex conubio 12 vestro petamus, quicquam est, praeterquam ut hominum, ut civium numero simus, nec vos, nisi in contumeliam ignominiamque nostram certare iuvat, quod contendatis, quicquam est.

"He will uphold," he says, "the right of the people to free legislation, and prevent the preparations for wars invented by the patricians to baffle the legitimate desires of the people."

Denique utrum tandem populi Romani an vestrum 25 summum imperium est? regibus exactis utrum vobis dominatio an omnibus aequa libertas parta est? oportet licere 2 populo Romano, si velit, iubere legem; an, ut quaeque rogatio promulgata erit, vos dilectum pro poena decernetis? et, similis ego tribunus vocare tribus in suffragium coepero, tu statim consul sacramento iuniores adiges et in castra educes et minaberis plebi, minaberis tribuno? quid, si non, 3 quantum istae minae adversus plebis consensum valerent,
bis iam experti essetis? scilicet quia nobis consultum volubatis, certamine abstinuistis; an ideo non est dimicatum, quod, quae pars firmior, eadem modestior fuit? nec nunc erit certamen, Quirites. animos vestros illi temptabunt semper, vires non experientur. itaque ad bella ista, seu falsa seu vera sunt, consules, parata vobis plebes est, si conubiiis redditis unam hanc civitatem tandem facitis, si coalesceret, si iungi miscerique vobis privatis necessitudinibus possunt, si spes, si aditus ad honores viris strenuis et fortibus datur, si in consortio, si in societate rei publicae esse, si, quod aequae libertatis est, in vicem annuis magistratibus parere atque imperitare licet. si haec impediet aliquis, ferte sermonibus et multiplicate fama bella; nemo est nomen daturus, nemo arma capturus, nemo dimicaturus pro superbis dominis, cum quibus nec in re publica honorum nec in privata conubii societas est.'

Canuleius carries his proposal about intermarriage. On the other point the tribunes consent to a compromise. Tribuni militum consulari potestate may be elected from patricians or plebeians.

Cum in contionem et consules processissent et res a perpetuis orationibus in altercationem vertisset, interro- ganti tribuno, cur plebeium consulem fieri non oporteret, ut fortasse vere, sic parum utiliter in praesens certamen responderunt, quod nemo plebeius auspicia haberet, ideoque decemviros conubium diremisse, ne incerta prole auspicia turbarentur. plebes ad id maxime indignatione exarsit, quod auspiciari, tamquam invisi dis immortalibus, negarentur posse; nec ante finis contentionum fuit, cum et tribunum acerrimum auctorem plebes nacta esset et ipsa cum eo pertinacia certaret, quam victi tandem patres, ut de conubio ferretur, concessere, ita maxime rati contentionem de plebeis consulis tribunos aut totam deposituros
aut post bellum dilaturos esse, contentamque interim conubio plebem paratam dilectui fore.

Cum Canuleius victoria de patribus et plebis favore in gens esset, accensi alii tribuni ad certamen pro rogatione sua summa vi pugnant et crescente in dies fama belli dilectum impediant. consules, cum per senatum intercedebant tribunis nihil agi posset, concilia principum domi habebant. apparebat aut hostibus aut civibus de victoria concedendum esse. soli ex consularibus Valerius atque Horatius non intererant consiliis. C. Claudi sententia consules armabat in tribunos; Quinctiorum, Cincinnatique et Capitolinii, sententiae abhorreabant a caede violandisque, quos foedere icto cum plebe sacrosanctos accepissent. per haec consilia eo deducta est res, ut tribunos militum consulari potestate promiscue ex patribus ac plebe creari sinerent, de consulibus creandis nihil mutaretur; eoque contenti tribuni, contenta plebs fuit.

Comitia tribunis consulari potestate tribus creandis indicuntur. quibus indictis extemplo quicumque aliquid seditione dixerat aut fecerat umquam, maxime tribunicii, et prensare homines et concursare toto foro candidati coepere, ut patricios desperatio primo irritata plebe apiscendi honoris, deinde indignatio, si cum his gerundus esset honos, deterreret. postremo coacti tamen a primoribus petiere, ne cessisse possessione rei publicae viderentur. eventus eorum comitiorum docuit alios animos in contentione libertatis dignitatisque, alios secundum deposita certamina incorrupto iudicio esse; tribunos enim omnes patricios creavit populus, contentus eo, quod ratio habita plebeiorum esset. hanc modestiam aequitatemque et altitudinem animi ubi nunc in uno inveneris, quae tum populi universi fuit!

B.C. 444. Three consular tribunes are elected, all patricians. But two months after, they abdicate in consequence of a flaw
(vitium) in their election. After a struggle between the two orders consuls are elected in their place. These renew the treaty with the people of Ardea, whose ambassadors, coming to remonstrate about the injustice of the Roman decision in the matter related in III. 71, received a satisfactory reply from the senate. The names of the consuls of this year are not given in the old annals nor in the magistrates’ lists, but according to Licinius Macer appeared in the Ardeatine treaty and in the libri lintei.

Anno trecentesimo decimo, quam urbs Roma condita erat, primum tribuni militum pro consulibus magistratum ineunt, A. Sempronius Atratinus, L. Atilius, T. Caecilius, quorum in magistratu domi pacem etiam foris praebuit. sunt qui propter adiectum Aequorum Volscorumque bello et Ardeatium defectioni Veiens bellum, quia duo consules obire tot simul bella nequirent, tribunos militum tres creatos dicant sine mentione promulgatae legis de consulibus creandis ex plebe, et imperio et insignibus consularibus usos. non tamen pro firmato iam stetit magistratus eius ius, quia tertia mense, quam inierunt, augurum decreto perinde ac vitio creati honore abiere, quod C. Curtius, qui comitiis eorum praefuerat, parum recte tabernaculum cepisset.

Legati ab Ardea Romam venerunt ita de injuria querentes, ut, si demeretur ea, in foedere atque amicitia mansuros restituto agro appareret. ab senatu responsum est: iudicium populi rescindii ab senatu non posse, praeterquam quod nullo nec exemplo nec iure fieret, concordiae etiam ordinum causa; si Ardeates sua tempora exspectare velint arbitrium-que senatui levandae iniuriae suae permittant, fore ut postmodo gaudeant se irae moderatos sciantque patribus aeque curae fuisse, ne qua iniuria in eos oretur, ac ne orta diu-turna esset. ita legati, cum se rem integrum relatus dixissent, comiter dimissi.

Patricii, cum sine curuli magistratu res publica esset,
coiere et interregem creavere. contentio, consulesne an tribuni militum crearentur, in interregno rem dies complures tenuit. interrex ac senatus consuls comitia, tribuni plebis 8 et plebs tribunorum militum ut habeantur tendunt. vicerunt patres, quia et plebs, patriciis seu illum delatura honorem, frustra certare supersedit, et principes plebis ea 9 comitia malebant, quibus non haberetur ratio sua, quam quibus ut indigni praeterirentur. tribuni quoque plebi certamen sine effectu in beneficio apud primores patrum reli-

T. Quinctius Barbatus interrex consules creat L. Papirium 10 Mugilanum, L. Sempronium Atratinum. his consulibus cum Ardeaibus foedus renovatum est; idque monumenti est consules eos illo anno fuisse, qui neque in annalibus priscis neque in libris magistratum inveniuntur. credo, quod tribuni militum initio anni fuerunt, eo, perinde ac totum annum in imperio fuerint, suffectos iis consules praetermisos. nomina consulum horum Licinius Macer auctor est et in foedere Ardeatino et in linteis libris ad Monetae inventa. et foris, cum tot terrores a finitimis ostentati essent, et domi otium fuit.

B.C. 443. Consuls. Institution of the censorship. Insignificance of the office at its first institution. The dubious consuls of the previous year are the first censors.

Hunc annum—seu tribunos modo, seu tribunis suffectos consules quoque habuit—sequitur annus haud dubiiis consulibus, M. Geganio Macerino iterum, T. Quinctio Capitolino quintum consule. idem hic annus censoriae initium fuit, rei a parva origine ortae, quae deinde tanto incremento aucta est, ut morum disciplinaeque Romanae penes eam regimen, senatus equitumque centuriis decoris dedecorisque discrimen sub dicione eius magistratus, ius publicorum privatorumque
locurum, vectigalia populi Romani sub nutu atque arbitrio
3 eius essent. ortum autem initium est rei, quod in populo
4 per multos annos incenso neque differri census poterat, neque
5 consulibus, cum tot populorum bella imminerent, operae erat
6 id negotium agere. mentio inlata ab senatu est rem opero-
7 sam ac minime consularem suo proprio magistratu egere,
8 cui scribarum ministerium custodiaeque tabularum cura, cui
9 arbitrium formulae censendi subiceretur. et patres quam-
10 quam rem parvam, tamen, quo plures patricii magistratus in
11 re publica essent, laeti accepere, id, quod evenit, futurum,
12 credo, etiam rati, ut mox opes eorum, qui praeesent, ipsi
13 honor ius maiestatemque adicerent, et tribuni, id quod tunc
14 erat, magis necessarii quam speciosi ministerii proecrationem
15 intuentes, ne in parvis quoque rebus incommode adversa-
16 rentur, haud sane tetendere. cum a primoribus civitatis
17 spretus honor esset, Papirium Semproniumque, quorum de
18 consulatu dubitatur, ut eo magistratu parum solidum consu-
19 lutum explerent, censui agendo populus suffragiis praefecit.
20 censorses ab re appellati sunt.

9 The Romans aid the optimates of Ardea against the Volsci, whose
21 assistance the plebs of Ardea have secured, in a civil war arising
22 out of a dispute about the marriage of an Ardeatine maiden.

Dum haec Romae geruntur, legati ab Ardea veniunt pro
23 veterrima societate renovatoque foedere recenti auxilium
24 prope eversae urbi implorantes. frui namque pace optimo
25 consilio cum populo Romano servata, per intestina arma
26 non licuit; quorum causa atque initium traditur ex certamine
27 factionum ortum, quae fuerunt eruntque pluribus populis
28 exitio quam bella externa, quam fames morbive, quaeque
29 alia in deum iras velut ultima publicorum malorum vertunt.
30 Virginem plebei generis maxime forma notam duo petiere
31 iuvenes, alter virgini genere par, tutoribus fretus, qui et ipsi
eiusdem corporis erant, nobilis alter nulla re praeterquam forma captus. adiuabant eum optumatum studia, per quae in domum quoque puellae certamen partium penetravit. nobilis superior iudicio matris esse, quae quam splendidissimis nuptiis iungi puellam volebat; tutores in ea quoque re partium memores ad suum tendere. cum res peragi intra parietes nequisset, ventum in ius est. postulatu audito matris tutorumque magistratus secundum parentis arbitrium dant ius nuptiarum. sed vis potentior fuit; namque tutores, inter suae partis homines de iniuria decreti palam in foro contionati, manu facta virginem ex domo matris rapiunt. adversus quos infestior coorta optumatum acies sequitur accensum iniuria iuvenem. fit proelium atrox. pulsa plebs, nihil Romanae plebi similis, armata ex urbe profecta, colle quodam capto in agros optumatum cum ferro igni excuraciones facit. urbem quoque, omni, etiam experte ante certaminis, multitudine opificum ad spem praedae evocata, obsidere parat. nec ulla species cladesque belli abest velut contacta civitate rabie duorum iuvenum funestas nuptias ex occasu patriae petentium.

Parum parti utrique domi armorum bellique est visum: optimates Romanos ad auxilium urbis obsessae, plebs ad expugnandum secum Ardeam Volscos excivere. priores Volsci duce Aequo Cluilio Ardeam venere et moenibus hostium vallum obiecere. quod ubi Romam est nuntium, extemplo M. Geganius consul cum exercitu profectus tria milia passuum ab hoste locum castris cepit praeципiti-que iam die curare corpora milites iubet. quarta deinde vigilia signa profert, coeptumque opus adeo adproperatum est, ut sole orto Volsci firmiore se munimento ab Romanis circumvallatos quam ab se urbem viderent. et alia parte consul muro Ardeae bracchium iniunxerat, qua ex oppido sui commeare possent.
The Romans defeat the Volsci and restore tranquility in Ardea.
Quinctius the consul wins great repute by the severe impartiality
with which he treats the claims of patricians and plebeians alike.

Volscus imperator, qui ad eam diem non commenatu
praeparato, sed ex populatione agrorum rapto in diem fru-
mento aluisset militem, postquam saeptus vallo repente
inops omnium rerum erat, ad colloquium consule evocato,
si solvendae obsidionis causa venerit Romanus, abductu-
rum se inde Volscos ait. adversus ea consul victis condi-
ciones accipiendas esse, non ferendas respondit, neque, ut
venerint ad oppugnandos socios populi Romani suo arbi-
trio, ita abituros Volscos esse. dedi imperatorem, arma
poni iubet, fatentes, victos se esse, imperio parere; aliter
tam abeuntibus quam-manentibus se hostem infestum
victoriam potius ex Volscis quam pacem infidam Romam
relaturum. Volsci exiguum spem in armis, alia undique
abscisina, cum temptassent, praeter cetera adversa loco quo-
que iniquo ad pugnam congressi, iniquiore ad fugam, cum
ab omni parte caederentur, ad preces a certamine versi
dedito imperatore traditisque armis sub iugum missi cum
singulis vestimentis ignominiae cladisque pleni dimittun-
tur. et cum haud procul urbe Tusculo consedissent,
vetere Tusculanorum odio inermes oppressi dederunt poe-
nas vix nuntius caedis relictis.

Romanus Ardeoae turbatas seditione res principibus eius
motus securi percussis bonisque eorum in publicum Ar-
deatium redactis compositis, demptamque injuriam iudicii
tanto beneficio populi Romani Ardeates credebant; senatui
superesse aliquid ad delendum publicae avaritiae monu-
mentum videbatur. consul triumphants in urbem redit
Cluilio, duce Volscorum, ante currum ducto praelatisque
spoliis, quibus dearmatum exercitum hostium sub iugum
miserat.
Aequavit, quod haud facile est, Quinctius consul toga-tus armati gloriam collegae, quia concordiae pacisque domesticae curam iura infimis summisque moderando ita tenuit, ut eum et patres severum consulem et plebs satis comem crediderint. et adversus tribunos auctoritate plura quam certamine tenuit; quinque consulatus eodem tenore gesti vitaque omnis consulariter acta verendum paene ipsum magis quam honorem faciebant. eo tribunorum militarium nulla mentio his consulibus fuit.

10 B.C. 442. Consuls. Colony planted at Ardea by way of compensating the inhabitants for the land of which they had been unjustly deprived, the land assigned being the disputed land, and all Rutulian applicants being satisfied before any land is assigned to Romans.

Consules creantur M. Fabius Vibulanus, Postumus Ae-butius Cornicen. Fabius et Aebutius consules, quo maiori consils creat. Agrippa Menenius, T. Cluilius Siculus, M. Aebutius Helva. qui per minime populare ministerium, agro adsig-
nando sociis, quem populus Romanus suum iudicasset, cum plebem offendissent, ne primoribus quidem patrum satis accepti, quod nihil gratiae cuiusquam dederant, vexationes, ad populum iam die dicta ad tribunis, coloni adscripti remanendo in colonia, quam testem integritatis iustitiaeque habebant, vitavere.


Pax domi forisque fuit et hoc et insequente anno, C. Furio Pacilo et M. Papirio Crasso consulibus. ludi ab decemviris per secessionem plebis a patribus ex senatus consulto voti eo anno facti sunt. causa seditionum neququam a Poetilio quaesita, qui tribunus plebis iterum ea ipsa denuntiando factus neque, ut de agris dividendis plebi referrent consules ad senatum, pervincere potuit, et cum magno certamine obtinuisset, ut consulerentur patres, consulum an tribunorum placeret comitia haberi, consules creari iussi sunt; ludibrioque erant minae tribuni denuntiantis se dilectum impediturum, cum quietis fuit neque bello neque bellis apparatu opus esset.

B.C. 440. Famine which Minucius, appointed praefectus annonae, in vain tries to relieve. Many of the poorer Romans commit suicide.

Sequitur hanc tranquillitatem rerum annus, Proculo Geganio Macerino, L. Menenio Lanato consulibus, multiplici clade ac periculo insignis, seditionibus, fame, regno prope per largitionis dulcedinem in cervices accepto. unum afuit bellum externum; quo si adgravatae res essent, vix ope deorum omnium [re]sisti potuisset. coepere a fame mala, seu adversus annus frugibus fuit, seu dulcedine contionum et urbis deserto agrorum cultu; nam utrumque traditur, et patres plebem desidem et tribuni plebis nunc fraudem
nunc negligentiam consulum accusabant. postremo per pulere plebem haud adversante senatu, ut L. Minucius praefectus annone crearetur, felicior in eo magistratu ad custodiam libertatis futurus quam ad curationem ministerii sui, quamquam postremo annone quoque levatae haud immeritam et gratiam et gloriam tuli. qui cum multis circa finitumos populos legationibus terra marique nequiquam missis, nisi quod ex Etruria haud ita multum frumenti adventum est, nullum momentum annone fecisset et revolutus ad dispensationem inopiae profiteri cogendo frumentum et vendere, quod usui menstruo superesset, fraudandoque parte diurni cibi servitia, criminando inde et obiciendo irae populi frumentarios, acerba inquisitione aperiret magis quam levaret inopiam, multi ex plebe spe amissa potius, quam ut cruciarentur trahendo animam, capitibus obvolutis se in Tiberim praecipitaverunt.

Sp. Maelius relieving the poorer citizens at his own cost is accused of designing to make himself king.

Tum Sp. Maelius ex equestri ordine, ut illis temporibus praedives, rem utilem pessimo exemple, peiore consilio est adgressus. frumento namque ex Etruria privata pecunia per hospitum clientiumque ministeria coëmpto—quae, credo, ipsa res ad levandam publica cura annonam impedimento fuerat—largitiones frumenti facere instituit plebemque hoc munere delenitam, quacumque incederet, conspectus elatusque supra modum hominis privati secum trahere haud dubium consulatum favore ac spe despondentiem. ipse, ut est humanus animus insatiabilis eo, quod fortuna spondet, ad altiora et non concessa tendere et, quoniam consulatus quoque eripiendus invitis patribus esset, de regno agitare: id unum dignum tanto apparatu consiliorum et certamine, quod ingens exsudandum esset,
praemium fore. iam comitia consularia instabant; quae res eum neandum compositis maturisve satis consiliis oppressit.

B.C. 439. Consuls. In consequence of a report made to the senate by Minucius about the designs of Sp. Maelius, L. Quinctius is appointed dictator to deal with him.

Consul sextum creatus T. Quinctius Capitolinus, minime opportunus vir novanti res; collega additur ei Agrippa Menenius, cui Lanato erat cognomen. et L. Minucius praefectus annonae seu refectus seu, quoad res posceret, in incertum creatus; nihil enim constat, nisi in libros linteos utroque anno relatum inter magistratus praefecti nomen. hic Minucius eandem rei publicae curationem agens, quam Maelius privatim agendam susceperat, cum in utraque domo genus idem hominum versaretur, nihil enim constat, nisi in libros linteos utroque anno relatum inter magistratus praefecti nomen. hic Minucius eandem rei publicae curationem agens, quam Maelius privatim agendam susceperat, cum in utraque domo genus idem hominum versaretur, nihil enim constat, nisi in libros linteos utroque anno relatum inter magistratus praefecti nomen. hic Minucius eandem rei publicae curationem agens, quam Maelius privatim agendam susceperat, cum in utraque domo genus idem hominum versaretur, nihil enim constat, nisi in libros linteos utroque anno relatum inter magistratus praefecti nomen.

Quae postquam sunt audita, cum undique primores patrum et prioris anni consules increparent, quod eas largitiones coetusque plebis in privata domo passi essent fieri, et novos consules, quod exspectassent, donec a praefecto annonae tanta res ad senatum deferretur, quae consulem non auctorem solum desideraret, sed etiam vindicem, tum Quinctius consules immerito increpari ait, qui consticti legibus de provocatione ad dissolvendum imperium latis nequaquam tantum virium in magistratu ad eam rem pro atrocitate vindicandam quantum animi haberent; opus esse
non forti solum viro, sed etiam libero exsolutoque legum vincis; itaque se dictatorem L. Quinctium dicturum; ibi animum parem tantae potestati esse. adprobantibus cunctis Quinctius primo abnuere et, quid sibi vellent, rogitare, qui se actate exacta tantae dimicationi obicerent. dein, cum undique plus in illo senili animo non consili modo, sed etiam virtutis esse quam in omnibus alis dicerent laudibusque haud immittere onerarent et consul nihil remitteret, precatus tandem deos immortales Cincinnatus, ne senectus sua in tam tremidis rebus damno dedecrive rei publicae esset, dictator ab consule dicitur. ipse deinde C. Servilium Ahalam magistrum equitum dicit.

Maelius summoned by Servilius Ahala master of the horse to the presence of the dictator refuses to obey the summons, and is killed by Ahala on the spot.

Postero die dispositis praesidiis, cum in forum descendisset conversaque in eum plebs novitate rei ac miraculo esset et Maeliani atque ipse dux eorum in se intentam vim tanti imperii cernerent, expertes consiliorum regni, qui tult multus, quod bellum repens aut dictatoriam maiaestatem aut Quinctium post octogesimum annum rectorem rei publicae quaesisset, rogitarent, missus ab dictatore Servilius magister equitum ad Maelium ‘Vocat te’ inquit ‘dictator.’ cum pavidus ille, quid vellet, quaereret Serviliiusque causam dicendam esse proponeret crimenque a Minucio delatum ad senatum diluendum, tunc Maelius recipere se in catervam suorum et primum circumsectans tergiversari, postremo, cum apparitor iussu magistri equitum duceret, ereptus a circumstantibus fugiensque fidem plebis Romanae implorare et opprimi se consensu patrum dicere, quod plebi benigna fecisset; orare, ut opem sibi ultimo in discrimine ferrent, neve ante oculos suos trucidari sinerent. haec eum vocife-
rantem assecutus Ahala Servilius obtruncat respersusque cruore obtruncati, stipatus caterva patriciorum iuvenum, dictatori renuntiat vocatum ad eum Maelium repulso appetitore concitantem multitudinem poenam meritam habere. tum dictator 'Macte virtute' inquit, 'C. Servili, esto ob s liberatam rem publicam.'

15 The populace inclined at first to resent the murder are quieted by an address from the dictator, who convinces them of the presumptuously wicked designs of Maelius, and further orders his house to be pulled down and his goods confiscated. Minucius having gained popular favour by selling Maelius' corn at a very low price is presented with a 'gilded ox' and a statue erected in his honour.

Tumultuantem deinde multitudinem incerta existimatione facti ad contionem vocari iussit et Maelium iure caesum pronuntiavit, etiam si regni crimine insons fuerit, qui vocatus a magistro equitum ad dictatorem non venisset. se ad causam cognoscendam consedisse; qua cognita habiturum fuisset Maelium similem causae fortunam; vim paran-tem, ne iudicio se committeret, vi coërcitum esse. nec cum eo tamquam cum cive agendum fuisset, qui natus in libero populo inter iura legesque, ex qua urbe reges exactos sciret eodemque anno sororis filios regis et liberos consulis, libertoris patriae, propter pactionem indicatam recipiendorum in urbem regum a patre securi esse percussos, ex qua Collatinum Tarquinium consulem nominis odio abdicare se magis- tratu atque exulare iussum, in qua de Sp. Cassio post aliquot annos propter consilia inita de regno supplicium sumptum, in qua nuper decemviros bonis, exilio, capite multatos ob superbiam regiam, in ea Sp. Maelius spem regni conceperit; et quis homo? quamquam nullam nobilitatem, nullos honores, nulla merita cuiquam ad dominationem pandere viam; sed tamen Claudios, Cassios consulatibus,
decemviratibus suis maiorumque honoribus, splendore familiarum sustulisse animos, quo nefas fuerit; Sp. Maelium, cui tribunatus plebis magis optandus quam sperandus fuerit, frumentarium divitem, bilibris farris sperasse libertatem se civium suorum emisse, ciboque obiciendo ratum victorem finitimorum omnium populum in servitutem perlici posse, ut, quem senatorem concoquere civitas vix posset, regem ferret, Romuli, conditoris ab dis orti, recepti ad deos, insignia atque imperium habentem. non pro scelere id magis quam pro monstro habendum, nec satis esse sanguine eius expiatum, nisi tecta parietesque, intra quae tantum amentiae conceptum esset, dissiparentur bonaque contacta pretiis regni mercandi publicarentur. iubere itaque quaestores vendere ea bona atque in publicum redigere.

Domum deinde, ut monumento area esset oppressae nefariae spei, dirui extemplo iussit. id Aequimaelium appellatum est. L. Minucius bove aurato extra portam Trigeminam est donatus ne plebe quidem invita, quia frumentum Maelianum assibus in modios aestimatum plebi divisit. hunc Minucium apud quosdam auctores transisse a patribus ad plebem undecimumque tribunum plebis cooptatum seditionem motam ex Maeliana caede sedasse invenio. ceterum vix credibile est numerum tribunorum patres augeri passos, idque potissimum exemplum a patricio homine introductum, nec deinde id plebem concessum semel obtinuisse aut certe temptasse. sed ante omnia refellit falsum imaginis titulum paucis ante annis lege cautum, ne tribunis collegam cooptare liceret.

B.C. 438. Consular tribunes, elected in consequence of tribunician agitations based on the murder of Maelius.

Q. Caecilius, Q. Iunius, Sex. Titinius soli ex collegio tribunorum neque tulerant de honoribus Minuci legem, et criminaris nunc Minucium nunc Servilium apud plebem
6 querique indignam necem Maeli non desiterant. servicem runt igitur, ut tribunorum militum potius quam consulum comitia haberentur, haud dubii, quin sex locis—tot enim iam creari licebat—et plebei aliqui profiting se ulores fore Maelianae caedis crearentur.

7 Plebs, quamquam agitata multis eo anno et variis motibus erat, nec plures quam tres tribunos consulari potestate creavit et in his L. Quinctium, Cincinnati filium, ex eius dicturae invidia tumultus quaebatur. praelatus suffragiis Quinctio Mam. Aemilius, vir summae dignitatis; L. Iulium tertium creant.

17 Revolt of the Fidenatians. who put to death the Roman ambassadors at the bidding, as they allege, of Tolumnius king of Veii, to whom they have revolted.

In horum magistratu Fidenae, colonia Romana, ad Lar...
but with great loss of his own men, and a dictator Mam. Aemilius is appointed, who leads his forces across the Anio and pitches his camp at the confluence of that river with the Tiber.

Itaque ad curam summae rerum quieta plebe tribunisque 7 eius nihil controversiae fuit, quin consules crearentur, M. Geganius Macerinus tertium et L. Sergius Fidenas; a bello credo, quod deinde gessit, appellatum. hic enim primus cis 8 Anienem cum rege Veientium secundo proelio conflixit; nec incruentam victoriam rettulit. maior itaque ex civibus amissis dolor quam laetitia fuis hostibus fuit, et senatus, ut in trepidis rebus, dictatorem dici Mam. Aemilium iussit. is 9 magistrum equitum ex collegio prioris anni, quo simul tribuni militum consulari potestate fuerant, L. Quinctium Cincinnatum, dignum parente iuvenem, dixit. ad dilectum a 10 consulibus habitum centuriones veteres beli periti adiecti et numerus amissorum proxima pugna expletus. legatos Quinctium Capitolinum et M. Fabium Vibulanum sequi se dictator iussit. cum potestas maior tum vir quoque potestatibus par hostes ex agro Romano trans Anienem submovere, 11 collesque inter Fidenas atque Anienem ceperunt referentes castra; nec ante in campos degressi sunt, quam legiones Faliscorum auxilio venerunt. tum demum castra Etruscorum pro moenibus Fidenarum posita. et dictator Romanus haud procul inde ad confluentis consedit in utriusque ripis 12 amnis, qua sequi munimento poterat, vallo interposito. postero die in aciem eduxit.

*Divided counsels among the enemy. A battle is fought in which the Veientines are defeated, both in the field and in an attack on the Roman camp (cc. 18 § 4, 19 § 7).*

Inter hostes variae fuere sententiae: Faliscus, procul ab domo militiam aegre patiens satisque fidens sibi, poscere pugnam; Veienti Fidenatique plus spei in trahendo
bello esse. Tolumnius, quamquam suorum magis placebant consilia, ne longinquam militiam non paterentur Falisci, postero die se pugnaturum edicit. dictator ac Romanis, quod detractasset pugnam hostis, animi accessere; posteroque die, iam militibus castra urbemque se oppugnaturos frementibus, ni copia pugnae fiat, utrimque acies inter bina castra in medium campi procedunt. Veiens multitudine abundans, qui inter dimicationem castra Romana adgerederentur, post montes circummisit. trium populorum exercitus ita stetit instructus, ut dextrum cornu Veiientes, sinistrum Falisci tenerent, medii Fidenates essent. dictator dextro cornu adversus Faliscos, sinistro contra Veientem Capitolinus Quinctius intulit signa, ante medium aciem cum equitatu magister equitum processit. parumper silentiem et quies fuit nec Etruscis, nisi cogerentur, pugnam inituris et dictatore arcem Romanam respectante, ut ab auguribus, simul aves rite admisisson, ex composito toleretur signum. quod ubi conspexit, primos equites clamore sublato in hostem emisit; secuta peditum acies ingenti vi conflxit. nulla parte legiones Etruscae sustinuere impetum Romanorum; eques maxime resistebat; equitumque longe fortissimus ipse rex ab omni parte effuse sequentibus obequitan Romanis trahebat certamen.

19 The exploit of A. Cornelius Cossus who kills Tolumnius and wins spolia opima.

Erat tum inter equites tribunus militum A. Cornelius Cossus, eximia pulchritudine corporis, animo ac viribus par memorque generis, quod amplissimum acceptum maius autiusque reliquit posteris. is cum ad impetum Tolumni, quacumque se intendisset, trepidantes Romanas videret turmas insignemque eum regio habitu volitantem tota acie cognosset, ‘Hicine est’ inquit ‘ruptor foederis humani vio-
latorque gentium iuris? iam ego hanc maectatam victimam, si modo sancti quicquam in terris esse di volunt, legatorum manibus dabo. calcaribus subditis infesta cuspide in unum fertur hostem; quem cum ictum equo deiecisset, confestim et ipse hasta innixus se in pedes exceptit. adsurgentem ibi regem umbone resupinat repetitumque saepius cuspide ad terram adfixit. tum exsangui detracta spolia, caputque abscisum victor spiculo gerens terrore caesi regis hostes fudit. ita equitum quoque fusa acies, quae una fecerat anceps certamen. dictator legionibus fugatis instat et ad castra compulsos caedit. Fidenatium plurimi locorum notitia effugere in montes. Cossus Tiberim cum equitatu transvectus ex agro Veientano ingentem detulit praedam ad urbem.

Inter proelium et ad castra Romana pugnatum est adversus partem copiarum ab Tolumnio, ut ante dictum est, ad castra missam. Fabius Vibulanus corona primum val lum defendit; intentos deinde hostes in vallum egressus dextra principali cum triariis repente invadit. quo pavore iniecto caedes minor, quia pauciores erant, fuga non minus trepida quam in acie fuit.

Triumph celebrated by the dictator, in which however Cossus is the most conspicuous personage. Question as to the position of Cossus when he dedicated the spolia opima discussed.

Omnibus locis re bene gesta dictator senatus consulto iussuque populi triumphans in urbem redivit. longe maximum triumphi spectaculum fuit Cossus spolia opima regis interfecti gerens. in eum milites carmina incondita, aequantes eum Romulo, canere. spolia in aede Iovis Feretrii prope Romuli spolia, quae prima opima appellata sola ea tempestate erant, cum sollemni dedicatione dono fixit; averteratque in se a curru dictatoris civium ora et cele-
Livir britatis eius diei fructum prope solus tulerat. dictator coronam auream libram pondo ex publica pecunia populi iussu in Capitolio Iovi donum posuit.

Omnis ante me auctores secutus A. Cornelium Cossum tribunum militum secunda spolia opima Iovis Feretrii templo intulisse exposui; ceterum, praeterquam quod ea rite opima spolia habentur, quae dux duci detraxit, nec ducem novimus nisi cuius auspicio bellum geritur, titulus ipse spoliis inscriptus illos meque arguit consulem ea Cossum cepisse.

hocr ego cum Augustum Caesarem, templorum omnium conditorem aut restitutorem, ingressum aedem Feretrii Iovis, quam vetustate dilapsam refecit, se ipsum in thorace linteo scriptum legisse audisset, prope sacrilegium ratus sum Cosso spoliorum suorum Caesarem, ipsius templi auctorem, subtrahere testem. quis ea in re sit error, quod tam veteres annales quodque magistratuum libri, quosque linteos in aede repositos Monetae Macer Licinius citat identidem auctores, decimo post demum anno cum T. Quinctio Poeno A. Cornelium Cossum consulem habeant, existimatio communis omnibus est. nam etiam illud accedit, ne tam clara pugna in eum annum transferri possit, quod imbelle triennium ferme pestilentia inopiae frugum circa A. Cornelium consulem fuit, adeo ut quidam annales velut funesti nihil praeter nomina consulum suggerant.

tertius ab consulatu Cossi annus tribunum cum militum consulari potestate habet, eodem anno magistrum equitum; quo in imperio alteram insignem edidit pugnam equestrem.

cia libera coniectura est. sed, ut ego arbitror, vana versare in omnes opiniones licet, cum auctor pugnae recentibus spoliis in sacra sede positis Iovem prope ipsum, cui vota erant, Romulumque intuens, haud spernendos falsi tituli testes, se A. Cornelium Cossum consulem scripserit.
M. Cornelio Maluginense, L. Papirio Crasso consulibus exercitus in agrum Veientem ac Faliscum ducti, praeda abactae hominum pecorumque. hostis in agris nusquam inventus neque pugnandi copia facta; urbes tamen non oppugnatae, quia pestilentia populum invasit. et seditiones domi quaesitae sunt nec motae tamen ab Sp. Maelio tribuno plebis, qui favore nominis moturum se aliquid ratus et Minucio diem dixerat et rogationem de publicandis bonis Servili Ahalae tulerat, falsis criminibus a Minucio circumventum Maelium arguens, Servilium caedem civis indemnati obiciens. quae vaniora ad populum ipso auctore fuere. ceterum magis vis morbi ingravescens curae erat terroresque ac prodigia, maxime quod crebris motibus terrae ruere in agris nuntiabantur tecta. obsecratio itaque a populo duumviris praeeuntibus est facta.

B.C. 435. Pestilence increases in violence. The Fidenatians and Falisci advancing up to the neighbourhood of the Colline Gate a dictator Q. Servilius Priscus, or, Structus, is appointed.

Pestilentior inde annus C. Iulio iterum et L. Verginio consulibus. tantum morbus vastitatis in urbe agrisque fecit, ut non modo praedandi causa quisquam ex agro Romano exiret bellive inferendi memoria patribus aut plebi esset, sed ultro Fidenates, qui se primo aut montibus aut muris tenerant, populabundi descenderent in agrum Romanum. deinde Veientium exercitu accito—nam Falisci perpelli ad instaurandum bellum neque clade Romanorum neque sociorum precibus potuere—duo populi transiere Anienem atque haud procul Collina porta signa habuere. trepidatum itaque non in agris magis quam in urbe est. Iulius consul in aggere murisque explicat copias, a Vergi-
nion senatus in aede Quirini consultur. dictatorem dici Q. Servilium placet, cui Prisco alii, alii Structo fuisse cognomen tradunt. Verginius, dum collegam consuleret, moratus permittente eo nocte dictatorem dixit. is sibi magistrum equitum Postumum Aebutium Helvam dicit.

22 He defeats the forces of the enemy, and then captures Fidenae by means of a mine.

Dictator omnes luce prima extra portam Collinam adesse iubet. quibuscumque vires suppetebant ad arma ferenda, praesto fuere. signa ex aerario prompta feruntur ad dictatorem. quae cum agerentur, hostes in loca altiora concessere. eo dictator agmine infesto subiit, nec procul Nomento signis collatis fudit Etruscas legiones; compulsit inde in urbem Fidenas valloque circumdedit. sed neque scalis capi poterat urbs alta et munita, neque in obsidione vis ulla erat, quia frumentum non necessitati modo satis, sed copiae quoque abunde ex ante convecto sufliciebat. ita expugnandi pariter cogendique ad deditionem spe amissa dictator in locis propter propinquitatem notis ab aversa parte urbis maxime neglecta, quia suapte natura tutissima erat, agere in arcem cuniculum instituit. ipse diversissimis locis subeundo ad moenia quadrifariam diviso exercitu, qui alii alii succederent ad pugnam, continentis die ac nocte proelio ab sensu operis hostes avertebat, donec perfusso a castris monte erecta in arcem via est intentisque Etruscis ad vanas a certo periculo minas clamor supra caput hostilis captam urbem ostendit.

7 Eo anno C. Furius Pacilus et M. Geganius Macerinus censores villam publicam in campo Martio probaverunt; ibique primum census populi est actus.

23 B.C. 434. Consuls (the same re-elected according to Macer, different ones according to Valerius Antias). A meeting of all Etruria
at Volsinii having been proclaimed, a dictator is appointed at Rome.

Eosdem consules inequenti anno refectos, Iulium tertium, Verginium iterum, apud Liciniun Macrum invenio; Valerius Antias et Q. Tubero M. Manlium et Q. Sulpiciun consules in eum annum edunt. ceterum in tam discrepanti editione et Tubero et Macer libros linteos auctores proftentur; neuter tribunos militum eo anno fuisse traditum ab scriptoribus antiquis dissimulat. Licinio libros haud dubie sequi linteos placuit; Tubero incertus veri est. sit inter cetera vetustate cooperta hoc quoque in incerto positum.

Trepidatum in Etruria est post Fidenas captas, non Veientibus solum exterritis metu similis excidii, sed etiam Faliscis memoria initl primo cum iis belli, quamquam rebellantibus non adfuerant. ititur cum duae civitates legatis circa duodecim populos missis impetrassent, ut ad Volturnnae fanum iciceretur omni Etruriae concilium, velut magno inde tumultu imminente senatus Mam. Aemilium dictatorem iterum dici iussit. ab eo A. Postumius Tubertus magister equitum est dictus; bellumque tanto maiore quam proxime conatu apparatum est, quanto plus erat ab omni Etruria periculi, quam ab duobus populis fuerat.

But nothing having come of the meeting, the dictator wishing to justify his appointment makes an attack on the censorship and carries a law limiting the tenure of that office to eighteen months. For this he is removed from his tribe by the censors, and assessed as aerarius at eight times more than he had been as tribulis.

Ea res aliquanto exspectatione omnium tranquillior fuit. itaque cum renuntiatum a mercatoribus esset, negata Veientibus auxilia iussosque suo consilio bellum initum suis viribus exsequi nec adversarum rerum quaerere socios, cum
3 quibus spem integram communicari non sirint, tum dictator, ne nequiquam creatus esset, materia quaeerendae bello gloriae adempta in pace aliquid operis edere, quod monumentum esset dictatae, cupiens, censuram minuere parat, seu nimiam potestatem ratus, seu non tam magnitudine honoris quam diuturnitate offensus.

4 Contione itaque advocata rem publicam foris gerendam ait tutaque omnia praestanda deos immortalis suscepisse; se, quod intra muros agendum esset, libertati populi Romani consulturum. maximam autem eius custodiam esse, si magna imperia diuturna non essent et temporibus modus imponeretur, quibus iuris imponi non posset. alios magistratus annuos esse, quinquennalem censuram. grave esse isdem per tot annos, magnam partem vitae, obnoxios vivere. se legem laturum, ne plus quam annua ac semes-

5 tris censura esset. consensu ingenti populi legem postero die pertulit, et 'ut re ipsa' inquit 'sciatis, Quirites, quam mihi diuturna non placeant imperia, dictatura me abdico.'

7 Deposito suo magistratu, imposito fine alteri, cum gratulatione ac favore ingenti populi domum est reductus. censores aegre passi Mamercum, quod magistratum populi Romani minuisset, tribu moverunt octiplicatoque censu aerarium fecerunt. quam rem ipsum ingenti animo tulisse ferunt causam potius ignominiae intuentem quam ignominiam; primores patrum, quamquam deminutum censurae ius noluissent, exemplo acerbitatis censorshipe offensos, quippe cum se quisque diutius ac saepius subiectum censorebus fore cerneret quam censuram gesturum. populi certe tanta indignatio coorta dicitur, ut vis a censoribus nullius auctoritate praeterquam ipsius Mamerci deterreri quiverit.

Tribuni plebi assiduis contentionibus prohibendo consularia comitia, cum res prope ad interregnum perducta esset, evicere tandem, ut tribuni militum consulari potestate crearentur. victoriae praemium quod petebatur, ut plebeius crearetur, nullum fuit; omnes patricii creati sunt, M. Fabius Vibulanus, M. Folius, L. Sergius Fidenas. pestilentia eo anno aliarum rerum otium praebuit. aedes Apollini pro valetudine populi vota est. multa duumviri ex libris placandae deum iare avertendaeque a populo pestis causa facere. magna tamen clades in urbe agrisque promiscue hominum pecorumque pernicie accepta. famem quoque ex pestilentia, morbo implicitis cultoribus agrorum, timentes in Etruriam Pomptinumque agrum et Cumas, postremo in Siciliam quoque frumenti causa misere. consularium comitiorum nulla mentio habita est.

B.C. 432. Consular tribunes. Pestilence abated. Meetings of leading plebeians are held in the houses of the tribunes of the plebs to protest against the action of the plebeians generally, who will not elect members of their own body to office. A law is passed forbidding candidates for office to appear in public with whitened togas.

Tribuni militum consulari potestate omnes patricii creati sunt, L. Pinarius Mamercus, L. Furius Medullinus, Sp. Postumius Albus. eo anno vis morbi levata, neque a penuria frumenti, quia ante provisum erat, periculum fuit. consilia ad movenda bella in Volscorum Aequorumque conciliiis et in Etruria ad fanum Voltumnae agitata. ibi prolatae in annum res decretque cautum, ne quod ante concilium fieret, nequiquam Veiente populo querente cendem, qua Fidenae deletae sint, imminere Veis fortunam.

Interim Romae principes plebis iam diu nequiquam imminentes spei maioris honoris, dum foris otium esset,
10 coetus indicere in domos tribunorum plebis. ibi secreta consilia agitare; queri se a plebe adeo spretos, ut, cum per tot annos tribuni militum consulari potestate creentur, nulli umquam plebeio ad eum honorem aditus fuerit: multum providisse suos maiores, qui caverint, ne cui patricio plebei magistratus paterent; aut patricios habendosuisse tribunos plebi; adeo se suis etiam sordere, nec a plebe minus quam a patribus contemni. alii purgare plebem, culpam in patres vertere: eorum ambitione artibusque fieri, ut obsaep tum plebi sit ad honorem iter; si plebi respirare ab eorum mixtis precibus minisque liceat, memorem eam suorum inituram suffragia esse et parto auxilio imperium quoque adscituram. placet tollendae ambitionis causa tribunos legem promulgare, ne cui album in vestimentum addere petitionis causa liceret. parva nunc res et vix serio agenda videri possit, quae tunc ingenti certamine patres ac plebem accendit. vicere tamen tribuni, ut legem perferrent; apparebatque irritatis animis plebem ad suos studia inclinaturam. quae ne libera essent, senatus consularia comitia haberentur.

26 B.C. 431. Consuls, elected in consequence of intended invasion by Volsci and Aequi. The consuls refusing to appoint a dictator, the senate appeal to the tribunes of the plebs to compel them to do so, which the tribunes consent to do. A. Postumius Tubertus is appointed, who makes rapid and vigorous preparations for war.

Tumultus causa fuit, quem ab Aequis et Volscis Latini atque Hernici nuntiarant. T. Quinctius, Luci filius, Cincinnatus—eidem et Poeno cognomen additur—et Cn. Iulius Mento consules facti. nec ultra terror belli est dilatus. lege sacrata, quae maxima apud eos vis cogendae militiae erat, dilectu habito utrimque validi exercitus profecti in Algidum convenere, ibique seorsum Aequi seorsum Volsci castra communivere, intentionque quam umquam antea mu-
niendi exercendique militem cura ducibus erat. eo plus 5
nuntii terroris Romam attulere. senatus dictatorem dici
placuit, quia etsi saepe victi populi maiore tamen conatu
quam alias umquam rebellarant; et aliquantum Romanae
5 iuventutis morbo absumptum erat.

Ante omnia pravitas consulum discordiaque inter ipsos 6
et certamina in consiliis omnibus terrebant. sunt, qui male
pugnatum ab his consulibus in Algido auctores sint, eamque
causam dictatoris creandi fuisset. illud satis constat, ad 7
aliam discordes in uno adversus patrum voluntatem con-
sensisse, ne dicerent dictatorem, donec, cum alia aliiis ter-
ribiliora adferrentur nec in auctoritate senatus consules
essent, Q. Servilius Priscus summis honoribus egregie usus 8
‘Vos’ inquit, ‘tribuni plebis, quoniam ad extrema ventum
15 est, senatus appellat, ut in tanto discrimine rei publicae
dictatorem dicere consules pro potestate vestra cogatis.’
qua voce audita occasionem oblatam rati tribuni augendae 9
potestatis secedunt proque collegio pronuntiant placere con-
sules senatui dicto audientes esse; si adversus consensus
amplissimi ordinis ultra tendant, in vincula se duci eos
iussuros. consules ab tribunis quam ab senatu vinci ma-
10 luerunt, proditum a patribus summì imperii ius datumque
sub iugum tribuniciae potestati consulatum memorantes,
si quidem cogi aliquid pro potestate ab tribuno consules
et—quo quid ulterior privato timendum foret?—in vincula
etiam duci possent.

Sors, ut dictatorem diceret, nam ne id quidem inter 11
collegas convenerat, T. Quinctio event. is A. Postumium
Tubertum, socerum suum, severissimi imperii virum, dic-
tatorem dixit. ab eo L. Iulius magister equitum est dictus. 12
dilectus simul edicitur et iustitium, neque aliud tota urbe
agi quam bellum apparari. cognitio vacantium militiae
munere post bellum differtur. ita dubii quoque inclinant
ad nomina danda. et Hernicis Latinisque milites imperati; utrimque enixe oboeditum dictatori est.

27 He divides his forces into two armies, one posted near Tusculum under himself, the other near Lanuvium under the consul Quinctius. After several minor engagements, the enemy despairing of victory in the field make a night attack on the consul’s camp. Prompt and skilful arrangements of the dictator by which

Haec omnia celeritate ingenti acta; relicko Cn. Iulio consule ad praesidium urbis et L. Iulio magistro equitum ad subita belli ministeria, ne qua res, qua eguissent in castris, moraretur, dictator praeeunte A. Cornello pontifice maximo ludos magnos tumultus causa vovit, professusque ab urbe diviso cum Quinctio consule exercitu ad hostes pervenit. sicut bina castra hostium parvo inter se spatio distantia viderant, ipsi quoque mille ferme passus ab hoste, dictator Tusculo, consul Lanuvio, propriorem locum castris ceperunt. ita quattuor exercitus, totidem munimenta planitiem in medio non parvis modo excursionibus ad proelia, sed vel ad explicandas utrimque acies satis patentem habebant. nec, ex quo castris castra collata sunt, cessatum a levibus proeliis est, facile patiiente dictatore conferendo vires spem universae victoriae temptato paulatim eventu certaminum suos praecipere.

6 Itaque hostes nulla in proelio iusto relicta spe noctu adorti castra consulis rem in casum ancipitis eventus committunt. clamor subito ortus non consulis modo vigiles, exercitum deinde omnem, sed dictatore quoque ex somno excivit. ubi praesenti ope res egebant, consul nec animo defecit nec consilio; pars militum portarum stationes firmant, pars corona vallum cingunt. in alteris apud dictatorem castris quo minus tumultus est, eo plus animadvertitur, quid opus facto sit. missum extemplo ad castra subsidium,
cui Sp. Postumius Albus legatus praeficitur; ipse parte copiarum parvo circuitu locum maxime secretum ab tumultu petit, unde ex necopinato aversum hostem invadat. Q. 9 Sulpicium legatum praeficit castris; M. Fabio legato ad-
signat equites nec ante lucem movere iubet manum inter
nocturnos tumultus moderatu difficilem. omnia, quae vel
alius imperator prudens et impiger in tali re praeciperet
ageretque, praecipit ordine atque agit; illud eximium consilii
animique specimen et neutiquam vulgatae laudis, quod
ultro ad oppugnanda castra hostium, unde maiore agmine
profectos exploratum fuerat, M. Geganium cum cohortibus
delectis misit. qui postquam intentos homines in eventum
periciuli alieni, pro se incautos neglectis vigiliis stationibus-
que est adortus, prius paene cepit castra, quam oppugnari
hostes satis scirent. inde fumo, ut convenerat, datum sig-
num ubi conspectum ab dictatore est, exclamat capta
hostium castra, nuntiarique passim iubet.

the enemy are surrounded and on the point of being annihilated, when

Et iam luciscebat omniaque sub oculis erant. et Fabius
cum equitatu impetum dederat, et consul eruptionem e
castris in trepidos iam hostes fecerat; dictator autem, parte
altera subsidia et secundam aciem adortus, circumagenti
se ad dissonos clamores ac subitos tumultus hosti undique
obiecerat victorem peditem equitemque. circumventi igitur
iam in medio ad unum omnes poenas rebellionis dedissent,
ni Vettius Messius ex Volscis, nobilior vir factis quam
genere, iam orbem volventes suos increpans clara voce
‘Hic praebitur’ inquit ‘vos telis hostium estis indefensi, in
ulti? quid igitur arma habetis, aut quid ultro bellum intu-
listis, in otio tumultuosì, in bello segnes? quid hic stantibus
spei est? an deum aliquem protecturum vos rapturumque
LIVII

5 hinc putatis? ferro via facienda est. hac, qua me prae-
gressum videritis, agite, qui visuri domos, parentes, con-
juges, liberos estis, ite mecum. non murus nec vallum, 
shed armati armatis obstant. virtute pares, necessitate, quae
6 ultimum ac maximum telum est, superiores estis.' haec 5 
locutum exsequentemque dicta redintegrato clamore secuti 
dant impressionem, qua Postumius Albus cohortes ob-
iecerat; et moverunt victorem, donec dictator pedem iam 
referentibus suis advenit eoque omne proelium versum est.
7 uni viro, Messio, fortuna hostium innititur. multa utrimque 10 
vulnera, multa passim caedes est. iam ne duces quidem
8 Romani incruenti pugnant. unus Postumius ictus saxo 
perfracto capite acie excessit; non dictatorem umerus vul-
eratus, non Fabium prope affixum equo femur, non brac-
chium abscisum consulem ex tam ancipiti proelio summovit. 15

29 cuts his way at the head of a gallant band through the enemy to 
the Volscian camp, which is now attacked by the combined forces 
of the dictator and consul, and captured. The dictator is said in 
this campaign to have executed his son for disobedience to orders. 
Livy shows reason for disbelieving the story. First interference, 20 
according to Livy, of the Carthaginians in the affairs of Sicily.

Messium impetus per stratos caede hostes cum globo 
fortissimorum iuvenum extulit ad castra Volscorum, quae
2 nondum capta erant. eodem omnis acies inclinatur. consul 
effusos usque ad vallum persecutus ipsa castra vallumque 25 
adgreditur. eodem et dictator alia parte copias admovet.
3 non segnior oppugnatio est, quam pugna fuerat. consulem 
signum quoque intra vallum iniecisse ferunt, quo milites 
acrius subirent, repetendoque signo primam impressionem 
factam. et dictator proruto vallo iam in castra proelium 30 
4 intulerat. tum abici passim arma ac dedi hostes coepti; 
castrisque et his captis hostes praeter senatores omnes ve-
numdati sunt. praedae pars sua cognoscentibus Latinis etque Hemicis reddita, partem sub hasta dictator vendidit; praepositoque consule castris ipse triumphans invectus urbem dictatura se abdicavit.

5 Egregiae dictaturae tristem memoriam faciunt, qui filium ab A. Postumio, quod occasione bene pugnandi captus iniussu decesserit praesidio, victorem securi percussum tradunt. nec libet credere et licet in variis opinionibus; et argumento est, quod imperia Manliana, non Postumiana appellata sunt, cum, qui prior auctor tam saevi exempli foret, occupaturus insignem titulum crudelitatis fuerit. Imperioso quoque Manlio cognomen inditum; Postumius nulla tristi nota est insignitus.

Cn. Iulius consul aedem Apollinis absente collega sine sorte dedicavit. aegre id passus Quinctius, cum dimisso exercitu in urbem redisset, nequiquam in senatu est conquestus.

Insigni magnis rebus anno additur nihil tum ad rem Romanam pertinere visum, quod Carthaginienses, tanti hostes futuri, tum primum per seditiones Siculorum ad partis alterius auxilium in Siciliam exercitum traiceere.

B.C. 430. Consuls, elected in spite of agitation on the part of the tribunes of the plebs. Eight years' truce with the Aequi. Peace abroad. Law passed about the assessment of fines.

Agitatum in urbe ab tribunis plebis, ut tribuni militum consulari potestate crearentur; nec obtineri potuit. consules fiunt L. Papirius Crassus, L. Iulius. Aequorum legati foedus ab senatu cum petissent et pro foedere deditio ostenta-retur, indutias annorum octo impetraverunt. Volscorum res super acceptam in Algido cladem pertinaci certamine inter pacis bellique auctores in iurgia et seditiones versa. undique otium fuit Romanis. legem de multarum aestima-
tione pergratam populo cum ab tribunis parari consules
unius ex collegio proditio ne exceptissent, ipsi praecoccupa-
verunt ferre.

Great drought followed by pestilence affecting both cattle and
human beings. Superstitious fears engendered by the pestilence
lead to introduction of innumerable religious nostrums, mostly
foreign, until it is found necessary to empower the aediles to forbid
any form of worship other than Roman.

4 Consules L. Sergius Fidenas iterum, Hostus Lucretius
Tricipitinus. nihil dignum dictu actum his consulibus.
secuti eos consules A. Cornelius Cossus, T. Quinctius Poe-
nus iterum. Veientes in agrum Romanum excursiones
fecerunt. fama fuit quosdam ex Fidenatium inventute par-
ticipes eius populationis fuisse, cognitioque eius rei L.

6 Sergio et Q. Servilio et Mam. Aemilio permissa. quidam
Ostiam relegati, quod, cur per eos dies a Fidenis afuissent,
parum constabat. colonorum additus numerus, agerque iis
bello interemptorum adsignatus. siccitate eo anno plurimum
laboratum est, nec caelestes modo defuerunt aquae, sed
terra quoque ingenito unore egens vix ad perennes suffecit
amnes. defectus alibi aquarum circa torridos fontes rivos-
que stragem siti pecorum morientium dedit; scabie alia
absumpta, vulgatique contactu in homines morbi. et primo
in agrestes ingruerant servitiaque; urbs deinde impletur.

9 nec corpora modo adfecta tabo, sed animos quoque multi-
plex religio et pleraque externa invasit, novos ritus sacrific-
candi vaticinando inerentibus in domos, quibus quaestui
sunt capti superstitione animi, donec publicus iam pudor
ad primores civitatis pervenit cernentes in omnibus vicis
sacellisque peregrina atque insolita piacula pacis deum ex-
poscendae. datum inde negotium aedilibus, ut animadver-
terent, ne qui nisi Romani di neu quo alio more quam patrio coherentur.

B.C. 427. War declared against the Veientines in consequence of a raid made by them in the previous year.

Irae adversus Veientes in insequentem annum, C. Servilium Ahalam, L. Papirium Mugilanum consules, dilatae sunt. tunc quoque, ne confestim bellum indiceretur neve exercitus mitterentur, religio obstitit; fetiales prius mittendos ad res repetendas censuere. cum Veientibus nuper acie dimicatum ad Nomentum et Fidenas fuerat; indutiaeque inde, non pax facta, quaram et dies exierat, et ante diem rebellaverant. missi tamen fetiales; nec eorum, cum more patrum iurati repeterent res, verba sunt audita. controvertia inde fuit, utrum populi iussu indiceretur bellum, an satis esset senatus consultum. pervicere tribuni denuntiando impedituros se dilesctum, ut Quinctius consul de bello ad populum ferret. omnes centuriae iussere in eo quoque plebs superior fuit, quod tenuit, ne consules in proximum annum crearentur.

B.C. 426. Consular tribunes, four in number. These undertake the campaign against Veii, and owing to want of concert are badly defeated. A dictator is appointed. The Veientines crossing the Tiber and making Fidenae the centre of their operations cause great alarm in Rome.

Tribuni militum consulari potestate quattuor creati sunt, T. Quinctius Poenus ex consulatu, C. Furius, M. Postumius, A. Cornelius Cossus. ex his Cossus praefuit urbi; tres dilectu habito profecti sunt Veios documentoque fuere, quam plurium imperium bello inutile esset. tendendo ad sua quisque consilia, cum aliud alii videretur, aperuerunt ad occasionem locum hosti. incertam namque aciem, signum
aliis dari, receptui aliis cani iubentibus, invasere opportune Veientes. castra propinqua turbatos ac terga dantes acce-
pere; plus itaque ignominiae quam cladis est acceptum.  

Maesta civitas fuit Vinci insueta; odisse tribunos, pos-
cere dictatorem; in eo verti spes civitatis. et cum ibi quo-
que religio obstaret, ne non posset nisi ab consule dici dic-
tor, augures consulti eam religionem exemere. A. Corne-
lius dictatorem Mam. Aemilium dixit, et ipse ab eo magister 
equum est dictus; adeo, simul fortuna civitatis virtute vera 
eguit, nihil censoria animadversio effecit, quo minus regimen 

rerum ex notata indigne domo peteretur. Veientes, re 
secunda elati, missis circum Etruriae populos legatis 
actando tres duces Romanos ab se uno proelio fusos, cum tamen 
nullam publici consilii societatem movissent, voluntarios 

undique ad spem praedae adsciverunt. uni Fidenatium 
populo rebellare placuit; et tamquam nisi ab scelere bellum 
ordiri nefas esset, sicut legatorum antea, ita tum novorum 
colonorum caede imbutis armis Veientibus sese coniungunt. 

consultare inde principes duorum populorum, Veios an 
Fidenas sedem belli caperent. Fidenae visae opportuniores; 
itaque traiecto Tiberi Veientes Fidenas transtulerunt bel-
lum.

The dictator having delivered an encouraging address to the people 
marches out with his troops and engages with the enemy near 
Fidenae.

Romae terror ingens erat. accito exercitu a Veis eoque 
ipso ab re male gesta perculso castra locantur ante portam 
Collinam, et in muris armati dispositi, et iustitium in foro 
tabernaeque clausae, fiuntque omnia castris quam urbi simi-

liora, cum trepidam civitatem praeconestius per vicos dimissis 
dictator ad contionem advocatam increpuit, quod animos ex 
tam levibus momentis fortunae suspensos gererent, ut parva
iactura accepta, quae ipsa non virtute hostium nec ignavia Romani exercitus, sed discordia imperatorum accepta sit, Veientem hostem totiens victum pertimescant Fidenasque prope saepius captas quam oppugnatas: eosdem et Romani et hostes esse, qui per tot saecula fuerint, eosdem animos, easdem corporis vires, cadem arma gerere: se quaque eundem dictatorem Mam. Aemilium esse, qui antea Veientium Fidenatiumque adiunctis Faliscis ad Nomentum exercitus fuderit, et magistrum equitum A. Corne- lium eundem in acie fore, qui priore bello tribunus militum Larte Tolumnio, rege Veientium, in conspectu duorum exercituum occiso spolia opima Iovis Feretrii templo intulerit. proinde memores, secum triumphos, secum spolia, secum victoriam esse, cum hostibus scelus legatorum contra ius gentium interfectorum, caedem in pace Fidenatium colonorum, indutias ruptas, septimam infelicem defecti- nem, arma caperent. simul castra castris coniunxissent, satis confidere, nec sceleratissimis hostibus diuturnum ex ignominia exercitus Romani gaudium fore, et populum Ro-
manum intellecturum, quanto melius de re publica meriti sint, qui se dictatorem tertium dixerint, quam qui ob erep-
tum censurae regnum labem secundae dicturae suae im-
posuerint.

Votis deinde nuncupatis profectus mille et quingentos 8 passus citra Fidenas castra locat, dextra montibus, laeva Tiberi amne saeptus. T. Quinctium Poenum legatum oc-
cupare montes iubet occultunque id iugum capere, quod ab tergo hostibus foret. ipse postero die, cum Etrusci pleni 10 animorum ab pristini diei meliore occasione quam pugna in aciem processissent, cunctatus parumper, dum speculatores referrent Quinctium evasisse in iugum propinquum arci Fidenarum, signa proiert peditumque aciem instructam pleno gradu in hostem inducit. magistro equitum praecipit, 11
ne iniussu pugnam incipiat: se, cum opus sit equestri auxilio, signum daturum; tum ut memor regiae pugnae, memor opimi doni Romulique ac Iovis Feretrii rem gereret. legiones impetu ingenti conflagunt. Romanus odio accensus impium Fidenatem, praedonem Veientem, ruptores indutiarum, eruentos legatorum infanda caede, respersos sanguine colonorum suorum, perfidos socios, imbelles hostes compellans, factis simul dictisque odium explet.

3 A charge of Fidenatians, who issue from the gate of the town armed with firebrands, terrifies the Romans at first. But rallied by the dictator they renew the fight which is decided against the Veientines by a violent charge of Roman cavalry with horses unbridled, aided by an attack by the legatus (cf. c. 32 § 8) on the rear of the enemy.

Concusserat primo statim congressu hostem, cum repente patefactis Fidenarum portis nova erumpit acies inaudita ante id tempus invisitataque; ignibus armata ingens multitudo facibusque ardentibus tota collucens velut fanatico instincta cursu in hostem ruet, formaque insolitae pugnae Romanos parumper exterruit. tum dictator magistro equitum equitibusque, tum ex montibus Quinctio accito proelium ciens ipse in sinistrum cornu, quod, incendio simili quam proelio, territum cesserat flammis, accurrit, claraque voce 'Fumone victi' inquit 'velut examen apium loco vestro exacti inermi cedetis hosti? non ferro exstinguetis ignes? non faces has ipsas pro se quisque, si igni, non telis pugnandum est, ereptas ultro inferetis? agite, nominis Romani ac virtutis patrum vestraeque memores vertite incendium hoc in hostium urbem et suis flammis delete Fidenas, quas vestris beneficiis placare non potuistis. legatorum hoc vos vestrorum colonorumque sanguis vastatique fines moment.' ad imperium dictatoris
mota cuncta acies. faces partim emissae excipiuntur, partim vi eripiuntur; utraque acies armatur igni. magister equitum et ipse novat pugnam equestrem. frenos ut detrahant equis, imperat, et ipse princeps calcaribus subditis evectus effreno equo in medios ignes infertur, et alii concitatī equi libero cursu ferunt equitem in hostem. pulvis elatus mixtusque fumo lucem ex oculis virorum equorum-que aufert. ea, quae militem terruerat, species nihil tertuit equos. ruinae igitur similēm stragem eques, quacumque pervaserat, dedit. clamor deinde accidit novus; qui cum utramque mirabundam in se aciem vertisset, dictator exclamat Quinctium legatum et suos ab tergo hostem adortos; ipse redintegrato clamore infert acrius signa. cum duae acies, duo diversa proelia circumventos Etruscos et a fronte et ab tergo urguerent, neque in castra retro neque in montes, unde se novus hostis obiecerat, iter fugae esset, et equitem passim liberis frenis distulissent equi, Veientium maxima pars Tiberim effusi petunt, Fidenatium qui supersunt ad urbem Fidenas tendunt. infert pavidos fuga in medium caedem; obtruncantur in ripis; alios in aquam compulsos gurgites ferunt; etiam peritos nandi lassitudo et vulnera et pavor degravant; pauci ex multis tranant. alterum agmen fertur per castra in urbem. eodem et Romanos sequentes impetus rapit, Quinctium maxime et cum eo degressos modo de montibus, recentissimum ad laborem militem, quia ultimo proelio advenerat.

The Fidenatians flying to Fidenae are followed closely by the Romans who enter the town behind them and capture it.
rere ad praedam spe iniecta maioris in urbe praedae ad portam ducit, receptusque intra muros in arcem, quo ruere fugientium turbam videbat, pergit. nec minor caedes in urbe quam in proelio fuit, donec abiectis armis nihil praeter vitam petentes dictatori deduntur. urbs castraque diripuntur. postero die singulis captivis ab equite ac centurione sorte ductis et, quorum eximia virtus fuerat, binis, aliis sub corona venumdatis, exercitum victorem opulentumque praedae triumphans dictator Romam reduxit, iussuque magistro equitum abdicare se magistratu ipse deinde abdicavit die sexto decimo reddito in pace imperio, quod in bello trepidisque rebus acciperat.

Classi quoque ad Fidenas pugnatum cum Veientibus quidam in annales retulere, rem aeque difficilem atque incredibilem, nec nunc lato satis ad hoc amne et tum aliquanto, ut a veteribus acceperimus, artiore, nisi in trajectu forte fluminis prohibendo aliquarum navium concursum in maius, ut fit, celebrantes navalis victoriae vanum titulum appetivere.

35 B.C. 425. Consular tribunes. Truce granted to the Veientines for twenty years, and to the Aequi for three.

Insequens annus tribunos militares consulari potestate habuit, A. Sempronium Atratinum, L. Quinctium Cincinnatum, L. Furium Medullinum, L. Horatium Barbatum. Veientibus annorum viginti indutiae datae et Aequis triennii, cum plurium annorum petissent. et ab seditionibus urbanis otium fuit.

B.C. 424. Consular tribunes. Agitations by the tribunes reproaching the plebs for not asserting the political rights so hardly won for them and for ingratitude to their leaders.

Annum inequentem, neque bello foris neque domi seditione insignem, ludi bello voti celebrem et tribunorum
militum apparatu et finitimorum concursu fecere. tribuni 4
consulari potestate erant Ap. Claudius Crassus, Sp. Na-
tius Rutilus, L. Sergius Fidenas, Sex. Iulius Iulus. specta-
culum comitate etiam hospitum, ad quam publice consen-
serant, advenis gratius fuit. post ludos contiones seditio-
sae tribunorum plebi fuerunt obiurgantium multitudinem,
quod admiratione eorum, quos odisset, stupens in aeterno 6
se ipsa teneret servitio et non modo ad spem consulatus in
partem revocandam aspirare non auderet, sed ne in tribunis
quidem militum creandis, quae communia essent comitia
patrum ac plebis, aut sui aut suorum meminisset: desineret 7
ergo mirari, cur nemo de commodis plebis ageret: eo im-
pendi laborem ac periculum, unde emolumentum atque
honos speretur. nihil non adgressuros homines, si magna
conatis magna praemia proponantur. ut quidem aliquis 8
tribunus plebis ruat caecus in certamina periculo ingenti,
fructu nullo, ex quibus pro certo habeat patres, adversus
quos tetenderit, bello inexpliabili se persecuturos, apud
plebem, pro qua dimicaverit, nihil se honoriorem fore,
neque sperandum neque postulandum esse. magnos ani-
omos magnis honoribus fieri. neminem se plebeiun con-
tempturum, ubi contemni desissent. experiundam rem
denique in uno aut altero esse, sitne aliqui plebeius ferendo
magno honor, an portento simile miraculoque sit fortem
ac strenum virum aliquem existere ortum ex plebe. sum-
ma vi expugnatum esse, ut tribuni militum consulari potestate
et ex plebe crearentur. petisse viros domi militiaeque spec-
tatos; primis annis suggillatos, repulsos risui patribus fuisse;
desisse postremo praebere ad contumeliam os. nec se 11
videre, cur non lex quoque abrogetur, qua id liceat, quod
numquam futurum sit; minorem quippe ruborem fore in
iuris iniquitate, quam si per indignitatem ipsorum prae-
tereantur.
Several plebeians, encouraged by the reception given to these speeches, propose to stand for the consular tribunate. But the existing consular tribunes by a ruse procure the election of consuls for the next year.

Huius generis orationes cum adsensu auditae incitavere quosdam ad petendum tribunatum militum, alium alia de commodis plebis laturum se in magistratu profitentem. agri publici dividendi coloniarumque deducendarum ostentatae spes et vectigali possessoribus agrorum imposito in stipendium militum erogandi aeris. captatum deinde tempus ab tribunis militum, quo per discessum hominum ab urbe, cum patres clandestina denuntiatione revocati ad diem certam essent, senatus consultum fieret absentibus tribunis plebi, ut, quoniam Volscos in Hernicorum agros praedatum exisse fama esset, ad rem aspciendam tribuni militum proficiscerentur consulariaque comitia haberentur. prefecti Ap. Claudium, decemviri filium, praefectum urbis relinquunt, impigrum iuvenem et iam inde ab incunabulis imbutum odio tribunorum plebisque. tribuni plebi nec cum absentibus iis, qui senatus consultum fecerant, nec cum Appio, transacta re, quod contenderent, fuit.

B.C. 423. Consuls. War with the Volsci.ans. Negligence of the consul Sempronius and bad discipline of his troops. Engaging with the enemy he is being worsted when

Creati consules sunt C. Sempronius Atratinus, Q. Fabius Vibulanus.—Peregrina res, sed memoria digna traditur eo anno facta, Vulturum Etruscorum urbem, quae nunc Capua est, ab Samnitibus captam Capuamque ab duce eorum Capye vel, quod propius vero est, a campestris agro appellatam. cepere autem, prius bello fatigatis Etruscis, in societatem urbis agrorumque accepti, deinde festo die
Graves somno epulisque incolas veteres novi coloni nocturna caede adorti.

His rebus actis consules ii, quos diximus, Idibus Decembris magistratum occepere. iam non solum, qui ad id missi erant, rettulerant imminere Volscum bellum, sed legati quoque ab Latinis et Hernicis nuntiabant non ante umquam Volscos nec ducibus legendis nec exercitui scribendo intentiores fuisse; vulgo fremere aut in perpetuum arma bellumque oblivioni danda iugumque acipiendum aut iis, cum quibus de imperio certetur, nec virtute nec patientia nec disciplina rei militaris cedendum esse. haud vana attulere; sed nec perinde patres moti sunt, et C. Sempronius, cui ea provincia sorti evenit, tamquam constantissimae rei fortunae fretus, quod victoris populi adversus victos dux esset, omnia temere ac negligenter egit, adeo ut disciplinae Romanae plus in Volsco exercitu quam in Romano esset. ergo fortuna, ut saepe alias, virtutem est secuta. primo proelio, quod ab Sempronio incaute inconsulteque commissum est, non subsidiis firmata acie, non equite apte locato concursum est. clamor indicium primum fuit, quo res inclinatura esset, excitator crebriorque ab hoste sublatus; ab Romanis dissonus, impar, segnius saepe iteratus incerto clamore prodidit pavorem animorum. eo ferocior inlatus hostis urgere scutis, micare gladiis. altera ex parte nutant circumspectantibus galeae, et incerti trepidant applicantque se turbæ; signa nunc resistentia deseruntur ab antesignanis, nunc inter suos manipulos recipiuntur. nondum fuga certa, nondum victoria erat. tegi magis Romanus quam pugnare; Volscus inferre signa, urgere aciem, plus caedis hostium videre quam fugae.
38 Sex. Tempanius, decurio equitum, calling on the cavalry to dismount and follow him alters the aspect of the fight.

Iam omnibus locis ceditur nequiquam Sempronio consule obiurgante atque hortante. nihil nec imperium nec maiestas valebat; dataque mox terga hostibus forent, nisi Sex. Tempanius, decurio equitum, labante iam re praesenti animo subvenisset. qui cum magna voce exclamationem, ut equites, qui salvam rem publicam vellent esse, ex equis desilirent, omnium turmarum equitibus velut ad consulis imperium motis ‘Nisi haec’ inquit ‘parmata cohors sistit impetum hostium, actum de imperio est. sequimini pro vexillo cuspidem meam; ostendite Romanis Volscisque neque equitibus vobis ullos equites nec peditibus esse pares.’ cum clamore comprobata adhortatio esset, vadit alta cuspidem gerens. quacumque incedunt, vi viam faciunt; eo se inferunt obiectis parmis, ubi suorum plurimum laborem vident. restituitur omnibus locis pugna, in quae eos impetus tulit; nec dubium erat, quin, si tam pauci simul obire omnia possent, terga daturi hostes fuerint.

39 By the tactics of the enemy Tempanius and his troop are separated from the Romans, and occupy a hill. Sempronius maintains the fight, which ends at nightfall indecisively. Both armies believing themselves conquered abandon their camps in the night. But Tempanius at daybreak revisits the Roman camp and taking with him what wounded men he can proceeds to Rome.

Et cum iam parte nulla sustinerentur, dat signum Volscus imperator, ut parmatibus, novae cohorti hostium, locus detur, donec impetu inlati ab suis excludantur. quod ubi est factum, interclusi equites nec perrumpere eadem, qua transierant, posse, ibi maxime confertis hostibus, qua viam fecerant, et consul legionesque Romanae, cum, quod tegumen modo omnis exercitus fuerat, nusquam viderent, ne tot
fortissimos viros interclusos oppimeret hostis, tendunt in quemcumque casum. diversi Volsci hinc consulem ac legiones sustinere, altera fronte instare Tempanio atque equitibus; qui cum saepe conati nequissent perrumpere ad suos, tumulo quodam occupato in orbem se tutabantur, nequaquam inulti; nec pugnae finis ante noctem fuit. consul quoque nusquam remisso certamine, dum quicquam superfuit lucis, hostem tenuit. nox incertos diremit; tantusque ab imprudentia eventus utraque castra tenuit pavor, ut relictis sauciis et magna parte impedimentorum ambo pro victis exercitus se in montes proximos reciperent. tumulus tamen circumse- sus ultra median noctem est. quo cum circumse dentibus nuntiatum esset castra deserta esse, victos rati suos et ipsi, qua quemque in tenebris pavor tulit, fugerunt. Tempanius metu insidiarum suos ad lucem tenuit. degressus deinde ipse cum paucis speculatum, cum ab sauciis hostibus scisci tando comperisset castra Volscorum deserta esse, laetus ab tumulo suos devocat et in castra Romana penetrat. ubi hostes, foeditatem invenisset, priusquam Volscos cognitus error reduceret, quibus poterat sauciis ductis secum, ignarus, quam regionem consul petisset, ad urbem proximis itineri bus pergit.

The city terrified by news of the defeat is reassured by the appearance of Tempanius and the cavalry. The tribunes of the plebs hold an indignation meeting, at which Tempanius is interrogated as to the conduct of the consul.

Iam eo fama pugnae adversae castrorumque desertorum perlata erat, et ante omnia deolorati erant equites non pri vato magis quam publico luctu, Fabiusque consul terrore urbi quoque inieicto stationem ante portas agebat, cum equites procul visi non sine terrore ab dubiis, quinam essent,
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cogniti tantam ex metu laetitiam fecere, ut clamor urbem pervaderet gratulantium salvos victoresque redisse 3 equites, et ex maestis paulo ante domibus, quae conclamaverant suos, procurretur in vias, pavidaeque matres ac coniuges, oblatae prae gaudio decoris, obviam agmini occurrerent, in suos quaeque, simul corpore atque animo vix prae gaudio compotes, effusae.

4 Tribunis plebi, qui M. Postumio et T. Quinctio diem dixerant, quod ad Veios eorum opera male pugnatum esset, occasio visa est per recens odium Sempronii consulis renovandae in eos inviae. itaque advocata contione cum prodictam Veis rem publicam esse ab ducibus, prodictum deinde, quia illis impune fuerit, in Volscis ab consule exercitum, traditos ad caedem fortissimos equites, deserta foede castra vociferati essent, C. Iunius, unus ex tribunis, Tempanium equitem vocari iussit coramque ei 'Sex. Tempani' inquit, 'quaero de te, arbitrerisne C. Sempronium consulem aut in tempore pugnam inisse aut firmasse subsidiis aciem aut ullo 7 boni consulis functum officio, et tune ipse victis legionibus Romanis tuo consilio equitem ad pedes deduxeris restitue-risque pugnam; excluso deinde ab acie nostra tibi atque equitibus num aut consul ipse subvenerit aut miserit praesidium; postero denique die equid praesidii usquam habueris, an tu cohorsque in castra vestra virtute perruperitis; ecquem in castris consulem, ecquem exercitum inveneritis, 9 an deserta castra, relictos saucios milites. haec pro virtute tua fideque, qua una hoc bello res publica stetit, dicenda tibi sunt hodie; denique ubi C. Sempronius, ubi legiones nostrae sint, desertus sis an deserueris consulem exercitumque, victi denique simus an vicerinus.'

41 He replies modestly, making out the best case for Sempronius. M. Postumius and T. Quinctius are tried for misconduct of the
Veientine war (c. 31). *The former is condemned and fined, the latter acquitted.*

Adversus haec Tempani oratio incompta fuisset dicitur, ceterum militariter gravis, non suis vana laudibus, non crimine alieno laeta: quanta prudentia rei bellicae in C. 2 Sempronio esset, non militis de imperatore existimationem esse, sed populi Romani fuisset, cum eum comitiis consulem legeret. itaque ne ab se imperatoria consilia neu consulares 3 artes exquirerent, quae pensitanda quoque magnis animis atque ingeniis essent. sed quod viderit, referre posse. vidisse autem se, priusquam ab acie intercluderetur, consulem in prima acie pugnamentem, adhortantem, inter signa Romana telaque hostium versantem. postea se a conspectu 5 suorum ablatum ex strepitu tamen et clamore sensisse usque ad noctem extractum certamen, nec ad tumulum, quem ipse tenuerat, prae multitudine hostium credere perrumpi potuisse. exercitus ubi esset, se nescire; arbitrari, velut ipse 6 in re trepida loci praesidio se suosque sit tutatus, sic consulem servandi exercitus causa loca tutiora castris cepisse.

nec Volscorum meliores res esse credere quam populi Ro-7 mani; fortunam noctemque omnia erroris mutui implesse. precantemque deinde, ne se fessum labore ac vulneribus tenerent, cum ingenti laude non virtutis magis quam moderationis dimittunt.

Cum haec agerentur, iam consul via Labicana ad fanum 8 Quietis erat. eo missa plaustra iumentaque alia ab urbe exercitum adfectum proelio ac via nocturna excepere. paulo 9 post in urbem est ingressus consul, non ab se magis enixe amovens culpam quam Tempanium meritis laudibus feren. 30 Maestae civitati ab re male gesta et iratae ducibus M. 10 Postumius reus obiectus, qui tribunus militum pro consule ad Veios fuerat, decem milibus aeris gravis damnatur. T. 11 Quinctium, collegam eius, quia et in Volscis consul auspicio
dictatoris Postumi Tuberti et ad Fidenas legatus dictatoris alterius Mam. Aemili res prospere gesserat, totam culpam eius temporis in praedamnatum collegam transferentem omnes tribus absolverunt. profuisse ei Cincinnati patris memoria dicitur, venerabilis viri, et exactae iam aetatis Capitolinus Quinctius, suppliciter orans, ne se brevi reliquo vitae spatio tam tristem nuntium ferre ad Cincinnatum paterentur.

42 B.C. 422. Consular tribunes. The consul Sempronius is impeached by the tribune of the plebs Hortensius. But four officers of the consul, whom the plebs had elected tribunes of the plebs in their absence, pleading for him and declaring that if the impeachment is proceeded with, they will go into mourning with him, Hortensius gives way.


Principio statim anni L. Hortensius tribunus plebis C. Sempronio, consulì anni prioris, diem dixit. quem cum quattuor collegae inspectante populo Romano orarent, ne imperatore suum innoxium, in quo nihil praeter fortunam reprehendi posset, vexaret, aegre Hortensius pati, temptationem eam credens esse perseverantiae suae nec precibus tribunorum, quae in speciem modo iactarentur, sed auxilio confidere reum. itaque modo ad eum conversus, ubi illi patricii spiritus, ubi subnixus et fidens innocentiae animus esset, quaerebat—sub tribunicia umbra consularem virum delituisse—, modo ad collegas: 'Vos autem, si reum perago,
quid acturi estis? an erepturi ius populo et eversuri tribuniciam potestatem? cum illi et de Sempronio et de omnibus summam populi Romani potestatem esse dicerent nec se iudicium populi tollere aut velle aut posse, sed, si preces suae pro imperatore, qui sibi parentis esset loco, non valuisser, se vestem cum eo mutaturos, tum Hortensius 'Non videbit' inquit 'plebs Romana sordidatos tribunos suos. C. Sempronium nihil moror, quando hoc est in imperio consecutus, ut tam carus esset militibus.' nec pietas quattuor tribunorum quam Hortensi tam placabile ad iustas preces ingenium pariter plebi patribusque gratius fuit.

Non diutius fortuna Aequis indulsit, qui ambiguam victoriam Volscorum pro sua amplexi fuerant.

B.C. 421. Consuls. War with the Aequi who are defeated by the consul Fabius. Dissensions between the two orders arising out of a proposal to double the number of the quaestors, and consequent interregnum during a considerable part of the ensuing year. At last by the influence of L. Papirius Mugilanus, interrex,

Proximo anno, Num. Fabio Vibulano, T. Quinctio Capitolini filio Capitolino consulibus, ductu Fabi, cui sorte ea provincia evenerat, nihil dignum memoratu actum. cum trepidam tantum ostendissent aciem Aequi, turpi fuga funduntur haud magno consulis decore. itaque triumphus negatus, ceterum ob Sempronianae cladis levatam ignominiam, ut ovans urbem intraret, concessum est.

Quemadmodum bellum minore, quam timuerant, dimissi, erat perfectum, sic in urbe ex tranquillo necopinata moles discordiarum inter plebem ac patres exorta est, coepta ab duplicando quaestorum numero. quam rem—praeter duos urbanos quaestores duo ut consulibus ad ministeria belli praesto essent—a consulibus relatam cum et patres summa ope adprobassent, tribuni plebi certamen
intulerunt, ut pars quaestorum—nam ad id tempus patricii creati erant—ex plebe fieret. adversus quam actionem primo et consules et patres summa ope adnisi sunt; concedendo deinde, ut, quemadmodum in tribunis consulari postestate creandis ius adaequassent, ita in quaestoribus liberum esset arbitrium populi, cum parum proficerent, totam rem de augendo quaestorum numero omissunt. excipiunt omissam tribuni, aliaque subinde, inter quas et agrariae legis, seditiosae actiones exsistunt; propter quos motus cum senatus consules quam tribunos creari mallet neque posset per 10 intercussiones tribunicias senatus consultum fieri, res publica a consulibus ad interregnum, neque id ipsum—nam coire patricios tribuni prohibebant—sine certamine ingenti, rediit. 11 Cum pars maior inequentis anni per novos tribunos plebi et aliquid interreges certaminibus extracta esset, modo prohibentibus tribunis patricios coire ad prodendum interregem, modo interregem interpellantibus, ne senatus consultum de comitiis consularibus faceret, postremo L. Papirius Mugilanus proditus interrex, castigando nunc patres nunc tribunos plebi, desertam omissamque ab hominibus rem publicam deorum providentia curaque exceptam memorabat Veientibus indutiis et cunctatione Aequorum stare. unde si quid increpet terroris, sine patricio magistratu placere rem publicam opprimi? non exercitum, non ducem scribendo exercitui esse? an bello intestino bellum exter- 25 num propulsaturos? quae si in unum convenient, vix deorum opibus, quin obruatur Romana res, resisti posse. quin illi remittendo de summa quisque iuris, mediis copularent concordiam, patres patiendo tribunos militum pro consulibus fieri, tribuni plebi non intercedendo, quo minus quattuor quaestores promiscue de plebe ac patribus libero suffragio populi fient.
B.C. 420, consular tribunes are elected, all patricians. The election of quaestors in which the claims of the plebeians are ignored causes violent indignation, and by way of revenge C. Sempronius, uncle of A. Sempronius who presided at the election of quaestors, is impeached for misconduct in the Volscian war (cf. c. 42), condemned and fined. Postumia a vestal virgin is tried and acquitted. Cumae is taken by the Campanians (Samnites of Capua).

Tribunicia primum comitia sunt habita. creati tribuni consulari potestate omnes patricii, L. Quinctius Cincinnatus tertium, Sex. Furius Medullinus iterum, M. Manlius, A. Sempronius Atratinus. hoc tribuno comitia quaestorum habente petentibusque inter aliquid plebeios filio A. Antisti tribuni plebis et fratre alterius tribuni plebis, Sex. Pompili, nec potestas nec suffragatio horum valuit, quin, quorum patres avosque consules viderant, eos nobilitate praeferrent. furere omnes tribuni plebi, ante omnes Pompilius Antistiusque repulsa suorum accensi: quidnam id rei esse? non suis beneficiis, non patrum iniuriis, non denique usurpandi libidine, cum liceat, quod ante non licuerit, si non tribunum militarem, ne quaestorem quidem quemquam ex plebe factum. non valuisse patris pro filio, fratris pro fratre preces, tribunorum plebis, potestatis sacrosanctae ad auxilium libertatis creatae; fraudem profecto in re esse, et A. Sempronium comitiis plus artis adhibuisse quam fidei. eius iniuria queri suos honore deiectos.

Itaque cum in ipsum et innocentia tutum et magistratu, in quo tunc erat, impetus fieri non posset, flexere iras in C. Sempronium, patruelem Atratini, eique ob ignominiam Volsci belli adiutore collega M. Canuleio diem dixere. subinde ab iisdem tribunis mentio in senatu de agris dividendis inlata est, cui actioni semper acerrime C. Sempronius restiterat, ratis, id quod erat, aut deposita causa leviorem futurum apud patres reum, aut perseverantem sub iudicii
8 tempus plebem offensurum. adversae invidiae obici maluit
9 et suae nocere causae quam publicae deesse; stetitque in
eadem sententia, ne qua largitio, cessura in trium gratiam
tribunorum, fieret; nec tum agrum plebi, sed sibi invidiam
quaeri; se quoque subitum eam tempestatem forti animo;
5 nec senatui tanti se civem aut quemquam alium debere
esse, ut in parendo uni malum publicum fiat. nihil de-
missiore animo, cum dies venit, causa ipse pro se dicta,
nequiquam omnia expertis patribus, ut mitigarent plebem,
quindeceim milibus aeris damnatur.
10 Eodem anno Postumia virgo Vestalis de incestu causam
dixit, crimine innoxia, ab suspicione propter cultum amoe-
niorem ingeniumque liberius, quam virginem decet, parum
12 abhorrens. eam ampliatam, deinde absolutam pro collegii
sententia pontifex maximus abstinere iocis colique sancte
potius quam scite iussit.
Eodem anno a Campanis Cumae, quam Graeci tum
urbem tenebant, capiuntur.

B.C. 419. Consular tribunes. Conspiracy of slaves to fire the city
discovered. War with Aequi.

13 Insequens annus tribunos militum consulari potestate
habuit Agrippam Menenium Lanatum, P. Lucretium Tri-

45 Annus felicitate populi Romani periculo potius ingenti
quam clade insignis. servitia, urbem ut incenderent di-
stantibus locis, coniurarunt, populoque ad opem passim fe-
rendam tectis intento ut arcem Capitoliumque armati occu-
2 parent. avertit nefanda consilia Iuppiter, indicioque duo-
rum comprehensi sones poenas dederunt. indicibus dena
milia gravis aeris, quae tum divitiae habebantur, ex aerario
3 numerata et libertas praemium fuit.
3 Bellum inde ab Aequis reparari coeptum; et novos
hostes Labicanos consilia cum veteribus iungere hand incertis auctoribus Romam est allatum. Aequorum iam velut 4 anniversariis armis adsueverat civitas; Labicos legati missi cum responsa inde rettulissent dubia, quibus nec tum bellum parari nec diuturnam pacem fore appareret, Tusculanis negotium datum, adverterent animos, ne quid novi tumultus Labicis oreretur.

D.C. 418. Consular tribunes. War declared against the Labicani.

Ad insequentis anni tribunos militum consulari potestate 5 inito magistratu legati ab Tusculo venerunt, L. Sergium Fidenatem, M. Papirium Mugilanum, C. Servilium Prisci filium, quo dictatore Fidenae captae fuerant. nuntiabant 6 legati Labicanos arma cepisse et cum Aequorum exercitu depopulatos agrum Tusculanum castra in Algido posuisse. tum Labicanis bellum indictum; factoque senatus consulto, 7 ut duo ex tribunis ad bellum proficiscerentur, unus res Romae curaret, certamen subito inter tribunos exortum; se quisque belli ducem potiorem ferre, curam urbis ut ingratam ignobilemque aspernari. cum parum decorum 8 inter collegas certamen mirabundi patres conspicerent, Q. Servilius ‘Quando nec ordinis huius ulla’ inquit ‘nec rei publicae est verecundia, patria maiestas altercationem istam dirimet; filius meus extra sortem urbi praeerit. bellum utinam, qui adpetunt, consideratius concordiusque, quam cupiunt, gerant.’

Quarrels between the two consular tribunes appointed to conduct 46 the war. Q. Servilius Priscus, foreseeing calamity, urges his son, one of the consular tribunes, to make war preparations. The tribunes are defeated, and Servilius appointed dictator,

Dilectum haberis non ex toto passim populo placuit; decem tribus sorte ductae sunt. ex iis scriptos iuniores
duo tribuni ad bellum duxere. cœpta inter eos in urbe certamina cupiditate eadem imperii multo impensius in castris accendi; nihil sentire idem, pro sententia pugnare; sua consilia velle, sua imperia sola rata esse; contemnere in vicem et contemni, donec castigantibus legatis tandem ita comparatum est, ut alternis diebus summam imperii haberent. quae cum allata Romam essent, dicitur Q. Servilius, aetate et usu doctus, precatus ab dis immortalibus, ne discordia tribunorum damnosior rei publicae esset, quam ad Veios fuisset, et velut haud dubia clade imminente in- stitisse filio, ut milites scriberet et arma pararet. nec falsus vates fuit. nam ductu L. Sergi, cuius dies imperii erat, loco iniquo sub hostium castris, cum, quia simulato metu receperat se hostis ad vallum, spes vana expugnandi castra eo traxisset, repentina impetu Aequorum per supinam vallem fusi sunt, multique in ruina maiore quam fuga oppressi obtruncatique; castraque, eo die aegre retenta, postero die circumfusis iam magna ex parte hostibus per aversam partam fuga turpi deseruntur. duces legati
tique et quod circa signa roboris de exercitu fuit Tusculum petiere; palati alii per agros passim multis itineribus maioris, quam accepta erat, cladis nuntii Romam contenderunt. minus trepidationis fuit, quod eventus timori hominum congruens fuerat, et quod subsidia, quae respicerent in re trepida, praeparata erant ab tribuno militum. iussuque eiusdem per minores magistratus sedato in urbe tumultu speculatorum propere missi nuntiavere Tusculi duces exercitumque esse, hostem castra loco non movisse. et, quod plurimum animorum fecit, dictator ex senatus consulto dictus Q. Servilius Priscus, vir, cuius providentiam in re publica cum multis aliis tempestatibus ante experta civitas erat tum eventu eius belli, quod uni certamen tribunorum suspectum ante rem male gestam fuerat. magistro equitum creato, a quo ipse tribuno
militum dictator erat dictus, filio suo—ut tradidere quidam; nam alii Ahalam Servilium magistrum equitum eo anno fuisse scribunt—novo exercitu profectus ad bellum, accitis, qui Tusculi erant, duo milia passuum ab hoste locum castris cepit.

gains a signal victory over the enemy, and captures Labicum.

Transierat ex re bene gesta superbia neglegentiaque ad Aequos, quae in Romanis ducibus fuerat. itaque primo statim proelio cum dictator equitatu immisso antesignanos hostium turbasset, legionum inde signa inferri propere iussit, signiferumque ex suis unum cunctantem occidit. tantus ardor ad dimicandum fuit, ut impetum Aequi non tulerint, victique acie cum fuga effusa petissent castra, breviar tempore et certamine minor castrorum oppugnatio fuit, quam proelium fuerat. captis direptisque castris, cum praedam dictator militi concessisset secutique fugientem ex castris hostem equites renuntiassent omnes Labicanos victos, magnam partem Aequorum Labicos confugisse, postero die ad Labicos ductus exercitus, oppidumque corona circumdata scalis captum ac direptum est. dictator exercitu victore Romam reducto die octavo, quam creatus erat, magistratu se abdicavit; et opportune senatus, priusquam ab tribunis plebi agrariae seditiones mentione inlata de agro Labicano dividendo fieren, censuit frequens coloniam Labicos deducendam. coloni ab urbe mille et quingenti missi bina iugera acceperunt.


Captis Labicis ac deinde tribunis militum consulari potestate Agrippa Menenio Lanato et C. Servilio Structo et P. Lucretio Tricipitino, iterum omnibus his, et Sp. Rutilio Crasso, et ineunte anno A. Sempronio Atratino
48 Dissensions at home. An agrarian proposal to distribute all captured land to all the citizens, which would be ruin to the patricians, is advertised. The patricians at their wits' end adopt the advice of Ap. Claudius, grandson of the decemvir, and by personal canvassing and flattering speeches induce six of the tribunes of the plebs to veto the bill.

Turbatores vulgi erant Sp. Maecilius quartum et M. Metilius tertium tribuni plebis, ambo absentes creati. ei cum rogationem promulgassent, ut ager ex hostibus captus virítim divideretur, magnaeque partis nobilium eo plebiscito publicarentur fortunae—nec enim ferme quicquam agri, ut in urbe alieno solo posita, non armis partum erat, nec quod venisset adsignatumve publice esset praeterquam plebs habebat—, atrox plebi patribusque propositum videbatur certamen. nec tribuni militum nunc in senatu, nunc in consiliis privatis principum cogendis viam consilii inveniebant, cum Ap. Claudius, nepos eius, qui decemvir legibus scribendis fuerat, minimus natu ex patrum concilio, dicitur dixisse vetus se ac familiare consilium domo adferre: pro avum enim suum Ap. Claudium ostendisse patribus viam unam dissolvendae tribuniciae potestatis per collegarum intercessionem. facile homines novos auctoritate principum de sententia deduci, si temporum interdum potius quam maiestatis memor adhibeatur oratio. pro fortuna illis animos esse; ubi videant collegas principes agendae rei gratiam omnem ad plebem praecoccupasse nec locum in ea relictum sibi, haud gravate acclinaturos se ad causam senatus, per quam cum universo ordini tum primoribus se patrum concilient. adprobantibus cunctis et ante omnes
Q. Servilio Prisco, quod non degenerasset ab stirpe Claudia, collaudante iuvenem, negotium datur, ut quos quisque posset ex collegio tribunorum ad intercessionem perlicerent. misso senatu prensantur ab principibus tribuni. suadendo, monendo pollicendoque, gratum id singulis privatim, gratum universo senatu fore, sex ad intercessionem comparavere. posteroque die cum ex composito relatum ad senatum esset de seditione, quam Maccilius Metiliiusque largitio pessimi exempli concirent, eae orationes a primoribus patrum habitae sunt, ut pro se quisque iam nec consilium sibi suppetere diceret nec se ullam opem cernere aliam usquam praeterquam in tribunicio auxilio: in eius potestatis fidem circumventam rem publicam tamquam privatum inopem confugere. praeclarum ipsis potestatique esse non ad vexandum senatum discordiamque ordinum movendam plus in tribunatu virium esse quam ad resistendum improbis collegis. fremitus inde universi senatus ortus, cum ex omnibus partibus curiae tribuni appellarentur. tum silentio facto ii, qui praeparati erant gratia principum, quam rogationem a collegis promulgatam senatus censeat dissolvendae rei publicae esse, ei se intercessuros ostendunt. gratiae intercessoribus ab senatu actae. lahores rogationis contione advocata pro ditores plebis commodorum ac servos consularium appellantes aliaque truci oratone in collegas invecti actionem deposuere.


Duo bella insequens annus habuisset, quo P. Cornelius Cossus, C. Valerius Potitus, Q. Quinctius Cincinnatus, Num. Fabius Vibulanus tribuni militum consulari potestate fuerunt, ni Veiens bellum religio principum distulisset, quo-
rum agros Tiberis super ripas effusus maxime ruinis villarum vastavit. simul Aequos triennio ante accepta clades prohibuit Bolanis, suae gentis populo, praesidium ferre. excursions inde in confinem agrum Labicanum factae erant novisque colonis bellum inlatum. quam noxam cum se consensu omnium Aequorum defensuros sperassent, deserti ab suis ne memorabili quidem bello per obsidionem levemque unam pugnam et oppidum et fines amiser. temptatum ab L. Decio tribuno plebis, ut rogationem ferret, qua Bolas quoque, sicut Labicos, coloni mitterentur, per intercessionem collegarum, qui nullum plebiscitum nisi ex auctoritate senatus passuros se perferri ostenderunt, discussum est.

B.C. 414. Consular tribunes. Bolae, recovered by the Aequi, is recaptured by the consular tribune M. Postumius Regillensis. He angers his soldiers by breaking his promise about the spoil. Some hasty words artfully drawn from him by the tribune of the plebs, M. Sextius, at Rome, and conveyed to the camp increase the irritation there,

Bolis insequite anno receptis Aequi coloniaque eo deducta novis viribus oppidum firmarunt, tribunis militum Romae consulari potestate Cn. Cornelio Cosso, L. Valerio Potito, Q. Fabio Vibulano iterum, M. Postumio Regillensi. nam exercitu impigre scripto ductoque ad Bolas, cum levibus proeliiis Aequorum animos fregisset, postremo in oppidum inrupit; deinque ab hostibus in civis certamen vertit et, cum inter oppugnationem praedam militis fore edixisset, capto oppido fidem mutavit. eam magis adducor ut credam irae causam exercitui fuisse, quam quod in urbe nuper direpta coloniaque nova minus praedicatione tribuni prae-
dae fuerit. auxit eam iram, postquam ab collegis arcessitus propter seditiones tribunicias in urblem revertit, audita vox eius in contione stolida ac prope vecors, qua M. Sextio tribuno plebis legem agrariam ferenti, simul, Bolas quoque ut mitterentur coloni, laturum se dicenti—dignum enim esse, qui armis cepissent, eorum urblem agrumque Bolanum esse—‘Malum quidem militibus meis’ inquit, ‘ nisi quievrint.’ quod auditum non contionem magis quam mox patres offendit. et tribunus plebis, vir acer nec infacundus, nactus inter adversarios superbum ingenium immodicamque linguam, quam irritando agitandoque in eas impelleret voces, quae invidiae non ipsi tantum, sed causae atque universo ordini essent, neminem ex collegio tribunorum militum saepius quam Postumium in disceptationem trahebat. tum vero secundum tam saevum atque inhumanum dictum ‘Auditis’ inquit, ‘Quirites, sicut servis malum mi-nantem militibus? tamen haec belua dignior vobis tanto honore videbitur, quam qui vos urbe agrisque donatos in colonias mittunt, qui sedem senectuti vestrae prospiciunt, qui pro vestris commodis adversus tam crudeles superbosque adversarios depugnant. incipite deinde mirari, cur pauci iam vestram suspiciant causam. quid ut a vobis sperent? an honores, quos adversariis vestris potius quam populi Romani propugnatoribus datis? ingemuistis modo voce huius audita. quid id refert? iam si suffragium detur, hunc, qui malum vobis minatur, iis, qui agros sedesque ac fortunas stabilire volunt, praeferetis.’

and on his return thither, attempting by harsh punishments to quell the mutinous spirit, he is stoned to death by the soldiers.

Perlata haec vox Postumi ad milites multo in castris maiorem indignationem movit: praedaene interceptorem fraudatoremque etiam malum minari militibus? itaque cum

L. IV.
fremitus aperte esset, et quaestor P. Sestius eadem violentia coerceri putaret seditiosem posse, qua mota erat, misso ad vociferantem quendam militem lictore, cum inde clamor et iurgium oreretur, saxo iurgium turba excedit insuper increpante, qui vulneraverat, habere quaestorem, quod imperator esset militibus minatus. ad hunc tumultum accitus Postumius asperiora omnia fecit acerbis quaestionibus, crudelibus suppliciis. postremo, cum modum irae nullum faceret, ad vociferationem eorum, quos necari sub crate iusserat, concursu facto ipse ad interpellantes poenam vecors de tribunali decurrit. ibi cum submoventes passim lictores centurionesque vexarent turbam, eo indignatio erupit, ut tribunus militum ab exercitu suo lapidibus cooperiretur. quod tam atrox facinus postquam est Romam nuntiatum, tribunis militum de morte collegae per senatum quaestiones decerentibus tribuni plebis intercedebant.

B.C. 413. In consequence of disputes between the tribunes of the plebs and the senate, arising out of the murder of Postumius, an interrex is appointed, and

sed ea contentio ex certamine alio pendebat, quod cura incesserat patres, ne metu quaestionum plebs iraque tribunos militum ex plebe crearet, tendebantque summa ope, ut consules crearentur. cum senatus consultum fieri tribuni plebis non paterentur, iidem intercederent consularibus comitiis, res ad interregnum re diit. victoria deinde penes patres fuit.

51 consuls are elected. The prosecution of those concerned in the murder of Postumius is entrusted to the consuls, who perform the task with great moderation and good sense, but not without causing considerable irritation among the plebs. Ferentinum, a town of the Volsci, taken and given to the Hernici.

Q. Fabio Vibulano interrege comitia habente consules creati sunt A. Cornelius Cossus, L. Furius Medullinus. his
consulibus principio anni senatus consultum factum est, ut
de quaestione Postumianae caedis tribuni primo quoque
tempore ad plebem ferrent plebesque praeficeret quaestioni,
quem vellet. a plebe consensu [populi] consulibus nego-
tium mandatur; qui summa moderatione ac lenitate per
paucorum supplicium, quos sibimet ipsos conscisse mortem
satis creditum est, transacta re, nequivere tamen consequi,
ut non aegerrime id plebs ferret: iacere tam diu irritas actiones, quae de suis commodis ferrentur, cum interim de
sanguine ac supplicio suo latam legem confestim exerceri et
tantam vim habere. aptissimum ad tempus fuerat vindicatis seditionibus delenimentum animis Bolani agri divisionem obici; quo facto minuissent desiderium agrariae legis, quae possesso per iniuriam agro publico patres pellebat. tunc haec ipsa indignitas angebat animos: non in retinendis modo publicis agris, quos iam teneret, pertinacem nobilitatem esse, sed ne vacuum quidem agrum nuper ex hostibus captum plebi dividere, mox paucis, ut cetera, futurum praedae.

Eodem anno adversus Volscos populantes Hernicorum fines legiones ductae a Furio consule. cum hostem ibi non invenissent, Ferentinum, quo magna multitudo Volscorum se contulerat, cepere. minus praedae, quam speraverant, sibi quotidie, quod Volsci, postquam spes tuendi exigua erat, sublatis rebus nocte oppidum reliquerunt. postero die prope desertum capitur. Hernicis ipsum agerque dono datus.


Annum modestia tribunorum quietum exceptit tribunus plebis L. Icilius Q. Fabio Ambusto, C. Furio Pacilo consulibus. is cum principio statim anni, velut pensum nominis familiaeque, seditiones agrariis legibus promulgandis cieret, pestilentia coorta, minacior tamen quam perniciosior, cogi-
tationes hominum a foro certaminibusque publicis ad domum curamque corporum nutriendorum avertit; minusque eam damnosam fuisse, quam seditio futura fuerit, credunt.

B.C. 411. Consuls. Dearth, resulting from the pestilence, which is relieved by corn procured from abroad.

4 Defuncta civitate plurimorum morbis, perpaucis funeribus, pestilentem annum inopia frugum neglecto cultu agrorum, ut plerumque fit, exceptit M. Papirio Atratino, C. Nautio Rutilo consulibus. iam fames quam pestilentia tristior erat, ni dimissis circa omnes populos legatis, qui Etruscum mare quique Tiberim accolunt, ad frumentum mercandum annonae foret subventum. superbe ab Samnitisbus, qui Capuam habebant Cumasque, legati prohibiti commercio sunt, contra ea beneigne ab Siculorum tyrannis adiuti; maximos commeatus summo Etruriae studio Tiberis devexit. solitudinem in civitate aegra experti consules sunt, cum in legationes non plus singulis senatoribus invententes coacti sunt binos equites adicere. praeterquam ab morbo annonaeque nihil eo biennio intestini externive incommodi fuit. at ubi eae sollicitudines discessere, omnia, quibus turbari solita erat civitas, domi discordia, foris bellum exortum.

53 B.C. 410. Consuls. War with Volsci and Aequi. While M. Menenius, tribune of the plebs, is interfering with the levy, Carventum, a Latin town, is taken by the enemy. By the interposition of the other tribunes, the consul C. Valerius Potitus is enabled to complete the levy, and Carventum is recaptured.

M'. Aemilio, C. Valerio Potito consulibus bellum Aequi parabant, Volscis quamquam non publico consilio capessentibus arma, voluntariis mercede secutis militiam. ad quorum famam hostium—iam enim in Latinum Hernicumque transcenderant agrum—dilectum habentem Valerium consu-
Menenius tribunus plebis, legis agrariae lator, cum impediret auxilioque tribuni nemo invitus sacramento diceret, repente nuntiatur arcem Carventanam ab hostibus occupatam esse. ea ignominia accepta cum apud patres invidiae Menenio fuit, tum ceteris tribunis, iam ante praeparatis intercessoribus legis agrariae, praebut iustiorem causam resistendi collegae. itaque cum res diu duxta per altercationem esset, consulis deos hominesque testantibus, quidquid ab hostibus cladis ignominiaeque aut iam acceptum esset aut immineret, culpam penes Menenium fore, qui dilectum impediret, Menenio contra vociferante, si in iusti domini possessione agi publici cederent, se moram dilectui non facere, decreto interposito novem tribuni sustulerunt certamen, pronuntiaveruntque ex collegii sententia C. Valerio consuli se, damnnum aliamque coercitionem adversus intercessionem collegae dilectus causa detractantibus militiam inhibenti, auxilio futuros esse. hoc decreto consuli armatus cum paucis appellantibus tribunum collum torsisset, metu ceteri sacramento dixere.

Ductus exercitus ad Carventanam arcem, quamquam invisus infestusque consuli erat, impigre primo statim adventu deiectis, qui in praesidio erant, arcem recipit; praedatores ex praesidio per negligentiam dilapsi occasionem aperuere ad invadendum. praedae ex assiduis populationibus, quod omnia in locum tutum congesta erant, fuit aliquantum. venditum sub hasta consul in aerarium redigere quae estores iussit, tum praedicans participem praedae fore exercitum, cum militiam non abnuiisset. auctae inde plebis ac militum in consulem irae. itaque cum ex senatus constituto urbem ovans introiret, alternis inconditi versus militari licentia iactati, quibus consul increpitus, Meneni celebre nomen laudibus fuit, cum ad omnem mentionem tribuni favor circumstantis populi plausuque et adsensu cum vocibus
13 militum certaret. plusque ea res quam prope sollemnis militum lascivia in consulem curae patribus iniecit; et tamquam haud dubius inter tribunos militum honos Meneni, si pateret, consularibus comitiis est exclusus.

54 B.C. 409. Consuls. Plebeians for the first time elected to the quaestorship. Triumph of the plebs and indignation of the patricians.

Creati consules sunt Cn. Cornelius Cossus, L. Furius Medullinus iterum. non alias aegrius plebs tulit tribunicia comitia sibi non commissa. eum dolorem quaestorii co-mitiis simul ostendit et ulta est tunc primum plebeis quaes-toribus creatis, ita ut in quattuor creandis uni patricio, K. Fabio Ambusto, relinqueretur locus, tres plebei, Q. Silius, P. Aelius, P. Pupius, clarissimarum familiarum iuvenibus praeferrentur. auctores fuisse tam liberi populo suffragii Icilios accipio, ex familia infestissima patribusque tres in eum annum tribunos plebis creatos multarum magnarumque rerum molem avidissimo ad ea populo ostentantes, cum adfirmassent nihil se moturos, si ne in quaestorii quidem comitiis, quae sola promiscua plebei patribusque reliquisset senatus, satis animi populo esset ad id, quod tam diu vellet et per leges liceret. pro ingenti itaque victoria id fuit plebi, quaesturamque eam non honoris ipsius fine aesti-mabant, sed patefactus ad consulatum ac triumphos locus novis hominibus videbatur. patres contra non pro communi-sarumque non non honoribus fremere; negare, si ea ita sint, liberos tollendos esse, qui, pulsi maiorum loco cernentesque alios in possessione dignitatis suae, salii flaman-sisque nusquam alio quam ad sacrificandum pro populo sine imperii ac potestatibus relinquantur. irritatis utriusque partis animis, cum et spiritus plebs sumpsisset et tres ad popularem causam celeberrimi nominis haberet duces,
patres omnia quaestoriis comitiis, ubi utrumque plebi liceret, similia fore cernentes tendere ad consulum comitia, quae nondum promiscua essent; Iciliii contra tribunos militum creandos dicere et tandem aliquando impertiendos plebi honores.

The tribunes of the plebs take advantage of the recapture of Carventum by the Aequi and the necessity for a levy, to extort from the senate a decree that consular tribunes shall be elected for the next year. Verruga is captured by the Volsci (cf. c. 1) but retaken. Attempts to recapture Carventum fail.

Sed nulla erat consularis actio, quam impediendo id, quod petebant, exprimerent, cum mira opportunitate Volscos et Aequos praedatum extra fines exisse in agrum Latinum Hernicumque adfertur. ad quod bellum ubi ex senatus consulto consules diletum habere occipiunt, obstare tunc enixe tribuni, sibi plebique eam fortunam oblatam memorantes. tres erant et omnes acerrimi viri generosique iam, ut inter plebeios. duo singuli singulos sibi consules adservandos assidua opera desumunt; uni comitionibus data nunc detinenda, nunc concienda plebs. nec diletum consules, nec comitia, quae petebant, tribuni expediebant. inclinante deinde se fortuna ad causam plebis nuntii veniunt arcem Carventanam dilapsis ad praedam militibus, qui in praesidio erant, Aequos interfectis paucis custodibus arcis invasisse; alios recurrentis ad arcem, alios palantis in agris caesos. ea adversa civitatis res vires tribuniciae actioni adiecit. nequiquam enim temptati, ut tum denique desisterent impediendo bello, postquam non cessere nec publicae tempestati nec suae invidiae, pervincunt, ut senatus consultum fiat de tribunis militum creandis, certo tamen pacto, ne cuius ratio haberetur, qui eo anno tribunus plebis esset, neve quis reficeretur in annum tribunus plebis, haud
dubie Icilios denotante senatu, quos mercedem seditiosi tribunatus petere consulatum insimulabant. tum dilectus haberi bellumque omnium ordinum consensu apparari 8 coeptum. consules ambo proiecti sint ad arcem Carventanam, an alter ad comitia habenda substiterit, incertum 5 diversi auctores faciunt; illa pro certo habenda, in quibus non dissentiunt, ab arce Carventana, cum diu nequiquam oppugnata esset, recessum, Verruginem in Volscis eodem exercitu receptam, populationesque et praedas et in Aequis et in Volscos agro ingentes factas.

56 f.c. 408. Consular tribunes. War with the Volsci, Aequi, and Antiates. The senate desiring to appoint a dictator are violently opposed by the two first consular tribunes.

Romae sicut plebis victoria fuit in eo, ut, quae mallent, comitia haberent, ita eventu comitiorum patres vicere; namque tribuni militum consulari potestate contra spem omnium tres patriciis creati sunt, C. Iulius Iulus, P. Cornelius Cossus, C. Servilius Ahala. artem adhibitam ferunt a patriciis, cuius eos Icili tum quoque insimulabant, quod turbam indignorum candidatorum intermiscendo dignis, tae-dio sordium in quibusdam insignium populam a plebeis avertissent.

4 Volscos deinde et Aequos, seu Carventana arx retenta in spel seu Verrugine amissum praesidium ad iram cum impulisset, fama adfertur summa vi ad bellum coortos; caput rerum Antiates esse; eorum legatos utriusque gentis populos circumisse castigantes ignaviam, quod abditi intra muros populabundos in agris vagari Romanos priore anno et opprimit Verruginis praesidium passi essent: iam non exercitus modo armatos, sed colonias etiam in suos fines mitti; nec ipsos modo Romanos sua divisa habere, sed 7 Ferentinum etiam de se captum Hernicis donasse. ad haec
cum inflammarentur animi, ut ad quosque ventum erat, numerus iuniorum conscribatur. ita omnium populorum iuventus Antium contracta; ibi castris positis hostem opperiebantur.

5 Quae ubi tumultu maiore etiam, quam res erat, nuntian- tur Romam, senatus extemplo, quod in rebus trepidis ultimum consilium erat, dictatorem dici iussit. quam rem 9 aegre passos Iulium Corneliumque ferunt magnoque certamine animorum rem actam, cum primores patrum, ne- 10 quiquam conquesti non esse in auctoritate senatus tribunos militum, postremo etiam tribunos plebi appellarent et con- sulibus quoque ab ea potestate vim super tali re inhibitam referrent, tribuni plebi laeti discordia patrum nihil esse in se iis auxilii dicerent, quibus non civium, non denique hominum numero essent: si quando promiscui honores, 12 communicata res publica esset, tum se animadversuros, ne qua superbia magistratum inrita senatus consulta essent; interim patricii soluti legum magistratuumque vi atque ve- 13 recundia per se potestatemque tribuniciam agerent.

20 At last Servilius Ahala, third consular tribune, apologising to his colleagues for the action they have forced upon him, nominates a dictator.

Haec contentio minime idoneo tempore, cum tantum belli in manibus esset, occupaverat cogitationes hominum, 25 donec, ubi diu alternis Iulius Corneliusque, cum ad id 2 bellum ipsi satis idonei duces essent, non esse aequum mandatum sibi a populo eripi honorem disseruere, tum 3 Ahala Servilius tribunus militum tacuisse se tam diu ait, non quia incertus sententiae fuerit—quem enim bonum 30 civem secernere sua a publicis consilia?—sed quia maluerit collegas sua sponte cedere auctoritati senatus, quam tribuniciam potestatem adversus se implorari paterentur.
4 tum quoque, si res sinister, libenter se daturum tempus illius fuisse ad receptum nimis pertinacis sententiae; sed cum belli necessitates non exspectent humana consilia, potiorem sibi collegarum gratia rem publicam fore, et, si maneat in sententia senatus, dictatorem nocte proxima dicturum, ac, si quis intercedat senatus consulto, auctoritate se fore contentum. quo facto cum haud immi-eritam laudem gratiamque apud omnis tulisset, dictatore P. Cornello dicto ipse ab eo magister equitum creatus exemplo fuit collegis se eumque intuentibus, quam gratia atque honos opportuniora interdum non cupientibus essent.

7 Bellum haud memorabile fuit. uno atque eo facili proelio caesi ad Antium hostes; victor exercitus depopulatus Volscum agrum; castellum ad lacum Fucinum vi expugnatum atque in eo tria milia hominum capta, ceteris Volscis intra moenia compulsis nec defendentibus agros. dictator bello ita gesto, ut tantum non defuisse fortunae videretur, felicitate quam gloria maior in urbem rediit magistratuque se abdicavit.

B.C. 407. Consular tribunes elected. 25

9 Tribuni militum mentione nulla comitiorum consularium habita—credo ob iram dictatoris creati—tribunorum militum comitia edixerunt. tum vero gravior cura patribus incessit, quippe cum prodi causam ab suis cernerent. itaque sicut priore anno per indignissimos ex plebeis candidatos omnium, etiam dignorum, taedium fecerant, sic tum primoribus patrum splendore gratiaque ad petendum praeparatis omnia loca obtinuere, ne cui plebeio aditus esset. quattuor creati sunt, omnes iam functi eo honore, L. Furius Medullinus, C. Valerius Potitus, Num. Fabius Vibulanus, C. Servilius Ahala, hic refectus continuato honore cum ob
alias virtutes, tum ob recentem favorem unica moderatione partum.

The truce with Veii comes to an end this year. Verrugo is lost.

Eo anno, quia tempus indutiarum cum Veienti populo exierat, per legatos fetialesque res repeti coeptae. quibus venientibus ad finem legatio Veientium obvia fuit. petiere, ne prius, quam ipsi senatum Romanum adissent, Veios iretur. ab senatu impetratum, quia discordia intestina laborarent Veientes, ne res ab iis repeterentur; tantum afuit, ut ex in commodo alieno sua occasio peteretur. et in Volsci accepta clades amissio Verrugine praesidio; ubi tantum in tempore fuit momenti, ut, cum precantibus opem militibus, qui ibi a Volsci obsidebantur, succurri, si matutatum esset, potuisset, ad id venerit exercitus subsidio missus, ut ab recenti caede palati ad praedandum hostes opprimeretur. tarditatis causa non in senatu magis fuit quam tribunis, qui, quia summa vi restari nuntiabatur, parum cogitaverunt nulla virtute superari humanarum virium modum. fortissimi milites non tamen nec vivi nec post mortem inulti fuere.

B.C. 406. Consular tribunes. The senate wish to declare war against Veii, but on account of the unpopularity of the proposal postpone it.

Insequenti anno P. et Cn. Cornelius Cossis, Num. Fabio Ambusto, L. Valerio Potito tribunis militum consulari potestate Veiens bellum motum ob superbam responsum Veientis senatus, qui legatis repetentibus res, ni facesserent propere ex urbe finibusque, daturos, quod Lars Tolumnius dedisset, responderi iussit. id patres aegre passi decrevere, ut tribuni militum de bello indicendo Veientibus primo quoque die ad populum ferrent. quod ubi primo promul-
gatum est, fremere iuventus: nondum debellatum cum Vol- 
cisci esse, modo duo praesidia occidione occisa, arces cum 
periculo retineri; nullum annum esse, quo non acie dimi-
cetur, et tamquam paeniteat laboris, novum bellum cum 
finitimo populo et potentissimo parari, qui omnem Etru-
11 riam sit concitaturus. haec sua sponte agitata insuper 
tribuni plebis accendunt; maximum bellum patribus cum 
plebe esse dictitant: eam de industria vexandam militia 
trucidandumque hostibus obici; eam procul urbe haber 
atque ablegari, ne domi per otium memor libertatis colonia-
rum aut agri publici aut suffragii libere ferendi consilia 
agitet. prensantesque veteranos stipendia cuiusque et vul-
nera ac cicatrices numerabant, quid iam integri esset in 
corpore loci ad nova vulnera accipienda, quid super san-
guinis, quod dari pro re publica posset, rogitantes. haec 
cum in sermonibus contionibusque interdum agitantes 
avertissent plebem ab suscipientsi bello, profertur tempus 
ferundae legis, quam, si subiecta invidiae esset, antiquari 
apparebat.

59 Anxur (Tarracinae) is taken. Pay is given to the soldiers. 20

Interim tribunos militum in Volscum agrum ducere ex-
ercitum placuit; Cn. Cornelius unus Romae relictus. tres 
tribuni, postquam nullo loco castra Volscorum esse nec 
commissuros se proelio apparuit, tripertito ad devastandos 
3 fines discessere. Valerius Antium petit, Cornelius Ecetras; 25 
quacumque incessere, late populati sunt tecta agrosque, ut 
distinerent Volscos; Fabius, quod maxime petebatur, ad 
Anxur oppugnandum sine ulla populatione accessit.

4 Anxur fuit, quae nunc Tarracinae sunt, urbs prona in 
paludes. ab ea parte Fabius oppugnationem ostendit. 30 
circummissae quattuor cohortes cum C. Servilio Ahala cum 
imminentem urbi collem cepissent, ex loco altiore, qua
nullum erat praesidium, ingenti clamore ac tumultu moenia invasere. ad quem tumultum obstupefacti, qui adversus Fabium urbem infimam tuebantur, locum dedere scalas admovendi; plenaque hostium cuncta erant, et immitis diu caedes pariter fugientium ac resistentium, armatorum atque inermium fuit. cogebantur itaque victi, quia cedentibus spei nihil erat, pugnam inire, cum pronuntiatum repente, ne quis praeter armatos violaretur, reliquam omnem multitudinem voluntariam exuit armis; quorum ad duo milia et quingenti vivi capiuntur. a cetera praeda Fabius militem abstinuit, donec collegae venirent, ab illis quoque exercitus captum Anxur dictitans esse, qui ceteros Volscos a praesidio eius loci avertissent. qui ubi venerunt, oppidum vetere fortuna opulentum tres exercitus diripuere. eaque primum benignitas imperatorum plebem patribus conciliavit.

Additum deinde omnium maxime tempestivo principum in multitudinem munere, ut ante mentionem ullam plebis tribunorumve decerneret senatus, ut stipendium miles de publico acciperet, cum ante id tempus de suo quisque functus eo munere esset.

Gratitude of the plebs to the senate for this boon. The tribunes of the plebs regard the favour with suspicion and offer to support anyone who chooses to refuse to contribute to the war-tax (tributum). But in spite of their offer the tax is readily and universally paid.

Nihil acceptum umquam a plebe tanto gaudio traditur; concursum itaque ad curiam esse prensatasque exeuntium manus et patres vere appellatos, effectum esse fatentibus, ut nemo pro tam munifica patria, donec quicquam virium superesset, corpori aut sanguini suo parceret. cum commoditas iuvaret, rem familiarem saltem acquiescere eo tempore, quo corpus addictum atque operatum rei publicae
esset, tum quod ultro sibi oblatum esset, non a tribunis plebis quumquam agitatum, non suis sermonibus efflagitatum, id efficiebat multiplex gaudium cumulatioremque gratiam rei. tribuni plebis, communis ordinum laetitiae concordiaeque soli expertes, negare tam id laetum [patribus] universalis nec prosperum fore quam ipsi crederent: consilium specie prima melius fuisse quam usu apparitum. unde enim cam pecuniam confici posse nisi tributo populo indirecto? ex alieno igitur aliis largitos. neque id, etiamsi ceteri ferant, passuros eos, quibus iam emerita stipendia essent, meliore condicione alios militare, quam ipsi militassent, et eosdem in sua stipendia impensas fecisse et in aliorum facere. his vocibus moverunt partem plebis. postremo indirecto iam tributo edixerunt etiam tribuni auxilio se futuros, si quis in militare stipendium tributum non contulisset. patres bene coeptam rem perseveranter tueri; conferre ipsi primi, et quia nondum argentum signatum erat, aes grave plaustris quidam ad aerarium convehentes speciosam etiam collationem faciebant. cum senatus summa fide ex censu contulisset, primores plebis, nobilium amici, ex composito conferre incipiunt. quos cum et a patribus collaudari et a militari aetate tamquam bonos cives conspici vulgus hominum vidit, repente spreto tribunicio auxilio certamen conferendi est ortum.

Et lege perlata de indicendo Veientibus bello exercitum magna ex parte voluntarium novi tribuni militum consulari potestate Veios duxere.

61 B.C. 405. Consular tribunes, six in number. A proposal to declare war against Veii having been carried, the new consular tribunes lead an army thither.

Fuere autem tribuni T. Quinctius Capitolinus, Q. Quinctius Cincinnatus, C. Iulius Iulus iterum, A. Manlius,
L. Furius Medullinus tertium, M'. Aemilius Mamercinus. 
ab iis primum circumsessi Vei sunt. sub cuius initium ob-
2 sidionis cum Etruscorum concilium ad fanum Voltumnae 
frequenter habitum esset, parum constitit, bellone publico 
gentis universae tuendi Veientes essent.

B.C. 404. Consular tribunes. The siege of Veii slackened in con-
sequence of war with the Volsci. The Volscian city of Artena 
taken.

Ea oppugnatio segnior inequenti anno fuit parte tribu-
3 norum exercitusque ad Volscum avocata bellum. tribunos 
militum consulari potestate is annus habuit C. Valerium Po-
4 titum tertium, M'. Sergium Fidenatem, P. Cornelium Ma-
luginensem, Cn. Cornelium Cossum, K. Fabium Ambus-
tum, Sp. Nautium Rutilum iterum. cum Volscis inter 
5 Ferentinum atque Ecetram signis collatis dimicatum; Ro-
6 manis secunda fortuna pugnae fuit. Artena inde, Volsco-
rum oppidum, ab tribunis obsideri coepta. inde inter erup-
tionem temptatam compulso in urbem hoste occasio data 
est Romanis irruptendi, praeterque arcem cetera capta. 
in arcem munitam natura globus armatorum concessit; 
7 infra arcem caesi captique multi mortales. arx deinde 
obsidebatur; nec aut vi capi poterat, quia pro spatio loci 
satis praesidii habebat, aut speram dabat ditionis omni 
publico frumento, priusquam urbs caperetur, in arcem con-
20 vecto; taedioque recessum inde foret, ni servus arcem Ro-
8 manis prodidisset. ab eo milites per locum arduum accepti 
cepere; a quibus cum custodes trucidarentur, cetera mul-
titudo repentino pavore oppressa in ditionem venit. 
diruta et arce et urbe Artena reductae legiones ex Volscis, 9 
onmisque vis Romana Veios conversa est. proditori praec-
10 ter libertatem duarum familiarum bona in praemium data; 
Servius Romanus vocitatus. sunt, qui Artenam Veientium,
non Volscorum fuisset credant. praebet errorem, quod eiusdem nominis urbs inter Caere atque Veios fuit; sed eam reges Romani delevere, Caeretumque, non Veientium fuerat: altera haec nomine eodem in Volsco agro fuit, cuius excidium est dictum.
NOTES.

Chapter I.

p. 1. 8 § 1. secuti] sc. sunt; the use of the perf. partic. for the perf. indic. is very common in Livy.

9 infestus] Cicero and Livy both use infestus absolutely in the sense of 'deadly' or 'dangerous', cf. 1. 7. 6. Livy uses it reciprocally of the state, III. 24. 11, as the opposite of concors, 'disquieted by mutual hostilities'. This seems to be the sense here, annus being personified and the attribute really describing the condition of the Roman people during the year, 'a year of hostilities' or 'irritation'.

10 conubio] on the Canuleian law see Introduction.

patrum] Livy in accordance with his theory expounded in 1. 8. 7 uses patres to express both 'patricians' (as a body) and 'senators'.

12 § 2. iura gentium] that is, the rights of those who belonged to the gentes, at this time exclusively patrician. These rights were principally (1) exclusive eligibility to all offices of state and priesthoods; (2) exclusive possession of the legal and religious traditions of the state and the auspicia; (3) the fact that the marriage of a patrician with a plebeian was illegal and the offspring plebeian; (4) the right of sanctioning laws and elections in the Senate.

contaminari...confundi] these presents instead of futures (as below vulgari...aüferri) vivify the apprehensions of the patricians who in these 'promulgations' saw the thin end of the wedge being inserted. The proposed legislation would of course be in the concilium plebis, the resolutions (plebiscita) of which according to Mommsen's theory were at this time binding on the whole people if previously sanctioned by the patrician part of the senate, that is, practically at this time by the whole senate.

sensim] cf. 2. 7 sermonibus temptasse.

L. IV.
the one dissentient acc. to Dionysius was C. Furnius.

§ 3. id vero] ‘this last proposal in the estimation of the patricians meant simply not only &c.’, lit. ‘if this (vero emphasizing id in opposition to the smaller outrage of the intermarriage proposal) were by way of coming to pass then the chief power was being &c.’.

§ 4. agri abjudicati] ‘the judicial theft of their land’. The Romans had been called upon the year before to arbitrate in a dispute between the inhabitants of Ardea and Aricia about a piece of land which both claimed, and had decided that the land in question belonged to themselves. Cf. III. 72 fol.

§ 5. in maius acceptis] ‘made the very most of’, lit. ‘received into something even greater’, that is, ‘welcomed and made even greater than they were’; so in peius interpretari &c.

§ 6. in senatu] cf. 3. 6.

§ 7. in senatu] cf. 3. 6.

§ 8. nequiquam] from this to scivisset is Canuleius’ speech.

§ 9. avertete] conative present, ‘were trying to deter’.

plebes scivisset] cf. § 2.

Chapter II.

§ 1. furores] cf. II. 29. 11, the word implies very hot polemical feeling, ascribing something like demoniacal possession to an opponent, ‘diabolical audacity’, ‘reckless infatuation’; the plural implies ‘instances’ or ‘acts’ of furo.

adeo] ‘mark me!’ ‘observe!’, enclitic use of adeo strongly emphasizing the word it follows, cf. II. 29. 10, Verg. Aen. iv. 94.

magis] must be supplied before the previous quam.
NOTES.

§ 2. *cuius* = *eam rem, cuius praemium sit in civitate, maximis semper &c.*

§ 3. *pace...bello* may be ablatives of circumstances, but more probably instrumental; ‘thus (by offering reward) peace and war bring out merit’.

id] instead of *eas*, agrees with the sense of *seditiones move re* implied in *seditionum*.

§ 4. *reminiscerentur*] strictly speaking only suits the first question, *secum reputarent* must be supplied from it to the second.

§ 5. *colluvionem &c.* cf. 1. 2, ‘to swamp the clans’. The expression need not mean a mixture of two sets of *gentes* as Schwegler assumes (*Hist. III. 103*, where he supposes that *Livy* uses *gentes* here in the sense of *ordines* which is very unlikely), but the wholesale contamination of the patrician *gentes* by the introduction of foreign elements.

§ 6. *nee se &c.*] that is, they would have no consciousness of existence as members of a body politic. Compare for the thought, *Shakespere, Coriol. Act i. Sc. i.* ‘Go! get you home, you fragments!’

*vim*] ‘meaning’, so frequently in *Cicero.*

§ 7. *accingit*] ‘they were preparing to attack’, metaphor from girding on armour, a favourite word of Vergil’s, only used in prose by post-Augustan writers. *et* often used with and without *quidem* to introduce

§ 8. *f(7//;<i’/(7«OT;&c.*] cf. I. 2, ‘to swamp the clans’. The expression need not mean a mixture of two sets of *gentes* as Schwegler assumes (*Hist. III. 103*, where he supposes that *Livy* uses *gentes* here in the sense of *ordines* which is very unlikely), but the wholesale contamination of the patrician *gentes* by the introduction of foreign elements.

§ 9. *auspiciorum*] The right of consulting the gods by auspice-taking was inseparably associated in the patrician mind with pure patrician descent. If the plebeians acquired the right by access to the consulate, or semi-patricians were introduced into the clans by intermarriage, they feared that the whole system of auspice-interpretation would be vitiated; cf. 6. 2. In early times auspice-taking belonged as much to private as public life, cf. *Cic. de Divin. I. xvi.* 28 *nihil fere quondam maioris rei nisi auspicato ne privatim quidem gerebatur.*
the first or concessive clause of an antithesis; ‘and whereas at first... now &c.’.

8 fieret] in 1. 2 it is fieri licet; this makes all the difference. If the original demand was that one consul was to be plebeian, the demand ut seu ex patribus &c. was not an advance but a step back.

11 Canuleios] the pl. is generic. There were several tribunes of the name of Icilius. The one Livy has in his mind is probably the one who played such a conspicuous part in the overthrow of the decemvirs, III. 44 fol.

12 § 8. sineret] optative. regiae...recidere in apposition to id. eo = ad seditiosissimum quemque ex plebe. recidere ‘to decline upon’, ‘sink to the level of’, cf. i. 6. 8.

14 § 9. certum habere] sc. se.

16 alia &c.] ‘in making one demand after another, each more unjust than the last’. postulando, abl. of manner, almost = postulantem.

17 futuram] a slight anacoluthon, futuram being really a change of construction; concedendo should be followed by se habituros or something equivalent.

primo] i.e. in the first secession.

18 quam] ut is omitted, cf. 57. 3, VI. 15. 12.

20 § 10. iterum] in the second secession when the decemvirs were overthrown, III. 50 foll., and the tribune restored.

23 § 12. illine ut] an elliptical interrogative use of ut with subj. in which the speaker puts forward a supposition which he intends to be indignantly rejected. The infinitive is used in the same way. Cf. v. 24. 10, Verg. Aen. 1. 37. So in English ‘The idea of &c.’. ‘Jenny to slander me who knew what Jenny had been!’

26 tantum non] µήδεν ὁβ, ‘all but’, ‘as good as invited’.

31 § 13. animorum] the plural of this word is often used in the sense of ‘courage’.

p. 4. § 14. nisi] Luterbacher’s reading. The MSS. reading is si. If that is retained, the mark of interrogation must be placed apparently after eripiierint, instead of after posse.

dure] alluding prob. to the interference by the tribunes with the levy. maiestate, cf. § 4.

Chapter III.

10 § 1. cum maxime] ‘at the very time when’, cf. eodem tempore 2. 1.

14 § 2. videor] sc. mihi; by the moderation of this form of expression, he strengthens the force of nunc tamen maxime &c.
NOTES.

§ 3. quibus] adverseeative use of the relative, 'and yet in these &c.', cf. II. 29. 4.

quid aliud quam] like nihil a. q. used as a single adverb. Cicero and Caesar always have a verb governing the nihil aliud.

habere] may be explained as a sense construction, si non = quidem, but it is distinctly an imitation of Greek construction, cf. 15. 5 quamquam...pandere.

§ 4. nos quidem] The argument is, 'all nations are in the habit of granting conubium to foreign nations on their borders, we as a matter of fact have done more, we have granted citizenship to peoples we have conquered'. For the facts alluded to cf. i. 13. 4, 30. 1, 33. 5.

§ 5. nihil non] explained by §§ 9—13. The consuls succeeded to the position of the kings. Several of the kings had not even been Roman citizens, let alone patricians. The restriction therefore of the consulate to the patricians was an encroachment on the rights of the people. The demand for eligibility to the consulate on the part of the plebeians was a 'petition of right' therefore.

§ 6. caelum ac terras misceant] From a comparison of Quis caelum terris non misceat et mare caelo, si fur displiceat Verri, homicida Miloni?, it seems that the expression (probably a colloquial one) implies the use of excited language interspersed with such expletives as O caelum! O terras! and the like. 'Bring heaven and earth together in their mouths.'

in senatu] The expression here, as also in i. 6, is rather loose. As far as we know the tribunes at this time had not a seat in the Senate, but sat on benches at the open door of the curia.

negent] still dependent on cur.

§ 7. adipiscendi] Livy (as Tacitus after him) rather affects the use of this, and other simple verbs, in preference to the more usual compounds, adipiscor &c.

hoc] in apposition to plebeiusne consul fiat.

tamquam] sc. si. ac si would be more regular; tamquam partly repeats perinde.

§ 8. si dis placet] ironical indignant expletive, like our 'if you please', or the older 'God bless the mark'.

§ 9. obscero] interjectional use, by way of demanding special attention to what follows, 'now, please, mark this!' fastos, the register of dies fasti and nefasti kept in the custody of the Pontifices, the contents of which were kept a profound secret until the publication of them by Flavius, B.C. 304.

commentarios] books containing rules of religious ceremonial. In-
cidentally also they probably contained historical statements, but the argument of the speaker here is general, 'though the patricians exclude us from all the knowledge they possibly can, we still know what every one knows'.

8 § 10. *en*] 'well! would you believe that men have heard it said &c.? 'is it generally known, think you?' ironical, cf. x. 8. 10.

9 *non modo non*] as *ne...quidem* follows the second *non* might be omitted, as it is lower down.

11 *iusse* the people in *comitia* assenting to a *rogatio* (passing a resolution proposed to them) were said *iubere*.

*auctoribus*] 'with the sanction of the patrician senate'; compare note on i. 2. *patres auctores fiunt* was the form of words by which the Senate gave their sanction to laws and elections.

13 § 11. *incolam*] 'a settler in Rome'.


16 *quid enim*] 'For (with all these other instances at hand) there is no need to quote the case of T. Tatius', an instance of the rhetorical form (*praeteritio*) by which a speaker draws attention to a fact by passing it over.


19 *paenitentia*] delib. subj., the verb has here the meaning of 'discontent' or 'offence', which is not uncommon.


24 § 15. *ex peregrinone...spes erit*] favourite Latin form of the *argumentum ex contrario* by means of uncoupled paratactic sentences, e.g. *Sulla potuit, ego non potero?* In English it is generally necessary to turn by conditional or concessive and principal sentences.

25 * fiat*] deliberative subj.

26 § 16. *tandem*] rhetorical use, 'I ask'. 'Which is it, I ask? Is it that we believe it to be impossible for a plebeian to arise, brave, able and vigorous, useful in peace and war, like Numa, and Tarquiniius, and Ser. Tullius, or that, if there be such a one, we are not going to let him handle the reins of government, but are determined to have for consuls men like the detestable but wholly patrician body, the decemvirs, rather than self-made men like the best of the kings?' *novis hominibus*: cf. 48. 7, the expression really belongs to a later time. *ne...quidem ovide* 'not in that case either'.
Chapter IV.

p. 6. 7 § 1. *at enim*] the regular formula of *occupatio* or anticipation of an opponent’s argument, ‘but I shall be told’.

8 *quid postea?*] ‘well! what then?’, used by Terence frequently, by Cicero occasionally; the more usual formula is *quid tum?*

11 § 2. *pontifices &c.*] on all these officials see Ramsay *R. A.*

15 § 3. *apud patres*] ‘in the time of our fathers’, cf. II. 18. 4.

16 *plebi* = *plebei* gen. of *plebes*, declined acc. to 5th declension. *aediles sc.*

plebei. quaestores: we should have expected these to be placed with the consuls, with whom they appear to have been specially connected. As to the identification of the *quaestores aerarii* with the *quaestores parricidii* see M. and M. II. 525, Mommsen, *Rom. Hist.* 1. 260.

19 § 4. *in aeternum*] Livy puts a sentiment of his own time into the mouth of the speaker.

20 *imperia*] ‘powers’, used generally; technically *imperium* was the official power of such magistrates as possessed supreme civil, military and judicial authority. M. and M. I. 22.

*iura gentium hominumque*] ‘rights of clans and individuals’.

21 *instituuntur*] instead of saying ‘will or must be instituted’, he says ‘are as a matter of fact being instituted’. Having mentioned a number of such new institutions in previous times, he assumes that such alterations go on continually as part of the regular development of the city.

22 § 5. *paucis his annis*] ‘within the last few years’.

23 *pessimo publico*] cf. II. 1. 3; the superl. is used as a subst., the phrase being formed on the model of *bonum publicum* ‘the good of the commonwealth’, ‘with the worst possible results to the community’.

*an*] see note on 42. 6.

24 *insignior*] occurs also in VII. 6. 6, 15. 10, VIII. 13. 1; in X. 15. 5 we find *insignior*.


31 *per cooptationem...populi*] According to Livy (I. 8. 7) patrician dignity was derived from membership in the Senate. A man being a member of the Senate, he and his descendants thereby became patrician. If therefore a foreigner was made a senator by one of the kings, or later (as Appius Claudius, cf. II. 16) by election by the people, he and his clansmen might be said, by a rather loose use of the word, to be ‘cooptated’ into the patrician body, the whole number of the patrician clans admitting the new members into their union.
iussu populi] cannot be understood of direct nomination to the Senate, but of election to one of the state offices, from the holders of which vacancies in the Senate were apparently from very early times filled.

p. 7. i enubere] i.e. to lose her patrician rank by marriage with a plebeian.

§ 8. libido] alluding to the story of Virginia, III. 44 fol.

§ 9. verum enimvero] ‘but of course (I need not tell you)’. enimvero assumes that the statement made is self-evident.

id demum] ‘this and nothing short of this’, cf. 1. 9. 5; the sense is ‘the legal prohibition is required to complete the outrage on the feelings of the plebeians’.

§ 10. ut &c.] = ut femina in eam domum nuberet in quam convenisset (it had been arranged) ut nuberet: the clauses ut in quam...nuberet and ut ex qua...duceret are practically explanatory of quod...fuit ‘a woman’s marrying &c.,... a man’s taking a wife &c.’

§ 11. quid in realiud] ‘what real difference (essential alteration)?’

So x. 8 nihil est aliud in re. Seneca ep. 116 imo me hercules aliud est in re.

§ 12. nempe] cf. 3. 16.

nempe] the general force which underlies all the uses of this word is, ‘to make what we are speaking about clear, let me put it thus’: so here: ‘what alteration is caused in existing legal rights? (clearly none for) children of course follow the rank of their father’; that is, ‘putting it in this way, we see that there is no impairing of patrician rights, if a patrician chooses to raise a plebeian woman to his rank or a patrician woman to lower herself to the rank of a plebeian husband’. On the subject see Introduction.

§ 12. nec &c.] ‘(there is nothing for us to seek) we have nothing to look for from marriage with you except the privilege of being treated as human beings and fellow-citizens, and you have no ground &c.’

nisii] the force of the indicative is, ‘if it is a fact that you do not take pleasure &c., then it is a fact that you have no cause for your aggressive action. But seeing that you are taking such action, it is clear that you do take pleasure &c.’

Chapter V.

§ 1. tandem] cf. 3. 16.

§ 2. iubere] cf. 3. 10. ut quaeque ‘as often as a proposal’, ut quisque of a repeated action is frequent in Livy.
NOTES.

28 *pro poena*] 'by way of penalty'. *pro* expresses equivalence, as in the phrase *pro certo habere*.

30 *adiges*] 'administer the military oath to'. It is a question whether *sacramento* is dat. or abl., but probably it is the former. The constructions *iureiurando, ad iusiusw-andum, iursiurandum adigere* are also used. *juniores* the men of military age between 18 and 44.

31 § 3. *quid, si*] 'how would it be now, if'.

32 *quantum*] 'how little'; so *tantus* and *τοσοῦτος* = 'only so much' = 'so little'. Cic. de Imp. Cn. Pomp. VI. 14 Ceterarum provinciarum tanta sunt vectigalia ut iis ad ipsas tutandas provincias vix contenti esse possimus.

p. 8. 1 *bis*] in the two secessions. *scilicet* in prose is almost without exception used ironically.

2 *an*] the first question is implied in the previous sentence. *an* here introduces the alternative which the speaker desires to have accepted. 'May I suggest that the reason why there was no contest was that the side which was strongest was also most temperate?'

7 § 5. *facitis*] *crit* and *feceritis* would be more regular. The present tenses make the statement more vivid. 'The plebs are ready &c. whenever you begin to make &c.'

10 *consortio*] 'full partnership' is explained by *societate rei p.*, 'sharing the administration of the commonwealth'.

11 *annuis magistratibus*] abl. of circumstance.

12 § 6. *ferte sermonibus*] 'discourse of wars as solemnly as you will', with the implication of 'exaggerate'. So *ferre laudibus aliquem*.

13 *mult. f.*] 'talk one after another of them into existence'. The imperatives, instead of concessive clauses, express defiance. *nomen dare* is used of soldiers answering to their names when called, in the making of the levy.

16 *privata*] sc. re. Cf. Cic. de Amic. § 15 *quocum mihi coniuncta cura de publica re et de privata fuit*.

Chapter VI.

20 § 1. *et...et*] the two facts were simultaneous, the appearance of the consuls in the *contio* and the alteration in the procedure.

23 § 2. *ut...sic*] like *ut...ita* = 'though...yet'; a Latin equivalent to *μὲν...δὲ*.

24 *auspicia*] cf. 2. 5.

25 *incerta*] cf. 2. 6.
§ 3. ad id] ad in this connection signifies the occasion, 'hereupon';
cf. xxi. 41. 3 ad famam huius hostis egressus...movi castra.

§ 4. auctorem] is a wide word applicable to one who is the originator
of anything. Here it means little more than a responsible leader,
one to whom they could look for direction in carrying out the purpose
they had at heart.

§ 4. concessere] by sanctioning the proposal in the concilium plebis.
Cf. 1. 2.

§ 5. ingens] 'won a proud position'. xlII. 12. 3 Perseus inter
ipsos reges ingentem auctoritate.

§ 5. ad certamen] qualify accensi, pro rogatione sua qualify pugnant.

§ 6. per senatum] This is the earliest mention of the right of the
tribunes to veto a resolution of the Senate. It would be rash to infer
from this passage that they really possessed the right at this early period.
The Annalists, from whom Livy drew, seem to have assumed that the
right was inherent in the Tribunate from its foundation.

§ 7. V. atque II.] These were the consuls of the year 449, who
took the part of the plebs against the decemvirs, negotiated the return
of the plebs from the second secession and passed the Valerio-Horatian
laws, III. 50—55.

Claudii] uncle of the decemvir.

sententia] is personified, armabat conative, 'was for arming', 'pro-
posed to arm'.

Quinctiorum] L. Quinctius Cincinnatus, mentioned frequently in
the third book, consul 460, dictator 458 and 439, and T. Quinctius
Capitolinus Barbatus, six times consul.

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§ 13. fœdere] cf. ii. 33, III. 55. 7. accepissent 'recognised'.

§ 15. sinerent] the subject is patres: supplied from what precedes.

§ 15. sinerent] the subject is patres: supplied from what precedes.

§ 16. concursare] 'pervade the forum'; the prefix implies the number
of candidates, the frequentative verb their excited action. Candidati in
apposition to the subject, 'as candidates'; the substantival use of the
word is derived from the fact that candidates appeared in freshly
whitened togas, cf. 25. 13.

§ 20. ut] probably final, expressing the object of the action of the
plebeian candidates.

primo] 'to begin with', the patricians would start with poor hopes of
success: the feeling of disgust at their probable colleagues, supposing
they were successful, added to this, would complete their reluctance to
compete.
NOTES.

24 *tamen*] peculiarly placed; it must qualify *postremo*, 'in the end however pressed by &c.'
25 *possessione*] 'occupation', a strong way of expressing their position as leaders.
27 § 11. *secundum*] used of immediate sequence in time, 'the moment the fighting was over'.
29 *ratio*] Livy means to suggest the technical sense of this phrase, to allow a man's candidature, cf. 55. 6. The people were satisfied with the mere fact that plebeians were allowed to compete.

Chapter VII.

p. 10. 10 § 1. *pro consulis*] implies that these magistrates were equivalent to consuls, hence = *consulari potestate*.
11 *Atilius*] According to Niebuhr, who quotes v. 13 where a L. Atilius Longus is expressly called a plebeian by Livy, a plebeian, in which case Livy's statement above, *omnes patricios*, is incorrect.
17 § 2. *imperio*] sc. *consulari*, cf. 4. 4. See also on this passage the Introduction.
19 § 3. *augurum decreto*] If in taking the auspices before the *comitia* any irregularity was committed, a *vitium* was incurred, all the subsequent proceedings were null and void, any magistrates elected were said to be *vitio creati* and obliged to vacate their office at once. It was the duty of the augurs, when such *vitium* was suspected, to enquire into the matter and decide whether the irregularities had been committed or not. But see Introduction.
20 *perinde ac*] usually imply comparison, but seem here to mean no more than *ut*.
22 *tabernaculum capere* is a condensed expression for *locum capere ubi tabernaculum ponatur*, to choose the ground for placing the hut; so *templum capere* is to choose the quarter of the sky in which auspices are to be observed; for this sense of *capere* cf. Verg. *Aen.* 1. 396. For an account of the ceremony see Ramsay *R.A.* 112.
26 § 5. *praeterquam quod*] *quod* is the conjunction: the subject to *fieret* must be supplied from *resciindi*. 'Except where it was done without precedent or warrant of law, and that for the purpose of preserving harmony between the two orders.' Cf. xxix. 27. 14 Coelius *praeterquam quod non mersas fluctibus naves (exponit) ceteros omnes caelestes maritimosque terrores...exponit*. 
"§ 6. sua tempora] 'await their opportunity', 'their own times' are circumstances favourable to their application.


"§ 8. quia] Rather careless writing. After saying that the tribunes and plebs contended for the election of military tribunes, he goes on to give reasons why neither the mass of the plebs, nor the principal plebeians cared to contend.

"§ 9. ratio] cf. 6. 11. sui would be more regular.

"§ 10. monumenti] partitive gen. 'a piece of evidence'.

"§ 11. perinde ac] = perinde ac si, as in a few other places, e.g. 11. 58. 1.

"§ 12. linteis] records kept, as the name implies, on prepared linen, in the temple of Juno Moneta (goddess of recollection) or in some place near that temple. The temple according to Livy was built in 346 on the Capitol.

inventa] the order is, L. M. auctor est (states) nomina et in...et in...inventa esse.
Chapter VIII.

25 § 1. *consilibus*] descriptive abl. qualifying *annus*, 'a year of undoubted consuls'.

28 *consul* must be supplied to *Macerino*; the singular is used probably on account of the numerals, *iterum, quintum*.

§ 2. *censurae*] The subject of the censorship is excellently treated in Prof. Ramsay's manual. He shows the natural connection between the extended powers they acquired and their original functions as state registraries. That those powers should have been developed was due mainly to (1) the principle of the subordination of the interests of the individual to those of the community rigidly carried out by a strong and in the main patriotic oligarchy; (2) to the greater simplicity of Roman life before foreign conquest complicated it. The right of admission to and exclusion from the Senate (*lectio senatus*) was not apparently acquired for some time after the institution of the censorship, perhaps not until the Ovinian law (circ. 312), cf. 24. 7. In ascribing to the censors absolute jurisdiction over private sites and premises, Livy speaks loosely. The censors possessed such jurisdiction only in cases where boundary disputes arose between the state and individuals, e.g. where individuals had encroached in any way on public lands or buildings, cf. XXXIX. 44. 4 *quaes in loca publica inad satisfactory privati haebeant intra dies triginta demolita sunt*. XLIII. 16. 4 *censores libertinum parietem in sacra via adversus aedes publicas demoliri iussarent quod in loco publico inadiscificatus esset*.

30 *morum disciplinaeque*] together about equivalent to our 'moral conduct'. *mores* is the more external of the two, the outward practice, *disciplina* the standard recognised, 'tone'.

p. 12. 2 § 3. *ortum initium*] pleonastic, so we speak of the first beginning of a thing.

3 *multos*] 17 according to Livy, cf. III. 24. 10.

4 *operae erat*] 'had no time', the genitive is partitive, and *opera* by a natural transition has the sense of 'time for work'. The phrase is ante-classical and Livian, and must not be confounded with *operae pretium* 'worth while'.

5 § 4. *mentio*] 'the matter was broached by the senate in a resolution to the effect that &c.'.

*mentionem inferre* or *facere* is to make a statement by way of originating deliberation or discussion. What Livy means here is that
the senators by a resolution in the Senate paved the way for a bill on
the subject to be brought before the comitia.

7 ministerium] 'a staff of clerks', abstract for concrete, as we talk
of the 'Civil Service'.

tabularum] sc. censoriarum, the books containing all the details
of the registration.

8 formulæ] the schedule filled up in reference to each citizen regis-
tered, containing his answers to the questions about himself and his
property, which the censors chose to put to him. This form varied
at the discretion of the censors.

§ 5. quamquam without a verb is rarely used by Cicero.

11 etiam] refers to quod evenit, 'what did happen they also expected
would happen'; credo 'I imagine', parenthetic, in Cicero so used almost
always in an ironical sense.

§ 6. id quod tune erat] 'the present condition of the censorship',
lit. 'that which existed then'.

13 procurationem] 'an office involving duties more useful than showy'.

15 haud sane] 'were not disposed to offer opposition', lit. 'by no means
strove or exerted themselves', the context implies contra after tetendere.

§ 7. parum solidum] 'incomplete', so solidus dies. re 'their work'.
On the subject see Introduction.

Chapter IX.

23 § 1. pro] 'on the score, in the name of', lit. 'in accordance with'.

24 recenti] this use of an adj. or another participle qualifying a par-
ticiple is characteristic of Livy, e.g. omissa inrata re &c.; an adverb
would be more usual here, 'the fresh renewed truce'.

25 § 2. namque] This position of namque is not found in earlier
writers, who always place it at the beginning of the sentence.

optimo consilio] 'most wisely', abl. of circumstance like pessimo
publico.

26 per intest.] In this and similar phrases the subst. governed by per
implies something which does or does not interfere with an action being
carried out according as the sentence is negative or positive, per me
licet 'I put no obstacle'. The idea seems to be that an action may
(or may not) pass through something which can obstruct it.

30 § 3. vertunt] 'men ascribe', an ellipse of subject unusual except
in the case of a few verbs regularly so used, ferunt, tradunt &c.

32 § 4. tutoribus] sc. virginis.
NOTES.

93

p. 13. 1 *corporis*] ‘body’ in the collective sense of a community, cf. I. 17. 2 oriundi ab Sabinis sui corporis creari regem volebant. Here it means the plebeian body.

4 § 5. *esse...tendere*] historic in fin.

6 *partium*] ‘party interests’.

  *memores*] ‘not allowing themselves to forget’, ‘careful of’, so II.

6. 9 *neuter dum hostem vulneraret sui protegendi memor,* ‘bestowing a thought on’, ‘caring’; so *obliviscor* is used in the opposite sense, II. 2. 3.

  *a e suum tendere*] ‘inclined to the member of their own body’.

§ 6. *intra parietes*] ‘at home’, ‘within the domestic circle’.

7 *postulatu*] ‘appeal’, a word not used elsewhere.

9 *dant*] ‘the magistrates decide that the mother shall have full power to decide the question of the marriage’, lit. ‘give the right (legal control) of the marriage (to be) according to the discretion of the mother’.

10 § 7. *in iuria*] the injustice of the decision probably lay in disregarding the usage (it can hardly have been a law, as Weissb. observes, for then the dispute could scarcely have arisen) according to which the guardians of a girl had the disposal of her hand, the mother being in all probability herself under the care of *tutores* of her own.

11 *manu facta*] ‘getting a body of men together’.

12 § 8. *infestior coorta*] ‘the optimates rising angrily to oppose them gathered all their armed force under the leadership of (to back) the injured and indignant youth’. The comparative implies the effect of the provocation.

  *coorior* contains the double notion of gathering force and attacking, used, e.g. of a storm gathering and bursting.

  *acies*] used here quite generally of an ‘army’ or ‘armed force’ but implying perhaps that the nobles made their attack in more regular military fashion.

14 *nihil*] condensation, they were like the Roman plebs in leaving the city, but unlike them in their behaviour after their secession, cf. III. 52.

  *3 castra in sacro monte locavere modestiam patrum suorum nihil violando imitati.* ‘Unlike the R. P. they marched forth from the city, but &c.’

15 *cum ferro*] ‘armed with fire and sword’, the instrument is expressed as a conspicuous accompaniment, so *cum gladio,* ‘sword in hand’ &c.

18 § 10. *species cladesque*] hendiadys, ‘the horrors of war in every form were present’.
velut] with abl. absol. = velut si with subj. 'Participles with relative conjunctions generally of modal, seldom of any other, meaning, are scarce in Classical Latin, but from Livy's time, in consequence apparently of Greek influence, are frequent' Draeger. Cicero can only with certainty be said to use three, quamvis, ut, quasi, in this way. contacta 'has caught the infection of', compare the use of contagio

§ 11. bellique] the que couples two synonyms, arma being a common rhetorical way of expressing bellum: 'neither side were content to use their own arms only in the war'.

§ 12. vallum] Ardea stood on a steep hill. This vallum must apparently have been carried on the plain beneath and, according to § 14, was not completed, as it is there said that the Roman commander carried a cross-wall from the wall of Ardea to his own camp.


curare corp.] 'to refresh themselves', includes both food and sleep.

signa] a number of phrases expressing military movements are formed with signa, the standards being the most conspicuous feature in an army in motion, e.g. signa conferre, inferre, convertere, &c.

ccezptum] 'as soon as it was begun', opus apparently a vallum carried outside that of the enemy. See next Chapter, § 1.

§ 14. qua] frequent Livian use of adv. instead of the case of a pronoun, so unde = a quo, co = ad id, cum, ibi = in eo, etc.

Chapter X.

p. 14. 5 § 1. in diem] 'from day to day'.

Romanus] sc. imperator, or it may be the collective or generic use of the singular, of which Livy is very fond esp. in the case of national names, e.g., Poenus.

§ 2. ferendas &c.] 'it was for the conquered to accept terms not to propose them, and if the Volsci to please themselves had come to attack allies of the Roman people they were not going to depart as they came'.

ita] that is, suo arbitrio.

§ 3. fatentes] eos is to be supplied, 'he ordered them to confess defeat and submit to Rome'.
NOTES.

relatum] reporto is commoner in this sense; the abl. with ex signifies the people whose defeat furnishes the victory.

§ 4. in armis] = in armis positam. The use of adverbs or adverb phrases as attributes is characteristic of Livy, cf. II. 6. 7 ex lictoribus procul.

§ 5. odio] = ab Tusculanis ob vetus odium, Luterb. ‘surprised in their defenceless condition by their inveterate enemies, the Tusculans’.
inermes cf. 9. i.


§ 7. quibus] abl. after dearmatus = spoliatus.


moderando] ‘dispensing equal justice to high and low’, lit. ‘regulating justice to’.

§ 9. tenuit] = obtinuit, ‘held his own more, &c.’
eodem tenore] ‘rigidly on the same principles’, lit. ‘in the same continuous course’, i.e., without swerving from the plan he had begun with.

consulariter] ‘as a consul should’, not used elsewhere.

Chapter XI.

§ 2. quo maiori [&c.] ‘stimulated by the contemplation of their predecessors’ glorious achievements and seeing that what made the year memorable...was that, &c.’ The construction is rather irregular, beginning with quo with comparative, and going on with the superlative.

maxime...subventum] might possibly be regarded as parenthetical, but the apodosis in sense corresponds to these words.

§ 3. fecerunt] ‘procured’.

co] after the sense of deducerentur implied in the sentence.

§ 4. palam] ‘This was the form in which the resolution was written and published’. Livy means apparently, as Weissb. says, that the senatus consultum was reduced to writing in order to be proposed to and confirmed by the comitia tributa. referre in tabulas = to commit the resolution to writing tablets = to commit to writing.

ut plebem &c.] ‘in order that the plebs and the tribunes might not detect the real design, which was to rescind the decision’.

iudicii] cf. 1. 4. 7. 5.

consenserant] that is, the senate had privately agreed.

L. IV.
p. 16. 3 § 6. *quod nihil*] 'because they had refused to be influenced by anyone'.

*vexationes ad populum*] 'the harasing process of a public trial to which they had been already summoned (with a view to which they had been already impeached) by the tribunes'. *ad populum* seems to qualify both *vexationes* and *die dicta*.

4 § 7. *coloni adscripti*] 'by enrolling themselves as colonists (and so forfeiting their Roman citizenship, as Ardea was an independent state) and remaining in the colony'.

**Chapter XII.**

9 § 2. *Indi*] this matter is not mentioned elsewhere.

10 *a patribus*] qualifies *secessionem*. *per* 'during'.

11 § 3. *causa*] 'material for'.

12 *ea ipsa*] refer to what follows; he had declared that he would force the consuls to bring the matter of land-distribution before the senate, and would get military tribunes elected instead of consuls.

13 § 4. *plebi*] the proposed agrarian legislation probably had reference to the small number of Roman citizens included in the Ardeatian colony.

14 *referrent*] cf. 43. 4.

28 § 7. *resisti*] sc. *malis*, but see note on text.

29 *seu...seu*] rather curious parallelism of the finite verb *fuit* and the abl. absolv., *deserto cultu, seu* in the former clause being conjunctival and in the latter adverbal.


4 *libertatis*] cf. 13. 8. It seems very doubtful whether a single *praefectus annonae* was ever appointed in the early times of Rome. Livy seems to be ascribing to those days an institution of his own time.

9 § 9. *momentum*] 'produced no impression on', lit. 'effected no alteration in the balance of'. *momentum* orig. = simply 'movement', but the idea of the movement of a balance seems always attached to it. *circa*, cf. 52. 5.

10 § 10. *dispensationem*] 'falling back on the plan of distributing the pressure of want', that is, by forcing those, who had corn, to part with it, he made the want press more equally on all.

12 *inde*] 'in consequence' of the plan he adopted. The sentence is a clumsy one. Two distinct statements, (1) that he used means to dis-
tribute the pressure of want, and (2) that by the means he used he succeeded rather in exposing the extent of the want than in alleviating it, are mixed up together and the ablatives indistinctly distributed between the two.

§ 11. obvolutis] a custom both among the Greeks and among the Romans, when a person committed suicide or knew he was dying. Socrates covered his head when the poison was beginning to work on him, Plato, Phaedo p. 118 A, comp. Horace, Sat. ii. iii. 37 cum vellem mittere operto me capite in flumem.

Chapter XIII.

§ 1. equestri] Livy appears to mean a plebeian eques. The term equester ordo did not come into use till quite late times, when those who possessed the Equestrian census, but were not senators, formed a class or order distinct from and generally opposed to the senatorial order. Livy here again (cf. 12. 8) ascribes to ancient times an institution of his own times.

ut] 'as in those days', i.e. 'considering it was in those days', 'for those days'. ut like ως in these cases introduces a limitation of the application of the adj.

example...consilio] abl. of attendant circumstance, cf. 4. 5: 'attempted to carry out a useful object by means most injurious in the example they suggested, and even worse in the spirit they exhibited'.

§ 2. hospitium] εξωτερικά, foreign friends or correspondents.

clientium] foreigners dependent on him in consequence probably of money lent to them.

§ 3. incederet] cf. 48. 3.

§ 4. quoque] whichever he tried for, consulate or monarchy, would have to be wrung from the patricians; he might as well therefore expend his efforts on the higher as the lower prize.

apparatu] 'all his elaborate scheming and the fierce struggle which would try his powers to the utmost'.

exsudandum] lit. 'would require sweating to win it'.
LIVY. IV.

p. 18. 2 § 5. *nece=noncetum. nec* was a simple negative prefix as in *necopinato, negotium &c.*, and so was regarded occasionally in *neceum*, esp. in later Latin (cf. Pliny, *Paneg.* 14. 1); usually of course *neceum* was regarded as = *nece dum* ‘and not yet’.

9 § 6. *Lanato*] with the phrase *nomen est alicui*, the name may be either dative or nominative, Livy prefers the former Cicero the latter.

10 § 7. *praefectus* [sc. erat, ‘was superintendent of the markets either because he had been (lit. whether he was so, having been) re-elected, or because he had been appointed in the first instance for an indefinite term, “so long as circumstances may require”.’ *poscet* is orat. obliqu. of *poscet*.

12 *libros linteos*] cf. 7. 12.

15 § 8. *genus*] i.e. the class of corn-dealers.

18 § 9. *stare*=*constare*, ‘was not yet fixed’.

20 *partita*] passive, ‘had been distributed’.

21 *cuus incert*] gen. of *quid incertum*, more regular Latin would require *res incerta* in the oblique cases.

24 § 10. *et prioris*] corresponds to *et novos* below.

26 *donec*] an unusual variant for *cum* in this connection.

28 *auctorem*] Livy’s favourite use of a subst. for a participle or relative clause, cf. II. 11. 4 *in parvis rebus neglegens ultor, gravem se ad maiora vindicem servabat*; ‘which called for a consul not only to bring it to light, but to punish it as well’.

30 § 11. *ad dissolvendum*] expresses of course the opinion of Quinctius upon the right of appeal.

31 *pro*] ‘as its heinousness deserved’, lit. ‘in proportion to its heinousness’.


Chapter XIV.

17 *novitate rei ac miraculo*] ‘by the strange and startling appearance’.

18 *et*] introduces two unconnected antithetical clauses dependent on *cum, Maeliani* in the first being opposed to *expertes &c.*, those who knew nothing of his designs, in the second.

21 § 2. *rectorem*] cf. 13. 10, ‘to direct the commonwealth’.


30 § 5. *consensus*] ‘a conspiracy’.
NOTES.

p. 20. 5 § 7. macte] it is uncertain whether this is an adverb or vocative case, but as the plural macti is used in the same phrase, the latter seems more likely. In that case the vocative is substituted for the nominative by attraction on account of the vocative sense of the whole expression.

Chapter XV.

13 § 1. existimatione] abl. of cause, ‘because they could not make up their minds what to think of S.’s act’.
18 § 2. causae] dat., ‘a fortune like his cause’, i.e. he would have fared as his pleading fared.
21 § 3. ex qua] the antecedent is at the end of § 4 in ea.
29 Sp. Maelius] repetition of qui with contemptuous emphasis, ‘being as he was a Sp. Maelius’.
30 § 5. quis homo?] in apposition to Sp. Maelius, ‘and (as such) being what sort of individual?’ ‘and what did that name mean?’
32 pandere] the infin. in a subordinate clause in oratio obliqua, instead of the subj., is an imitation of Greek construction, cf. 3. 3 si...habere, ii. 3. 8 quemadmodum se non habiturum, &c.
Claudios] the famous decemvir is alluded to.

5 § 6. emissae spero here has almost the sense of credo, ‘flattered himself’, hence the perf. instead of the regular fut.
8 orti, recepti] chiasmus.
9 magis quam] as μᾶλλον ἡ sometimes does, = ‘so much as’. ‘The action was to be regarded not simply as criminal, but as praeternatural and portentous’, and therefore required special expiation.

Chapter XVI.

17 § 2. bove] The meaning apparently is, that Minucius was honoured by an image of an ox with gilded horns set up in commemoration of his action. According to Pliny, it was a statue of himself or a column that was erected, perhaps both. See note on text.
Trigeminam] at the N.W. corner of the Aventine.
assibus] 'at the rate of one as *per modius*, lit. 'valued at *asses* according to (for separate) *modii*’, *in* is distributive like *kara*.

§ 3. *transisse*] if this account were true, it would be the earliest instance of *transductio ad plebem* (on which see Ramsay, 118). But it is probably a fiction invented by the Minucii, a plebeian gens, to show that they had been originally patrician. Cicero, *Brutus* § 62, among the falsifications introduced into Roman history by funeral orations (lantationes) mentions *genera falsa et ad plebem transitiones*.

§ 4. *vix credibile*] Livy is probably right in his view of this 'eleventh tribune'. But he is wrong in regarding the Trebonian law, to which he alludes, passed B.C. 448, as direct disproof of this account. That law required that ten tribunes should be elected. If there were an eleventh he might be cooptated without breaking the law. Moreover Livy himself v. 10. 11 mentions a breach of this law.

aut certo] 'or at least'.

imaginis] Livy assumes that the story grew out of a lying inscription attached to the *imago* of Minucius by his descendants. On these *imagines* see Ramsay, 67.

§ 5. *de honoribus*] From this it appears that the honour accorded to M. was by plebiscite. According to Dionysius it was the act of the Senate.

§ 6. *sex locis*] 'with six vacancies', abl. of circumstance.

et plebei aliqui] 'some plebeians as well as patricians'.

§ 7. *plebs*] The military tribunes were elected in the centuriate assembly. Livy, in saying that the plebs elected only three, means that the plebeian part of the assembly made no effort to get more appointed.

* tumultus*] 'in whose unpopular dictatorship they tried to find material for civil disturbances'. *dictaturae* is descriptive genitive after *invidia*, and *cuius* gen. after the whole expression *dictaturae-invidia*.

Chapter XVII.

§ 1. *Fidenae*] not mentioned by Livy since its siege at the outbreak of the Latin war, II. 19. 2.

*Lartem*] a title of the Etruscan kings.

§ 3. *ut...videretur*] consecutive clause, explaining *ambiguum*. The story apparently was that a messenger from the Fidenates, coming to ask the king what answer was to be given to the Roman ambassadors, found him engaged in a game of dice. The king engrossed with his
NOTES.

game, instead of answering the question, used an expression, connected with the game, capable of being interpreted into an order to kill the Roman ambassadors. Livy regards this rightly as incredible. He assumes that the question put by the Fidenatian messenger proposed the murder of the ambassadors.

22 § 4. *rem* in apposition to the previous sentence, with acc. and infin. depending on the sense of statement in *rem.*

25 *nee decinde* 'or that the crime was not afterwards excused on the ground of misunderstanding (lit. turned into misunderstanding).

§ 5. *propius fides* 'more probable’, lit. ‘nearer to belief’, *propius* preposition, comparative of *prope*.

28 § 6. *publice* 'at the public cost'.

*rostris* an anachronism, for the name *rostra* was not given to the Forum platform until B.C. 338.

30 *praeterquam populis* = *praeterquam quod finitumi populi erant*; cf. XXII. 53. 6 *quod malum, praeterquam atroc, super to clades etiam novum &c.*

p. 23. 4 § 7. *ad curam* qualify *quieta*, ‘quieted by regard for the general welfare (lit. the whole of things, the whole state, as opp. to the plebeian interest only)’. *ad* implies cause or occasion, as in I. 7. 7 *cum boves ad desiderium relictarum mugissent.*

9 § 8. *retulit* cf. 10. 3.

12 § 9. *collegio* the body of colleagues, i.e. the consular military tribunes. *qua sc, anno.*

15 § 10. *veteres* i.e. veterans who had been discharged from military service.

18 § 11. *cum...tum* 'both'...‘and’. *submovere* perf. indic.

20 *ceperunt* sc. *hostes*, subject changed.

22 *Faliscorum* inhabitants of Falerii.

24 § 12. *confluentis* at the confluence of the Anio with the Tiber, lit., at the rivers where they flow together.

25 *qua sequi* 'throwing up a rampart between himself and the enemy, wherever he found it possible to go on with the work'. *sequi* has the sense of following on or progressing continuously, *munimento* is abstract, the work of fortification.

Chapter XVIII.

30 § 1. *Faliscus...Veienti...Fidenati* collective use of the singular common with proper names in Livy.

p. 24. 8 § 4. *qui...adgredentur* object of *circummisit.*
§ 6. arcem] on the northern elevation of the Capitoline hill, called in ancient times the auguraculum, because the flight of birds for auspice purposes was observed from there.

§ 7. admisissent] like addico, is used of birds giving favourable omens, cf. i. 36. 6. The sense is derived from the sense of 'permitting'.

Chapter XIX.

§ 1. par] equal, that is, to his beauty, 'equally distinguished by'.

§ 3. iam] 'presently'. hanc agreeing with victimam, instead of hunc in apposition to it, a kind of attraction most common in the case of the relative when it agrees with the complement of its verb instead of with its antecedent. mactatum dabo more emphatic than mactabo.

§ 4. hacta] 'with the help of his spear leapt to the ground', lit. 'resting on his spear caught himself on his feet'.


§ 8. corona] troops formed in a circle all round the vallum, used 47. 5 of besiegers.

dextra principali] sc. porta, Ramsay, R.A. 397; it was the side gate of the camp on the right hand of one facing the front of the camp.

triariis] the first division of the third line, veterans used as reserve, Ramsay, 383.

Chapter XX.


incondita] 'rude', lit. 'uncomposed', that is, made without regard to poetic rules.

§ 3. Romuli] cf. i. 10. 5, 6. Feretrii: according to Livy 1. c. the temple was founded by Romulus when he dedicated his spolia opima. It stood on the Capitoline and was one of the temples restored by Augustus, § 7. The restoration is mentioned also in the Monumentum Ancyranum.

avertat] plpf. of immediately completed consequence. The immediate result of the action of C. was that he became at once the centre of attraction to the citizens, who had no eyes for the dictator's car, and the sole hero of that day's celebration.

celebritatis] the celebration of an event by numbers.

§ 4. libram pondo] in apposition to coronam. pondo abl. of pondus only used in this connection, hence frequently used alone, as indecl. subst. = pounds.
NOTES.

3  *iussu* as above § 1, used in the technical sense of a resolution of the people passed in *comitia*. Cf. 3. 10.

4  § 5. The story of Cossus' exploit was according to Livy beset with difficulties: (1) according to the conditions of the *spolia opima*, C. could not win them as a subordinate officer; (2) according to Augustus, the inscription on the spoils in the temple of Jupiter Feretrius, which he saw when he restored the temple, named Cossus as consul; (3) on the other hand, the records fixed Cossus' consulship 9 years later, in a year when it was almost impossible for such an exploit to have been performed; (4) 3 years after his consulship, he was consular military tribune, and commanded in an important cavalry action; this may possibly have been the occasion on which he won the *spolia opima*. But then why should he inscribe himself consul? The probable explanation is one that Livy could not suggest, that Augustus had made a mistake.

12  § 7. *thorace* belonging to Tolumnius, a breastplate made of, or lined with, linen or canvas, such apparently as was used by the Samnites among other Italian peoples (compare the *linteata legio* mentioned x. 38. 12), but not apparently at any time by the Romans.

15  § 8. *quid* 'how the mistake in this matter originated, in consequence of which such ancient annals &c., is a subject on which all are free to form their opinion'; *quod...habent* in apposition to and explanatory of *error*, 'the mistake that they should have, &c.'

16  *quosque linteos* = *lintei libri quos*. Cf. 17. 12. *demum*, 'not till nine years later', so *tum demum*, 'then and not till then'. Cf. 4. 9. *existimatio* lit. 'is thinking (subject for speculation) common to all'.

20  § 9. *etiam* that there *is* a mistake is further confirmed by a fact which makes it impossible to transfer such a brilliant battle to the year ascribed to C.'s consulship.

21  *ne* depends on the sense of hindering implied in the previous words.

22  *quod...fuit* in apposition to *illud*.

28  § 10. *ea libera* 'here is room for free conjecture'. Cossus being consular military tribune might possibly have inscribed himself a consul, and the year of Tolumnius' death may have been by mistake ascribed to the first dictatorship of Mam. Aemilius, instead of the third. Comp. 30. 4, and 31. 1.

§ 11. *vana* 'baseless speculations may take shape in all sorts of opinions, whereas (the fact remains that) &c.' But see note on text.
Chapter XXI.

p. 27. 7 § 3. *quae sitae*] 'civil disturbances were attempted but without success', lit. 'sought for but not stirred'.

8 *favore*] 'popularity'. *motuum aliquid* 'could produce an effect'.

9 *publicandis*] as the proposal was only to confiscate S.'s goods, which was not adequate penalty for the crime imputed, it would seem as if he must have been in exile at the time. This is confirmed by a passage in Cicero, *de domo sua* § 86, where he says that S. went into banishment. Possibly his exile was voluntary, to avoid trial.

12 § 4. *vaniora*] 'more insignificant'.

14 § 5. *prodigia*] sc. *curaerant*.

16 *praeeruntibus*] sc. *verba* 'dictating the form of words'. Instead of *praerere verbis* 'to go before with words', because of the transitive sense of 'dictating' which the word thus acquired, the Romans said *praerere verba*. This form of solemn supplication to the gods (*obsecratio*) was procured by the *duumviri sacrorum* from the Sibylline books of which they were custodians, Ramsay, 330.

22 § 6. *non modo*] the majority of MSS have *non* before *exiret*, which Madvig rejects for reasons given in note on text; *non modo* like οὐχ ὅπως may mean either 'not only', or 'not only not', but as a rule is only used in the latter sense when *ne...quidem* follows. Livy has the same usage, XXIV. 40. 12 *ut non modo alius quisquam arma caperet (= non caperet) sed etiam ipse rex...perfugerit*.

23 *memoria*] cf. 9. 5.

24 § 7. *ultra*] 'actually', i.e. in a way entirely beyond what would ordinarily be expected.


31 § 9. *aggere*] sc. Servii Tullii, on which see Ramsay, 6.

p. 28. 1 *Quirini*] 'on the Quirinal'. The sitting was held here in order to be near the seat of danger.

4 § 10. *nocte*] The consul charged by the senate with the duty of appointing a dictator rose at midnight and, if the auspices allowed, named (*dixit*) the dictator, Ramsay, 146.

Chapter XXII.

10 § 1. *aerario*] the standards seem to have been kept in the treasury (temple of Saturn) for security, cf. III. 69. 8.

16 § 3. *vis*] 'no effect', almost, 'no use'.

19 § 4. *propinquitatem*] i.e. to Rome.
NOTES.

23 § 5. qui] = ut ii (final), in the plural, because the antecedent in sense is the soldiers of the four divisions into which the army was divided.

26 § 6. a certo] aversis is implied in intendis, 'fixed on groundless (unreal) alarms to the disregard of real danger'.

29 § 7. villa] a state-building for census and levy purposes, called villa, because it was built in the Campus Martius outside the city. probaverunt 'passed': the work had been let to contractors, and the censors now declared that it had been executed in accordance with the terms of the contract.

Chapter XXIII.

p. 29. 6 § 2. in tam discrepant] 'in spite of the important discrepancy both quote the libri lintei as their authority'.


10 § 3. veri] incertus is not used with the gen. by prose-writers before Livy.

17 § 5. circa] cf. 52. 5.

Vollumnae] the tutelary goddess of the Etruscan confederation; her temple was near Volsinii.

Chapter XXIV.

p. 30. 9 § 4. quod...esset] in apposition to libertati consulturum, 'he would do the work that required doing within the walls and &c.'.

10 eius] sc. libertatis, 'the great safeguard of that liberty lay in this, that great powers should not be of long duration, and that offices which could not be limited in point of jurisdiction, should be limited in point of time'. This is curiously inconsistent with what Livy said (c. 8) about the origin of the censorship. See Introduction.

23 § 7. aerarium] aerarii were cives sine suffragio resident in Rome. They paid tax, but on the whole of their property of all kinds. The result of this in M.'s case was that he paid on a sum eight times larger than he had before. tribu movere at this time seems to have meant absolute exclusion from any tribe. In later times it meant transference from one of the tribus rusticae to one of the urbanæ. Ramsay, 82.

Chapter XXV.

p. 31. 9 § 3. Apollini] as god of health. In Roman ritual Apollo was addressed as Paean and Medice. On the early introduction of
Greek elements into Roman religion see Mommsen, \textit{R. II.} i. 186, 451.

\textit{duumviri} cf. 21.

\[\text{§ 4.} \] \textit{promiscue} \ qualify \textit{hominum pecorumque pernicie}. Adverb used as attribute, cf. 10. 4. The adv. is more generally however inside a phrase, e.g. \textit{omnibus circa solo aquatis; ingentis publice privatimque decoris.} \textit{accepta} agrees with \textit{clades}.

\[\text{§ 4.} \] \textit{Cumæ} The Romans had twice before applied to this city for similar assistance, \textit{II.} 9. 6, \textit{34.} 4. There appear to have been friendly relations between Rome and Cumae from very early times, Mommsen, \textit{I.} 330.

\[\text{§ 7.} \] \textit{ad} ‘with a view to’, unusual combination with \textit{consilia}. See note on text.

\[\text{§ 9.} \] \textit{principes} cf. 7. 9, where the \textit{principes plebis} are opposed to the \textit{plebs}. These were the rich and powerful plebeians, the identity of whose interests in some respects with those of the patricians helped to prolong the contest between the two orders.

\[\text{§ 12.} \] \textit{imminentes} ‘finding their ambitious hopes of higher preferment baffled so long as there was peace at home’. \textit{esset} subj. because dependent on the feeling implied in \textit{imminentes spei}. For this use of \textit{immineo} with the dat. ‘to desire, concentrate the energies upon’, cf. \textit{III.} 51. 9 \textit{imminensque ei potestati}.

\[\text{§ 13.} \] \textit{album} subst. The allusion is to the freshly whitened (pipe-clayed) toga worn by candidates for office (\textit{toga candidata}), whence the word \textit{candidatus}. The plebeians apparently thought that the personal influence of patrician candidates might be lessened, if they were not kept so conspicuously before the eyes of the people. The effect of the
prohibition would perhaps be the same in kind as that of prohibiting candidates in England from driving through the streets on election-days.

Chapter XXVI.

26 § 1. *tumultus*] as a military term is a stronger term than *bellum*, implying a dangerous and alarming war. Cicero defining this use of it says 'war may exist and not *tumultus*, but no *tumultus* without war. *tumultus* is a violent disturbance on such a scale that unusual fear is excited by it'. Hence the later use of the word to denote a war near home, therefore more alarming, as opposed to a foreign war.

causa] that is, for holding consular elections.

30 § 3. *apud eos*] the Volsci and Aequi. A levy held under a *lex sacrata* is thus described, x. 38. 3 *dilectu per omne Samnium habitu nova lege ut, qui iuniorum non convenisset ad imperatorum edictum quiqtiie iniuissu abisset, caput Iovi sacaretur*; a *lex sacrata* was so called because it was guarded by religious sanctions, transgression of it being punished with excommunication.

31 *utrimque*] 'from both peoples'.

33 § 4. *muniendi*] 'camp-making', 'fortification work', used absolutely.


8 *auctores sin[/i] followed by accus. and infin., cf. 7. 12.

11 § 7. *alia aliis*] 'when threat upon threat each more formidable than the last had been employed without inducing the consuls to submit to the authority of the Senate', cf. 2. 9.

16 § 8. *pro potestate*] 'in virtue of the powers which your office confers upon you'.

18 § 9. *pro collegio*] 'on behalf of the corporation', one or two, that is, declared the resolution of the whole body.

20 *in vincula*] the only case in which a tribune could have the power to arrest a magistrate would be if the latter disregarded the tribune's right of intercession. But it is easy to understand that, with the increasing power of the plebs, the tribunes would be able to stretch their powers, as in the instance given 11. 56. 13. On the present occasion, with the patricians as well as the plebeians behind them, it is obvious that they could carry out their threat, whether legal or not. The history of the tribunate is a history of the development of *de iure* out of *de facto* powers.

22 § 10. *datum sub ingum*] 'ignominiously surrendered', a metaphor from passing a conquered enemy under the yoke, cf. 11. 34. 9.
24  *pro potestate*] ‘in virtue of his office’, as a legal constitutional right, acknowledged by the senate.

25  *fore*] an exception to the general rule of questions in *oratio obliqua*, according to which we should expect *fore*. Weissb. explains it on the ground that *quo quid ulterior* practically = *quo nihil ulterior*.

27  § 11. *nam*] the duty of appointing the dictator had to be decided by their drawing lots because they could not agree between themselves, as was usual, which should appoint.

32  § 12. *vacantium*] the consideration of claims to exemption from military service was postponed till the war was over; any men therefore who were not certain of the validity of their claims would give in their names for fear of being treated as deserters at the end of the war, cf. III. 68. 7.

**Chapter XXVII.**

p. 34. 11 § 1. *praecuncte*] cf. 21. 5. The Pontifex Maximus was the official who usually dictated the form of words used when a magistrate made a vow on behalf of the state.

12  *ludos magnos*] sc. *votivos*, the *ludi magni* regularly performed every year acquired the distinctive name of *ludi Romani*, though they are often called *ludi magni* simply. *tumultus*, cf. 26. 1.

15  § 3. *ipsi*] distributed into dictator and consul.


18  *ad proelia*] qualifies *excursionibus*, an adverb-phrase used as attribute to a substantive, cf. 25. 4.

22  § 5. *paulatim*] ‘the dictator being quite content that his men should measure their strength with the enemy, and feeling their way through the results of daily skirmishes learn to anticipate success in a general engagement’.

24  § 6. *iusto*] ‘regular open fighting in the field’. *iustus* in this sense = ‘normal’; so *iustus amnis* ‘the river at its normal level’, &c.

25  *committunt*] the force of *committo* in such phrases as this is, to set a thing going in a certain direction out of one’s own control, and to abide by the result. ‘They staked their fortunes on a risky (uncertain) enterprise.’

28  § 7. *ubi*] ‘when an emergency called for immediate effort, the consul showed both courage and judgment’. The sentence apparently contrasts the present action of the consul with what the previous notice of him and his colleague might have led us to expect.

30  *corona*] cf. 19. 8.
NOTES.


§ 9. *ordine* the frequent use of the modal ablative without an attribute is a feature of Livy's style.

§ 10. *illud* the point in which the dictator showed his superiority to other first-rate commanders. 'It was a brilliant proof of daring and judgment, and showed talent of no ordinary calibre.'

§ 11. *alieni* i.e. of those who were attacking the consul’s camp.

Chapter XXVIII.

§ 3. *ad unum* ‘to a man’.

§ 4. *ultro* ‘unprovoked’.

§ 5. *telum* for the metaphor cf. XXI. 44. *nullum contemptu mortis telum ad vincendum homini ab dis immortalibus acerius datum est.*

§ 7. *dant* the more usual phrase is *facere impressionem*, as below, 29, 3.

Chapter XXIX.

§ 4. *et his* = *his quoque*.

§ 6. *et licet* sc. *id facere*, i.e. to refuse belief; *in variis*, ‘as opinions differ’, *in* with the abl. of the attendant circumstances, a common use.

*Manliana* ‘that we speak of instances of “Manlian” not “Postumian” discipline’. The term was a proverbial one for harsh and unnatural exercise of military discipline, dating from the incident narrated in VIII. 7.

*Cum* ‘whereas’.

§ 7. *sine sorte* instead of waiting to draw lots.

§ 8. *nihil visum* = *id quod nihil pertinere visum est*. Livy is of course mistaken. The Carthaginians had settlements in Sicily long before this and were defeated in B.C. 480 in an attempt to conquer the island. Nothing is known of the interference here mentioned by Livy.
Chapter XXX.

28 § 1. *pro foedere*] 'in exchange for a permanent treaty'. The Aequi apparently offered formal surrender on condition of becoming allies on equal terms (*aequo foedere*).

30 § 2. *super*] 'in addition to'. The defeat at Mt. Algidus was one cause of their weakness and their internal discord an additional one.

32 § 3. *multarum*] The object of this law was apparently to commute the fines imposed for offences against order from sheep and oxen into money; on the subject of these fines see Mommsen, *Rom. Hist.* i. 159, 259, 275, 446.

p. 38. 2 *praecoccupaverunt*] used as the simple verb *occupo* by Livy with the infin. with the same meaning as *φθάσας* with participle; *occupo* with infin., in this sense, is used by Plautus, but not by Cicero or Caesar.

22 § 8. *alibi*] 'in some cases' corresponds to *alia*. Some died of thirst, others of cutaneous disease.

25 *impleturus*] 'infected', comp. *μεστός*.

28 § 9. *vaticinando*] 'by posing as seers'. *inherentibus*, abl. absol. the subject being the relative clause *qui...demos*.

31 § 10. *pacis exposcendae*] descriptive genitive qualifying *piacula* and expressing the purpose of them. Livy is much more free in his use of cases of the gerundive than Cicero. This descriptive use of the genitive of the gerundive is common with him; cf. III. 24 *legis tollendae frustrationem*.

p. 39. 8 § 13. *fetiales*] Ramsay, 331. For an account of the ceremonies observed by them see Livy, i. 32.

12 § 14. *tamen*] that is, although the truce had expired, and the Veientines had given provocation by renewing the war before the expiration of the truce.

13 § 15. *controversia*] The question was whether the war was a fresh one, requiring the sanction (*iubeo*) of the people in *comitia*, or only a continuation of the previous war.

18 § 16. *tenuit* = *obtinuit*, 'carried their point'.

Chapter XXXI.

29 § 2. *tendendo* = *dum tendunt*. Livy often uses a gerund where Cicero would use a conjunctonal clause. Cf. *iactando* below § 6.

30 *ad occasionem*] 'opened the way to attack them at a disadvantage'. Livy also uses the simple phrase *occasionem aperire*.

6 *ne*] not the ordinary use after a verb of hindering, because in that case *non* would not be necessary, but after the sense of ‘fearing’ implied in *religio obstruct*, ‘they were met by the fear on ceremonial grounds lest (that) a dictator could only (*non nisi*) be nominated by a consul’; *ne non* used instead of *ut* because *nisi* requires a preceding negative.


13 § 6. *tamen*] the sense is *missis legatis iactando...tamen nullam quidem...moverunt, sed voluntarios...adsciverunt*, ‘they sent ambassadors &c., but (in spite of all their appeals) failed to obtain public recognition and support from the league (lit. public-counsel participation) though they attracted &c.’ *consilii* is descriptive genitive, the objective genitive if expressed would be *belli sui*.


**Chapter XXXII.**

32 § 2. *momentis*] ‘such trifling fluctuations of fortune’, lit. ‘such unimportant movements of the balance of fortune’.

p. 41. § 3. *ad Momentum*] Servilius had fought at Momentum, Aemilius near Fidenae, c. 17. 2.


28 *foret* subj. in *oratio obliqua*, part of the dictator’s order.

29 § 10. *meliore* = *bona occasione magis quam pugna* ‘in consequence of what was rather a good opportunity than a successful engagement on the previous day’; or perhaps, as Weissb. renders it, ‘in consequence of the engagement on the previous day, in which they were successful rather by good luck than good fighting’.

33 *pleno gradu*] ‘at full speed’.

p. 42. § 11. *regiae* = *cum rege*.

5 § 12. *impium*] ‘traitorous’, as a colony so often rebelling against its mother-city, it showed disregard for the ties of natural duty (*pietas*).

*praedonem*] ‘brigand’ in allusion to the raid on the Roman territory before the truce expired, c. 30. 4.

**Chapter XXXIII.**


17 *invisitate*] a rare word almost synonymous with *inauditus*, used prob. in preference to *invisus* because of the ambiguity of the latter.

L. IV.
§ 2. *fanatico* properly used of persons inspired by a deity, here used of the action of such people, 'running like men possessed'.

§ 3. *incendio* 'more like a field on fire than an army fighting', an extreme instance of the expression of persons in terms of inanimate things. So XVIII. 9. 15 he speaks of one man as 'the real triumphal procession', *uno equo vehi verum triumphum*. Commoner instances are *semina discordiarum* said of men, *irae=irati, flagitia=flagitiosi* &c.

§ 4. *ultra* 'attack them with their own weapons'. *ultra* here implies an action quite beyond the expectation of the enemy, turning the tables upon them. So Verg. Ecl. viii. 52 *Nunc et oves ultra fugiat lupus*.

§ 5. *suis* opp. to *vestris*, the reflexive because of the idea that Fidenae is furnishing the weapons for her own destruction.

p. 43. 3 § 7. *et ipse* 'on his part' started a novel mode of fighting with the cavalry as the dictator had done with the infantry.

§ 8. *ruinae* 'left slain in heaps behind them', lit. 'dealt overthrow like a ruin-heap'.

§ 11. *obtruncantur* *alii* is omitted.

Chapter XXXIV.

p. 44. 6 § 4. *equite, centurione* collective use of singular.

7 *et quorum*= *et ab iis quorum...suerat, binis sorte ductis*.

8 *sub corona* captives in war sold as slaves were crowned with chaplets, hence the expression.

§ 5. *reddito* to the ordinary magistrates. *imperio* 'the sovereign power'.

13 *classi* abl. cf. 37. 6.

17 § 7. *forte* 'possibly', separated from *nisi* by *in trajectu* to emphasize the latter.

18 *ut fit* 'as so often happens'.

Chapter XXXV.

32 § 3. *ludi* cf. 27. 1.

p. 45. 4 § 4. *comitate* abl. of cause; the pleasure of the spectacle was increased by the courtesy of their entertainers.

8 § 6. *in partem* 'to claim their share in the chance of preferment to the consulship', lit. 'to call back the hope of the consulship in part'.

Cf. vii. 22—9 *censuram vocari in partem plebes volebat*.

9 *revoco* gives the notion of appealing for a right.
NOTES.

10 quae=quorum creandorum. Livy very commonly uses a pronoun agreeing with a subst. instead of a simple case, or a preposition and case of the pronoun qualifying the subst. e.g. haec ira=propter hanc rem ira.

15 § 8. ut] the construction is adapted to the verb postulandum. The use of ut with subj. after spero begins with Livy, but he has it only once with spero alone. aliquid 'that any (a) tribune, &c.' aliquis, more definite than quis and quispiam, implies individuality, though less definitely than quidam: si quis dicat or dicat quispiam, 'it may be said', without reference to the individuality of the speaker; dicat aliquid 'some individual person may say', dicat quidam 'a person who could be pointed out if necessary may say'; both aliquid and quidam are often equivalent to the English definite article.

17 pro certo habeat] 'he may be sure'.

22 § 9. desisset] plural because of the plural sense of neminem plebeium; 'every plebeian will begin to respect himself when plebeians begin to be respected'.

23 denique] almost=tandem and expresses impatience, 'it is really time to try'. Plaut. Mil. Glor. iv. ii. 40 aliquid mihi partem hodie operae des denique. ferendo, this use of the dative of the gerund or gerundive with esse,=to be fit for, is pretty common in Livy, cf. ii. 9. 6 qui onerí ferendo essent, but in writers before him almost confined to the phrase solvendo esse 'to be capable of paying, solvent'.

28 § 10. suggillatos] 'knocked about', lit. 'beaten black and blue', a late word only used here by Livy, though he has the subst. suggillatio elsewhere.

29 praebere os] 'to unnecessarily expose themselves to (invite) insult'.

32 § 11. per] adverbial use of per with a subst. 'by way of their own unworthiness', i.e. 'by way of proving their own unfitness', the unfitness not being real, but implied by their being rejected.

Chapter XXXVI.

p. 46. 8 § 2. agri dividendi] sc. plebi cf. 12. 4, on the subject see Mommsen, R. II. i. 276 and 302.

9 imposito] i.e. probably enforcing the payment of tithe and fifth by the possessores, which had fallen into abeyance. vectigalí imposito qualify ergandi aeris as abl. of means. in stipendium 'by way of pay'.

8—2
§ 3. quo] consecutive, a time of such kind that (when) the departure of men &c. made it possible to pass a senatus consultum in the absence of the tribunes. per discessum 'taking advantage of a general absence of the population'. The use of per here is similar to its use in the phrase per aliquem licet, cf. 9. 2.

§ 5. tribuni] the order is non sì quod tribuni plebi contenderent aut cum iis &c. aut cum Appio, transacta re. plebi gen.=plebei.

Chapter XXXVII.

§ 1. propius vero] This seems to be the right explanation. Capua is said to be connected etymologically with campus and κῆπος. On the early history of Campania see Mommsen, R. H. I. 33.

p. 47. 1 § 2. graves]=gravatos.

§ 6. nec...et] 'not only not...but'. perinde 'proportionately'.

sorti] abl., the form surviving in this phrase. Comp. classi c. 34. 6.

fortunae] Livy occasionally uses the dative with fretus (vi. 13. 1) from the sense of 'trusting to' contained in it.

§ 9. ab Romanis] 'on the Roman side out of time, uneven, growing feebler each time it was raised it told by its wavering tones of daunted courage'. segnius saepe seems to be short for quo saepius co segnitis. segnius is the significant word here, not iteratus, which by itself would rather be a sign of heartiness.

§ 10. circumspectantibus] 'as the wearers looked round' for support.

§ 11. tegi] 'were defending themselves more than fighting'.

§ 12. plus caedis] i.e. saw more Romans killed than flying.

Chapter XXXVIII.

p. 48. 4 § 2. imperium] the authority of the commander. maestas the dignity inherent in his person as the representative of the state.
NOTES.

6 decurio] the 300 cavalry attached to a legion were divided into 10 turmae and each turma into 3 decuriae, a decurio was the commander of a decuria.

7 subvenisset] absol. 'came to the rescue'.

10 § 3. parmeta] the parma, small round shield, was carried by the cavalry (II. 6. 9) and the light-armed infantry. The word parmaticus, coined by Livy, and only used here and in the next chapter, is intended to enhance the service rendered by the cavalry, the 'bucklered' troop was to do the work of the whole fully-armed legion. vexillo the cavalry standard.

17 § 4. laborem] = ubi suas plurimum laborare vident.

19 § 5. posse] we should have expected nec dubium est quin si...potuissent &c. Livy seems to throw himself into the time of the occurrence.

Chapter XXXIX.

30 § 2. posse] historic infin.

31 § 3. tegumen] 'the shield', poetic metaphor.

p. 49. 1 tendunt] 'braced themselves to meet any fate'.

2 quicunque is used by Livy as indefinite demonstrative, in Cicero it is always relative.

5 § 4. in orbem] = in orbem congregati, so XXII. 22. 15 in orbem pugnare.

7 § 5. quicquam] is generally, but not always, used in negative and interrogative sentences, because of its exclusive sense, 'any one person or thing out of a whole class'; the same sense is obvious here, 'one bit of light'.

8 § 6. imprudentia] here simply 'ignorance'.

ab] Cf. 31. 9.

20 § 9. foeditatem] 'miserable (revolting) spectacle'. foedus always implies something revolting, gruesome, physically or morally.

21 quibus] graecising attraction = iis quos.

secum] because the abl. absol. is practically equivalent to an aor. act. partic. in the nom. case.

Chapter XL.

31 § 2. stationem] 'was keeping a look out', statio in military sense is most commonly used of outpost, sentinel duty.

32 quinam esset] indirect qn. dept. on dubiis = cum dubitarent.
p. 50. 3 § 3. *conclamaverant*] 'had bewailed as dead'; the verb is regularly used of the cry raised at the death-bed when the sick person expired, Ramsay, 425.

7 *compotes*] generally used with the gen. after it, here, as in III. 70. 13 *praeda ingenti compotem exercitum*, with the abl. The ablative here might be taken with *effusae*, as Madvig takes them, placing the comma after *animo*, instead of after *quaque*; in that case *sui* or *animi* must be supplied to *compotes*.

17 § 6. *in tempore*] 'at the right time', cf. XXXIII. 5. 2.

20 § 7. *tuo consilio*] 'on your own authority', the point being that the consul was helpless.

26 § 9. *pro virtute*] 'as your worth and honor demand'.

30 *denique*] 'in a word', summing up. In l. 28 *denique* is 'lastly', in l. 23 simply 'further'.

Chapter XLI.

p. 51. 4 § 1. *vana*] 'not robbed of its proper weight, (lightened by, tinselled with) self-laudation'; the phrase shows how *vana* passed in later usage from the sense of 'emptiness' to the special form of emptiness implied in 'vanity', 'vaingloriousness', 'ostentation'.

5 § 2. *quanta*] 'it was not for a soldier to criticise his general; it was not for him therefore to estimate the military skill of C. Sempronius; that was the duty of the Roman people, when they elected him consul'.

9 § 3. *quoque*] 'on which great minds and intellects could not pronounce judgment off-hand', lit. 'which by great, &c. required to be carefully weighed also'. It would seem more natural to attach the *quoque* to *magnis*, but the necessity for careful deliberation requires to be emphasized.

16 § 5. *tenuerat*] is unusual in *orat. obliqua*, but Livy has other instances of it, e.g. III. 2. 3.

19 § 6. *castris*] probably dative, 'for a camp'.

20 § 7. *credere*] sc. se.

25 § 8. *Labicana*] The consul must have taken a somewhat circuitous route to reach the road, which lay considerably to the N. of the scene of the battle.

30 § 10. *ab re*] cf. 31. 9.

31 *pro consule*] = *consulari potestate*, cf. 7. 1.

32 *gravis*] a distinction necessary in Livy's time, but not at the time of which he is speaking, as the *as* had not yet been reduced in weight. *aes grave* here = *aes libralis*, cf. 60. 6.
33  § 11. in Volscis] cf. 27, ad Fidenas, cf. 32.

p. 52.  § 12. exactae] ‘and the now aged Capitolinus’, gen. of description attached directly to a proper name, more commonly attached to an appositional vir.

Chapter XLII.

16  § 1. quos et, &c.] when they dismounted in the battle and formed themselves into maniples of infantry requiring centurions.

26  § 4. temptationem] ‘meant to try his staying powers’.

28  auxilio] used in the technical sense of the intercession of a tribune.

30  § 5. subnixus] an ablative must be supplied from innocentiae.

31  sub tribunicia] ‘an ex-consul sheltering under the wing of a tribune!’ an effective piece of parenthetic oratio obliqua.

32  § 6. si reum perago] a phrase, pretty frequent in later Latin, meaning to carry on a prosecution to condemnation, cf. Ov. Trist. 1. i. 24 et peragor populi publicus ore reus.

p. 53.  1  au] common rhetorical use of au to single out of several possible alternatives the one that suits the speaker’s purpose, often used by way of reductio ad absurdum, representing as the only alternative to the speaker’s proposition something that cannot possibly be accepted. Here it represents the deprivation of the people of their just rights &c. as the only alternative to the other tribunes’ desisting from opposition to the speaker, therefore the necessary consequence of such opposition, assuming that he carried out his purpose.

6  § 7. vestem mutaturos] ‘they would put on suppliants’ clothing’; when a Roman citizen was in danger of losing his life or his citizenship, or feared such danger for a friend, he appealed to the pity of the community, and in token of such appeal changed his clothing, and appeared in old worn and shabby garments (sordidatus).

8  § 8. nihil moror] a phrase implying the abandoning of a prosecution, cf. VIII. 35. 8.

12  § 10. Aequis] cf. 43. 2.

Chapter XLIII.


27  § 3. necopinata] ‘unexpected and most serious disturbances’, lit. ‘an unexpected difficulty of discords’, synecdoche, the form by which a thing is expressed by its most conspicuous attribute, the thing itself being often added as a descriptive genitive, e.g. mitis sapientia Laeli.
Moles is used in its abstract sense as in tantae molis erat Romanam condere gentem.

29 quaestorum] see Introduction.

31 § 4. relatam] referre ad senatum was originally apparently confined to laying a resolution of the comitia before the Senate with a view to obtaining the necessary auctoritas patrum. Hence the use of the word refero in the sense of carrying not literally back, but to its proper destination, completing the process begun by ferre ad populum. But afterwards it came to be used in the general sense of laying any matter before the Senate, and that, with or without the intention of procuring a senatus consultum. In the last mentioned sense consulere senatum was originally the only phrase employed.

p. 54. i pars] that is, that a definite number of the quaestors must be plebeians. The offer of the patricians that quaestors might be elected from either order did not satisfy the tribunes, because they foresaw that, as in the case of the military tribunes, patrician influence would practically exclude plebeian candidates.

8 § 6. subinde] 'in quick succession'.

12 § 7. nam...prohibebant] that is, they prevented by intercessio the passing of the necessary senatus consultum for the purpose.

15 § 8. modo prohibentibus] This is obscure, for after the first appointment of an interrex there was no need for the Senate to assemble, each interrex nominated (prodidit) his successor.


22 memorabat] 'reminded', 'warned'.

25 § 10. scribendo] With words of incomplete meaning, such as triumvir and the like, the final dative of the gerundive completing the title by adding the office is common; with such a word as dux, ad with accus. of gerundive would be more usual; for the dative cf. i. 23. 8 me Albani gerendo bello ducem ereavere.

28 § 11. summa] 'their full legal rights', lit. 'the sum total of their rights'. mediis abl. of media, substantival use of the neut. pl. 'compromise', 'mutual forebearance', the opp. of summa 'their outside rights'; media allows as it were a margin of concession.

Chapter XLIV.

p. 55. 15 § 2. nobilitate] abl. of cause.

17 § 3. quidnam] 'what was the meaning of this?'
NOTES.

quid rei est? (without the pronoun) = 'what is going on?' The gen. in both cases is partitive.

§ 4. non] The negative is repeated in si non and ne quidem, which are a variation on the more usual non modo...sed ne...quidem, and strictly speaking a mixture of two forms of expression. beneficiis...iniurii...libidine, wide use of the instrumental abl. including the condition under which the thing had not happened.

18 denique] accentuates the last and most important member in the series. usurpandi may govern quod ante non licuerit, but more likely is used absolutely, ius being so easily supplied; 'what does it mean?' they cried, 'not all our services to the people, not all the wrongs the patricians have done them, no, not the pleasure of handselling a privilege, now that they enjoy a right denied to them before, can raise a single plebeian even to the quaestorship, let alone the consular tribunate'.

§ 5. plus artis] By saying that S. had shown more skill than honesty in managing the comitia they mean probably that he had in some way falsified the returns.

queri] hist. infin.

§ 7. causa] sc. patrum, metaphor. from the forensic use, 'ceasing to advocate the patrician claims'.

leviorem] 'the patricians would take less interest in his trial', lit. 'he would be an accused person of less importance in the eyes of the patricians'.

sub] 'up to the very time'.

p. 56. 3 § 9. cessura] cadere in aliquid = 'to pass into anything, be transformed into it', so, 'to be wholly used for some purpose'; cf. vi. 14. 12 aurum ex hostibus captum in pacorum praedam cessisse. Compare the use of abire in 1. 32. 4.

§ 10. ipse] The nom. thus introduced into the middle of an abl. absolut. shows how completely Livy identifies this construction with the Greek aor. part. active, cf. 39. 9.

§ 11. crimen] halfway in meaning between the original sense of 'accusation' and the later sense of 'crime', 'guiltless of the offence with which she was charged'. parum abhorrens ab 'open to'.

§ 12. ampliatam] 'remanded', the verb is formed from the legal phrase amplius, pronounced by the president of the court, when the judges could not arrive at a verdict (non liquet), and signifying that a fresh trial would take place. Here used ad sensum with the accus. of the person in respect to whom the ampliatio took place.
pro] ‘expressing the opinion (with the full concurrence) of the pontifical body’, the prep. seems to be attracted to the sense of the phrase, and the result is a combination of two expressions pro (on behalf of) collegio, and ex sententia collegii.

col[i] means ‘to be dressed’, but includes more, what we express by ‘personal appearance’, ‘to cultivate a personal appearance less artistic and more religious’.

Chapter XLV.

§ 1. felicitate] abl. of cause, ‘thanks to the good fortune of the R.P.’ felicitas always implies successfulness consequent on the favourable regard of the gods.

ut] is not strictly speaking required here. It is repeated probably to emphasize the main part of the slaves’ design.

§ 2. divitiae] Yet it was less than the minimum that qualified for the fifth class in the Servian census.

p. 57. 2 § 3. auctoribus] abl. of circumstance, ‘on good authority’, lit. ‘under the circumstances of not uncertain authors of the statement’.

§ 7. ignobilem] see Introduction. If this dispute is historical it is an additional argument against the theory that a patrician tribune was required for the charge of the city. ferre...aspernari hist. finis. potiorem ‘urged his superior claims to the command of the war’.

§ 8. maiestas] more than patria potestas, implies the moral as well as the legal authority of the father. The instance shows that the highest official dignity did not exempt a son from obedience to the paternal authority.

extra sortem] the distribution of spheres of duty between the highest officials being generally by lot, when a duty was assigned to an individual official on special grounds it was said to be extra sortem, cf. III. 2. 2.

Chapter XLVI.

§ 1. passim] assists the meaning of toto, ‘without distinction’.

decem] no reason is assigned for this partial levy, of which no other instance is mentioned.

inmiores] the men of military age.

p. 58. 5 § 3. castigantibus] used (as ‘chastise’ in the North of England) of reproof.

comparatum] ‘an arrangement was effected by which’ &c.

ad Veios] cf. 31. 4.
NOTES.

13 § 5. *cum...traxisset* explain the local ablative *in quo loco. quo* (whither)...*traxerat* would have been more usual writing.

15 *per supinam* 'down a sloping valley', cf. *Tibur supinum* on the slope of a hill.

16 *ruina* cf. 33. 8. *maiores* = *magis* 'tumbling more than retreating'.

18 § 6. *aversam* i.e. *rectum*.

20 *de exercitu* used to avoid another partitive gen.

28 § 10. *quod...fecit* in apposition to what follows.

Chapter XLVII.

9 § 2. *statim* qualifies *primo proelio*, cf. 25. 4, 'the very first battle'.

17 § 4. *omnes Labicanos* as well as *magnam partem Aeq.* subject to *Labicos confisqisse*, *victos* being participle only and not = *victos esse*.

19 § 5. *corona* Cf. 19. 8. A cordon of men was drawn round the town.

21 § 6. *quam* *post* is implied in *die octavo*.

28 § 7. *tribunis* abl. absol., like *consulibus*, giving the date.

Chapter XLVIII.

p. 59. 3 § 12. *exercitu* the simple abl. of circumstance with a word like *profectus* is not common, *cum* with the abl. would be more usual.

p. 60. 12 § 2. *rogationem* As Livy understood the proposal, all the *ager publicus*, that is all the land captured in war and not actually distributed in lots to the poorer citizens, but held by the patricians, and possibly some of the wealthier plebeians, as *possessores*, would have been resumed by the State and distributed among the citizens. This would of course have been a most serious loss if not actual ruin to the *possessores*, being a far more sweeping measure than the Licinian law on the subject B.C. 367.

13 *plebiscito* that is, the proposed *plebiscitum*, which was not carried through.

14 § 3. *ut* 'as was to be expected in a city &c.'

16 *venisset* 'whatever had been from time to time sold', the subjunctive, after a relative or adverb, of a case frequently occurring, so used by Livy and later writers in the pluperfect and sometimes the imperfect tenses, in imitation probably of the similar Greek use of the opt., cf. II. 27. 8 *cum in ius duci debitorem vidissent, undique convolabant*. Cf. 13. 3.
praeterquam] ferme quicquam probably must be supplied, from the previous clause. Some patricians must have become possessed of public land when sold, and this agrees with magnae partis above.

18 § 4. in cogendis] seems to be a mixture of privatis consiliis cogendis and in consiliis privatis quae cogeabantur.

21 § 6. concilio] apparently means the Senate. The passage is carelessly written, for the meeting at which this advice was given seems to have been a private meeting of patricians, and yet misso senatu § 10 implies that it was a regular meeting of the Senate.

22 proavum] According to Livy the man who gave this advice was the grandfather of the decemvir, therefore not great-grandfather (proavus) to the present speaker, but great-great-grandfather (abavus).

25 § 7. novos] novus homo was a phrase of the later times of the republic properly applied to a man who, not being a member of the curule nobility, had raised himself to the consulship. Here it seems to be used loosely of men who had raised themselves to any important position by their own exertions, such as tribunes elected to the office for the first time.

26 temporum] ‘the exigencies of the time’, favourite use of the word in Cicero, who applies it to the critical condition of accused persons, e.g. quid a me cuiusque tempus poscat...examinabo.

27 § 8. pro fortuna] ‘their sentiments varied with their circumstances’.

28 principes] ‘by taking the lead in the agitation’.

p. 61. 2 § 10. negotium datur] sc. principibus; see l. 4.

5 § 11. pollicendoque] ‘by arguments, in which warnings were mingled with promises’; movendo and pollicendo coupled by que are an expansion of suadendo.

9 § 12. exempli] ‘of the worst type’; exemplum is used here in its common meaning of ‘model’ or ‘pattern’ as in ut mutum in simulacrum ex animali exemplo veritas transferatur.

14 § 13. privatum] alluding to the original function of the tribunes to protect individuals from the action of magistrates.

21 § 15. dissolvendae esse] ‘was calculated to weaken the fabric &c.’; descriptive gen. of gerundive qualifying rogationem. Cf. 30. 10.

Chapter XLIX.


p. 62. 1 maxime] ‘principally by the destruction of farm buildings’.
NOTES.

§ 4. novis] cf. 47. 6.

§ 5. defensuros] They had hoped with all the Aequian race at their back to defy the consequences of their offence.

§ 6. nisi, &c.] If Mommsen's theory about the validity of plebisecta at this period (see 1. 2) is right, this opposition of the tribune's colleagues was unnecessary.


p. 63. § 11. revertit] In this sense the active (intrans.) is almost always used in the perfect and pluperf., the passive in the present and tenses derived from it, Cic. Phil. II. 24. 59 Victore Thessalia Brundusium cum legionibus revertisti.

§ 12. causa] The cause of the patricians, their side of the question in the agrarian dispute.

§ 13. tum vero] 'on this occasion', returning to the incident of § 11 after the digression in § 12.

§ 14. mittunt] conative present, 'are trying to send'.

§ 15. deinde] 'fight gallantly'.

§ 16. an honores] 'the offices, perhaps...?' Cf. 42. 6.

§ 17. referat] the impersonal verb: quid is the accus. of extent, the person or thing interested would be in the genitive, unless expressed by means of the possessive adjective. voce § 11, ll. 2, 7.

Chapter L.

§ 1. praedae...minari] either the indignant infin. (cf. 2. 12) or a question in reported speech.

p. 64. § 2. lictore] under the command of the quaestor as representative of the chief magistrate.

indec] = ex ea re.
§ 3. qui vulneraverat] subject to incertamente.

§ 4. ad] cf. 6. 2.

asperiora] ‘aggravated the general irritation’.

sub crat]

7 § 3. subject to increasing.

6 and § 4. ad] cf. 6. 2.

§ 4. ad] cf. 6. 2.

asperiora] ‘aggravated the general irritation’.

§ 5. submoventes] ‘dispersing the crowd’, the regular word used of lictors making people ‘move on’, cf. Horace, Odes, 11. 16. 10 for a metaphorical use of the word.

§ 6. decernentibus] They agitated for commissions of criminal enquiry to be appointed by the Senate, instead of by the Comitia centuriata, the supreme judicial body of the State. Cf. Ramsay, 289.

§ 7. pendebat] ‘was intimately connected with’.

§ 8. senatus consultum] about the trial of the murderers.

comitiis] the election of consuls: the tribunes used the veto to prevent the Senate passing a resolution that consuls should be elected for the ensuing year.

Chapter LI.

p. 65. I § 2. senatus consultum] the result probably of a compromise between the tribunes and the Senate.

§ 3. consensu] ‘unanimously’; cf. 27. 9, and see note on text.

§ 4. per] is used here much in the same way as with single substantives to form a modal adverb; they finished their work without executing more than a few.

§ 4. actiones] here, is little more than tribunician proposals. actio is the subst. of ago, in the sense of agere cum aliqou, that is, to make a proposal and support it with arguments, and means a speech made in support of a proposal. When used, as it frequently is, in reference to the tribunes, it generally has a rather wider sense, and corresponds very nearly to the modern use of ‘agitations’.

interim] For this adversative, rather than temporal, sense of interim, cf. VI. 11. 4, cum interim, si quis vere aestimare velit, a M. Furio recuperari patria ex obsidione hostium non potuerit, nisi a se prius Capitolium atque arx servata esset.
NOTES.

11 *tantam*] ‘was put in force at once and so effectually (as they had seen)’. *tantam* is elliptical = *tantam quantam habere eam intellexissent*.

§ 5. *ad tempus*] ‘most suited to the circumstances’, that is, ‘a most suitable course under the circumstances’. See note on text. *fuerat = fuisset*, the well-known vivid use of the indicative in a conditional sentence.

12 *delemimentum...object*] subject to *aptissimum fuerat, delemimentum* in apposition to *divisionem*, ‘to offer a distribution of the Bolan territory by way of pacifying their anger’.

14 *fellebat*] ‘proposed to oust’. For the personification and the force of the tense cf. 6. 7. *tunc* ‘as it was’.


18 *ut cetera*] sc. *praedae paucis fuissent*; *cetera* ‘everything else’, instead of ‘all other lands’, is the natural exaggeration of angry people.

Chapter LII.


31 § 3. *perniciosior*] instance of the double comparative, expressing the degree of different qualities possessed by the same subject; ‘more eloquent than wise’ may be expressed either by *magis eloquens quam sapiens* or *eloquentior quam sapientior*.

p. 66. 6 § 4. *defuncta*] ‘having escaped with very few deaths in proportion to the large numbers attacked’; lit. ‘having passed through, or finished with, diseases of very many, but very few deaths’.

10 § 5. *erat*] ‘was on the point of being lost’, a common use of the vivid conditional indic. followed by *ni* with subj. in historians to express what all but happened and was only just prevented. *circa* ‘round to’. Cf. 12. 9, 23. 5.

14 § 6. *contra ea*] often used by Livy instead of the adv. *contra*. *tyrannis*] seems to be a mistake on Livy’s part. The Sicilian states had free governments at this time. Dionysius I. did not become tyrant of Syracuse till some years later.

17 § 7. *in legationes*] finding only one senator for each embassy, cf. 16. 2.

Chapter LIII.

28 *quamquam*] cf. 9. 10.
29 § 2. ad] cf. 6. 2.
p. 67. § 2 [sacramento] Draeger (H. S. § 244) calls this an instrumental abl., as also in the phrase sacramento adigere. The construction does not occur before Livy; Caesar uses the accus. sacramentum dicere. It seems more natural to take sacramento here as dative, 'to speak to the oath', that is 'assent to it'; only one man repeated the oath, the rest took it by saying, idem in me. Cf. 5. 2.

§ 3 Carventanam] a Latin town, the position of which is uncertain.

§ 4. invidiae] 'served the patricians with the means of rousing popular feeling against M.', lit. 'was among the patricians for unpopularity to M.'

intercessoribus] cf. 13. 11, 'to veto'.

§ 6. facere] 'he was ready to withdraw opposition, &c.', stronger than the future, cf. 1. 2.

decretu] in the general sense of a 'decision', a resolution of the tribuniciun body.

§ 7. damnum] Soldiers not answering to their names when summoned to the levy were liable according to circumstances to fine, confiscation of goods, corporal punishment, imprisonment, and even slavery. The punishment seems to have depended on the will of the general.


qui...crant] subj. to deieciis.

praedatores] cf. 13. 11, 'the fact that some out of the garrison had been carelessly allowed to absent themselves', &c.

dilapsi] seems to imply that the negligentia was on the part of the commanders.

§ 10. sub hasta] cf. 29. 4.

sum...cum] 'not until'.

§ 11. ovans] cf. 43. 2. alternis adv. 'alternately', first abuse of the consul, then praise of Menenius.

inconditi] cf. 20. 2, the license of soldiers at a triumph is well known.

§ 12. cum] 'while'.

p. 68. § 13. et tamquam] 'and the election of Menenius to a place among the military tribunes, which was considered to be a certainty (of which no doubt was entertained) was barred by the election of consuls'. honos inter 'election to office among'. honos exclusus is a very strange personification, the promotion is identified with the person promoted.
NOTES.

Chapter LIV.

§ 2. tribunicia = tribunorum consulari potestate.

§ 3. dolorem] has a slightly different sense with the two verbs, 'indignation' and 'grievance'.

§ 3. X.] = Kaesonii.

§ 4. auctores] 'It was Icilius, I find, who stimulated the people to vote in this independent spirit. Three members of that house, a house always most hostile to the patricians, who appealed to the fondest desires of the populace by holding out hopes of large and important reforms, had been elected tribunes for this year, and these men had positively declared &c.' The sentence is a most awkward one. Icilius is explained by tres in apposition to it, and tres is qualified by two unconnected participles, the latter ostentantes being apparently subordinate to creatos and expressing the means by which the election was procured. The object of the construction is probably to isolate Icilius and so make it suggest the associations connected with the name, 'Icilius were at work again'. populo is dat. after auctores and is used in quite a general sense, being in fact almost equivalent to plebi. ad, cf. VII. 23. 6 gens ingenii avidissimi ad pugnam.

§ 5. cum adfirmassent] explains auctores suisse.

§ 6. itaque] this position of this word is peculiar to Livy: other writers place it at the beginning of the sentence only. pro, 'it was reckoned a glorious victory'.

§ 7. pro] 'in proportion to', a curious use of pro, really equivalent to tanquam communicasset.

§ 8. novis hominibus] cf. 48. 7.

§ 9. fine] 'they did not estimate the importance of that quaestorship by the mere value of the office itself', lit. 'they did not confine their estimate of the quaestorship within the limits of the mere office'.

§ 10. tollendos] liberos tollere was properly said of a father who raised a new-born child in token that he accepted the responsibility of it, so it came to mean 'to rear'. According to old Roman usage, if a father refused to raise an infant, it was left to die.

L. IV.
28 salii &c.] cf. 1. 2. alic = ad aliam rem. Cf. 31. 4.
30 relinquuntur] i.e. by the present patricians at their death.

p. 69. 1 § 8. omnia] sc. comitia. utrumque i.e. to choose either patricians or plebeians.

Chapter LV.

11 § 1. actio] here simply 'official action'.
12 mira opportunitate] 'by a marvellous piece of good luck'.
17 § 3. generosique iam] 'men who might now be considered well-born, so far as plebeians could be'; the force of iam seems to be that the antecedents of the Icilian house had earned for its members to a certain extent the distinction of noble birth, cf. xxii. 35. 1 nobilibus iam familiarum plebe. ut, cf. 13. 1.
18 consules adservandos] 'the duty of watching', so plebs detinenda...concienda.
21 § 4. expediebant] 'could not bring off'.
31 § 6. ratio] cf. 6. 11.

p. 70. 2 § 7. consulatum] apparently used for the consular tribunate. It was not agitations for opening the consulship, but the election of popular plebeian tribunes to the consular tribunate that the Senate contemplated.

6 § 8. diversi auctores] 'contradictory statements of different authorities'.
8 Verruginem] cf. 1. 4.

Chapter LVI.

14 § 1. sicut...ita] cf. 6. 2. ut consecutive instead of quod with indic.
19 § 3. tum quaque] 'at the time', the annalists were not responsible for the statement. The trick seems to have consisted in putting forward a number of conspicuously unfit plebeian candidates, and so setting the electors against the plebeian candidates generally.
20 tacito] 'through disgust caused by the conspicuously low character of certain of the candidates'.
24 § 4. cum] is not really required, as seu and seu might have introduced the subordinate sentence. The suggestion of motive is Livy's own, of course, not part of the information received.
31 divisa] if right, is like cognitum, sibi persuasum habere &c., rather stronger than divisisse. ipsos habere] opposed to Hernicus donasse.
NOTES. 129

p. 71. 1 § 7. ad] cf. 6. 3. ut ad quosque, cf. 5. 2.
5 § 8. nuntiantur] historic present after ubi (cf. 55. 2), the regular usage after dum.
11 § 11. consulibus] cf. 26. 7. super in the sense of de is used by Livy only when res is the word governed.
14 quibus] 'in whose eyes or estimation', imitation of Greek dative, e.g. σχεδόν ἵνα μωρῇ μωρίαν φλισκάνω.
15 § 12. promiscui] sc. essent.
19 § 13. tribuniciam] i.e. of the consular tribunes.
agerei] used absolutely, 'manage their affairs', 'work'.

CHAPTER LVII.

24 § 1. in manibus] 'in hand', cf. xxvi. 25. 15 omittere Philippum id quod in manibus erat coegerunt bellum.
29 § 3. sententiae] cf. 23. 3.
32 paterentur] cf. 2. 9. malo however may have the subj. after it without ut.

p. 72. 2 § 4. receptum] apparently used in the unusual sense of 'withdrawal'. But it is a question whether Livy with his passion for variety would hesitate to press the objective genitive and use the phrase in the sense of 'retreat from an over self-assertive determination'.
6 § 5. auctoritate] as opposed to consultum meant a proposition sanctioned by a majority of the Senate but prevented by a veto from being carried into a senatus-consultum.
10 § 6. opportuniora] 'fall most in the way of those who are least ambitious of them'. Cf. opportuniora morbis corpora, but the word in this sense is generally rather passive, 'liable to &c.', than active, as it is here; the quam clause is understood.
14 § 7. Fucinum] in the country of the Marsi.
17 § 8. tantum non] 'to have only just escaped missing'. non here must be taken closely with desuisse.
22 § 9. dictatoris] this use of the genitive after ira, common to Livy and Vergil, cf. Aen. ii. 313 creptae virginis ira, may be either an extension of the objective genitive, or a descriptive genitive, as in i. 4, iniuriam agri abiudicati.
23 § 10. patribus] Livy generally uses the accusative after induco, cf. 50. 7.
§ 11. *ne*] is of course final, *obtinuere* meaning not 'obtained' but 'secured beforehand'.

§ 12. *continuato...partum*] explanatory of *reductus*.

Chapter LVIII.

p. 73. § 1. *exierat*] cf. 35. 1, 49. 2, the armistice had lasted only 18 years. *fetiales*, cf. 30. 13.

§ 2. *sua*] because the Romans are the virtual subject of the sentence.

§ 3. *momenti*] 'so much depended on a few hours', lit. 'there was so much movement of the balance in time'.

*ad id...ut*] 'only in time to catch &c.'

§ 4. *restari*] used occasionally by Livy instead of *resisto*.

§ 7. *Lars*] cf. 17. 2.

§ 8. *primo quoque*] has two meanings, (1) one after the other, as *decimus quisque* = every tenth, (2) the very first, as here.

p. 74. § 9. *praesidia*] the garrisons of Carventum (55. 4) and Verrugo.

§ 10. *paeniteat*] 'as though they were not content with the amount of work they had'.

§ 11. *sua sponte*] seems to refer rather to a virtual subject *iuvenes* than to the things agitated, as though he had written *haec cum iuvenes sua sponte agiarent*.

§ 12. *procul*] used by Cicero only as an adverb, is used by Livy, following poetic usage, as preposition as well.

*per otium*] cf. 51. 3. *memor*, cf. 9. 5.

*libere*] cf. 54. 4.


§ 14. *si subiecta*] 'if it could be made thoroughly unpopular'.

*antiquari*] 'rejected', the verb formed to express the action of saying 'antiqua volo', the formula by which a voter voted against a proposal, the opposite of 'uti rogas'. The present instead of future expresses the supposed certainty of rejection, if the condition were fulfilled, cf. 1. 2.

Chapter LIX.

§ 3. *distinarent*] to divide the forces of the Volsci and prevent their concentrating for the defence of Anxur, cf. § 9.
NOTES.

§ 4. *prona* 'sloping down to the marshes'. Anxur or Tarracina was built on a white cliff at the edge of the Pomptine marshes, Hor. *Sat*. I. 5. 26; the city seems to have extended down to the edge of the marsh. The *collis* taken in § 5 must apparently have been the citadel of Anxur itself, unless Livy planted it in the immediate neighbourhood for the purpose of his narrative.

p. 75. 2 § 6. *ad*] cf. 6. 2.
6 § 7. *itaque*] cf. 54. 6.
8 *ne*] depends on the command implied in *pronuntiatum*.
9 *voluntarium*] adverbial use of the adjective.

exuit] for the personification cf. 6. 7.
15 § 10. *primum*] corresponds to *additum* in § 11.
18 § 11. *ut...senatus*] subject to *additum* (est).

ante mentionem] in spite of the facts stated 36. 2, cf. 60. 2 *non umquam agitatum*. *plebis tribunorumve* subjective genitive, 'mention by the plebs'.
20 *de suo*] 'at his own expense'.

Chapter LX.

§ 1. *acceptum*] sc. *esse*.
28 *fatentibus*] abl. absol. 'all acknowledging'.
29 *quicquam*] cf. 39. 5.
30 § 2. *commoditas*] explained by the accus. and infin. *rem...acquirere* depending on it.

32 *addictum*] properly the word used of an insolvent debtor made over to his creditor, here used in a general sense like our 'devoted' but possibly with an invidious suggestion of bondage, 'when they were impressed and actively employed in the public service'.

p. 76. 1 *ultrv*] cf. 28. 4.
3 *id*] in apposition to *quod...efflagitatum*.
6 § 3. *nece*] corresponds to *nec* in *negare=dicere nec*.
7 *apparitum*] sc. *esse*.
11 *militare*] in apposition to *id*, the payment of the tax put from the point of view of discharged veterans.
12 *eosdem*] agrees with *se* understood and emphasizes the fact of their double loss, 'that they should be out of pocket for the expenses of their own campaigns and contribute to the expenses of other men's as well'.
§ 6. *signatum*] according to Pliny *N. H.* xxxiii. 42 the Romans did not use coined money till after the war with Pyrrhus. After the introduction of coined money the old weight-money was called *aes grave*, a term also applied to the full pound *as* of former times as opposed to the diminished *as* of later, cf. 41. 10.

§ 9. *militari actate* = the men of military age, abstract for concrete.

Chapter LXI.

p. 77. § 2. *cum*] concessive, a largely attended meeting of the Etruscans was held immediately after the commencement of the siege of Veii, but it was not agreed whether &c.

§ 7. *mortales*] the use of the word for *hominis* is very common in Sallust, in Livy confined pretty much to speeches and descriptions of battles.

p. 78. § 11. *reges*] the circumstance is not mentioned by Livy in his history of the Kings.
NOTES ON THE TEXT.

M = Cod. Mediceus.
P = Cod. Parisiensis.

For a full but concise account of the MSS of this portion of Livy see Prof. Seeley’s edition of Book i., pp. 6—9.

C. 1 § 1. Curtius] Curatius MSS. Diodorus has Curtius Dionysius Quintius.

2 § 3. I have omitted et before singulis, though it is found in all MSS. There is no instance in Livy of que corresponding to preceding et. In ii. 4. 5 et is rejected by best editors, and, even if retained, is not in point here. It is not credible that et here can = etiam or quoque and qualify honoris in reference to praemium.

§ 4. et quemadmodum...posset] The MSS with one doubtful exception have ut q. posset. Probably the true reading is without ut or et, as Mg Emend. 107, where he shows that ut often grows out of repetition of preceding ut. se, omitted by best MSS, is required.

§ 14. nisi] Luterb. MSS have si. “Non solum languida haec (reading with si) sunt sed etiam perversa. Hostium enim spem incitetat Canuleii vox tantum non ducem se profittenis, nec cae spes in eo vertebatur de quo hostes nihil audituri erant utrum tribuni animos patribus eripuissent necne” Mg (who reads ni) Emend. 108.

4 § 1. at enim] Luterb. and Weissb. following P add vero, which Mg with other MSS rejects. There is no instance of at enim vero in occupatio. v. 9. 3 is not in point.

§ 9. fertis] Mg’s emendation of MSS confertis “ut aliquoties ex ‘non con’ natum est ‘con’ altera syllaba extrita, sic interdum ex ‘non’
7 § 11. suffixos &c.] Mg's emendation of MSS suffixis iiis consulibus praetermissa nomina consulum horum. Licinius Macer &c., adopted by Luterb. Weissb. retains MSS, with change of suffixis to suffectorum and bracketing consulum horum. The origin of the MSS reading according to Mg is: Coss. in original = consules was taken to = consulibus, suffixos adapted to iiis, and praettermisos to nomina.

si] omitted after perinde ac on authority of V.

8 § 2. senatus equitumque centuriis] Luterb. has centuriae found in two inferior MSS. This in connection with the other phrases gives a strange combination, 'ordines et homines cum actione compositos' (Mg) and the Senate itself could not be said to be sub dictione ciius magistratus. Most MSS have centuriis. Mg reads in senatu...centuriis. Mommsen (Codex Veronensis, p. 193) defends senatus as gen. after decoris dedecoris et, and accounts for the change to the abl. in centuriis because Livy could not say that the censorial functions affected the equites generally, but only the equites in centuries, and substituted centuriis for centuriam (found by the way in one or two MSS) to avoid the accumulation of genitives. But Mg's reading is probably right.

§ 4. ab senatu] Luterb., ad senatum Weissb.; apud senatum Mg, probably right, cf. et patres laeti accepere. P has ab senatum.

§ 6. necessarii] emendation of Mg for MSS necessariam.

§ 7. dubitatur] dubitabatur MSS.

11 § 7. coloni adscripti] These words are not found in V.

12 § 7. resisti] Luterb. and Weissb. I have bracketed re following Mg, whose suggestion in Emend. 115 hominumque sisti probably gives the true reading. resisti without dat. is awkward and the phrase sosti non potest seems just in place here.

13 § 9. defert] an emendation of Mg (1860) for MSS refert, generally accepted, and subsequently confirmed by V.

contiones] coitones Mg after conj. of Gronovius.

§ 10. quae postquam...increparent] Mg and Weissb. Luterb. omits cum and reads increpare. The former seems preferable as nearer to MSS.

16 § 2. bove aurato] Mg inserts et statua in consequence app. of the passage in Pliny quoted in the notes. He thinks that Livy must have meant to say that M. was presented with a live ox and the statue.

NOTES ON THE TEXT.

Antius is mentioned in Livy but several Nautii, and Spurius is 'praenomen proprium' of the Nautii. Pliny N. H. mentions Sp. Nautius among the ambassadors killed by the Fidenates. Cicero on the other hand calls him Antius, which may account for the alteration of the name here.

20 § 7. aut] Mg with P; ac Luterb. and Weissb. with M.
§ 8. quis...error] Gronovius' emendation, involving omission of one letter only, adopted by Mg Emend. p. 115. MSS have qui si. qui has nothing to refer to, as no error has been mentioned, which could only be suspected from the fact that the annals do not mention Cossus as consul till 7 years later. Whatever the error was, it could not be said to consist in the fact that the annals &c. Moreover si introducing dept. qun. after existimatio is not Latin.

quosque] F. Lachman. libri librique quos Mommsen and Weissb. Livy (see 7. 10—12) could hardly identify the libri magistratum and the libri lintei, though the latter were prob. shrouded in mystery to every one except Licinius Macer. Luterb. defends quos and Mg retains it in his text.

decimo] Luterb. septimo MSS, prob. a slip of Livy's. "Livius decimo scribere debuit", Mg in footnote to 3rd edition.
§ 11. sed vana versare] Mg adopts G. Wagner's conjecture sed, ut ego arbitror, vana; aversari enim (enim added by Mg to account for e of versare and in), an exceeding probable emendation which ought perhaps to have been printed in the text.

21 § 6. morbus] Luterb. metum MSS which Mg (Emend. 116) after Faber rejects as 'manifestum additamentum; nam pestilens annus non metum efficit vastitatis sed vastitatem'.

exiret] Ussing's conjecture (1861) that non which appears in the MSS before exiret should be omitted is confirmed by V. 'Ussing rightly asserts that non modo quisquam...non cannot be used for non modo nemo and that quisquam and ullus are not used in Latin prose with a negative following.'

§ 7. primo] aut oppido, here inserted in other MSS, was suspected by Duker and rejected by Mg, an emendation confirmed by V.

23 § 3. cooperta] Mommsen's conjecture for the cooperta and incooperta of the MSS.

24 § 2. communicari non sint] Mg and Weissb. 'praecella Jac. Gronovii emendatio'. Luterb. retains MSS communicati non sint, a deponent otherwise unknown.
§ 5. *magnam partem*] Mg Emend. 117. The expression can only be used of time, and therefore here is in appn. to *annos*.

§ 7. *magistratu*] Other MSS insert *modo aliornium magistratui*, which V omits, confirming again a conjecture of Mg.

25 § 1. *contentionibus*] V. *contentionibus* other MSS.

§ 4. *quoque...implicitis*] found in V, omitted in other MSS.

§ 7. *consilia ad*] *consilia de movendo* Mg who explains origin of *consilia ad* thus: The d of *de* being separated from *e*, *consiliad e* became *consilia ad* and *movendo* was adapted to *ad*.

26 § 12. *dilectus*] inserted from V, other MSS omit it.

27 § 10. *hostium*] MSS. Luterb. changes to *Aequorum* but without sufficient reason.

32 § 2. *otiens*] Luterb. *sexiens* MSS.

32 § 4. *ac centurionem*] Mg and Weissb. *ac centurionibus* Luterb., who objects to collective singular of *centurio*, quoting XL. 43. 7. V has *centurionis*, other MSS *ad centurionem* *from cavalry soldier down to centurion*, an absurd expression which also would have to qualify *captivis*. The reading prob. originated in omission of one *e*, *acenturione* became *ad centurionem* Mg Emend. 119.

35 § 6. *revocandam*] *revocandi* Mg, who calls *revocandam* absurd and accounts for it by faulty adaptation of copyist to preceding subst. of which he gives other examples.

§ 8. *tetenderit*] Mg for MSS *tenderet*, which he shows, Emend. 121, is not Latin.

37 § 9. *incerto clamore*] MSS. Luterb. following Gruter omits the words. Mg reads *incerto clangore*.

33 § 3. *parmata*] Schele for MSS *armata*, an emendation generally accepted.

41 § 3. *magnis ingeniiis*] Mg Emend. 122 alters to *magni ingenii*, "which even to criticise (the mere criticism of which) requires a great intellect".

§ 7. *dimittunt*] Luterb. following Harant. MSS have *dimissum* which Mg and Weissb. retain. *dimissum* will depend on *dicitur* (impers.) supplied from § 1.


§ 4. *iactarentur*] Luterb. for MSS *iactentur*.

43 § 4. *duo ut*] *duo ut crearentur qui* Luterb. *duo qui* MSS.

§ 5. *ius adaequassent ita*] *iusisset adaequari* Mg. MSS have *usi sunt adaeque*.

48 § 2. *et*] (nom. pl.) Mg’s emendation for MSS *et*. 
NOTES ON THE TEXT.

49 § 11. *dignum*] emendation of Faber, adopted by Mg Emend. 125, for MSS *dignos*.

51 § 3. *populi*] I have bracketed the word, following Mg Emend. 126. Without assenting to Niebuhr’s theory about the word *populus*, Mg maintains that the plebs in their *comitia* could not be said to act *consensu* of the *populus* consisting of patricians and plebeians. He also questions the Latinity of *consensu alicuius facere*.

§ 5. *ad tempus*] Mg inserts *ad* here, on the ground that Latin usage does not allow of *tempus* in the phrase *tempus est aliquid fieri* being qualified by an adj. Luterb. retains MSS reading.

56 § 6. *divisa*] MSS; V however has *divis...* On the strength of this Mommsen and Mg adopt Gronovius’ conjecture *divisui; divisui esse* occurs a few times in Livy.

§ 13. *vi atque verecundia*] Luterb. adopting Mommsen’s conjecture. V has *via...vereundia*, other MSS *vereundia* only.

58 § 1. *obvia*] The best MSS have *obviam*. “*obviam sum in prosa oratione bona aetate nemo dixisse reperitur*”, Mg Emend. 131 n.

§ 4. *restari nuntiabatur*] *restari nuntiabantur* V. *restare nuntiabant* other MSS. The text is Mommsen’s correction of V.

§ 9. *arces*] Luterb. *alia* Mg. MSS have *et*. The only interpretation of MSS reading requires that *pracidia* should mean ‘men’ in the first clause and ‘fortresses’ in the second. ‘Nugas!’ Mg. Some word must be inserted.

59 § 7. *armatos*] Mg and Luterb. Weissb. retains *armatus* with MSS, *praeter* adverb. But the use is rare and the singular is out of place.

60 § 3. *patribus*] I have bracketed this following Mg. The tribunes did not care what was likely to please the patricians. They were or pretended to be anxious for the plebs who, with the reading *patribus*, are left out of sight. Luterb. contends that without *patribus ipsi* is meaningless.

ADDENDUM.

C. 7 § 31. 20. *perinde ac*] As commentators are silent about these words, I suppose there is no difficulty in them. But I can neither believe that Livy would use *perinde ac* to mean simply, ‘on the ground that’, nor understand why he should say, ‘just as if there had been a flaw in their election’, when he clearly means that there had been one. Did the words creep in from an authority who gave a different account of this affair?
APPENDIX.

(2 a abl. gerund, 2 q quam (ut) with subj. for acc. and infinitive, 9 i adverbial ad-

j ective, 10. 4 attributive adverb, 13. 11 participial substantive, 26. 19 forem, 30. 2
super = praeter, 31. 9 ab causal, 41. 3 quoque.)

c. 2 § 9 l. 17.

Livy's use of the ablative gerund seems to differ from that of the
classical prose writers in the following points: (1) he uses it much more
frequently in a modal sense (theirs is generally instrumental) as an
equivalent of the present participle, (2) he uses it where they would use
a conjunctuonal clause, e.g. l. 15 concedendo = si concederent, (3) he more
frequently places an object after it, (4) he more frequently has a pronoun
(ipse or quisque) or numeral as subject to it in the nominative case,
e.g. 31. 2 tendendo ad sua quisque consilia.

Ibid. l. 18.

quam or quam ut (l. 13) with subj. in oratio obliqua instead of the
normal acc. and infin. is found in Plautus and frequently in Livy.
Cicero and Caesar prefer the normal construction. Where Livy
assimilates in construction or idiom to Plautus and differs from the classical
prose writers it is commonly ascribed to archaism. It is, I think, a
question whether it is not more reasonable to suppose that the usage in
both Plautus and Livy is a colloquial one, common to both periods.

c. 9 § i l. 24.

The predicative or adverbial use of the adj. is found in ante-classical
and classical writers, but with the latter is confined practically (except
in the case of verbs really equal to sum) to a few words (mainly,
frequens, invitus, multus, nullus, praecps, primus, princeps, postremus,
solus). Livy is freer and more frequent in his employment of this usage
and (as far as I make out) peculiar as compared with the classical prose-writers in using the adverbial adj. with participles. Mons. Riemann (Études sur la langue et la grammaire de Tite-Live) draws a distinction between the cases in which the adj. expresses a mode of the subject of the action, e.g. maestam sedentem, and when it expresses a mode of the action, e.g. serus redeas.

**APPENDIX.**

This usage is by no means peculiar to Livy. The ante-classical and classical writers also tried to assert for Latin the elasticity in this respect which Greek gains by its use of the article: e.g. Plaut. Pers. III. i. 57 non tu nunc-hominum mores vides? Ter. And. i. ii. 4 heri semper-lenitas verebar quorum evaderet. Cic. Pis. 9. 21 discensus-tum-meo omnes illi gladii de manibus exciderunt. Ep. ad Attic. v. 14. 1 neque longas a me neque semper mea-manu-literas exspectabis. Orat. 1. 4 in poetics non Homero soli locus est aut Archilocho aut Sophocli aut Pindaro sed horum vel secundis vel infra secundos. The difference between the classical and the Livian usage seems to consist in this, that Livy employs it more frequently and perhaps with less regard to the position of the adv. or adv. phrase, that is, he is less careful to place it, as far as the Latin language allows, in the position nearest to that which it occupies in Greek between the article and the subst.

**c. 10 § 4 l. 16 and c. 25 § 4 l. 12.**

Mons. Riemann is perhaps justified in saying that there is no appreciable difference between Cicero’s usage and Livy’s in this respect. But for all that, it seems to me, there is a difference. Livy, I should say, is freer in his use of words other than those in tor and trix, and also much freer in the purely verbal or participial use of the attributive subst., using it with adverb qualifications, and to express a single action. Cicero for example might, I fancy, write plebs transfuga, as he speaks of adversas deos, but hardly transfuga ex suis populis plebs. He calls himself conturationis investigator atque ultor, but he would hardly have said (as Livy II. 12. 5) intrare castra hostium volo, non praedon nec populationum invicem ultor. In this case he would surely have used a verb. Again Cicero might have said di uliores erant patrum superbiae, but hardly (as Livy II. 24. 1) (plebes dicit) uliores superbiae adesse deos, uliores with adesse expressing so distinctly a single action.
c. 26 § 10 l. 25.

Mons. Riemann sums up the results of his investigation into the use of *forem* by different writers thus: Caesar does not appear to use it at all. Plautus, Terence and Sallust use it in propositions expressing a supposition not realised, or in propositions relating to the future, that is, as equivalent in indirect speech to *ero* in direct, and in final sentences. Other uses in these authors are exceptional. Cornelius Nepos and Livy use it wherever *esse* could be used.

c. 30 § 2 l. 30.

*super* with acc. is first used by Sallust in the sense of 'beyond,' *Iug.* 19, *super* (to the south of) *Numidiam Gactulos accepimus...agitare*, a sense in which it is commonly used by post-classical prose-writers and poets, e.g. *super modum, super ceteros, super omnia*. Livy, followed by Tacitus and Suetonius, uses it in the simple sense of 'besides' or 'in addition to'.

c. 31 § 9 l. 27.

Draeger distinguishes two phases of this causal use according as *ab* denotes (1) the external working-out of a cause (objective use), e.g. Livy 1. 1 *ab simili clade domo profugum*, Cic. *N. D.* 55 *ea (anima) calescit primum ab eo spiritu*; (2) the external or internal ground of an action or feeling (subjective use), as here. (1) appears twice in Cicero, with intransitive verbs, and not often in Livy, (2) not in Cicero, but frequently in Livy.

c. 41 § 3 l. 9 and c. 56 § 3 l. 19.

Livy seems to disregard the normal distinction between *quoque* and *etiam*, according to which the former merely denotes the addition of something similar, while the latter introduces a new circumstance.

It seems to be a mistake to suppose that Livy ever uses *quoque* before the word it qualifies (as Quintus Curtius does), therefore in c. 41 either Mg's emendation must be adopted, or *quoque* explained as it is in the note.
INDEX TO THE NOTES.

<table>
<thead>
<tr>
<th>Term</th>
<th>Page(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>ab 31 9 and append.</td>
<td>9</td>
</tr>
<tr>
<td>ablative (modal) 27 9</td>
<td>9</td>
</tr>
<tr>
<td>(absol. = Gk. aor. part.) 33 9,</td>
<td>9</td>
</tr>
<tr>
<td>44 10</td>
<td></td>
</tr>
<tr>
<td>abstract for concrete 8 4</td>
<td></td>
</tr>
<tr>
<td>accecor 2 7</td>
<td></td>
</tr>
<tr>
<td>actio 50 4</td>
<td></td>
</tr>
<tr>
<td>ad 6 3, 17 7, 25 6</td>
<td></td>
</tr>
<tr>
<td>addiclus 62 2</td>
<td></td>
</tr>
<tr>
<td>adeo 1 4, (enclitic) 2 1</td>
<td></td>
</tr>
<tr>
<td>adigere sacramento 5 2</td>
<td></td>
</tr>
<tr>
<td>admittio 18 6</td>
<td></td>
</tr>
<tr>
<td>adverb (for case of pronoun) 9 14, 31 4,</td>
<td>4, 25 4, 27 4</td>
</tr>
<tr>
<td>and append.</td>
<td></td>
</tr>
<tr>
<td>aerarii 24 7</td>
<td></td>
</tr>
<tr>
<td>aerarium (standards kept in) 22 1</td>
<td></td>
</tr>
<tr>
<td>aes grave 41 10, 60 10</td>
<td></td>
</tr>
<tr>
<td>album (subst.) 23 13</td>
<td></td>
</tr>
<tr>
<td>ampliatio 44 12</td>
<td></td>
</tr>
<tr>
<td>an 5 3, 42 6</td>
<td></td>
</tr>
<tr>
<td>anachronism 17 6</td>
<td></td>
</tr>
<tr>
<td>anacolutha 2 8, 11 2, 3</td>
<td></td>
</tr>
<tr>
<td>antiquo 58 14</td>
<td></td>
</tr>
<tr>
<td>apiscor 3 7</td>
<td></td>
</tr>
<tr>
<td>Apollo (god of health) 25 3</td>
<td></td>
</tr>
<tr>
<td>Ardea (position) 9 12</td>
<td></td>
</tr>
<tr>
<td>Ardeatines' (complaint against Rome) 1 4</td>
<td></td>
</tr>
<tr>
<td>at enun (occupatio) 4 1</td>
<td></td>
</tr>
<tr>
<td>attraction 19 3</td>
<td></td>
</tr>
<tr>
<td>auctor 6 3</td>
<td></td>
</tr>
<tr>
<td>Auguraculum 18 6</td>
<td></td>
</tr>
<tr>
<td>auspicia 2 5</td>
<td></td>
</tr>
<tr>
<td>aut (conditional) 25 11</td>
<td></td>
</tr>
<tr>
<td>auxilium (technical) 42 4</td>
<td></td>
</tr>
<tr>
<td>candidatus 6 9</td>
<td></td>
</tr>
<tr>
<td>castige 44 2</td>
<td></td>
</tr>
<tr>
<td>cedere in aliquid 44 9</td>
<td></td>
</tr>
<tr>
<td>censorship 8 2</td>
<td></td>
</tr>
<tr>
<td>coined money 60 6</td>
<td></td>
</tr>
<tr>
<td>coli 44 12</td>
<td></td>
</tr>
<tr>
<td>collum torquere 53 8</td>
<td></td>
</tr>
<tr>
<td>commentarii 3 9</td>
<td></td>
</tr>
<tr>
<td>committere in aliquid 27 6</td>
<td></td>
</tr>
<tr>
<td>comparative (double) 52 3</td>
<td></td>
</tr>
<tr>
<td>compos (with abl.) 40 3</td>
<td></td>
</tr>
<tr>
<td>conclamo 40 3</td>
<td></td>
</tr>
<tr>
<td>concoquere 15 7</td>
<td></td>
</tr>
<tr>
<td>conjunctions (relative, with participles) 9 10</td>
<td></td>
</tr>
<tr>
<td>constructio ad sensum 2 3, 10 7, 22 5, 6, 26 10, 35 9, 58 11</td>
<td></td>
</tr>
<tr>
<td>cooptation (into patrician body) 4 7</td>
<td></td>
</tr>
<tr>
<td>coorior 9 8</td>
<td></td>
</tr>
<tr>
<td>corona (military) 19 8, 27 7, 47 5</td>
<td></td>
</tr>
<tr>
<td>(sub c.) 34 4</td>
<td></td>
</tr>
<tr>
<td>Cossus 20 5</td>
<td></td>
</tr>
<tr>
<td>crimen 44 11</td>
<td></td>
</tr>
<tr>
<td>cum (prep.) 9 8</td>
<td></td>
</tr>
<tr>
<td>dative (in judgment of) 53 11</td>
<td></td>
</tr>
<tr>
<td>deinde 49 15</td>
<td></td>
</tr>
<tr>
<td>demum 4 9</td>
<td></td>
</tr>
<tr>
<td>denique 35 9, 40 9</td>
<td></td>
</tr>
<tr>
<td>dicere sacramento 53 2</td>
<td></td>
</tr>
<tr>
<td>dum 3 13</td>
<td></td>
</tr>
<tr>
<td>enim 4 9</td>
<td></td>
</tr>
<tr>
<td>euidere 4 8</td>
<td></td>
</tr>
<tr>
<td>equester ordo 13 1</td>
<td></td>
</tr>
<tr>
<td>excipio 43 9</td>
<td></td>
</tr>
<tr>
<td>exemplum 48 12</td>
<td></td>
</tr>
<tr>
<td>fanaticus 33 2</td>
<td></td>
</tr>
<tr>
<td>fasti 3 9</td>
<td></td>
</tr>
<tr>
<td>felicitas 45 1</td>
<td></td>
</tr>
<tr>
<td>Feretrius (temple) 20 3</td>
<td></td>
</tr>
<tr>
<td>ferre sermonibus 5 6</td>
<td></td>
</tr>
<tr>
<td>foeditas 39 9</td>
<td></td>
</tr>
<tr>
<td>formula censoria 8 4</td>
<td></td>
</tr>
<tr>
<td>furor 2 1</td>
<td></td>
</tr>
<tr>
<td>genitive (descriptive) 2 6</td>
<td></td>
</tr>
<tr>
<td>(objective) 57 9</td>
<td></td>
</tr>
<tr>
<td>gentes 1 2</td>
<td></td>
</tr>
<tr>
<td>gerund (abl. = pres. part.) 2 8 and append.</td>
<td></td>
</tr>
<tr>
<td>(= dum with verb) 31 2</td>
<td></td>
</tr>
<tr>
<td>gerundive (gen.) 30 10, 48 15</td>
<td></td>
</tr>
<tr>
<td>(dat.) 43 10</td>
<td></td>
</tr>
<tr>
<td>Graecism 3 3, 39 9, 49 15</td>
<td></td>
</tr>
<tr>
<td>hasta (of auctions) 29 4</td>
<td></td>
</tr>
<tr>
<td>hendiadys 9 10</td>
<td></td>
</tr>
<tr>
<td>imminere (covet) 25 9</td>
<td></td>
</tr>
<tr>
<td>imperium 4 4</td>
<td></td>
</tr>
<tr>
<td>in (with acc. distributive) 16 2</td>
<td></td>
</tr>
<tr>
<td>maius accipere 1 5</td>
<td></td>
</tr>
<tr>
<td>beneficio ponere 7 9</td>
<td></td>
</tr>
<tr>
<td>re 4 11</td>
<td></td>
</tr>
<tr>
<td>incedo (with dat.) 57 10</td>
<td></td>
</tr>
<tr>
<td>incertus (with gen.) 23 3</td>
<td></td>
</tr>
<tr>
<td>inconditus 20 2</td>
<td></td>
</tr>
<tr>
<td>indicative (in condit. sentence) 4 12</td>
<td></td>
</tr>
<tr>
<td>(in orat. obl.) 41 5</td>
<td></td>
</tr>
<tr>
<td>(for subj.) 51 5, 52 5</td>
<td></td>
</tr>
<tr>
<td>infestus 1 1</td>
<td></td>
</tr>
<tr>
<td>infinitive (in subord. cl. in orat. obl.) 3 3, 15 5</td>
<td></td>
</tr>
<tr>
<td>ingens 6 5</td>
<td></td>
</tr>
<tr>
<td>insignitior 4 5</td>
<td></td>
</tr>
<tr>
<td>interim (adversative) 51 4</td>
<td></td>
</tr>
<tr>
<td>invisisstatio 33 1</td>
<td></td>
</tr>
<tr>
<td>itaque (position of) 54 6</td>
<td></td>
</tr>
<tr>
<td>iubeo, iussu (of comitia) 3 10, 4 7</td>
<td></td>
</tr>
<tr>
<td>iustus 11</td>
<td></td>
</tr>
<tr>
<td>lustus 27 6</td>
<td></td>
</tr>
<tr>
<td>libri lintei 7 12</td>
<td></td>
</tr>
<tr>
<td>libri magistratuum 7 10</td>
<td></td>
</tr>
<tr>
<td>ludi magni 27 1</td>
<td></td>
</tr>
<tr>
<td>macte 14 7</td>
<td></td>
</tr>
<tr>
<td>magis quam 15 7</td>
<td></td>
</tr>
<tr>
<td>malum (punishment) 49 11</td>
<td></td>
</tr>
</tbody>
</table>
INDEX TO THE NOTES.

Manilius imperia 29 6
menor 9 5
mentionem inferre 8 4
miscere caelum ac terras 3 6
momentum 11 9
morari nihil 42 8
nores disciplinae 8 2
mortalis 61 7
namque (position of) 9 2
neeiam (=nondum) 13 5
nempe 4 11
nomen (dare) 5 6
(est nihil) 13 6
non modo quisquam 21 6 (note on text)
novit homines 3 16, 48 7
nunc...nunc 37 10
obvolvere caput 12 11
operae esse 8 3
opportunitas 57 6
pacicitet (discontent) 3 13
parataxis 3 15
participle (adjectival) 13 3
(perf. pass. = perf. indic.) 1 1
(pass. of dept. verbs) 13 9
patres 1 1
(auctores sunt) 3 10
per 9 2, 36 3
perinde &c. 7 3 (=p. ac si) 7 11
personification 6 7, 33 3, 53 13
pessimus publicus 4 5
plebi (gen.) 4 3
plebis concilium, plebs 1 2
(principes) 25 9
pleonasm 8 3
pluperfect (immediate) 20 3
plural generic 2 7
ponto 20 4
praecipue verba 21 5
praeteritio 3 12
praeterquam 7 5, 17 6
present (vivid = future) 1 2, 5 5
(conative) 1 6
primus quisque 58 8
principalis portae 19 8
pro 5 2, 7 1, 9 1, 26 8, 9, 54 7
pronoun (agreeing with subst. = case of same) 35 6
proflus (prep.) 17 5
quaquam (without verb) 8 5
quantus (how little) 5 3
quicunque (indef. demonstrative) 39 3
quid-aliquidquam 3 3
quid potest? 4 1
quid rei est? 44 3
quaquam 39 5
rationem habere 6 11
recido 2 8
referre (=reporto) 10 3
(in tabulas) 11 4
refer 49 16
relative (adversative) 3 3
(nom. supplied from previous oblique case of) 51 5
referto 19 5
resto 58 4
reum feragere 42 6
revertio 49 11
rostra 17 6
sacra 2 6
secundum 6 11
senatus auctoritas 57 5
sequor (absol.) 17 12
signa 9 13
singular, collective 18 1, 34 4
solidus 8 7
spero (with perf. infin.) 15 6
(with ut) 35 8
sub crate necare 50 4
subject (omitted) 9 3
(changed) 17 11
subjunctive (of case frequently occurring) 48 3
subnovies 50 5
substantive (=rel. clause) 13 11 and append.
(subjective use) 51 6
suggillatus 35 10
super (with acc.) 30 2 and append.
(with abl. = de) 56 11
supersedes 7 8
synecdoche 43 3
tabernaculum capere 7 3
tandem 3 16, 4 11
tantus (elliptical) 51 4
telum (metaph.) 28 6
tempus (critical time) 48 7
thorax linteus 20 7
tollere liberos 54 7
transire ad plebem 16 3
tribunes (in senate) 3 6, 6 6
(eleventh) 16 4
(power of arrest) 26 10
tumultus 26 1
ultra 21 7, 27 10, 28 4, 33 4
ut (omitted after quam) 2 8 and append.
(with subj. in indignant qu.) 2 12
(limiting) 13 1
ut quisque 5 2
ut...sic (ita) 6 2
vanus 41 1
verbo 1 3
Verrue 1 4
vestem mutare 42 7
villa publica 22 7
vitiis 7 3
zeugma 2 4

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