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HISTORY

OF THE

LATER ROMAN COMMONWEALTH.

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HISTORY

OF THE LATER

ROMAN COMMONWEALTH,

FROM THE END OF THE SECOND PUNIC WAR TO THE

DEATH OF JULIUS CÆSAR;

AND OF THE

REIGN OF AUGUSTUS:

WITH A

LIFE OF TRAJAN.

BY

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1857.

PREFACE.

THESE Volumes contain a republication of the portion of Roman History contributed by Dr. Arnold to the "Encyclopædia Metropolitana," between the years 1823 and 1827.

It is scarcely necessary to remark, that if his life had been prolonged, his great growth in knowledge and ability would have given a new character and a much higher value to this portion of the History of Rome. It is, however, believed that these articles form a valuable part of our literature, and are not unworthy of accompanying those Volumes, which were the fruit of matured years. They will carry on the reader through a long and important era, from the close of the Second Punic War to the final establishment of the Empire under Augustus, and will furnish him with a consecutive narrative of the events of this period.

The text is such as the Author left it, with the exception that a few trifling inaccuracies of detail have been corrected. What seemed to be errors of a more general character have been untouched. Some, and amongst them, those respecting the Agrarian laws, will be found corrected in Dr. Arnold's History of the Earlier Periods; whilst the alteration of the text would have been an act of unwarrantable liberty, and would have destroyed much of the psychological interest which must belong to a comparison of the earlier with the later productions of any eminent writer.

The references to the original authorities have been all examined and verified.

Dr. Arnold broke off, after the life of Augustus, his contributions to the continuous series of Roman History in the Encyclopædia. He subsequently composed the Life of Trajan for that Work. It is reprinted in these Volumes.

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July 31, 1845.

CONTENTS

OF

VOLUME I.

CHAPTER I.

PAGE

Sketch of the external advancement of the Roman Empire from the end of the Second Punic War to the Invasion of the Cimbri.—From A.U.C. 553, B.C. 201, to A.U.C. 652, B.C. 102 . 1

CHAPTER II.

Tiberius Gracchus.—U.C. 621, B.C. 133 59

CHAPTER III.

Caius Gracchus.—From U.C. 621, B.C. 133, to U.C. 633, B.C. 121 . 87

CHAPTER IV.

Sketch of the internal state of Rome from the death of Caius Gracchus to the commencement of the Social War.—From U.C. 633, B.C. 121, to U.C. 662, B.C. 92 114

CHAPTER V.

Lucius Cornelius Sylla.—From U.C. 616, A.C. 138, to U.C. 666, A.C. 88 151

CHAPTER VI.

PAGE

Lucius Cornelius Sylla.—From U.C. 666, A.C. 88, to U.C. 677, A.C. 77 188

CHAPTER VII.

Caius Julius Cæsar.—A view of the internal affairs of the Roman Empire.—From U.C. 676, A.C. 78, to U.C. 695, A.C. 59 . . . 259

CHAPTER VIII.

Caius Julius Cæsar.—A sketch of the Roman History from the appointment of Cæsar to the command in Gaul to his Death. —From U.C. 695 to 710, A.C. 59 to 44 356

HISTORY

OF THE

LATER ROMAN COMMONWEALTH.

CHAPTER I.

SKETCH OF THE EXTERNAL ADVANCEMENT OF THE ROMAN EMPIRE FROM THE END OF THE SECOND PUNIC WAR TO THE INVASION OF THE CIMBRI.—FROM A.U.C. 553, B.C. 201, TO A.U.C. 652, B.C. 102.

THERE are certain portions of the history of mankind, in which military operations assume a character of such predominant importance, that the historian is bound to assign to them the principal place in his narrative. At other times there may be long and bloody wars, by which great changes have been produced in the state of the world, which yet deserve no more than the most cursory notice; whilst our main attention is bestowed on the progress of society, the rise of literature, or the origin and struggles of domestic factions. The period to be comprised in this sketch belongs to this latter class: it was full of

CHAP. I.

wars; it was marked by decisive victories and extensive conquests; yet its military history is totally uninteresting, from the great inequality of force between the Romans and their several enemies; and from the scarcity of those signal displays of valour and ability, which have, on other occasions, thrown lustre on the resistance of the humblest power. Besides, except the "Fragments" of Polybius, we have no political nor military history of these times, the authority of which can be relied on with any satisfaction, for the detail of events. No more, then, will be here attempted, than briefly to trace the succession of the Roman conquests, and to notice the causes which rendered them so unbroken and so universal.

U.C. 553.[1] B.C. 201. First Macedonian war.

No sooner was the second Punic war ended than the senate of Rome determined to crush the power of Philip, king of Macedon. He had joined Hannibal in the most critical period of the late war, when the destruction of Rome seemed inevitable; he was the most considerable potentate in the countries neighbouring to Italy on the east; and the fame of his armies, derived from the conquests of Alexander, was not yet extinguished. These were considerations sufficient to point him out as the next object of hostility to the Roman arms; and although peace had been concluded with him two or three years before, yet the grounds of a new quarrel were soon

[1 According to Niebuhr, Vol. IV. 232, this date should be 552, and that for the battle of Cynocephale, 556, Livy having made an error of one year.—Ed.]

discovered. He[2] was accused of having attacked the Athenians and some others of the allies of Rome; and of having sent some Macedonian soldiers to the assistance of Hannibal in Africa. A Roman army was instantly sent over into Greece, and a Roman fleet co-operated with the naval force of Attalus, king of Pergamus, and the Rhodians; these powers, together with the Ætolians, being constantly enemies to Macedon, and the present war being undertaken by the Romans chiefly, as was pretended, on their account. The barbarous[3] tribes on the north and west of Macedonia were also led, by the temptation of plunder, to join the confederacy; and their irruptions served to distract the councils and the forces of Philip. Yet, under all these disadvantages, he maintained the contest with great vigour for three years; till being defeated in a general action at Cynocephale in Thessaly, and his whole country, exhausted as it already was by the war, being now exposed to invasion, he was reduced to accept peace on such terms as the Romans thought proper to dictate. These, as usual, tended to cripple the power of the vanquished party, and at the same time to increase the reputation of the Romans, by appearing more favourable to their allies than to themselves. Philip was[4] obliged to give up every Greek city that he possessed beyond the limits of Macedonia, both in Europe and in Asia; a stipulation which deprived him of Thessaly, Achæa, Phthiotis, Perrhæbia, and Magnesia, and particularly

Battle of Cynocephale. U.C. 557. B.C. 197. Ol. 145. 4.

[2] Livy, XXX. 42; XXXI. 5.
[3] Livy, XXXI. 28. 38. 41, &c.
[4] Polybius, XVIII. 27, et seq. 17, and XVII. 2.

CHAP. I.

of the three important towns of Corinth, Chalcis, and Demetrias, which he used to call the fetters of Greece. All these states were declared free and independent; except that the Romans (pretending that Antiochus, king of Syria, threatened the safety of Greece) retained, for the present, the strong places of Chalchis and Demetrias[5] in their own hands. Philip was forced also to satisfy the several demands of Attalus, of the Rhodians, and of the other allies of Rome, except of the Ætolians, whom it was now the policy of the Romans to humble; as the depression of Philip had left them the principal power in Greece. In addition to these sacrifices, he was to surrender almost the whole of his navy, and to pay to Rome a thousand talents.

Immediately[6] after the conclusion of this treaty followed the memorable scene at the Isthmian games, where it was announced to all the multitude assembled on that occasion, that the Romans bestowed entire freedom upon all those states of Greece which had been subject to the kings of Macedon. The Greeks, unable to read the future, and having as yet had no experience of the ambition of Rome, received this act with the warmest gratitude; and seemed to acknowledge the Romans in the character which they assumed, of protectors and deliverers of Greece.

War with Antiochus the Great. U.C. 562. B.C. 192.

The kingdom of Macedon being now humbled, there was no one in a condition to dispute the power

[5] Polybius, XVIII. 28.—Ed.] [6] Polybius, XVIII. 29, et seq.

of the Romans in Greece, except Antiochus, king of Syria. This prince had lately[7] enlarged his dominions by reducing those cities on the coast of Asia Minor, which, in the course of the many wars between the successors of Alexander, had been gained by the kings of Egypt. He now professed his intention of crossing into Europe, and re-uniting to his empire those cities and parts of Thrace which had been conquered from Lysimachus by one of his predecessors; and which had since been wrested from the crown of Syria by the kings of Egypt and Macedon. But the Romans, having now brought their war with Philip to an end, resolved at once to stop the progress of Antiochus; and their ambassadors, who found him at Lysimachia, required him to restore every place that he had taken from Ptolemy, king of Egypt, and to leave those cities independent, which, having lately belonged to Philip, were now destined by the Romans to enjoy their liberty.

Antiochus replied, that the Romans had no more concern in the affairs of Asia than he had in those of Italy; and the ambassadors departed without gaining their demands. In this state of things, the Ætolians[8], who were now totally alienated from the Romans, in consequence of the neglect with which they had been treated in arranging the terms of the peace with Philip, eagerly solicited the king of Syria to enter Greece, encouraging him to hope, that, with their assistance, he might destroy the influence of Rome in that country

[7] Polybius, XVIII. 32, 33, and Livy, XXXIII. 19. 38.

[8] Livy, XXXV. 12. 33. 43, &c.

CHAP. I.

altogether. He accordingly crossed over with a small force, and was admitted, through the intrigues of the Ætolians, and the disposition of the inhabitants, into several places of importance; but[9] the Achæans and Eumenes, who had lately succeeded Attalus on the throne of Pergamus, declared against him, and their forces occupied Chalcis, in Eubœa, to secure it from his attacks. Philip, king of Macedon, also decided on taking part with the Romans: yet, notwithstanding, Antiochus succeeded in reducing Chalcis, and the whole of Eubœa, and won besides several cities in Thessaly. He returned to Chalcis to pass the winter; and the consul, Manius Acilius Glabrio, arriving in Epirus in the ensuing spring, and having marched thence into Macedonia to concert measures with Philip, and afterwards having advanced into Thessaly, Antiochus took post at the famous pass of Thermopylæ to oppose his further progress. He was easily dislodged, however, by the Romans; and that with such severe loss, that he thought it prudent at once to abandon Greece, and to return to Asia by sea from Chalcis, leaving the Ætolians to bear, as they best could, the whole weight of the Roman vengeance.

They were accordingly attacked by the consul Manius Acilius[10], and, after seeing some of their towns taken, they implored and obtained an armistice for a certain period, in order to allow them time to send ambassadors to Rome. But the demands of the

[9] Livy, XXXV. 50, 51; XXXVI. 14, et seq.

[10] Livy, XXXVI. 22—35.

senate being more exorbitant than they could yet bring themselves to accept, the war was again renewed, and Manius [11] was actively employed in besieging Amphissa, when the arrival of his successor, L. Cornelius Scipio, afforded the Ætolians another respite. The new consul, who was wholly bent on crossing over into Asia, to finish the war with Antiochus, was easily persuaded to grant the Ætolians a truce for six months: and their affairs were in so desperate a state, that even this doubtful favour seemed to them most acceptable.

Having thus freed himself from the possible danger of leaving an enemy in his rear, L. Scipio set forward for the Hellespont [12], accompanied by his brother, the famous Scipio Africanus, who acted under him as his lieutenant. The march of the army was facilitated to the utmost by Philip, king of Macedon, who seems vainly to have hoped that by a faithful and zealous observance of the treaty of peace, he might soften the remorseless ambition of the Romans. A naval victory, won by the Roman fleet, ensured the safety of the passage into Asia; and Antiochus [13], distrusting his own strength, abandoned the sea-coast, and concentrated his army near Magnesia and Thyatira. Here he was attacked by the Romans, and totally defeated. Sardis and several other places surrendered immediately after the battle; and Antiochus, completely [14] panic-struck, sent ambassadors to the consul and his brother, soliciting peace on their own

Battle of Magnesia. U.C. 564. B.C. 190.

[11] Polybius, XXI. 1, 2, &c.
[12] Livy, XXXVII. 1. 7.
[13] Livy, XXXVII. 30, 31. 33, et seq.
[14] Polybius, XXI. 13, &c.

CHAP. I.

terms. He was ordered accordingly to resign his pretensions to any dominion whatever in Europe, and to cede every thing that he possessed in Asia westward of Mount Taurus; to pay fifteen thousand talents to the Romans within twelve years, to reimburse them for the expenses of the war; to pay to Eumenes, king of Pergamus, four hundred talents in money, and a certain quantity of corn, which he had engaged by treaty to pay to the late king Attalus; to give up Hannibal and some other individuals who were obnoxious to the Romans; and to give twenty hostages immediately, as a pledge of his sincerity, to be selected at the pleasure of the consul. These terms were accepted by Antiochus, and hostilities ceased therefore on both sides. Ambassadors were then sent to Rome by Antiochus, to procure a ratification of the peace from the senate and people; and by Eumenes, the Rhodians, and almost every state within the limits ceded by the vanquished king, to court the favour of the new arbiters of the fate of Asia, and to gain for themselves as large a share as possible of the spoils of the Syrian monarchy. After the several embassies had received an audience of the senate, the peace with Antiochus was ratified, and ten commissioners[15] were appointed to settle all disputed points in Asia; with these general instructions, that all the dominions ceded by the king of Syria to the Romans should be given to Eumenes, with the exception of Lycia and part of Caria, which were bestowed

[15] Polybius, XXII. 7.

on the Rhodians, and those Greek cities which had paid tribute to Antiochus, and which were now declared independent. But before these commissioners arrived in Asia, the Roman arms had been employed in another successful war. Cn. Manlius[16] Vulso, who succeeded L. Scipio in the consulship, and in the command of the army in Asia Minor, anxious to distinguish himself by some conquest, had attacked the Galatians, or Asiatic Gauls, on the pretence that they had furnished assistance to Antiochus; and, after several engagements, had obliged the different tribes to sue for peace. Their ambassadors came to him towards the close of the winter to receive his answer; and about the same time Eumenes and the ten commissioners arrived from Rome. A definitive treaty of peace was then concluded with Antiochus, in which, besides the concessions formerly mentioned, he agreed to give up almost the whole of his navy, and all his elephants, and not to make war in Europe, or in the islands of the Ægean.

Defeat of the Galatians.

The Galatians, having been already plundered to the utmost during the war, were only warned to confine themselves within their own limits, and not to molest the kingdom of Eumenes; and Ariarathes, king of Cappadocia, who had also given assistance to Antiochus, was obliged to deprecate the anger of Rome by the payment of six hundred talents; half of which, however, was afterwards remitted to him at the intercession of Eumenes. This last prince

[16] Polybius, XXII. 16. 24, et seq. Livy, XXXVIII. 12, et seq.

CHAP. I.

received a great increase of territory, both in Asia and in Europe; and, together with the commonwealth of Rhodes, was in appearance the greatest gainer from the victory of the Romans. However, in the mere act of giving away kingdoms at her discretion, Rome plainly declared the pre-eminence of her own power: and she soon after showed, that she could resume her gifts as easily as she had made them, whenever the conduct of her allies began to excite her jealousy.

Conquest of Ætolia.

It has been already mentioned, that L. Scipio, when marching towards Asia, granted a truce for six months to the Ætolians; but as they could not yet be induced to surrender at discretion to the mercy of the Romans, the war was again renewed, and M. Fulvius Nobilior[17], the colleague of Cn. Manlius in the consulship, crossed over into Greece to complete their subjugation. He first laid siege to Ambracia, which was vigorously defended; but the Ætolians, now convinced of their inability to maintain the contest, sued for peace through the intercession of the Rhodians and Athenians; and terms were at length granted them which, besides diminishing their territory, and obliging them to pay a sum of money, reduced them to a state of entire dependence on Rome, by obliging them to follow the Romans in all their wars, and to acknowledge and obey the power and sovereignty of Rome. Their fate excites the less compassion, when we remember that they first invited the Romans into

[17] Livy, XXXVII. 49; XXXVIII. 3, et seq. Polybius, XXII. 9, et seq.

Greece; and that their faithless and ambitious policy had mainly contributed to prevent the union of the Greeks in one powerful state, which might have been able long to maintain its independence against every enemy.

Intrigues of Philip.

Eleven years had not passed since the conclusion of the last war with Macedon, when it became apparent that another was likely to commence. In the late war with Antiochus, Philip, as has been seen, sided with the Romans; and thus took from the king of Syria the towns of Ænus and Maronea, and some other towns and fortresses on the coast of Thrace; and from the Ætolians, several cities which they had occupied in Thessaly and Perrhæbia. All these places, at the conclusion of the war, he proposed to retain in his possession; but on one side, Eumenes laid claim [18] to the towns of Thrace, insisting that the Romans had given to him that portion of the territories conquered from Antiochus; and, on the other, the Thessalians and Perrhæbians demanded the restoration of the cities taken possession of by Philip in their country, urging that the Ætolians had unjustly seized them, and that on their expulsion, they ought to revert to their original and rightful owners. The senate, as usual, appointed commissioners to hear and to decide on this question; and sentence was given, as might have been expected, against the pretensions of Philip. He had no intention, however, to yield without resistance; but not being yet

[18] Polybius, XXIII. 6. 11. Livy, XXXIX. 23, et seq.

CHAP. I.

prepared for war, he sought to gain time by sending his son Demetrius[19] to Rome to plead his cause. This prince had formerly been one of the hostages given by his father for his faithful execution of the terms of the last treaty with the Romans; and he had then so won the favour of many of the Roman nobility, that Philip trusted much to the influence he might possess on the present occasion. Nor was he disappointed; for Demetrius was sent back with renewed expressions of the kindness entertained for him by the senate, and[20] with a promise, that out of regard for him, a fresh commission should be appointed to reconsider the points in dispute between Philip and his opponents. Yet the new commission confirmed the judgment of the former one; and Philip was obliged to withdraw his garrisons from all the contested towns both in Thrace and Thessaly: nor did the favour shown by the Romans to Demetrius produce any other result than his destruction. A suspicion arose that he aspired to succeed to the throne, through their support, to the exclusion of his elder brother Perseus. This produced an open enmity between the brothers; and after many mutual accusations of each other, Philip, it is said[21], was induced to order the death of Demetrius by poison: but, according to the Roman writers, being afterwards convinced of his innocence, he intended to deprive Perseus of the succession, in abhorrence of his treachery towards his brother. He died, how-

Tragical end of his son Demetrius.

Accession of Perseus.

[19] Polybius, XXIII. 14.
[20] Polybius, XXIV. 2. 6.
[21] Livy, XL. 24. 55, 56.

ever, before his intentions could be carried into effect, and Perseus ascended the throne without difficulty. This account of the private affairs of the royal family of Macedon, as it relates to matters not likely to be known with certainty by the public, and as it comes to us from writers disposed to believe every calumny against Perseus, merits very little attention. It is only known, that the Romans were disposed, from the very beginning of his reign, to regard the new king of Macedon with aversion; and that he, foreseeing that a war in defence of the independence of his crown would soon be inevitable, took every method of rendering himself popular in Greece, and of strengthening the internal resources of his kingdom.

CHAP. I.

U.C. 575. B.C. 179. OL. 144. 2.

The Romans alleged[22], as the causes of their quarrel with Perseus, that he had made war on some of their allies; that he had endeavoured to draw away others to a connexion with himself, incompatible with their duty to Rome; and that he had hired assassins to make an attempt on the life of king Eumenes, when returning from Rome, whither he had gone to instigate the senate to declare war against Macedon. In answer[23] to these charges, Perseus replied, that his hostilities with the allies of Rome were purely defensive: and the charge of intended assassination he strongly and flatly denied. With regard to his endeavouring to seduce the allies of Rome from their fidelity, he is made by Livy to

Second Macedonian war.

[22] Livy, XLII. 30. 40.

[23] Livy, XLII. 41.

CHAP. I.

refer to a former justification of himself on that point, which is not at present to be found in Livy's history. However, it is evident that the Romans were determined on war, and that the king of Macedon took every step, consistent with the independence of his crown, to avoid it. Although the Romans[24] had accused him of making great military preparations in time of peace, and he was, in fact, in a far better condition to commence immediate hostilities than they were, yet he lost the opportunity thus afforded him, from his anxious desire to negotiate with the enemy; and when he was actually driven to take up arms[25], and had gained some advantage over the consul Licinius, he instantly renewed his[26] offers of peace, consenting to the same terms which his father had only submitted to after his total defeat at Cynocephalæ. The most open and unprincipled ambition in modern times would hardly dare to avow such an answer as that made by the Roman general, to a proposal so conciliatory. He replied, that Perseus must submit himself to the discretion of the senate, and allow it to decide on the state of Macedon, as it should think proper. In other words, the time was now come, when the Romans, in their career of conquest, had reached the kingdom of Philip and Alexander, and nothing could induce them to delay, far less to renounce, their resolution of sacrificing it to their lawless and systematic ambition.

[24] Livy, XLII. 43.
[25] Livy, XLII. 47.
[26] Polybius, XXVII. 8.

This refusal to negotiate after a defeat, was a general maxim of Roman policy, and has often been extolled as a proof of heroic magnanimity. It should rather be considered as a direct outrage on the honour and independence of all other nations, which ought, in justice, to have put the people who professed it, out of the pale of all friendly relations with mankind. In a moment of madness, the French Convention, in 1794, passed a decree, that the garrisons of the four fortresses on the northern frontier, then in the possession of the allies, should be put to the sword, if they did not surrender within twenty-four hours after they were summoned. To this decree, a notice of which accompanied the summons of the besieging general, the Austrian governor of Le Quesnoy nobly replied, "No one nation has a right to decree the dishonour of another: I shall maintain my post so as to deserve the esteem of my master, and even that of the French people themselves." In like manner, a refusal to make peace except on their submission, was to decree the dishonour of every other nation: nor had Rome any right to insist, that whatever were the events of a war, it should only be terminated on such conditions as should make her enemy the inferior party. Had other nations acted on the same principle, every war must necessarily have been a war of extermination; and thus the pride of one people would have multiplied infinitely the sufferings of the human race, and have reduced mankind to a state of worse than savage ferocity. The avowal of such a maxim, in short, placed

Rome in a condition of actual hostility with the whole world; and would have justified all nations in uniting together for the purpose of forcing a solemn and practical renunciation of it; or, in case of a refusal, of extirpating utterly the Roman people, as the common enemies of the peace and honour of mankind.

After the refusal of the consul Licinius to negotiate with Perseus, the war was protracted for two years more without any decisive success; the Roman officers who were employed in it displaying little ability or enterprise, and disgracing themselves by flagrant[27] acts of extortion and oppression towards their allies. At last, L. Æmilius Paullus, son of the consul who was killed at Cannæ, and himself inheriting his father's reputation for wisdom and valour, was chosen consul; and the province of Macedonia falling to his share, he took every method to bring the war to a successful issue. Great care was[28] observed in the appointment of the officers who were to serve under him; and when he arrived in Greece and took the command, he greatly reformed the discipline of the army, and brought it into a high state of order and activity. His exertions were soon rewarded by the battle of Pydna, of the details of which we have only the account of Plutarch, but the event is abundantly known. The Macedonian army was totally destroyed; the cities of the kingdom successively surrendered to the conquerors; and

Battle of Pydna. End of the kingdom of Macedon. U.C. 586. B.C. 168. OL. 153. 1.

[27] Livy, XLIII. 4, 5, 6, &c. [28] Livy, XLIV. 21. 34.

Perseus himself shortly after gave himself up to the consul's mercy. He was taken to Rome with his family, to adorn the triumph of Æmilius; and, according to Paterculus, died about four years afterwards at Alba[29], which was assigned as the place of his confinement. His principal nobility, and every man[30] who had ever held any office under him, were ordered to transport themselves into Italy, on pain of death, lest they should disturb the new settlement of their country. Macedonia was then divided into four districts; each of which was to be under a republican government. Half the tribute formerly paid to the king, was henceforward to be paid to the Romans, who also appropriated to themselves the produce of all the gold and silver mines of the kingdom. The inhabitants were forbidden to fell timber for ship-building; and all intermarriages and sales of land between the people of the several districts were forbidden. With these marks of real slavery, they were left, for the present, nominally free; and Macedonia was not yet reduced to the form of a Roman province.

Conduct of Rome to her allies.

It is curious to observe, how, after every successive conquest, the Romans altered their behaviour

[29] Vid. Vell. Paterc. l. 11.— But it would be nearer the truth to say, that Perseus was murdered by the Romans; for after having suffered such cruel treatment in the dungeon to which he was at first consigned, that Æmilius Paullus complained of it in the senate as a national disgrace, he was removed to a less miserable prison; and there having offended the soldiers who guarded him, they, in revenge, harassed him night and day, and never allowed him to sleep till he expired under their persecutions. — Vid. Fragment. Diodor. Sicul. XXXI. 893, edit. Rhodom.; and Mithridatis Epistolam, apud Fragm. Sallust.

[30] Livy, XLV. 32. 29.

to those allies who had aided them to gain it, and whose friendship or enmity was now become indifferent to them. Thus, after their first war with Philip, they slighted the Ætolians; after they had vanquished Antiochus, they readily listened to complaints against Philip; and now the destruction of Macedon enabled them to use the language of sovereigns rather than of allies to their oldest and most faithful friends, Eumenes, the Rhodians, and the Achæans. The[31] senate first tampered with Attalus, the brother of Eumenes, hoping that he might be persuaded to accuse his brother, and to petition for a share of his dominions; but when they found him deaf to their temptations, they retracted some promises which they had before made him, in the hope that he would listen to them. Afterwards, when Eumenes himself landed in Italy on[32] his way to Rome, with the view of removing the suspicions entertained against him, the senate, aware of his purpose, issued an order that no king should be allowed to come to Rome; and despatched one of the quæstors to announce it to him at Brundusium, and to command him to leave Italy immediately. The Rhodians had offended by declaring openly, "that they[33] were tired of the war with Perseus; that he, as well as the Romans, was the friend of their commonwealth; that they should wish to see the contending parties reconciled; and that they would themselves declare against those whose obsti-

[31] Polybius, XXX. 1, et seq.
[32] Polybius, XXX. 17.
[33] Polybius, XXIX. 7. Livy, XLIV. 14.

nacy should be an impediment to peace." This declaration, which was received at Rome most indignantly, had been privately recommended by Q. Marcius, the Roman consul, to one of the Rhodian ambassadors, who had visited him in his camp in Macedonia, during the preceding year: and Polybius[34] reasonably conjectures, that Marcius, confident of a speedy victory over Perseus, gave this advice to the Rhodians, with the treacherous purpose of furnishing the senate with a future pretence of hostility against them. However, their fault was punished by the loss of Lycia and Caria[35], which the senate now declared independent; and the individuals who were accused of favouring Perseus were given up to the Romans[36], or at the instigation of Roman officers were put to death by the Rhodian government. Nor should it be[37] omitted, that a general inquiry was instituted throughout Greece into the conduct of the principal men in the several states during the late war. Those who were accused by their countrymen of the Roman party of having favoured Perseus, were summoned to Rome to plead their cause as criminals; and some were even put to death. But if the mere opinions and inclinations of individuals were thus punished, the states which had actually taken part with Macedon met with a still heavier destiny. Let it be for ever remembered, that by a decree[38] of the senate, seventy towns of Epirus were

[34] Polybius, XXVIII. 15.
[35] Polybius, XXX. 5. 8.
[36] Livy, XLV. 10.
[37] Livy, XLV. 31.
[38] Polybius, XXX. 15. Livy, XLV. 34. Plutarch, in Vitâ Æmilii Paulli, c. 29.

CHAP. I.

given up to be plundered by the Roman army, after all hostilities were at an end; that falsehood and deceit were used to prevent resistance or escape; and that in one day and one hour seventy towns were sacked and destroyed, and one hundred and fifty thousand human beings sold for slaves. The instrument employed on this occasion was L. Æmilius Paullus, the conqueror of Macedon, and one of those whom we are taught to regard as models of Roman virtue. There is no reason to doubt his sincere affection for his country, his indifference to money, and his respectability as a citizen, husband, son, and father. But it is useful to see what dreadful actions the best men of ancient times were led unhesitatingly to commit, from the utter absence of a just law of nations, and the fatal habit of making their country the supreme object of their duty. Nor is it possible that these evils should be prevented, unless truer notions have insensibly established themselves in the minds of men, even of those who are least grateful to the source from which they have derived them; and if modern Europe be guided by purer principles, the Christian historian cannot forget from what cause this better and happier condition has arisen.

It remains now that we speak of the conduct of the Romans towards the Achæans. The early history of the Achæan league, and the leaning of its councils towards a friendly connexion with Macedon, has been already noticed. In the war between the Romans and Philip, however, the Achæans were

persuaded to join with the former; a step which Polybius[39] describes as absolutely necessary for their safety; whether it were altogether equally honourable, we have hardly the means of deciding. But their new connexion, whatever may be thought of its origin, was ever afterwards faithfully observed; insomuch that the Romans, though sufficiently adroit in finding matter of complaint, when they were disposed to do so, and though offended by the free and independent tone which the Achæan government always maintained towards them, could yet obtain no tolerable pretext for attacking them. There was, however, a traitor amongst the Achæans, named Callicrates[40], who, jealous of the popularity of the ruling party in the councils of his country, endeavoured to supplant them through the influence of Rome; and to ingratiate himself with the senate by representing his opponents as despisers of the Roman authority, which he and his friends vainly endeavoured to uphold. After the Macedonian war, his intrigues[41] were carried to a greater extent than ever. He accused a great number of the most eminent of his countrymen of having favoured the cause of Perseus; and although the conduct of the Achæan government towards Rome had been perfectly blameless, and nothing was found among the papers of the king of Macedon which confirmed the charge, even against any of its individual citizens, yet, on the

[39] Polybius, XVII. 13.
[40] Polybius, XXVI. 1, et seq.
[41] Polybius, XXX. 10. Pausanias, Achæa, 10.

CHAP. I.

demand of the Romans, more than a thousand of the most eminent men in the commonwealth were arrested and sent into Italy, under pretence that they should be tried for their conduct at Rome. On their arrival in Italy, they were confined in the different cities of Tuscany, and there remained nearly seventeen years. The senate repeatedly refused the petition of the Achæan government, that they might either be released, or else be brought to trial. It is added, that whoever among them were at any time detected in endeavouring to escape, were invariably put to death. At last [42], after most of them had died in captivity, the influence of Cato the censor was exerted in behalf of the survivors, at the request of Scipio Æmilianus, who was anxious to serve one of their number, his own familiar friend, the historian Polybius. But the manner in which Cato pleaded their cause deserves to be recorded. He represented the Achæan prisoners as unworthy of the notice of the senate of Rome: "We sit here all day," said he, "as if we had nothing to do, debating about the fate of a few wretched old Greeks, whether the undertakers of Rome or Achæa are to have the burning of them." We have dwelt the more fully on this treatment of the Achæans, because it sets in the clearest light the character of the Roman government; and enables us to appreciate the state of the world under the Roman dominion, when such men as Polybius were subject to the worst oppression and

[42] Polybius, XXXV. 6.

insolence from a nation which boasted of Cato the censor as one of its greatest ornaments.

Importance of Andriscus. U.C. 603. B.C. 151. Ol. 157. 2.

Hitherto, however, Achæa and the rest of Greece still enjoyed a nominal independence, notwithstanding the real supremacy of the Roman power. But within little more than twenty years from the overthrow of Perseus, even these poor remains of freedom were destroyed. A man [43] of low condition, named Andriscus, availing himself of his personal resemblance to the royal family of Macedon, assumed the name of Philip, and pretending that he was the son of Perseus, was joyfully received by the Macedonians. After a short contest, he was defeated and led prisoner to Rome by Q. Cæcilius Metellus; and from henceforward Macedon was placed entirely on the footing of a Roman province. The fall of Achæa followed almost at the same time. It appears [44] that a party had lately acquired an ascendancy in the Achæan councils, warmly inclined to throw off the control of Rome; but without the wisdom or integrity which had enabled Philopœmen and Lycortas to command respect from the Romans, while they avoided giving them the slightest pretence for attacking their independence. The party now in power, on the contrary, seemed bent upon provoking a war with Rome. They attacked Lacedæmon [45], which, although obliged to become a member of the Achæan confederacy, was on all occasions ready to break off its connexion; and when the Lacedæmonians

Achæan war.

[43] Livy, Epitom. XLIX. 1. Florus, II. 14. Jornand. I.

[44] Polybius, XXXVIII. 1, &c.

[45] Pausanias, Achaica, 8, et seq.

appealed to Rome, and commissioners were sent as usual to give their judgment, the Achæan government treated them with the utmost indifference, and took the most violent measures for exciting popular feeling throughout Greece against the arbitrary interference of the Romans. The ferment was at its height when the commissioners, who had arrived at Corinth [46], pronounced it to be the pleasure of the senate, that not only Lacedæmon, but Corinth also, and Argos, and several other states which had been united with the Achæans, should now be separated from them, because they had originally formed no part of Achæa. Nothing can be said in excuse of this decision, which was alike insolent and unjust; yet, where resistance is so evidently hopeless, as it was at this time in Greece, it must ever be condemned as a useless aggravation of a people's sufferings. The whole frame of society was loosened by the Achæan leaders; and great immediate evils were occasioned with no reasonable prospect of their leading to permanent good. Slaves [47] were set at liberty, and enlisted to swell the Achæan army; debtors were protected from their creditors; and heavy requisitions were laid on all individuals, male and female, to contribute to the wants of the commonwealth. But there was no corresponding spirit in the people; and these strong measures which, if adopted voluntarily, often produce effects so wonderful, were considered vexatious and oppressive when enforced by

[46] Pausanias, Achaica, 14. [47] Polybius, XL. 2; XXXVIII. 3.

CHAP. I.

an unpopular government. Metellus at this time commanded in Macedonia; and wishing to win the double glory of being the pacificator of Macedon and Achæa, he was anxious to persuade the Achæans to submit before Mummius the consul should arrive to take the command against them. His advances were slighted, because they were attributed to fear; and an Achæan army[48] marched towards Thermopylæ to oppose his march into Greece. But so totally unequal were the Greeks to the maintenance of this contest, that they abandoned their ground on the first approach of Metellus; and, being overtaken on their retreat, were immediately and completely routed. Metellus then advanced towards Corinth, having reduced Thebes and Megara on his march; and his offers of peace being again rejected, he was obliged to surrender the task of finally subjugating Greece to L. Mummius, who about this time arrived from Italy. The new commander finished the war in a single battle, under the walls of Corinth. Diæus, the Achæan general, fled to Megalopolis, and there destroyed himself by poison; the Corinthians, for the most part, abandoned their city, and Mummius entered it with little or no resistance. But every horror that follows the most hardly-won capture of a town by storm, was practised with deliberate cruelty. Most of the citizens were slain; the women and children were sold for slaves; the temples and houses were alike ransacked; and Corinth, finally, was burnt

Capture of Corinth. U.C. 608. B.C. 146. OL. 158.

[48] Pausanias, Achaica, 15, 16.

CHAP. I.

to the ground. The Achæan league was then dissolved, and Greece was henceforward treated as a province, was subjected to tribute, and was governed by a Roman proconsul, or prætor.

We have thus related the final overthrow of Grecian independence somewhat more particularly than the difficulty of the conquest or its particular importance might seem to demand. Something, however, is due to the memory of illustrious names; and interested as we are from our childhood in the fortunes of Greece, the story of its fall cannot be read without attention. It now remains that we turn to a scene in itself far more striking, and presenting a still more painful picture of misery and atrocious ambition, the third Punic war, and the destruction of Carthage.

State of Carthage.

Since the time at which Hannibal was obliged to abandon his country, by the animosity of those whose corruptions he had exposed and checked, and by the jealousy of the Romans, Carthage seems to have rested quietly in the state of humiliation to which the event of the second Punic war had reduced her. Forbidden as she was, by the terms of the treaty of peace, to take up arms against the allies of the Roman people, she was obliged to suffer repeated aggressions on the part of Masinissa, king of Numidia; and when, as her only resource, she applied to Rome[49] for protection, she found a tardy and insufficient redress. She observed, however, faithfully,

[49] Appian, Punica, 68, 69.

the conditions of her submission; and Carthaginian ships formed a part of the Roman fleet in the wars with Antiochus, and with Perseus [50]. But when some years had elapsed after the destruction of the Macedonian monarchy, the Romans, having no other enemy to attract their attention, felt their hatred of Carthage revive; and it was openly professed by some members of the senate, that the very existence of that commonwealth ought no longer to be permitted. The resistance which the Carthaginians had been at last driven to make to the continued encroachments and hostilities of Masinissa, furnished the Romans with a pretext for declaring war; and the two consuls, with two consular armies and a large fleet, were despatched to Sicily, in order to cross over from that island into Africa as soon as possible. The Carthaginians had tried every means of pacifying the Romans, without throwing themselves entirely upon their mercy; but when they found that an army was actually on its way to attack them, and that Utica [51], the most important of all their dependencies in Africa, had already offered an entire submission to the Romans, the danger seemed too great for any further hesitation; and their ambassadors at Rome announced to the senate, that Carthage yielded herself up entirely to its disposal. In return, they were promised the enjoyment of their laws and liberty, and the uninterrupted possession of their lands and movable property, on condition that

[50] Livy, XXXVI. 42; XLII. 56.

[51] Appian, Punica, 69, et seq. Polybius, XXXVI. 1, et seq.

CHAP. I.

they should send over to Lilybæum, within thirty days, three hundred children, of the first families in Carthage, as hostages, and that they should obediently receive the commands which the consuls should deliver to them on their arrival in Africa. A vague suspicion of the fate that awaited them possessed the Carthaginians on the return of their ambassadors; still they resolved to persevere in their submissions. The hostages were sent to Lilybæum, and then were despatched to Rome; and a deputation waited on the consuls, soon after their landing at Utica, to know the final pleasure of the senate, and to express the readiness of Carthage to obey it. The consuls commanded that all arms, offensive and defensive, and all engines of war, should be surrendered to them; and even this was complied with [52]. A number of members of the supreme council, of priests, and of other individuals of the greatest distinction in Carthage, followed the long train of waggons in which the arms were carried to the Roman camp. They hoped to move compassion, by the sight of all that was most noble and most venerable in their country reduced to the condition of suppliants. But one of the consuls, L. Marcius Censorinus, having arisen, and composed his countenance, says Appian, to an expression [53] of sternness, briefly told them, "That they must abandon Carthage, and remove to any place more inland, that should be about nine or ten miles distant from the sea; for Carthage,"

[52] Appian, Punica, 80, et seq.

[53] Appian, Punica, 80.

said he, "we are resolved to raze to the ground." This declaration was received by the Carthaginians who heard it with the most lively emotions of rage and despair; they vented curses against the Romans, as if wishing to provoke them to forget the sacred character which they bore. To this burst of passion the deepest grief succeeded; they bewailed the fate of their country with such agony of sorrow, that it is said even the Romans were moved to tears; and they attempted even yet to obtain from the consuls a mitigation of their sentence. But when Censorinus repeated that the orders of the senate must be performed, and *that* immediately, and when the lictors began to drive the deputation from the consuls' presence, they begged to be heard again for a few moments; and then said, that they only entreated the Romans to advance with their fleet instantly to the city, to prevent the people from provoking their utter destruction by some act of despair. Censorinus accordingly moved forwards with twenty ships, and remained off the mouth of the harbour, while the Carthaginians brought back the report of their doom to Carthage.

Third Punic war. U.C. 605. B.C. 149.

The tidings were received with one common feeling of indignation by the supreme council and by the people. Generals were chosen immediately; and when the consuls refused to grant a truce for thirty days, in order that ambassadors might be sent to Rome, war was at once resolved on; and the whole population, men and women alike, began to labour night and day in the fabrication of arms,

CHAP. I.

to supply the place of those which they had surrendered. The consuls, after waiting some days, to see if the ferment would subside, at length marched towards Carthage, and the operations of the siege commenced. But such was the strength of the fortifications, and such the spirit of their defenders, that notwithstanding their want of arms, they repulsed every attempt of the enemy; and the Roman army, baffled by the Carthaginians, and suffering from sickness, saw the year draw to a close without having obtained any other success than such as the extreme wickedness of the cause deserved [54]. Nor were the consuls of the following year more fortunate; and the spirit of the Carthaginians, encouraged by their long resistance, began to anticipate a final deliverance. Masinissa, the old ally of Rome, was drawing near the end of his life; and whilst promising succours to the Roman army, evidently showed no real disposition to assist it [55].

Siege, capture, and destruction of Carthage. U.C. 608. B.C. 146.

But in the third year of the war, P. Scipio Æmilianus, the son of Æmilius Paullus, but adopted into the family of Scipio by the son of the famous Africanus, was elected consul, and appointed to the command in Africa by an especial vote of the people. He had greatly distinguished himself under the former consuls, when serving as a military tribune; and there was besides a superstitious persuasion among the people in his favour, that the Scipios were destined to be the conquerors of Carthage.

[54] Appian, Punica, 97, et seq. [55] Appian, Punica, 94.

On his succeeding to the command, his first care was to restore the discipline of the army, which had suffered greatly from the misconduct of the last consul; and by his ability in this respect, as well as by his skill in the conduct of the war, he soon destroyed all the hopes of the Carthaginians. The situation of Carthage, from this time, began to resemble the picture left us of the miseries of Jerusalem in its last siege by Titus. Numbers died of famine through the strictness of the blockade; numbers deserted to the enemy; while Asdrubal, who commanded the principal military force in the town [56], was himself rioting in luxury, and exercising the greatest tyranny over his countrymen; his conduct, as a general, at the same time, being totally destitute of courage and wisdom, and marked only by savage cruelty towards the prisoners who fell into his power. Yet [57] the city continued to hold out during the year of Scipio's consulship; and the winter was employed by him, successfully, in reducing the strongholds which still remained in the power of the Carthaginians in the neighbouring country. In the following spring, his command being still continued, he resumed the siege with vigour; and, by a combination of assaults, succeeded in forcing his way into one of the quarters of the city, when famine had enfeebled the bodies and the spirits of its defenders. But the Byrsa, or citadel, still remained untaken: and six days were consumed in a horrible struggle from street to street,

[56] Polybius, XXXIX. 2.

[57] Appian, Punica, 126, et seq.

and from house to house; in the course of which, fire and the sword, and the ruin of falling buildings, combined to carry on the work of destruction to the uttermost. At last the remnant of the inhabitants sued for mercy, and it was granted them; such mercy as was practised in ancient times, when hopeless slavery, without distinction of sex or age, was the lot of all whom the sword had spared. Fifty thousand individuals were thus made prisoners, to enrich their conquerors by the price to be paid for them in the slave market at Rome; and the victorious army was then allowed to plunder the city for several days. Shortly after, a commission [58] of ten senators was sent from Rome, as usual, to determine the future condition of the conquered country. By their orders, whatever part of the buildings of Carthage had survived the siege, was now levelled with the ground; and curses were imprecated on any man who should hereafter attempt to build on the spot. The territory was subjected to a tribute, and governed henceforth as a Roman province, with the exception of certain portions which were given to the people of Utica and Hippo, as a reward for their timely desertion of the Carthaginian cause. Thus was the great rival of Rome totally destroyed, only a few months before the final conquest of Greece, in the year of Rome 608, and about a hundred and forty-six years before the Christian era.

Progress of the Roman arms in Spain.

It will now, perhaps, be most advisable to trace

[58] Appian, Punica, 135, et seq.

the progress of the Roman arms in Spain and Gaul; then to notice the accessions to their empire gained in Africa by the conquest of Jugurtha; and to conclude with a general view of the extent of their dominion at the period which forms the limit of the present sketch. The end of the second Punic war had left the Romans no other enemies in Spain to contend with than the natives themselves; but these were of so stubborn and warlike a temper, that it was not easy to effect their subjugation. It may be asked, what claim of right could be advanced by the Romans in attempting this conquest; and no answer can be given, except that a civilised nation, in its intercourse with an uncivilised one, easily finds grounds of quarrel, while it exacts from men, ignorant of all law, an observance of those rules, which men, in a more advanced state of society, have agreed to call the law of nations. Those Spanish tribes that had been subject to Carthage, were treated by the Romans, on the defeat of the Carthaginians, as a conquered people, were subjected to a tribute, and governed with the usual arbitrary authority of the Roman provincial magistrates. If they attempted to shake off the yoke, it was not unnatural that some warriors of those tribes, which were yet independent, should join the armies of their countrymen; and this afforded the Romans a pretext, sometimes, for demanding hostages from the people whose citizens had been found in arms against them; or, sometimes, for requiring the surrender of their arms; conditions which, since in their eyes they implied

CHAP. I.

degradation, were generally refused, and thus gave occasion to war. If, on the contrary, they were acceded to, the Romans would proceed to exercise some acts of sovereignty which would provoke the tribe to take up arms; or the mere detention of their hostages was a continual irritation to their minds, which at last would break out in open hostility. Or, if this pretence failed, there was another which could scarcely ever be wanting. If the vanquished soldiers of any tribe engaged in war with Rome, received from their countrymen the ordinary succours of humanity; if they were entertained or sheltered, this was called assisting the enemies of the republic, and was supposed to justify a Roman general in demanding satisfaction from those who had been guilty of it. This was the original cause of the quarrel between Rome and Numantia[59]. Thirdly, if there were any tribes whose situation, or whose caution, had preserved them from any sort of connexion with the enemies of the Romans, some dispute amongst themselves was likely, sooner or later, to arise, and the vanquished party was always sure to find in the Romans, willing and effectual supporters. The Roman[60] generals instantly interfered as arbiters; and if their decision was not submitted to, they presently proceeded to enforce it by arms. A system like this steadily pursued amongst a warlike and independent people, naturally furnished the Romans with an occasion of attacking, in their turn,

[59] Florus, II. 18.

[60] Appian, Hispanica, 51.

the inhabitants of every part of the peninsula. Of all these, the most obstinate and successful in their resistance were the Lusitanians and Numantians. The first, under [61] the command of Viriathus, a chief of remarkable enterprise and ability, maintained the contest for several years, and defeated several of the Roman officers; till their leader was assassinated by three of his followers, at the instigation of Servilius Cæpio, the Roman general, then commanding against him. Numantia has acquired still greater fame, by the disgraces which its inhabitants inflicted on the Roman arms, and the desperation of their final defence. They obliged a Roman consul [62], C. Hostilius Mancinus, to purchase the safety of his army by an unfavourable treaty; and when the senate, in contempt of the public faith, refused to ratify the terms, and ordered Mancinus to be given up to the enemy to expiate his act with his own life, the Numantians refused to accept him: and the Roman writers record, without a blush, this contrast between the honour of the barbarians and their own perfidy. At last, Scipio Æmilianus, the conqueror of Carthage, was elected consul, on purpose to carry on the war with Numantia. With an army of 60,000 men, he blockaded the city, the armed population of which had never exceeded [63] 8000; and fearing to encounter the despair of the inhabitants, he hemmed

Lusitanian war ends. U.C. 644. B.C. 140. Numantian war.

Appian, Hispanica, 61, et seq. Florus, II. 17. Velleius Paterculus, II. 1.

[62] Appian, Hispanica, 80. 83. Velleius Paterculus, II. 1. Florus, II. 18.

[63] Appian, Hispan. 97. Florus makes them only four thousand, II. 18.

CHAP. I.

them in with lines of circumvallation, and waited patiently till famine should do his work for him without danger to himself. The Numantines tried to obtain tolerable conditions; but they had been too formidable to find mercy from an enemy like the Romans, who never had any sympathy with courage from which they themselves had suffered. Finding that they had no hope left, the besieged mostly destroyed themselves and their relations, and a few only surrendered alive to the conqueror. He selected[64] fifty of their number to adorn his triumph, the rest he sold for slaves, and then levelled Numantia to the ground; and for such a victory, so hardly won, over an enemy so inferior in numbers and resources, he was extolled with the highest praises at Rome, and received the surname of Numantinus. Still, even after the destruction of Numantia, the Spaniards continued, at various times, to maintain the struggle for liberty; nor were they fully reduced to obedience till a much later period than that with which we are now concerned.

Destruction of Numantia. U.C. 621. B.C. 133.

In Gaul.

The Romans were first led to carry their arms into Transalpine Gaul, by an application from the people of the Greek colony of Marseilles, to protect them against the assaults of some of the native tribes in their neighbourhood. An embassy to this effect remains recorded in one of the Fragments[65] of Polybius, and appears to have taken place as early as the year of Rome 600; but no important consequences

[64] Appian, Hispan. 98.

[65] Polybius, XXXIII. 4.

seemed to have followed from it immediately. About twenty-eight years afterwards, however, on a new complaint from the people of Marseilles, a Roman army attacked and conquered the Sayles [66], a tribe of Transalpine Gauls; and after their defeat, the Allobroges and Arverni, their neighbours, were accused of having given them assistance, and of having offered injuries also to the Ædui, another Gaulish tribe, which had before obtained the friendship of Rome. Several victories were gained over these new enemies, and one or two colonies were founded in Gaul, such as [67] Aquæ Sextiæ, or Aix, in Provence, planted by C. Sextius, and Narbo [68], or Narbonne, the origin of which is fixed a little later. By these means the countries bordering on the Mediterranean, on both sides of the Rhone, from the Alps to the Pyrenees, and extending inland as far as the Jura [69] and the mountains of Auvergne, were reduced to the form of a Roman province, about the year of Rome 632.

Sketch of the history of Jugurtha.

While the republic was thus extending its dominion in Spain and Gaul, its empire in Africa received an important addition in the conquest of Numidia. After the destruction of Carthage, the principal part of the territories of that commonwealth were at once subjected to the Roman government; and thus the Romans were brought into close contact with the kings of Numidia, whose dominions lay to the west

[66] Florus, III. 2. Livy, Epitom. LX. LXI. Appian, Gallica, 12.

[67] Livy, Epitom. LXI.—Cassiodori Chronicon.

[68] Velleius Paterculus, I. 15.

[69] Pliny, Histor. Natural. III. 4.

CHAP. I.

and south-west of Carthage, and stretched along the coast of the Mediterranean till they were bounded by the confines of Mauritania. The name of Numidians, borrowed from the Greek term Nomades, signifies a people who live by pasturage, and has accidentally become the peculiar appellation of the native tribes in the west of Africa; although under the government of Syphax, Masinissa, and Micipsa, they seem to have been in many respects advanced far above a mere pastoral life. Micipsa [70], the son of Masinissa, divided his kingdom between his sons Hiempsal and Adherbal, and his nephew Jugurtha; but on his death, Jugurtha, who was much older than his cousins, and who had acquired military experience and high distinction by serving in the Roman army at the siege of Numantia, at once proceeded to assassinate Hiempsal, and then openly invaded the dominions of the surviving prince Adherbal. He easily overcame him, stripped him of his territories, and obliged him to fly to Rome for refuge and redress. But dreading lest the Romans should avail themselves of so fair a pretext to seize upon the kingdom of Numidia for themselves, he strove to deprecate their enmity by employing bribery to a large extent among the members of the senate; and thus nothing was done in favour of Adherbal, except the sending a commission of ten senators to Africa, to divide the kingdom between him and Jugurtha. It is said [71], however, that this commission was also

[70] Sallust, Bell. Jugurthin. 9, et seq.

[71] Sallust, Bell. Jugurthin. 16.

corrupted by Jugurtha, and thus was induced to assign to him by far the most valuable share of Micipsa's inheritance. Of this he took advantage, and in a short time he again attacked Adherbal, defeated him, shut him up in the strong town of Cista, and there besieged him for some months, till the Italian soldiers, who formed the most effective part of the garrison, persuaded Adherbal to surrender himself to his rival, and, stipulating only for his life, to rely for every thing else on the interposition of Rome. But no sooner had he given himself up, than Jugurtha ordered him to be put to death in torments.

Sallust, the warm partisan of Cæsar, and anxious, therefore, to vilify to the utmost the character of the senate, asserts [72] that even this flagrant crime would have been passed over with impunity, owing to the influence which Jugurtha had obtained by his bribes among the nobility, had not one of the tribunes roused the feelings of the people, and denounced the scandalous motives to which, as he said, the senators were sacrificing the honour of their country. However this be, war was declared against Jugurtha, and L. Bestia Calphurnius, one of the consuls, was sent over to Africa to commence hostilities against him. Still, we are told [73], Jugurtha continued to employ his usual arts; and the consul, after suffering the campaign to be protracted in fruitless negotiations, at last granted his enemy peace, on condition

Jugurthine war.

[72] Bell. Jugurthin. 27.

[73] Bell. Jugurthin. 29.

CHAP. I.

of his laying down his arms, and submitting himself and his kingdom to the Romans. But only a small part of Jugurtha's resources were in fact surrendered, and the consul returning to Rome to preside at the elections for the ensuing year, the war was as far from conclusion as ever. The succeeding season was equally unproductive of any decisive event; but towards the close of it, when the consul Sp. Albinus had, as usual, returned to Rome, the army which he left under the command of his brother, sustained a severe defeat from the enemy, and was reduced to such difficulties as to purchase its retreat by a promise of evacuating Numidia within ten days; and, it is added, by concluding a treaty of peace. But Jugurtha, who had served at Numantia, must have remembered how lightly the senate could violate the stipulations made by its officers; and he could not reasonably calculate on gaining any other advantage from his agreement, than the getting rid of the Roman army for the present. The treaty, as he might have expected, was immediately disavowed at Rome, and the new consul, Q. Cæcilius Metellus, was likely to prove a far more formidable adversary than those whom he had hitherto encountered. Metellus was bent on prosecuting the war in earnest. He reformed the discipline of the army, which is always described as faulty, when the usual career of Roman victory was delayed or interrupted; but he did not scruple, at the same time, to tamper[74] with

[74] Bell. Jugurth. 46.

the several officers whom Jugurtha sent to him to propose terms of peace, and to tempt them to betray, or even to assassinate their master. He evaded giving any decisive answer to the offers made to him, but continued to advance into the heart of Jugurtha's country, and had deprived him of a large portion of his resources, before the Numidian perceived that his enemy was merely amusing him, and that he had nothing but the sword to trust to. In the course of the campaign, Metellus gained some advantages, but he received also several severe checks from the activity of Jugurtha, who turned to the best account his own perfect knowledge of the country, and the peculiar excellence of his subjects in desultory warfare. Experience, however, taught Metellus to guard more completely against this kind of annoyance; and his intrigues were so successful with the principal officers of his enemy, that Jugurtha found those whom he had most trusted engaged in a conspiracy against his life; and although he escaped the immediate danger by putting them to death, his prospects for the future were overcast with fear, and he regarded every one about him with suspicion.

Rise of Caius Marius.

Meantime the famous Caius Marius[75], who had served with distinction under Metellus as his second in command, impatient of holding an inferior station, and coveting to himself the glory of conquering Jugurtha, had obtained leave to go to Rome, and offer himself as a candidate for the consulship. He

[75] Bell. Jugurth. 63, 64, &c.

CHAP. I.

was a man of low birth, and totally illiterate, but active and able, with power sufficient to make him feared by the nobility, and with an inveterate hatred against them, because their scorn of his mean condition galled his pride, and impeded his way to greatness. By depreciating[76] Metellus, and promising soon to end the war if the command were in his own hands, he won the favour of the multitude; for invectives against high birth and station, joined to an unabashed self-assurance, are powerful pleaders with the low and the ignorant; and he was elected for the first time to that office which he afterwards filled more frequently than any other Roman, and in which he was the author of as signal military services, and as great domestic injuries, as any one individual has ever been known to bring upon his country.

His first consulship.

Marius, soon after his election, received from the people, in spite of a contrary resolution of the senate, the command of the army in Numidia, and the conduct of the war with Jugurtha. On his arrival in Africa, he found that some of the most important towns in Numidia had been taken by Metellus, and that Jugurtha had implored and obtained the assistance of Bocchus, king of Mauritania, so that he had an additional enemy to encounter. But Bocchus, having no direct interest in the quarrel, did not refuse to listen to the overtures of the Roman general, and promised himself, if the fortune of war

He is appointed to command against Jugurtha.

[76] Sallust, 64.

should prove adverse, to secure his own interests by surrendering Jugurtha to his enemies. However, for the present, the two kings were in close alliance with each other; and Marius, in hopes of bringing them to action, employed himself in besieging some of the most valuable towns and fortresses in the Numidian dominions. It is worthy of notice, that at Capsa[77], a strong place in one of the remotest parts of the country, after it had been surrendered, the whole male population was massacred, the women and children were sold for slaves, and the city was plundered and burnt, for no other reason than because the place was inconvenient for the Romans to garrison, and the people were not thought trustworthy. If we remember how strong a sensation has been excited in our own times by the massacre of the Turkish prisoners at Jaffa, and then observe how Sallust excuses[78] the conduct of Marius at Capsa, we shall somewhat understand how dreadful were the atrocities of Roman warfare, and how degraded the condition of Roman morality.

The loss of these towns drove Jugurtha and Bocchus, as Marius had hoped, to try their fortune in the field, and he defeated them in two battles with severe loss. This disposed the king of Mauritania to open a communication with the Romans, the management of which was intrusted by Marius[79] to

[77] Sallust, 91.

[78] Id facinus, contra jus belli, non avaritiâ neque scelere consulis admissum: sed quia locus Jugurthæ opportunus, nobis aditu difficilis: genus hominum mobile, infidum, neque beneficio neque metu coercitum. 91.

[79] Sallust, 102, et seq.

L. Cornelius Sylla, his quæstor, and after much debate Bocchus consented to win the favour of Rome, by betraying Jugurtha. Accordingly, having allured both Sylla and Jugurtha with the hope that he was going to deliver their enemy into their hands, he proposed that they should have a meeting with each other, to discuss the possibility of concluding a peace, and when the appointed time came, he ordered Jugurtha to be seized, and delivered him bound to Sylla. He was by him taken to the head-quarters of Marius, and from thence conducted to Rome, led in triumph [80] with his two sons before the chariot of the conqueror, and then put to death in prison. His own crimes had well deserved his punishment, but they in no way lessen the iniquity of the Romans in inflicting it, by no other right than that of conquest.

Betrayal of Jugurtha.

Death of Jugurtha. U.C. 648. B.C. 106.

By the event of this war, Numidia was added to the list of Roman provinces. It was not till a somewhat later period that the republic acquired Cyrene and its dependencies, by the bequest of their king, Ptolemy Appion; and Egypt and Mauritania remained unconquered till the times of the Cæsars. In the year of Rome 652, the date at which the present narrative closes, the dominions, formerly subject to Carthage, and the kingdom of Numidia, were all that the Romans possessed in Africa; and these extended, to speak generally, along the coast of the Mediterranean from the greater Syrtis [81] to the river

Extent of Roman dominion.

[80] Livy, Epitom. LXVII. Strabo, XVII. p. 972. edit. Xyland.
[81] Pliny, Histor. Natural. V. 2, 3.

Ampsaga, or the town of Sardis, corresponding nearly with the limit between the modern governments of Tunis and Algiers. Their limit, towards the interior, it is impossible precisely to ascertain; and indeed, in fixing the extent of the Roman empire at any one period, minute accuracy, if attainable at all, would not repay the labour of arriving at it; because, our materials for the history of Rome are by no means full and uninterrupted; and many countries were at one time given away to some ally, and then again united to the empire, and thus are sometimes included amongst the provinces, and sometimes spoken of as independent. Again, in some parts, as for example, in the countries between Macedonia and the Danube, continual warfare was carried on for ages between the Romans and the natives; and whilst a victory would nominally extend the bounds of the empire, by leading to the submission of various tribes, any change of circumstances would presently contract them, by exciting the new subjects to revolt. Besides, the imperfect state of ancient, and we may add, of modern geography, makes it difficult, if not impossible, with regard to many quarters of the Roman empire, to fix the limits of provinces or of countries loosely inhabited by barbarian tribes; and even where there is any great natural division spoken of as the boundary, such as the Rhine and the Danube, at a later period, or the chain of Mount Taurus, after the war with Antiochus, there might be natural fastnesses, and wild districts, even within the general frontier,

CHAP. I.

which defied the Roman authority, and furnished the provisional officers with occasions of victories and triumphs. These considerations may excuse the imperfections, or even the inaccuracies, of that sketch of the extent of the empire, which we now propose to offer.

What has been already said in the course of the narrative, will sufficiently show the nature and extent of the Roman power in Africa, Spain, and Gaul. The Balearian [82] islands were conquered by Q. Metellus about the year 630, complaint having been made that the inhabitants infested the sea with piracies. Sardinia and Sicily had been gained from Carthage, as has been mentioned in a former part of this history, before the second Punic war; and Corsica had been conquered at the same time with Sardinia, but it seems to have been considered of little importance; and there is no mention of any attempt having been made on it, by either party, during the war with Hannibal. Melita, or Malta, of which we speak only on account of its modern celebrity, was first taken, according to Livy [83], in the very first year of the second Punic war; and at the end of that war, was finally ceded by the Carthaginians, together with their other islands in the Mediterranean. The whole of Italy, in the modern sense of the term, was already subject to the Romans; although the Ligurians and Istrians were still probably in a state of imperfect obedience. To the eastward, the

[82] Strabo, III. p. 177. edit. Xyland. Florus, III. 8.

[83] Livy, XXI. 51.

countries between the Danube and Greece offer, as we have said, the most indistinctly marked portion of the empire. A part of the eastern coast of the Adriatic had been conquered, even before the second Punic war; or rather underwent the first introduction to conquest, in becoming [84] allied to the Romans. In the second Macedonian war, Gentius, a king [85] of a large part of Illyria, having allied himself with Perseus, paid the penalty of losing all his dominions. Dalmatia, to the north-west of Illyria, skirting the eastern coast of the Adriatic, had been first attacked and partially subdued by C. Martius Figulus [86] and P. Scipio Nasica, in the years of Rome 597 and 598; but triumphs continued to be earned, by victories in Dalmatia, even down to the time of Augustus: and the same may be said of Thrace, and the other countries to the north of Macedonia, which remained so long in a wild and unsettled state, that we read of revolts in Thrace [87] even in the reign of Tiberius Cæsar. If we turn to the southward, Macedonia [88], Thessaly, and Epirus, are said to have been reduced at one time to the form of a province, at the end of the third Macedonian war, in the year of Rome 608. The southern states of Greece were also subjected to the government of a Roman prætor, by the decree of the ten commissioners, who, as usual, were sent to determine [89] the future condition of the country,

[84] Polybius, II. 11; III. 16.
[85] Appian, Illyrica, 9.
[86] Appian, Illyrica, 11. Livy, Epitom. XLVII.
[87] Tacitus, Annal. II. 64; IV. 46, et seq.
[88] Rufus Festus. Jornandes.
[89] Pausanias, Achaica, 86.

CHAP. I.

after the destruction of Corinth. By their decision, the popular assemblies were every where abolished, and the local administration was made strictly oligarchical; but afterwards, the old assemblies were restored, when the power of Rome was so securely established, that such empty shows of liberty might be granted without danger.

By the termination of the war with Antiochus, Rome, as we have seen, gained to herself, nominally, no dominion in Asia. But as she claimed [90] the right of resuming at pleasure, such gifts of territory as she awarded to her allies, she may thus be considered the actual sovereign of Lycia and Caria, which she bestowed on the Rhodians, and of Phrygia, Lydia, and several other provinces, which were given to the king of Pergamus. The first actual province [91], however, which the Romans formed in Asia, consisted of the dominions of their oldest allies; of those very kings of Pergamus, who had given them such useful aid in all their wars with the Greek princes and commonwealths, from the first contest with Philip, king of Macedon, to the final overthrow of the Achæan confederacy [92]. Attalus, the son of Eumenes, dying in the year of Rome 620, left his dominions by will to the Roman people. But Aristonicus, a natural brother, as some say, of the late king, endeavoured to obtain the kingdom for himself, and at first met with some success, but

[90] Appian, Numidica, § 3, edit. Schweighæuser.
[91] Jornandes, I. Florus, II. 20.
[92] Strabo, XIII. p. 721; and XIV. p. 744. edit. Xyl. Livy, Epit. LIX.

was afterwards defeated and taken, and according to the usual practice of the Romans, was led in triumph, and afterwards put [93] to death. It is mentioned by Florus [94], that Manius Acquilius, by whom this war was brought to an end, did not hesitate to poison the wells, in order to reduce some of the revolted cities to submission; nor does it appear that for so dreadful a crime, his conduct was ever called in question by his government. In this manner, by the overthrow of Aristonicus, the kingdom of Pergamus was reduced into the form of a province, which was called peculiarly the province of Asia. Along the southern shore of the Euxine, the kingdoms of Bithynia, Cappadocia, and Pontus, still subsisted under their native sovereigns; and from the last of the three, was soon to arise an enemy, only second to Hannibal in the abilities and obstinacy with which he so long combated the Romans, the famous Mithridates. To the south of the province of Asia, the countries of Lycia, Pamphylia, and Cilicia, were not yet formally annexed to the empire; although Lycia and Pamphylia, having been among the districts ceded by Antiochus, enjoyed their liberty only as a gift from Rome. Further to the eastward, the Romans, as yet, had made no advances: Crete and Cyprus were untouched; and Rhodes, taught [95] by the treatment it received after the war with Perseus, had been since careful to pur-

[93] Paterculus, II. 4. Strabo, XIV. p. 744. Sigonius, Comment. in Fest. et Triumph. Romanorum.

[94] Florus, II. 20.

[95] Rufus Festus. Jornandes.

CHAP. I.

chase its municipal independence by the utmost deference to the will of the senate and its officers.

Causes of the Roman conquests.

Great as was the empire which the Romans had by this time acquired, none of their conquests, since the end of the second Punic war, were such as can at all surprise us. The ascendancy of a well-constituted army, and a good system of military policy, over the utmost perfection of rude courage or individual ability, is so well known, that the gradual reduction of Spain, of Gaul, of Thrace, and of Illyricum, as well as the subjugation of Numidia, may be considered as matters of course. Carthage, at the time of its final struggle, was hardly more than a single city; and the long disuse of arms had taken away all the opportunities, by which good officers and an efficient military system are created; to which we may add, that the Carthaginians helped their own ruin, by the surrender of their arms and engines of war, at the very moment when they were most needed. Antiochus was a prince of little ability or courage, and the event of the first general battle frightened him into submission; nor can the issue of that battle in itself appear wonderful, when we remember how little skill and discipline have ever been found in the organization of Asiatic armies; and that the kings of Syria were, by this time, fully infected with the ignorance and weakness of Asia. It is only in Greece and in Macedon that we might have expected a longer and a more doubtful contest. The country which first sent forth regular armies to war, and the infantry of which had long maintained

so complete a superiority over the soldiers of all other nations, ought not, we may think, to have bowed beneath the yoke of Rome, without signalizing its fall by some heroic effort, and yielding to its enemy a dearly purchased victory. The posterity of Xenophon, of Epaminondas, and of Alexander, might surely have inflicted on Rome a second Cannæ, before they suffered defeats more humiliating than that of Zama.

But, in fact, the circumstances of the Macedonian and Achæan wars abundantly explain the easiness with which the Romans obtained their successes. In their first contest with Philip, they hemmed him in on every side with enemies, and the resources of Macedon were exhausted by the plundering parties of the Ætolians and Dardanians on one side, and, on the other, by the united fleets of Rome, Pergamus, and Rhodes, which infested the coasts; and by the main consular army, the ranks of which were swelled by the contingents of half the states of Greece. The battle of Cynocephale was the only regular action in the whole war; and its result laid open to the victorious army the whole of Thessaly, and the entrance into Macedon itself. As for the event of that battle, there is no reason to dispute the judgment of Polybius, who pronounces the Macedonian tactics to have been unable to compete with the Roman; and Hannibal's authority ought to have determined all other commanders to oppose the Roman legion with troops armed and organized in the same manner. Neither Philip nor Perseus were

CHAP. I.

able generals; and the monarchy of Macedon was so rudely constituted, that all depended on the personal character of the sovereign; nor could the king have seen, without jealousy, and probably without danger, the actual control of his armies in the hands of a subject, whose ability might supply his own deficiencies. Had Hannibal been the general of the Macedonians, his genius would probably have so modified the Grecian tactics, as, without forfeiting their own peculiar advantages, to have given them some of the improvements of the system of their enemies, and thus he might have changed the fortune of particular battles; but, where the force of the two contending powers was so unequal, he could scarcely have hoped to alter the event of the war.

With regard to the Greek republics, in addition to the inferiority of their tactics, which they shared in common with the Macedonians, they laboured under a defect peculiar to themselves, and arising naturally from their inconsiderable extent and power, and the insignificant scale on which they had been used to see military operations conducted. Though much individual courage existed amongst the generals and soldiers, yet war had assumed a character of less horror, from the balanced strength of the several commonwealths, the habit of avoiding extreme measures on either side, and the comparatively little slaughter with which their battles were accompanied. The Romans, on the contrary, made it a part of their policy to give war its most terrible aspect. Their battles were decisive and bloody; the very wounds

which were inflicted by their favourite weapon, a heavy sword, equally calculated for stabbing or for cutting, wore an appearance of peculiar ghastliness; and in the storming [96] of towns, they added to the usual horror of such scenes by deliberately lopping the limbs of the dogs and other animals which fell in their way, on purpose to exaggerate the impression of the destruction occasioned by their arms. A large army of twenty or thirty thousand men, conducting a campaign on this system, and regarded, besides, with that terror which civilized nations usually feel towards those whom they consider barbarians, filled the minds of the Greeks with fearful imaginations of its superior strength and ferocity; exactly in the same manner, and from the same causes, as the little states of Italy, in the fifteenth century, trembled before the impetuous courage of the French; when they found that the field of battle was made the scene of actual and terrible slaughter, and not, as in their own insignificant encounters, a mere stage for the display of their arms and their manœuvres.

Sketch of the nations inhabiting the north of Europe.

Thus victorious over every enemy, and removed, as it might have seemed, far above any apprehension of danger, the Roman republic was suddenly obliged to struggle for its very existence; and amidst all its warlike population could find one man alone to whose guidance it could venture to trust its armies in this alarming emergency. The reader will per-

[96] Polybius, X. 15.

CHAP. I.

ceive that we are alluding to the invasion of Italy by a vast swarm of barbarians from the north of Europe, known by the various names of Cimbri, Teutones, Æmbrones, and Tigurini. And here we cannot but remark a striking peculiarity in the state of the most civilized of the ancient nations, which widely distinguishes them from the empires and kingdoms of modern Europe. The Greeks and Romans saw almost before their eyes the limits of that world with which alone they were concerned, and beyond which they knew nothing. The Alps and the mountains of Thrace were like the enchanted barriers of romantic story, beset with so many various perils, that the inhabitants of the region which they inclosed attempted not to surmount them. A few vague reports, brought by some enterprising trader, and collected amidst the difficulties of imperfectly understood dialects, from the fabling ignorance of barbarians, were the only information which could be gained concerning those vast countries which are now the seat of so many mighty empires, from the Danube to the Frozen Ocean, from China to the British Isles. Yet this unknown region was not like the sands of Africa, the unpeopled and impracticable wastes of which afford the countries on which they border their best security against the attacks of an enemy; on the contrary, the north of Europe teemed with inhabitants, and might be likened to a volcano, the inward workings of which cannot be seen, nor the causes of its eruptions traced, but which, from time to time, pours forth upon the cities

at its base a sudden and unforeseen destruction. In this manner the earliest Greek historian [97] records the irruptions of Cimmerian and Scythian tribes into the more civilized parts of Asia, the dominions of Lydia and Media; and the earliest memorials of Italy bear testimony to similar invasions of the Celts or Gauls, who sometimes overran, and sometimes permanently occupied, the countries to the south of the Alps. In process of time, as the Roman power extended itself, Gaul became better known, and it was found that inroads from that quarter were no more to be dreaded, for the Gauls were now become a settled people, and, instead of wandering forth to prey on others, had acquired those comforts which began to induce their more barbarous neighbours to prey upon them. But if Gaul had ceased to inspire alarm, it was not so with the wide tract of country, which from the Rhine and the Alps extended eastward and northward, far beyond the knowledge or even the reasonable conjectures of the Romans. Amidst the forests with which Germany was then overspread, there was nurtured a race of men, bold, strong, hardy, and totally uncivilized, delighting in war, and despising the confinement of a settled habitation; numerous, from the unchecked instinct of population, where nothing more was coveted than a bare subsistence, yet still occasionally multiplying to such a point that even this could not readily be found, and then pouring forth upon wealthier

[97] Herodotus, Clio. 15. 103.

CHAP. I.

countries, to gain by their swords, in a manner to them most welcome, indulgences which not even the labour that they hated could have procured for them at home. We are now to record the first assault made by this people on the dominions of Rome; from which period the Romans, as their power increased, for a long succession of years were in their turn the assailants, and advanced the limits of their empire and their knowledge from the Alps to the Danube. Beyond that river they could never penetrate; and soon after they had ceased to go forward with their conquests, the Germans renewed their old incursions upon them, till the empire was totally dismembered, and Italy itself, together with its provinces, submitted to the sceptre and the laws of a northern conqueror.

It was just at the close of the war with Jugurtha, that the alarm of the Cimbri and Teutones was at its height in Rome. They had been first heard of about eight or nine years before, when they attacked the province [98] of Illyricum, and there defeated Cn. Papirius Carbo, one of the consuls, with a consular army. After this victory they turned their course into another direction, and are said to have attacked several nations [99] of Gaul, and even to have penetrated into Spain; but being repelled from that country, they presented themselves on the frontiers of the Roman province of Transalpine Gaul; and requested admittance, as settlers, into some part of the Roman do-

[98] Appian, Gallica, 13. Livy, Epitom. XLIII.

[99] Cæsar, Bell. Gallic. VII. Florus, III. 3.

minions, offering to employ their arms in the service of the republic, as a return for the lands which they should hold. On receiving a refusal, they proceeded to gain their ends by force; and in two successive years they defeated two other Roman consuls in Gaul; but, with the caprice of barbarians, instead of following up their successes, they were allured in pursuit of some other objects, and left the Romans for two years unmolested. But in the year of Rome 648, they again fell upon them, and defeated two consular[100] armies united, with such terrible slaughter, that the capital itself was filled with alarm, and all men concurred in raising Marius to the consulship, as the only commander capable of saving his country. Fortunately, perhaps, for his reputation, the Germans again forbore to cross the Alps, and moved off into Spain; and being a second time driven back by the natives, they re-crossed the Pyrenees, and spent another year in wandering over Gaul; while Marius had been re-elected a third and a fourth time to the consulship, and had thus the rare advantage of becoming thoroughly acquainted with his army, and inuring them to exertion[101] and implicit obedience by the strictest discipline, and by employing them in some of those laborious works which afterwards became so familiar to the Roman legions in all parts of the empire. Thus when, in his fourth consulship, the Cimbri, reinforced by some other German hordes, attacked the Romans at once in Transalpine Gaul and

[100] Sallust, Bell. Jugurth. 114. Livy, Epit. LXVII.

[101] Plutarch, in Mario, 13, et seq.

CHAP. I.

towards the north-eastern side of Italy, Marius not only completely destroyed the multitude by which he was assaulted in Gaul, but hastened immediately after his victory to the support of Lutatius Catulus, his colleague, engaged the other division of the enemy in conjunction with him, and gave them a second overthrow as complete as the first, in the neighbourhood of Verona. By these battles their force was entirely broken, and the alarms which had so long disturbed the minds of the Romans were totally dispelled.

Here, then, this portion of our narrative closes. From the period at which we are now arrived, ten years only elapsed before the beginning of the war between Rome and the states of Italy, and thirteen before the first expulsion of Marius, and the commencement of the civil war. These transactions, together with some of an earlier date, such as the seditions of the Gracchi, and the revolt of the slaves in Sicily, will form a fit introduction to that history of the domestic affairs of the republic, upon which we now propose to enter.

CHAPTER II.

TIBERIUS GRACCHUS.—U.C. 621, B.C. 133.

THERE are few portions of history more deserving our attention than that to which we now return, the civil wars of the Romans. The origin of these wars arose from the conflict between the interests of the two great divisions of society—the rich and the poor. The characters and events which marked their progress, possess every quality most fitted to awaken a lively interest in the reader; and their final issue in establishing a monarchy as the government of the civilized world, may possibly have exercised an influence over the fate of Europe, which we feel even at this day. They are most remarkable also, as they exhibit the state of mankind at the period immediately preceding the promulgation of Christianity: when, therefore, if experience be the measure of knowledge, the world must have attained to the highest point in intellectual and moral discoveries which it has ever reached without the assistance of revelation. It will surely be no uninteresting inquiry to collect, so far as we can, the general amount of human virtue and happiness antecedently to the great revolution introduced by the

CHAP. II.

U.C. 621. B.C. 133.

preachers of the Gospel, in order that we may judge of the probable result of the destruction of Christianity, which some avowedly, and many indirectly, consider as desirable.

The period then of the civil wars of Rome, which comprises somewhat more than a hundred years, from the tribuneship of Tiberius Gracchus to the final establishment of monarchy in the person of Octavius Cæsar, divides itself naturally into two portions. The first of these ends at the death of Sylla, and the ascendancy of the aristocratical party, which was effected by his government. And it is upon this first division that we now prepare to enter.

At Rome, as in many other countries, the original distinctions between the different ranks of society were wholly arbitrary. The patricians and plebeians were two separate castes, between which insurmountable barriers existed. No wealth, nor talents, nor virtues, could raise a plebeian to the rank and privileges of a patrician; and as all intermarriages between the two classes were unlawful, the government was an hereditary oligarchy, from which the bulk of the nation, with their posterity for ever, were by law utterly excluded. The details of the particular events by which this system was overthrown, belong to the earlier period of Roman history. Before the Punic wars, however, it was entirely subverted; all offices of state were laid open to the plebeians, while the tribuneship was still, as before, exclusively their own; and a more liberal aristocracy

was formed, in which nobility began to be derived from the possession of high political dignities, instead of being the necessary previous qualification for obtaining them. But a third caste in the commonwealth still subsisted, composed of those persons who either by birth, or by captivity in war, or by the violence of regular slave-traders, were doomed to the condition of slavery. The fortune of this caste was not so totally without hope as that of the old plebeians, because a slave might be enfranchised; and when once a freeman, the course of time, or extraordinary personal merit, might remove the taint of slavery from his blood, and raise his posterity to honours and power. But so long as he remained a slave, his degradation was complete; he was not considered as a member of the commonwealth, he could hold no property except by his master's sufferance; and his protection from the extremity of personal violence was little better than nugatory. The little notice which the ancient writers have paid to this class of men, has perhaps prevented us from sufficiently estimating their effect on the state of society. We cannot, however, form a correct notion of the relative situations of the rich and the poor at Rome, without keeping in mind the existence of so large a proportion of the whole population in the condition of slavery. The numbers of slaves increased greatly with the increasing dominion of the republic; we have already seen how many were carried off from Africa, in the descents made on that coast in the two first Punic wars; fifty thousand

CHAP. II.

U.C. 621. B.C. 133.

more are mentioned as having been taken at one time in the destruction of Carthage; and no fewer than a hundred and fifty thousand were sold for the benefit of the army that had defeated Perseus, collected from the sack of seventy towns in Epirus. These were purchased in large multitudes, and probably at a low price, by the great landed proprietors of Italy, and generally superseded the use of free labourers, as their work was much cheaper, and could be exacted with greater severity. In consequence of this, the lower orders of freemen were reduced to great distress, and their numbers were rapidly diminished, insomuch, that in process of time, there was no such thing as a free peasantry to be found in some parts of Italy, slaves being used almost exclusively as agricultural labourers, and forming probably by much the largest proportion of those employed in trade or manufactures. At the same time, the legions were filled with none but freemen; and they whose swords gained the republic her conquests, were impatient at seeing the fruits of their victories pass into the hands of others, while their own condition was absolutely rendered worse by the consequences of their own valour. For we must not attribute our own notions on public matters to the citizens of the ancient commonwealths. The states of antiquity being for the most part only single cities, political association was regarded very much in the light of a commercial partnership, of which national property formed as it were the stock; and any acquisitions made by the national arms were

looked upon as the profits of the trade, in which every partner ought to share. Thus, when territory was gained in war, the bulk of the people wished to have an immediate division of it made amongst them; whilst the government, or managing partners, were anxious that it should still be employed in advancing the joint interests of the whole body, instead of enriching the individual shareholders. In other words, they wished it to be sold to the highest bidder, and the price to be thrown into the treasury to supply the usual wants of the public service. This in fact was the system usually adopted at Rome; and thus large landed estates came into the hands of the rich, whilst the poor fancied that they did not gain in their due proportion from the growing greatness of their country. To remedy the evil, a popular tribune in the early ages of the republic, C. Licinius, had proposed and carried the famous law which bears his name, and which limited the amount of land which any citizen might possess, to 500 jugera, calculated by Arbuthnot at equal to 330 English acres. But this law was sometimes evaded by land being held for the proprietor under other names [1], and was sometimes openly disregarded. During the second Punic war, however, and the period that followed it for several years, the nobility enlarged their estates without opposition, partly, perhaps, because the aristocratical interest was at this time all powerful, and partly, because as the

CHAP. II. U.C. 621. B.C. 133.

[1] Plutarch, Vita Tib. Gracchi, 8.

CHAP. II. U.C. 621. B.C. 133.

lands were alienated by regular sale, so long as the former owners could find employment as tenants or labourers, and were not superseded by the general substitution of slaves, the change in their condition was patiently borne. But when they found themselves every where supplanted by a class of men whom they so thoroughly despised, they either saw themselves debarred altogether from rearing a family, or they were forced to migrate to Rome, and swell the multitude of needy citizens in that city. The temptation thus offered to them to disturb the existing order of things, was peculiarly strong. As individuals, the poor often suffered from the grasping and oppressive spirit of the rich: yet, as members of the popular assembly, they formed a part of the sovereign power in the state, and might amply retaliate on the higher orders for the losses they had suffered. And here it becomes an exceedingly curious question, what was the general character of the popular party at Rome; what was their station in society; and what were their moral and intellectual attainments? as it is on a knowledge of these points that our judgment of the disputes which so long distracted the commonwealth must mainly depend. For if the comitia were no better than an ignorant and profligate rabble, no true friend to liberty can possibly sympathize with their cause: but if they consisted of men industrious though poor, of men whose views were directed towards a reasonable and definite object, whose private morals were fair, and who respected law and order, we shall

then not brand them with the name of anarchists, merely because the reform which they proposed to effect, could in our days be attempted by none but the most desperate enemies of the peace of society.

The Roman plebeians, or all those citizens not of patrician extraction, whose property did not entitle them to be ranked among the equestrian order, may be divided into two classes; those who lived habitually in Rome, and those who were settled as small landed proprietors, as tenants of national property, or as labourers, in different parts of Italy. The former were naturally those who chiefly composed the popular assemblies, and they consisted of shopkeepers and mechanics, and of that lowest description of populace by which great towns in a genial climate are especially infested; where shelter and fuel and clothing being less important, they can more easily live without regular employment, as having fewer wants to provide for, and where even the food required is of a lighter quality, and consists of articles procurable at the cheapest rate, such as fruit, vegetables, oil, and the light wine of the country. These men would have all the qualities fitted to make them mischievous; idleness, improvidence, a total absence of all the feelings of honest independence, and a great sense of their own importance, both as freemen, while so many who enjoyed far more personal comforts were slaves, and as members of a body whose power was the greatest in the world. Nor must we at all judge of the shopkeepers at Rome by those of London or Paris. The

CHAP. II. U.C. 621. B.C. 133.

sale for their goods would lie chiefly among the common people, because the rich supplied themselves with most of the articles they consumed, from the produce of their lands and the labour of their slaves. Their profits therefore were not likely to be very considerable, and their rank in society would be proportionably low. If we then remember the illiterate state of the Roman people in general at the period of which we are now speaking; and if we reflect besides, that whatever literature did exist must have been confined almost exclusively to the higher orders from the expensiveness of books: we cannot ascribe much general or political information to the plebeians of the city. Last of all, we know what the morals of the lower classes in large cities are at this day, when their opportunities of being rightly taught are far greater than could possibly have been enjoyed at Rome. Without descending to the mere idle and dissolute populace, we should probably have found in the bulk of the plebeian inhabitants a sense of their own interest generally predominant, a violent and cruel spirit towards those whom they looked upon as their opponents, and an obstinacy in maintaining blindly their own notions, mixed at the same time with many kind and generous affections towards their families and friends, and an attachment to the name and institutions of their country, which was liable indeed to be misled or overpowered for a time, but which was in the main strong and sincere. The plebeians of the country are generally spoken of by Roman writers as

CHAP. II.
U.C. 621. B.C. 133.

a more respectable class than those of the city. They were more steadily industrious, as having less to call off their attention from their own employment: they were more domestic in their habits, and not only less apt for political contests from their manner of living, but in their houses and fields they possessed a property which they were less willing to hazard in civil commotions. The beautiful picture which Virgil gives of the simplicity and happiness of the small landed proprietors of Italy, although of course highly embellished, was doubtless not altogether imaginary; and it may be added, that the hardheartedness to the general welfare of the poor, which is so often the fault of our farmers, was less called into action among the Romans, in whose country there were no poor-rates nor parochial offices to excite a continual soreness in an uneducated mind; and where the farmer had scarcely any connexion with more than his own household and labourers, a class of people whom it is most natural and obvious to treat with kindness and familiarity. Yet the agricultural plebeians must have been ignorant, and were likely to inherit the violence and obstinacy by which ignorance is ever accompanied. They must have entertained, too, a peculiar jealousy of the great nobility, by whom their own rank in society had been in so many instances overwhelmed; and when they came to the comitia in the city, they were incapable of resisting the eloquence of popular orators, ever ready to encourage their angry feelings against the rich, to flatter their self-importance, and to persuade them

CHAP. II. U.C. 621. B.C. 133.

that their interests were the same with the public good. Above all, the nature of mankind is such, that even the best and most highly educated individuals, when assembled together in a numerous body, are apt to be more swayed by passion and less by principle, than if they were deliberating alone, or in a small society. Much more is this the case, when the inhabitants of a great city are promiscuously crowded together; for then the evil predominates with a fearful ascendancy, and a physical and moral excitement is created, which destroys the exercise of the judgment, and drowns the voice of moderation and self-restraint; leaving the mind open to any unreasonable impression that may be produced, whether of ridicule, of indignation, of compassion, or of pride.

It results, then, from this view of the state of the plebeians, that the popular party in the times of Tiberius Gracchus was made up of very heterogeneous elements; that one division of it, the mere city populace, was thoroughly worthless, but that others were composed of industrious and often well-meaning men, whose great misfortune it was to have a power placed in their hands collectively, far more than proportioned to their knowledge. On the other hand, the aristocratical party consisted of materials not less discordant. Among those who had engrossed the landed estates of Italy, there were many who in the command of armies, or in the government of provinces, had given the utmost proofs of cruelty and rapacity, and who displayed the same temper to

CHAP. II.
U.C. 621. B.C. 133.

their poorer countrymen at home. Others, again, sought merely to gratify the pride of nobility by the enjoyment of a large fortune and influence: these were men whose selfishness was passive, so long as it was indulged to the utmost, but who could behave with the most unscrupulous cruelty towards any who should attempt to restrain it. A third class consisted of those whose minds were loftier, and whose ambition was of a nobler character: men who delighted in conducting the councils or heading the armies of the state; who wished to promote the greatness of their country, perhaps without being conscious to themselves how far a love of their own individual greatness mingled in the wish; and who felt the besetting vice of great abilities, contempt for the ordinary race of mankind. Such persons, like the magnanimous man of Aristotle's philosophy, having done the state great service, thought it just that their station in it should be pre-eminent; and scorned the thought of admitting the lower classes of the people to a participation in their grandeur, as an outrage on the majesty of Rome. So complicated are the motives by which we are actuated, and so hard is it where our own welfare coincides with what we deem the public good, to decide how much of a selfish bias determines us in forming our opinion. There yet remained a fourth description of supporters of the aristocracy, in those who by their own merit had raised themselves to a fair and honourable affluence; those who had inherited, or acquired by commerce, a respectable, but not an overgrown fortune;

CHAP. II. U.C. 621. B.C. 133.

those who, content with little, had obtained consideration by their eloquence, their military services, or their tried integrity; and those of the nobility themselves, who, though poor, were without covetousness, and were more aristocratical from the influence of birth and connexions, than inclined to take the popular side from their poverty. Amongst this last class were numbered the majority of the equestrian order, and some of the most eminent individuals in Roman history: Scipio Æmilianus, in the times of the Gracchi, and at a later period M. Cicero and M. Cato.

Many years had now passed since Rome had been disturbed by civil dissensions. We are told, indeed, that when the senate, immediately on the conclusion of the second Punic war, proposed to begin a fresh contest with the king of Macedon, the people were strongly disinclined to the measure [2], and complained that the nobility sought to involve the nation in perpetual hostilities, for the gratification of their own ambition. But when the seat of war was removed far away from Italy, and an uninterrupted succession of conquests flattered at once the national vanity, and often enriched the soldiers by the plunder which it threw into their hands, the popular aversion to war probably subsided. It was likely to be changed into fondness for it, from the period that the acquisition of the revenues of Macedon, added to the large income derived from other provinces, relieved

[2] Livy, XXXI. 6.

the citizens of Rome from taxation altogether. Those changes, indeed, in the state of property, which were afterwards to occasion such fatal quarrels, were in the mean while silently being effected; but they were not yet so great as to call off the public attention from subjects of more immediate interest; and it has ever been the case, that the gradual approach of financial troubles has been unheeded, till the moment when the clouds have covered the whole face of the sky, and the storm has burst in thunder.

It has been already mentioned when speaking of the war with Numantia, that C. Mancinus, one of the consuls employed in that service, was obliged to purchase the safety of his army by an unfavourable treaty; that the senate violated the agreement thus made, and ordered the general who had concluded it to be delivered up to the enemy, as if the perfidy of the government could be so atoned for. The officer who had been particularly employed in drawing up this obnoxious treaty, was the consul's quæstor[3], Tiberius Sempronius Gracchus; and it was said that the Numantines were chiefly induced to treat, from their respect to his name; his father having served in Spain, and by his honourable conduct having won the esteem and regard of the natives. When then the senate resolved to surrender to the Numantines not only the consul but all his principal officers, the popular assembly interfered;

[3] Plutarch, Vita Tib. Gracchi, 5.

CHAP. II. U.C. 621. B.C. 133.

and considering that Gracchus had done no more than save the lives of many thousand citizens, when the consul's misconduct had exposed them to destruction, it determined that all the other officers should be exempted, and that Mancinus should be given up alone. The different treatment which Gracchus on this occasion received from the senate and from the people, is said to have pre-disposed him to thwart the one, and to enlist on the side of the other. About three years afterwards, in the year of Rome 621, he was elected one of the tribunes of the people.

The great accumulation of slaves in Italy, and the consequent dearth of free labourers, was now become a serious evil. Gracchus had been struck with it, we are told, as he passed through Tuscany, on his way home from Spain; observing, that the visible population consisted for the most part of foreign slaves, who were working in fetters under their task-masters. The dangers of this system had been also made manifest, by an insurrection which had lately broken out among the slaves in Sicily; for the immense estates possessed in that island by Roman or Latin citizens[4], were, like those in Italy, cultivated entirely by slaves, whose numbers became so formidable, that being roused to arms by one of their body, they maintained a long and bloody war with the Roman government, spread devastation over the whole island, and defeated no fewer than

[4] Florus, III. 19.

four Roman prætors, who were sent against them. Plutarch tells us besides, that Gracchus being known as a young man of enterprise and ability, was called upon in many addresses written upon the walls in different parts of the city, to stand up in the cause of the poor, and to recover for them the public lands which the rich had monopolised. CHAP. II. U.C. 621. B.C. 133.

Thus instigated at once by the pressing evils of the existing system, by personal predilections, and by the allurements of an evident popularity, Tiberius Gracchus entered on his unfortunate career. The remedy which he proposed for the growing distresses of the poor, consisted in a revival of the Licinian law, with certain modifications; that is to say [5], he allowed a father of a family to hold 500 jugera of public or conquered land in his own right, and 250 more in right of each of his sons; but any man who possessed more than this amount, was to restore it to the nation on receiving a price for it from the treasury. To this proposition was added, that the lands thus recovered, should be divided among the poorer citizens, and that it should be unlawful at any time that any of these allotments should be sold: and finally, in order to provide for the execution of the law, three commissioners were to be appointed annually, with powers to see it duly carried into effect, and its enactments observed unbroken. It is said by Plutarch, that in proposing these measures, Gracchus acted with the concurrence of some indi-

[5] Plutarch, Vita Gracchi, 9. Appian, de Bell. Civil. I. 9, 10.

CHAP. II. U.C. 621. B.C. 133.

viduals of distinguished rank, and of great legal knowledge; such as P. Crassus, then Pontifex Maximus, and P. Mucius Scævola, one of the consuls; both of whom are often mentioned by Cicero[6] as eminent for their acquaintance with the civil law, as well as for their general eloquence and ability. If this be true, it is a proof that the mischievous tendency of an agrarian law was not so palpable to the Romans as it is to us, and the apparent extravagance of Gracchus's conduct is much lessened. Indeed, we should remember, that he only professed to enforce, even in mitigated severity, an actually existing law; and that though time had seemed to sanction the encroachments of the rich, he might yet not unnaturally think that the people could never lose their rights by mere disuse; and that his proposed indulgences to the holders of national property, abundantly compensated for any wrong they might sustain by the sudden revival of a long dormant claim. It is not possible that we, with the added experience and knowledge of more than nineteen centuries, can hesitate to condemn his scheme as pernicious and impracticable; nor, indeed, did it appear otherwise to calm and sensible men at that very time; for C. Lælius, known by the name of the Wise, endeavoured in his tribuneship, a few years before, to remedy the evils arising from the accumulation of estates; but finding that they could not be removed without greater mischief, he abandoned the

[6] De claris Orator. 26. De Oratore, I. 50. 56. De Officiis, II. 13.

attempt altogether. But still, although the conduct of Gracchus was violent and unwise, it does not imply in him such a degree of profligacy or folly, as would be justly imputed to a similar proposal now.

The aristocracy in general warmly opposed the projected law; and Gracchus, impatient of any opposition to a scheme which he deemed so beneficial, at once lost his temper; and dropping the more conciliatory clauses, proposed merely that the holders of national lands beyond the legal amount, should be obliged to give them up immediately [7]. This only added to the vehemence of the opposition against it; and the question being one of such universal interest, great crowds of people flocked to Rome from all quarters of Italy, to take part with the friends or enemies of the law [8]. But the aristocratical party, well knowing how the tribes were likely to vote if it were left to their decision, had secured the negative of M. Octavius, one of the tribunes: and this being resolutely interposed, whenever the measure was brought forward, it was impossible for Gracchus, according to the forms of the constitution, to carry his point. He too, however, availed himself of his power as tribune to embarrass his opponents; for he suspended by his negative the functions of every officer in the state [9], and sealed up the doors of the treasury, thus stopping all issues or receipts of money for the public service. So strange was the extent

[7] Plutarch, Vita Gracchi, 10.
[8] Appian, de Bell. Civil. I. 10.
[9] Plutarch, Vita Gracchi, 10.

CHAP. II. U.C. 621. B.C. 133.

of the tribunitian authority, that Gracchus in these violent proceedings was acting agreeably to law; and the nobility, unable to resist him, went into mourning, to show their sense of the distressed and dangerous state of the republic.

Still, while Octavius persisted in his opposition, the law could not be carried[10]. Gracchus, therefore, resolving to overbear every obstacle, and having endeavoured to win over his colleague by entreaty, as he was personally well known to him, and by the utmost efforts of his eloquence, at last finding him immoveable, openly declared, that two men so opposed to one another ought not to continue in office together; that either Octavius or himself ought therefore to be forced by the people to lay down the tribuneship. And with a mockery of fairness, he desired Octavius first to submit to the comitia the question, that Tiberius Gracchus should be no longer tribune. When this was declined, he announced his own intention of proposing a similar resolution on the following day with regard to Octavius. Accordingly, when the assembly met, Gracchus, after another personal appeal to his colleague, entreating him to yield to the wishes of the people, and finding him still resolute in his refusal, proposed to the tribes the sentence of degradation. Seventeen successively voted for it, and as the total number of the tribes was thirty-five, the votes of one more would constitute a majority. At this point,

[10] Plutarch, Vita Gracchi, 11, 12. Appian, 12.

then, Gracchus paused, and once more conjured Octavius to spare him the necessity of proceeding to such a painful extremity. Octavius, it is said, was staggered; but the sight of the nobility, who anxiously watched his behaviour, and the shame of being intimidated by personal considerations, gave him fresh firmness, and he told Gracchus to do whatever he thought proper. The eighteenth tribe then gave their votes for his degradation, and the measure being carried, Gracchus sent one of his officers to drag Octavius down from the seat which he occupied as tribune. When this had been done, and Octavius had been thrust out among the people, the mob immediately fell upon him, and although Gracchus tried to check them, he found that a demagogue has little power in restraining his followers from violence, and Octavius with difficulty escaped from their fury by the efforts of the nobility and the zeal of his own slaves, one of whom lost his eyes in defending his master.

After such an example, no tribune ventured any more to impede the progress of the law, which was passed immediately without difficulty. But it appears that Crassus and Mucius were either disgusted at the late conduct of Gracchus, or that he began now to throw himself entirely into the arms of the common people, for neither their names, nor those of any other distinguished senator unconnected with the tribune, were to be found among the commissioners appointed to carry the law into effect. The

CHAP. II.
U.C. 621. B.C. 133.

list consisted of Gracchus himself [11], of his younger brother Caius, a youth of only twenty years of age, and at this time serving under Scipio in Spain, and of his father-in-law, Appius Claudius. It was evident that the real power of the commission would rest solely with Tiberius Gracchus, and this circumstance was likely to embitter still more the feelings of the senate towards him. Their hatred betrayed itself in a manner at once impolitic and mean, for they refused him the usual allowance granted to a public commissioner [12], and reduced it to a denarius and a half, or about one shilling a day. Both parties were full of suspicion against each other; a friend of Tiberius happening to die suddenly, the appearance exhibited by his body was attributed to the effects of poison, and Tiberius himself, as if afraid for his own life, put on mourning, and with his young children in his hand, went round among the people, recommending his family to their protection, in case he himself should fall a victim to his enemies. On the other hand, Gracchus began to incur the imputation which had proved so often fatal to former demagogues, that of aspiring to make himself tyrant of Rome [13]. Attalus, the last king of Pergamus, was lately dead, and one of his ministers had arrived in Rome with his will, by which he bequeathed his dominions and treasure to the Roman people. Gracchus immediately proposed a law, that the treasure should be

[11] Appian and Plutarch, ubi suprà. Velleius Paterculus, II. 2.
[12] Plutarch, Vita Gracchi, 13.
[13] Plutarch, 14.

divided among those citizens who should receive allotments of land under the new commission, in order to enable them to stock their farms, and that the disposal and management of the kingdom should be lodged exclusively with the popular assembly. Under the odium which such conduct excited, any accusation against him was readily listened to; and a senator, whose house was next to that of Gracchus, stood up in the senate, and asserted on his own knowledge, that the minister of the late king of Pergamus had presented Gracchus with a diadem and a scarlet robe, preparatory, as he insinuated, to his usurping the regal state of which those decorations were the insignia.

But his conduct towards Octavius afforded his enemies a surer ground of censure. Even many of the people, it is said, were struck with the unprecedented violence of that measure; and Gracchus thought proper to justify himself at some length, and endeavoured to show that the sacredness of the tribunitian office was destroyed, when a tribune turned his power to the injury of that part of the people whose interests he was especially appointed to guard. What effect his arguments produced on the minds of his hearers cannot be known; but in the judgment of posterity his conduct has appeared indefensible. The negative of the tribunes was their peculiar and constitutional privilege, and it had often been exerted in defence of individuals against popular violence, as well as in behalf of the interests of the commons collectively against the encroach-

CHAP. II. U.C. 621. B.C. 133.

ments of the aristocracy. To set it aside whenever it opposed the inclinations of a majority of the comitia, and far more to degrade the tribune who interposed it, was a direct injury to the personal liberty of every citizen, and left him absolutely without defence against the wildest tyranny which the popular assembly might be excited by its orators to commit. It was a violation of the letter of the constitution, not on the plea of necessity, but merely of expediency; and it furnished a pretence for the more flagrant violation of it, of which the opposite party, in their turn, were soon proceeding to be guilty. Meanwhile the crowds who had flocked to Rome, during the discussion of the agrarian law, had left the city and returned to their homes, elated with their triumph [14]. It was possible that Gracchus might not always be able to command a majority in the comitia, and in that case he had the prospect before his eyes of impeachment, condemnation, and exile. He resolved, therefore, to avail himself of his present popularity, for the purpose of being re-elected tribune for the following year, and he trusted that his supporters from the country would re-assemble on such an occasion, and would secure his election. To win still more the favour of the multitude, he allured them with the hope of a number of popular measures which he proposed to carry in his next tribuneship: the term of military service [15], to which every citizen was bound by law,

[14] Appian, 13.

[15] Plutarch, 16, seems to speak of these laws as actually proposed by Tiberius Gracchus; but as the

CHAP. II. U.C. 621. B.C. 133.

was to be shortened; the judicial power in ordinary criminal causes, which had hitherto been confined to senators, was to be shared with the equestrian order; and Paterculus adds [16], that he promised to procure the freedom of Rome for all the inhabitants of Italy. These were indeed the proceedings of a dangerous demagogue; but it is impossible to decide whether Gracchus desired a second tribuneship as a defensive or an offensive measure: whether he wished it only as a protection for himself, or whether he meditated plans still more subversive of all good government than those which he had already avowed. But fear has been justly numbered among the causes which led them into injustice; and acts which he might have deemed necessary to his own safety, might have been of a nature no less violent than such as the most deliberate treason against his country would have dictated.

The season of election was now approaching [17], and the friends of the aristocracy insisted that the same person could not legally be appointed tribune two years successively. Accordingly, on the day of election, a demur on this point was made by the tribune who presided at the comitia, and who accepted or refused the votes of the citizens. He was requested to resign his office to Mucius or

one which regards the judicial power is ascribed both by Paterculus and Appian to his brother Caius, and no one mentions any of these measures among the actual offences of Tiberius, I have thought it most probable that they were only talked of by him, and were never carried into effect.

[16] Velleius Paterculus, ubi suprà.

[17] Plutarch and Appian, ubi suprà.

CHAP. II.

U.C. 621. B.C. 133.

Mummius, a warm partisan of Gracchus, and the man who had been lately elected to fill the place of Octavius. But the other tribunes objected to this arrangement, and a dispute ensuing, the friends of Gracchus perceived that the result was likely to be unfavourable to them, and contrived to protract the discussion to so late an hour, that the assembly was obliged to be adjourned to the following day. During the remainder of the afternoon and evening, Gracchus again went about in mourning with his children, appealing to the compassion of the people; and so strong a sentiment was excited in his behalf, that a great crowd watched through the night around his house, in order to secure him from the violence which he affected to dread. He himself meanwhile was concerting with his friends the measures to be pursued on the morrow; and a signal was agreed upon amongst them [18], to be used in case it should be necessary for them to employ force. The capitol was occupied by his party while it was yet dark, and in the morning he left his house to join them, and was received with the loudest acclamations; a crowd of his friends ranging themselves around his person, in order that no one on whom they could not depend might approach too near him.

From this point the relations of Plutarch and Appian vary; nor have we any contemporary account which might teach us how to reconcile them with each other, or assist us in judging which of the two

[18] Appian, 15.

we ought to follow. We shall attempt to compose such a statement as may be probable in itself, and not inconsistent with either of our authorities. At the first outset, the tribunes who were opposed to Gracchus [19], and the partisans of the nobility, endeavoured to interrupt the election, on the ground which had been urged on the preceding day, that a tribune could not be re-elected for the following year. A disturbance thus arose among the multitude [20], and at the same moment Fulvius Flaccus, a senator attached to the popular party, arrived in haste from the senate, and making signs that he wished to speak to Gracchus, obtained a passage through the crowd. He brought information that the nobility being unable to procure the sanction of the consul, were preparing of themselves to attack the comitia, and had armed for this purpose a considerable body of their friends and of their slaves. The popular faction, already in a high state of agitation, were roused to the utmost by these tidings. They tucked up their gowns to prepare for action, seized the staves from the hands of the ordinary officers who kept order in the comitia, broke them, and distributed the fragments amongst their own party, and when Gracchus gave the concerted signal [21] by raising his hand to his head, they at once fell upon the tribunes who had opposed them, and on the rest of the supporters of the senate, and drove them from the place of assembly. All now became

[19] Plutarch and Appian.
[20] Plutarch, 18.
[21] Appian, 15.

CHAP. II. U.C. 621. B.C. 133.

tumult; the priests of Jupiter shut the gates of the temple in the capitol, and a thousand vague and exaggerated rumours were carried to the senate; some saying that Gracchus was deposing the other tribunes from their office; others, that he was nominating himself to a second tribuneship, without waiting for the votes of the people; while a third set, who had from a distance seen him raise his hand to his head, affirmed that he was instantly to be appointed king, and that he had actually signified his desire to receive from the people a crown.

These several reports reached the senators who were assembled in the Temple of Faith. P. Cornelius Scipio Nasica, a man of the highest nobility, of great landed property, and of a stern and determined temper[22], called upon P. Mucius, the consul, to take instant and vigorous measures for the destruction of the tyrant. To this Mucius answered, that he would not set the example of shedding blood, nor destroy any citizen without trial; but if the people were seduced or terrified by Gracchus into any illegal resolutions, he should consider such resolutions to be of no authority. Nasica then exclaimed, "The consul deserts the republic; let those who wish to preserve it follow me." At once the senators arose, wrapped their gowns around their left arms as a shield, and proceeded in a body towards the capitol. Nasica led them, with a fold of his robe thrown over his head; and the train was swelled by

[22] Cicero, de Officiis, I. 30. De Claris Orator. 28.

the friends and slaves of the senators, who had provided themselves beforehand with clubs and sticks. On the approach of this band, consisting of all the nobility of Rome, the people made way before them, and fled in all directions. The senators seized the staves which their opponents dropped in their flight, or armed themselves with the fragments of the benches which had been broken down in the confusion of the crowd. With these weapons they attacked all who fell in their way; and Gracchus himself, endeavouring to escape, and stumbling over those who had already fallen, was killed by repeated blows on the head. About three hundred of his friends shared his fate, being all killed by clubs or bludgeons, which were the only weapons employed. The bodies of all the slain, including Gracchus himself, were ordered to be thrown into the Tiber, and the senate following up their victory, put to death afterwards several of the partisans of the late tribune; some of them, it is said[23], with circumstances of atrocious cruelty.

It throws a remarkable light on the notions entertained by the Romans on political justice, that Cicero, a man whose moral principles were far purer than those of his countrymen in general, speaks more than once of the murder of Gracchus in terms of the warmest praise[24]. So accustomed were the Romans to have recourse to the plea of necessity or public utility, to justify the violation of the existing

[23] Plutarch, Vita Tib. Gracch. 20.

[24] De Officiis, I. 22. 30.

CHAP. II. U.C. 621. B.C. 133.

laws of the Commonwealth. Now, as it is obvious that these abstract principles are of a far more pliable nature than written forms of law can be, all parties in turn might appeal to such an excuse with plausibility, when the laws, if duly observed, would have passed on each a just condemnation. No doubt there is an extreme on the other side; and a blind devotion to the letter and forms of the constitution on all occasions, may really compromise those great interests, for the sake of which alone forms are valuable. But there cannot be a question that the adherence to rules, and the respect for particular institutions, which remarkably distinguish our English lawyers, are a most valuable security to personal liberty, and that they serve to subject the fury of contending factions to one impartial and unimpassioned decision. At Rome, public expediency was successfully appealed to, to justify the degradation of Octavius and the death of Gracchus; whereas a truer knowledge of the interests of justice and liberty would have taught them to abhor both those actions as illegal and tyrannical: the last, as is usual in cases of retaliation, far exceeding the former by which it was provoked, in violence and atrocity.

CHAPTER III.

CAIUS GRACCHUS.—FROM U.C. 621, B.C. 133, TO U.C. 633, B.C. 121.

THE murder of Tiberius Gracchus was so much a sudden and isolated act, that it did not at all interrupt the execution of those laws which he had proposed and carried in his tribuneship. His death occasioned a vacancy among the commissioners for carrying into effect his agrarian law; and P. Licinius Crassus [1], who was nominated to succeed him, perishing shortly after in the war against Aristonicus [2], in Pergamus; and Appius Claudius [3], another of the original commissioners, dying also about the same time, the commission finally was composed of C. Gracchus, the younger brother of Tiberius, C. Papirius Carbo, and M. Fulvius Flaccus. But the extreme youth of C. Gracchus, and possibly the impression produced on his mind by the fate of his brother, prevented him from immediately taking an active part in public affairs. His colleagues, however, were well disposed to make up for his absence; and they proceeded to fulfil the duties of their appointment

[1] Plutarch, in Tib. Gracch. 21.
[2] Livy, Epitom. LIX.
[3] Appian, de Bell. Civil. I. 18.

CHAP. III.

From U.C. 621, B.C. 133, to U.C. 633, B.C. 121.

in that summary and absolute manner which was so familiar to the magistrates of Rome. They readily received accusations against any persons who were charged with holding national lands[4]; and decided on all these cases by their own sole authority. It often happened that property alleged to be public, was intermixed with estates lawfully belonging to the inhabitants of the allied states of Italy; and now the present commission extended its inquiries to the titles by which these estates were held; and their owners were called upon to show how they had acquired them, and to produce either the deeds of the purchase, or the grants by which they had received them from the Roman government. Sometimes these documents were not to be found; and then the commissioners decided at their discretion upon the property of the land; and removed at pleasure from their estates, men who had peaceably inherited them from a remote period. It appears, also, that for the encouragement of agriculture, permission had been given to individuals on former occasions, to inclose and cultivate the waste lands in their neighbourhood, on the payment probably of a rent, scarcely more than nominal, to the treasury. In process of time, the distinction between the freehold and rented parts of an estate was forgotten; the boundaries between the two were removed; and the whole was looked upon as held by the same tenure. But no prescription was any security against

[4] Appian, de Bell. Civil. I. 18.

CHAP. III. From U.C. 621, B.C. 133, to U.C. 633, B.C. 121.

the new commissioners; all public land whatever was to be recovered out of private hands, and to be divided amongst the poorer citizens, according to the provisions of the Sempronian law. Nor was the distribution of the lots to be thus assigned less arbitrary[5]. The law allowed an individual to hold 500 jugera of national property; but it seems that the commissioners might allot them to him in whatever part of Italy they thought proper. Many persons, therefore, were deprived of the lands which they held adjoining to their own estates; and received in exchange an allotment often less valuable in itself, and generally far less conveniently situated. Men obnoxious to the commissioners, either on political or personal grounds, were thus subjected to numberless vexations; while their partisans, their creatures, and their friends, might be most unduly favoured. It is probable, indeed, that the most industrious and peaceable among the poorer citizens, would be by no means the greatest gainers from the distribution of land[6]; but that the opportunity would be seized to reward the most violent supporters of the democratical party in the popular assembly, and to encourage the riotous and seditious for the future, with the hope of earning for themselves a similar prize, by an active and unscrupulous obedience to the prevailing demagogues of the day.

It strongly marks the character of the Roman

[5] Appian, de Bell. Civil. I. 18.
[6] Conf. Cicero, de Lege Agrariâ contra Rullum; Orat. II. 29. 31.

CHAP. III.

From U.C. 621, B.C. 133, to U.C. 633, B.C. 121.

constitution, that at the very time when a commission so favourable to the wildest claims of the democratical party was actually in existence, the consuls [7], P. Popilius and P. Rupilius, were proceeding to inflict the penalty of banishment on several of the partisans of Tiberius Gracchus, by no other authority than a vote of the senate, and in manifest contempt of the Valerian law. This, as was natural, was on a future occasion strongly resented by the popular party; and thus in the tyrannical powers which both sides in turn allowed themselves to exercise, there never were wanting to either pretences of retaliation, whenever they could gain the ascendency.

P. Scipio opposes the commissioners of the agrarian law.

Meantime, the proceedings of the agrarian commissioners excited a general indignation amongst the inhabitants of the provinces of Italy [8], many of whom had been dispossessed of estates to make room for some of the poor citizens of Rome. In looking out for a man who might espouse their cause with effect, they were led to fix their eyes on P. Cornelius Scipio Æmilianus, who was distinguished for his military services, and had lately returned to Rome, after having effected the destruction of Numantia. Scipio had become acquainted with many of the Italians, when serving under him as allies in the Roman army, and was well able to appreciate their value; he was inclined also of himself to oppose the popular party; and he came forward therefore with complaints of the excessive power vested in the

[7] Velleius Paterculus, II. 7. [8] Appian, de Bell. Civil. I. 19. Plutarch, in C. Gracch. 4.

hands of the commissioners, and proposed that all points in dispute between them and the occupiers of land, should be decided, not by themselves, but by a more impartial jurisdiction. This seemed so fair, that it was acceded to; and C. Sempronius Tuditanus, one of the consuls, was appointed judge of all appeals against the measures of the commissioners. But this officer, disgusted with the difficulties of the office, soon resigned it, and departed to his province of Illyricum; whilst as no one acted in his place, the commissioners again were enabled to defy all opposition. The attempt, however, to lessen their power, had rendered Scipio odious to their party; nor was this the only way in which he offended them; for he had on a former occasion procured the rejection of a law brought forward by Carbo [9], and supported by Gracchus, to allow the same person to be re-elected tribune, as often as the people should choose. He did not abate in his opposition to their power as commissioners, till, on the night preceding the day on which he was going to address the people fully on the subject, he died suddenly in his bed [10]: and his death was attributed by the violence of party to the contrivances of Carbo and Gracchus. But the general, and the most probable account was, that his death was natural [11]; nor, indeed, is secret assassination a crime consistent with that which we know of

From U.C. 621, B.C. 133, to U.C. 633, B.C. 121.

U.C. 623. U.C. 624.

Death of P. Scipio.

[9] Livy, Epitom. LIX. Cicero, de Amicit. 25.

[10] Appian, 20. Velleius Paterculus, II. 4. Livy, Epitom. LIX.

[11] Vid. Paterculus.

CHAP. III.

the character of the Roman political quarrels at this period of the republic.

From U.C. 621, B.C. 133, to U.C. 633, B.C. 121.

The agrarian law of Tiberius Gracchus, which had arisen immediately out of the relative situation of the rich and poor citizens of Rome, began now in its operation to affect other interests, and to bring forward new claims, and new changes. It has been mentioned, that the landholders among the allied states of Italy, felt themselves particularly aggrieved by it, and that they had applied to Scipio to undertake the defence of their cause. After his death they continued their opposition to it [12], in conjunction with the aristocratical party at Rome; and thus the execution of the law was delayed and impeded, and its supporters might have despaired of ever carrying it into full effect, while there were such powerful interests arrayed against it. Upon this a scheme was devised, which should at once conciliate one part of the opponents of the laws, and set them at variance with the other part. Hopes were held out to the Italian allies, that they should be admitted to all the privileges of Roman citizens; and in return for so splendid a gift, it was expected that they would renounce their opposition to the agrarian law. Besides, the popular leaders might probably calculate on making the strength of their party irresistible, if so many thousand members, indebted to them for their right of voting, should be added to

The popular leaders conciliate Italian allies by the hope of obtaining the rights of Roman citizens.

[12] Appian, de Bell. Civil. I. 21.

CHAP. III.

From U.C. 621, B.C. 133, to U.C. 633, B.C. 121.

the popular assembly; and as the number of citizens would then be so great, that an actual meeting of the whole people in one place would be impracticable: the comitia were likely to consist of an assemblage of the idlest and most worthless of the community; to be more than ever incapable of reason, and more than ever liable to become instruments of mischief in the hands of their favourite orators. However, the proposed grant of citizenship completely answered the views of the popular leaders: the Italians, forgetting the agrarian law in the seducing prospect now opened to them, crowded to Rome to witness the decision of the question, and to influence it in their favour by every means in their power. While, on the other hand, the senate, considering this new measure as more dangerous than even the division of the national lands, prepared vigorously to oppose it; and M. Junius Pennus [13], one of the tribunes, brought forward a law under their authority, commanding all aliens to depart from Rome, and prohibiting them generally from access to it. The law was carried, and the success of the senate in this previous struggle deterred, as it seems, the popular leaders from bringing on the main question for the present. At this time, also, they lost one of their number, C. Gracchus, who having been elected quæstor, was sent into Sardinia with L. Aurelius Orestes [14], one of the consuls, to quell some disturbances in that island.

The scheme defeated by the senate.

U.C. 627.

U.C. 628.

[13] Vid. Ciceron. de Claris Orator. 28. De Officiis, III. 11.

[14] Plutarch, in C. Graccho, 1.

CHAP. III.

From U.C. 621, B.C. 133, to U.C. 633, B.C. 121.

Renewed unsuccessfully by M. Fulvius Flaccus.

In the succeeding year, M. Fulvius Flaccus, one of the commissioners of the agrarian law, was elected consul; and availing himself of the power of his office, he threatened to bring the question concerning the Italian allies to an issue. The senate conjured him, it is said [15], to desist from his purpose; and finding that he treated them with contempt, they averted the evil for the time by sending Fulvius on foreign service [16]; availing themselves of the opportunity afforded by the Salyes, a tribe of Transalpine Gaul, who had attacked the dominions of the city of Marseilles, an ally of the republic. But the hopes which his proposed measures had excited in the minds of the Italians could not be at once forgotten; and some among them were disposed to assert their claims by force, without depending on their friends at Rome. The people of Fregellæ are mentioned as having revolted from the Romans; and Cicero goes so far as to speak of the "war with Fregellæ [17]." But the war which a single city could maintain against the Roman empire could not have been very serious. Fregellæ was betrayed by one of its citizens [18], and the prætor, L. Opimius, who was employed on this occasion, after having killed so many of the inhabitants as to encourage him to claim a triumph [19], received the submission of the survivors [20], and razed their city to the ground.

U.C. 629. First tribuneship and character of C. Gracchus.

It was late in the succeeding year, when C. Grac-

[15] Valerius Maximus, IX. 5.
[16] Appian, de Bell. Civil. I. 34. Livy, Epitom. LX.
[17] De Lege Agrariâ, II. 33.
[18] Cicero, de Finibus, V. 22.
[19] Valerius Maximus, II. 8.
[20] Livy, Epitom. LX.

CHAP. III.

From U.C. 621, B.C. 133, to U.C. 633, B.C. 121.

chus, after an absence of about two years, returned from Sardinia without the permission of his general, intending at the ensuing elections to offer himself as a candidate for the tribuneship[21]. His conduct in thus leaving his province was complained of, and was noticed by the censors; but he defended himself successfully both on this and on other occasions, when he was accused of having been concerned in the revolt of Fregellæ. He obtained also the office of tribune which he desired, but was so vigorously opposed by the senatorian party, that he could only obtain the fourth place in the list. He was now about thirty years of age, and possessed all the qualifications requisite in a popular leader. His eloquence was of a very high order[22], at once sensible and commanding; his education[23] had begun early under the care of his mother Cornelia, and exceeded that of most of his contemporaries; his activity and diligence were great, and the fate of his brother, as well as the circumstances of his early political life, marked him out as a determined enemy of the senate and partisan of the popular cause. Accordingly his tribuneship was marked by a succession of acts, all prompted evidently by party views, and which appear to have originated far less in honest feelings of compassion for the sufferings of the poor, than the laws of his brother Tiberius. The truth is, that there were now two parties in the state more dis-

[21] Plutarch, in C. Graccho, 2.
[22] Cicero, de Claris Orator. 33. 58.
[23] Cicero, de Claris Orator. 33. 58.

CHAP. III.

From U.C. 621, B.C. 133, to U.C. 633, B.C. 121. Sketch of the authorities for this part of Roman history.

tinctly formed; and men under such circumstances are too apt to believe that the good of their country can only be promoted through the medium of the ascendency of their party.

In the accounts which we are now to give of the measures pursued by C. Gracchus, the want of a good contemporary historian whom we may follow with confidence will be severely felt. And here it may not be improper, once for all, to acquaint the English reader with the nature of those materials from which our knowledge of this part of Roman history is derived; for this is not made sufficiently clear by the generality of modern compilers, and their narrative proceeds with as little hesitation as if they were copying from the fullest and most respectable authorities. The most detailed account of the times with which we are now engaged, is to be found in Plutarch's Life of Caius Gracchus. Now from whom Plutarch chiefly copied he does not inform us; and neither his knowledge of the Roman laws and forms, nor his general accuracy, nor even his object in writing, are such as to render him a valuable guide in stating the provisions of particular statutes with exactness, or the order in which they were proposed. Appian, who has written more briefly, is equally silent as to the authorities for his history, and quotes the enactments of the different laws too vaguely. It is to be observed, that he relates several facts in a different order from that followed by Plutarch. We should remember, then, that the writers whom we must chiefly consult were two

foreigners, who lived more than two hundred years later than the period for which we refer to them, in whose times a totally new order of things had succeeded to the old government, and who appear to have had a very superficial knowledge of the laws and constitution of the republic. In addition to Plutarch and Appian, we have the sketch of Roman history drawn by Velleius Paterculus, in which the acts of Gracchus are enumerated all together without any detail of circumstances: we have the epitomes of the lost books of Livy, which are also a mere sketch, and compiled by an uncertain author, and we have the meagre outlines of the life of Gracchus given by Florus and Aurelius Victor. When these writers differ from one another, we know not to whose statements we ought most to listen, unless the point be determined incidentally by some allusion to it in an earlier writer; or unless we venture to decide by internal probability. The voluminous works of Cicero do indeed often throw light on the affairs of the times preceding his own; and his legal and constitutional knowledge make his authority highly valuable. But it is easy to understand how very insufficient such scattered fragments of information must be towards giving a full and connected history of any transaction. We proceed then, but with hesitation and doubt, to offer the best account in our power of a period which well deserves to have been commemorated by able and more careful historians.

According to Plutarch, C. Gracchus commenced U.C. 630.

CHAP. III.

From U.C. 621, B.C. 133, to U.C. 633, B.C. 121. Laws of C. Gracchus. Leges Sempronia.

his career as tribune by inflammatory addresses to the people, in which he bewailed continually the fate of his brother, and painted the iniquity of his murder. He then brought forward two laws, the one to disqualify any magistrate who had been deprived of his office by the people from being afterwards appointed to any other post of authority: the other making it a crime cognizable by the popular assembly, if any magistrate banished a Roman citizen without trial. The former of these was merely a fresh mark of the hatred of the popular leaders towards M. Octavius, who had been degraded from the tribuneship, as has been already mentioned, for his opposition to the agrarian law when first proposed by Tiberius Gracchus; and the unworthy feelings in which the measure originated were so evident, that C. Gracchus himself was persuaded by his mother to procure its rejection. The second law was particularly directed against P. Popilius, who, as we have seen, had during his consulship exercised the vengeance of the senate against several of the partisans of Tiberius Gracchus. Popilius, fearful of being brought to trial, withdrew from Rome; and Gracchus then carried a law[24], by which he was forbidden the use of fire and water in Italy, the usual form of passing a sentence of banishment. After these preparatory acts, intended perhaps to intimidate the friends of the aristocracy, Gracchus brought forward such measures as, by gratifying the common people,

[24] Cicero, pro Domo suâ, 31.

CHAP. III.

From U.C. 621. B.C. 133, to U.C. 633, B.C. 121.

were likely to bind them to support him in all his future proceedings. The agrarian law, passed during the tribuneship of his brother Tiberius, was again confirmed[25], and some provisions were probably made to ensure its execution. By another law it was ordered[26] that the soldiers should be provided with clothing without deducting from their pay the money thus expended; and that no one should enlist under seventeen years of age. A third enacted, that corn should be distributed monthly to the people[27], at the price of five-sixths of an as for the modius or peck; which would make the value of the quarter nearly one shilling and eightpence of our money. What quantity was thus to be given to every citizen, we have not been able to find; but whether it were much or little, the injustice and impracticability of this Roman poor-law are equally striking; for its operation would in the end have fed the Roman people at the expense of the subject provinces, and by discouraging industry and encouraging population would have filled Rome with a mere multitude of idle paupers, incapable of government, and so completely worthless, that the rest of the world would not long have endured their dominion or their existence. This law was warmly opposed by the aristocratical party, and amongst the rest by L. Calpurnius Piso[28], who had been consul during the year in which Tiberius Gracchus was killed. It

Corn law. Lex frumentaria.

[25] Livy, Epitom. LX. Plutarch, in C. Graccho, 5.
[26] Plutarch, in C. Graccho, 5.
[27] Appian, de Bell. Civil. I. 21. Livy, Epitom. LX.
[28] Cicero, Tusculan. Disputat. III. 20.

CHAP. III.

From U.C. 621, B.C. 133, to U.C. 633, B.C. 121.

passed, however, in spite of their opposition, and soon after Piso was seen amongst the crowd of poor citizens, who came to receive their portion of corn. Gracchus observing him, charged him with inconsistency for taking the benefit of a law which he had so strongly opposed; to which Piso replied, "I should very much object to your giving away my property amongst the people; but if you were to do it, I should certainly try to get my share of it." In addition to all these acts, another was attempted to be passed to gratify the Italians[29], by granting them the right of voting in the assemblies at Rome, but without communicating to them the other privileges of Roman citizenship. But the most formidable attack upon the senate still remained to be made: the judges who sat with the prætors for the ordinary trial of criminal causes, had hitherto consisted of senators alone[30]; and in the strong party feeling which bound the members of the different orders of the republic to the support of each other, a senator when tried by senators was likely to meet with more favour than justice. This was particularly the case when officers of high rank were tried for corruption or misconduct in the provinces: and instances of partiality had lately occurred in the acquittal of L. Aurelius Cotta and Marcius Aquilius, the former of whom had been accused by P. Scipio Æmilianus[31], and had been brought before the court eight succes-

Law concerning the judicial power.

[29] Plutarch, in C. Graccho, 5. Appian, 23.

[30] Appian, 22. Velleius Paterculus, II. 6.

[31] Cicero, Divinatio in Cæcil. 21. Valerius Maximus, VIII. 1.

sive times; and the latter may be well judged capable of any crime, since he has been already mentioned as guilty of poisoning the wells, when engaged in the war against Aristonicus in Asia. The odium excited by these cases favoured the wishes of Gracchus, and he succeeded in introducing a most important change in the constitution, by transferring the judicial power from the senate to the equestrian order, either by ordering that the judges should henceforth be appointed solely from the latter, or, as the account of Livy's Epitomizer leads us to suppose, by providing, that for every senator among the judges there should be henceforth named in addition two equites or knights, thus giving a decided majority to their order. Plutarch here gives us an instance of his ignorance respecting the simplest facts in the history of the Roman constitution. For he tells us, that whereas there were before three hundred judges, all senators, by the law of Gracchus three hundred from the equestrian orders were added to them, so that the influence of the two orders in judicial proceedings was henceforward equal. He confounds the Sempronian law with the laws of Plotius and Lirius, which were passed on purpose to alter its provisions. Of the effects of this alteration it is difficult to judge: Appian asserts that the judges of the equestrian order soon became as corrupt as the senators[32], and were as unjustly severe towards all senators who were tried before

[32] Appian, I. 22.

CHAP. III.

From U.C. 621, B.C. 133, to U.C. 633, B.C. 121.

them, as the former judges had been unduly partial. Whereas Cicero declares[33], that during the whole period of nearly fifty years in which the law of Gracchus continued in force, there had never arisen even the slightest suspicion of any of the judges having received a bribe. It should be remembered, however, that this is said in the course of his pleadings as an advocate; and on such occasions the greatest allowance must be made for the wide deviations from truth continually practised by the orators of both Greece and Rome.

Gracchus promotes many public works.

These popular acts raised Gracchus to a height of influence and consideration among the people such as rendered him almost absolute. To increase the number of his dependents at the same time that he was throwing lustre upon his administration, he brought in several laws for making roads[34], constructing bridges, erecting storehouses for the corn that was to be distributed among the people, and executing various other works of ornament and utility. As Gracchus, from his present popularity, enjoyed the power of appointing the persons who were to be employed in these undertakings, he was constantly surrounded by a crowd of contractors, artificers, engineers, public officers, men of science, and workmen of various descriptions, all courting his patronage, soliciting his judgment on their several proposals, and ready to support him meanwhile in all his enterprises. The activity of his mind, and the

[33] Cicero, in Verrem, actio prima, 13.

[34] Plutarch, in C. Graccho, 6. Appian, I. 23.

CHAP. III.

From U.C. 621, B.C. 133, to U.C. 633, B.C. 121.

versatility of his talents, enabled him to enter into the views of all; the depth of a statesman's knowledge on scientific or common subjects is not very strictly scrutinized by those who are flattered with his attention in noticing them at all; and thus Gracchus obtained the character of a man of universal information, who could at once understand and feel interested in those humbler pursuits, which persons in high power and station are generally suspected of despising.

Second tribuneship of Gracchus.

The year was meanwhile drawing towards its close; and the law, as it now stood, prevented Gracchus from offering himself a second time as a candidate for the tribuneship. But it appears from Appian [35], that the force of this law was partly rendered null, by the people possessing the power of an unlimited choice, in case fewer than ten candidates should offer themselves. It happened on the present occasion that the requisite number of candidates did not come forward; the strong tide of popular feeling towards Gracchus deterring perhaps many from attempting to exclude him; and thus he was again elected, although his own mother, in a letter still extant [36], dissuaded him most forcibly from taking the office. His career continued to be the same as before: he now moved that colonies of poor

U.C. 631.

[35] Appian, I. 21. The words are these, τις ἤδη νόμος κεκύρωτο, Εἰ δήμαρχος ἐνδέοι ταῖς παραγγελίαις, τὸν δῆμον ἐκ πάντων ἐπιλέγεσθαι. We have no doubt that Schweighæuser in his note on this passage has given the true interpretation of it, which we have expressed in the text; but at the same time we are ignorant what law it is that Appian alludes to, or at what period it was enacted.

[36] Vid. Epistolas Corneliæ, apud Fragmenta Cornelii Nepotis.

CHAP. III.

From U.C. 621, B.C. 133, to U.C. 633, B.C. 121.

Roman citizens should be planted in several parts of Italy[37], and that the Latins should be admitted to all the civil rights of Roman citizenship. Finding it hopeless to oppose him in a direct manner, the senate engaged Livius Drusus, another of the tribunes, to bring in measures still more popular under the sanction of the aristocracy, hoping thus to rival the credit of Gracchus, and to conciliate the affections of the multitude to themselves. Drusus proposed to send out no fewer than twelve colonies, a number much exceeding that mentioned by Gracchus; and the colonists were to be exempted from the rent usually paid by them to the treasury for the lands assigned to them[38]. This liberality, which Drusus ascribed entirely to the concern felt by the senate for the welfare of the common people, so far won the gratitude of the multitude, that he ventured boldly to interpose his negative on the other measure brought forward by Gracchus, respecting the grant of citizenship to the Latins[39]. Besides, Drusus carefully avoided assigning to himself any

[37] Appian, I. 23. Plutarch, in C. Graccho, 8. Paterculus, II. 6.

[38] Plutarch, in C. Graccho, 9.

[39] Appian, de Bell. Civil. I. 23. One concession, however, of considerable importance was made to the Latins by a law of Drusus, to which the senate gave their support; and which enacted that the Latins, when serving in the Roman army, should be exempted from flogging on ordinary occasions. So says Plutarch, in C. Graccho, 9. We have added the words "on ordinary occasions," because otherwise the statement is untrue; for it appears from Sallust, that Metellus ordered one of his officers to be scourged and put to death, which he might do "because," says Sallust, "the man was a citizen of Latium." Vid. Sallust, Bell. Jugurth. 69. But we are by no means clear that Plutarch has not again mistaken a law passed by another Livius Drusus, U.C. 662, for one passed by his namesake, the opponent of Gracchus.

office in the new colonies, and kept himself clear from any suspicion of desiring places of patronage or emolument; thus offering his own conduct as a strong contrast to that of Gracchus, who had taken so large a part in the direction of all the public works executed in compliance with his laws. Thus the credit of Gracchus was somewhat lessened; and to prevent him from regaining his influence by popular speeches, or by any new popular laws, the senate contrived to procure his nomination as one of the commissioners for planting a colony in Africa, near the site of Carthage; for in the present emulation among the tribunes, which should go farthest in gratifying the people, one of them, named Rubrius [40], had carried a law, by which this new addition was made to the number of colonies already to be founded under the acts of Gracchus and Drusus. During the absence of Gracchus, his opponents were enabled, as they had hoped, to supersede him more and more in the affections of the people; and they found also a way to attack his measures, by representing it as impious to build again the walls of Carthage, which Scipio had solemnly devoted to perpetual desolation. It was reported also, that several supernatual accidents had delayed the progress of the work; and on these grounds, the party of the senate having gained a zealous and active leader in L. Opimius, the new consul, U.C. 632. determined to propose to the people, That the law of Rubrius for planting a colony on the site of Carthage

[40] Plutarch, in C. Graccho, 10.

CHAP. III.

From U.C. 621, B.C. 133, to U.C. 633, B.C. 121.

should be repealed [41]. Gracchus had returned to Rome some little time before; and the year of his tribuneship having expired, he was reduced to the condition of a private citizen. What course his own inclinations might have led him to follow, is doubtful; but unfortunately for himself, he chose to associate himself to the counsels of M. Fulvius Flaccus, one of the commissioners for the execution of the agrarian law, and a man whose character was respected by no party in the republic. The reputation of Gracchus had already suffered from his connexion with Fulvius; and now he took part with him in designs which can be considered as nothing less than treasonable. Charging the senate with spreading false reports in order to alarm the religious scruples of the people, the two popular leaders assembled a numerous body of their partisans armed with daggers; and being thus prepared for violence they proceeded to the capitol, where the people were to meet in order to decide on the repeal of the law of Rubrius. Here [42], before the business of the day was yet begun, a private citizen, who happened to be engaged in offering a sacrifice, was murdered by the partisans of Fulvius and Gracchus, for some words or gestures which they considered as insulting. This outrage excited a general alarm; the assembly broke up in consternation; and the popular leaders, after trying in vain to gain a hearing from the people, while they disclaimed the violence

Cabals of Gracchus with Fulvius Flaccus.

[41] Appian, I. 24.
[42] Appian, 25. Plutarch, in C. Graccho, 13.

committed by their followers, had no other course left than to withdraw to their own houses. There they concerted plans of resistance, which, however they might believe them to be justified on the plea of self-defence, were justly considered by the bulk of the people as an open rebellion against the government of their country. The consul [43], exaggerating, perhaps, the alarm which he felt from the late outrage, hastily summoned the senate together; the body of the murdered man was exposed to the view of the people, and the capitol was secured by break of day with an armed force. The senate being informed by Opimius of the state of affairs, proceeded to invest him with absolute power to act in defence of the Commonwealth, in the usual form of a resolution, "That the consul should provide for the safety of the republic." At the same time, Gracchus and Fulvius were summoned to appear before the senate, to answer for the murder laid to their charge. Instead of obeying, they occupied the Aventine hill with a body of their partisans in arms, and invited the slaves to join them, promising them their liberty. They sent the son of Fulvius, a youth under eighteen years of age, to the consul with proposals of negotiation; but were answered, that they must first lay down their arms; and till they did so, the senate would hold no intercourse with them. The son of Fulvius, however, was sent back once more, in the hope of better success; but Opimius arrested him,

[43] Appian, 25. Plutarch, 14.

CHAP. III.

From U.C. 621, B.C. 133, to U.C. 633, B.C. 121.

as having come in defiance of the declaration of the senate, and then without further delay proceeded to attack the rebels. He was followed by the senators and the members of the equestrian order, who, with their dependents, had armed themselves by his order; and he had also with him a body of regular soldiers, amongst whom some Cretan archers are particularly noticed [44]. In the mean time, the behaviour of Gracchus was that of a man irresolute in the course which he pursued, and with too much regard for his country to engage heartily in the criminal attempt into which he had suffered himself to be drawn. He had left his house, it is said [45], in his ordinary dress; he had been urgent with Fulvius to propose terms of accommodation to the senate; and now when the Aventine was attacked, he took personally no part in the action. The contest, indeed, was soon over; the rebels were presently dispersed; Fulvius was dragged from the place to which he had fled for refuge, and was put to death; while Gracchus, finding himself closely pursued, fled across the Tiber, and taking shelter in a grove sacred to the Furies, was killed at his own desire, by a single servant who had accompanied his flight. His head, together with that of Fulvius, was cut off and carried to the consul, in order to obtain the price which had been set upon both by a proclamation issued at the beginning of the engagement; and the bodies, as well as those of all who perished on the

[44] Plutarch, in C. Graccho, 16. [45] Plutarch, in C. Graccho, 15.

same side, were thrown into the river. In addition to this, the houses of Gracchus and Fulvius were given up to plunder, their property was confiscated, and even the wife of Gracchus was deprived of her own jointure. But a yet more atrocious cruelty disgraced the victorious party; for Opimius ordered the son of Fulvius [46], whom he had detained in custody, to be put to death; an act of party vengeance as unjust as it was inhuman. It is said that in this sedition there perished altogether of the partisans of the popular leaders about 3000, partly in the action, and partly by summary executions afterwards, under the consul's orders.

The career of the two Gracchi was in many respects so similar, and the circumstances of their deaths bore so much resemblance to each other, that it is not wonderful that historians should have comprehended both the brothers under one common judgment, and have pronounced in common their acquittal or their condemnation. But the conduct of Caius admits of far less excuse than that of Tiberius; and his death was the deserved punishment of rebellion, while that of his brother was an unjustifiable murder. It is true, the aristocratical party were likely to overturn all the measures which he had carried in his two tribuneships; but the ascendency which they had suddenly gained, was the fruit of no illegal acts or violence; it arose simply out of the natural revolutions of popular feeling, and

[46] Velleius Paterculus, II. 6. Appian, 26. Plutarch, 17.

CHAP. III.

From U.C. 621, B.C. 133, to U.C. 633, B.C. 121.

from the conciliatory laws which the senate had of late been forward to encourage. If the popular assembly was disposed to take part with the consul Opimius; if not even a single tribune could be found to interpose his negative against the proposed repeal of the law of Rubrius; by what pretence of right could Gracchus and Fulvius appear in the capitol at the head of an armed body of partisans? and still more, when a murder had been committed by some of their friends, and they were called before the supreme council of the state to answer for their violence, by what right could two private citizens defy the authority of their government, and take up a military position with an armed force in the heart of the capital to maintain their disobedience? Under such circumstances, although there is much in the character of Gracchus to awaken compassion for his fate, he yet only paid the just penalty for conduct which was treasonable in fact, and which on the most favourable construction of his motives, was criminally rash and intemperate. Still, however, the triumph of the senate was more that of an enraged party than of a firm and impartial government: the execution of the son of Fulvius was an act of gratuitous cruelty; and the severities exercised after the sedition was over, were conducted without any forms of law, and had no other limit than the inclination of the aristocratical leaders. So bad, indeed, was the constitution of Rome, that the laws for the punishment of state criminals were uncertain and inadequate; and neces-

sity was thus supposed to allow the correction of an evil by summary and illegal means, because the legal means could not always be depended upon. It may be safely pronounced, that there is no surer criterion of an ill-framed and barbarian government, than the admission of irregular acts of violence by any party on the plea of the public safety.

The laws of the Gracchi are mostly eluded or repealed.

It is an important inquiry, to find what effect was permanently produced on the condition of the poor by the laws of the two Gracchi; or how long any of their measures were allowed to survive their authors. The agrarian law of Tiberius Gracchus was indirectly subverted by a law which permitted the poor to sell the shares of land allotted to them[47]; and which thus exposed them to the temptations of the high prices which the rich could afford to offer them, or of the various vexations by which a powerful neighbour might drive them to give up the land he coveted. But who was the proposer of this law, or at what precise period it passed, we have no information; we can only suppose that it was carried soon after the death of C. Gracchus, when the power of the aristocracy was likely to be most predominant. By two subsequent laws[48] the state of property was restored nearly to what it was before Tiberius Gracchus commenced his career; the first, forbidding any farther division of lands, and securing the actual possessors in the enjoyment of the estates which they held, but transferring the rent which

[47] Appian, de Bell. Civil. I. 27. [48] Appian, loco citato.

CHAP. III.

From U.C. 621, B.C. 133, to U.C. 633, B.C. 121.

they had been accustomed to pay to the treasury, and ordering that it should henceforth be distributed among the poorer citizens; the second, reversing this last provision, and depriving the poor of all share either in the property or income of the national lands. There is great difficulty in settling the precise date of these two laws; but we may suppose them to have been carried before the year of Rome 649, when a new agrarian law[49] was proposed, but soon given up, by L. Marcius Philippus, at which time he asserted, in one of his speeches, that there were not two thousand individuals in the Commonwealth who were worth any property. The duration of the act of C. Gracchus for the distribution of corn appears to have been much longer, though it is hardly possible to conceive that it was always fully executed. It was repealed by M. Octavius[50], and, as far as can be made out from the scanty information remaining to us, the repeal took place about the year of Rome 678[51], the new law still providing that some

[49] Cicero, de Officiis, II. 21.

[50] Cicero, de Claris Oratoribus, 60.

[51] Vide Macri Licinii Oration. apud Fragm. Sallust. However, whether the law alluded to in that speech be the Octavian law or not, is certainly a mere matter of conjecture. But Ferguson must be wrong in fixing the Octavian law in the year immediately following the death of Gracchus; for Cicero expressly ranks Octavius with Cotta, Sulpicius, Curio, and others, who flourished after the sedition of Saturninus, U.C. 653, and continued to be distinguished as orators down to a much later period. In Plutarch's "Life of Marius," it is said that Marius, when tribune, U.C. 634, opposed with success a law for the distribution of corn among the people. But Plutarch is so little to be trusted for accuracy in such matters, that nothing can be concluded from his statement. Possibly the attempt which Marius resisted was one to confirm and enforce the corn law of C. Gracchus; in the same manner as Gracchus had brought in a law to confirm and

support should be given to the poor at the public expense, but reducing it to a much smaller amount. But it is probable that the law of Gracchus had long ere this become obsolete, and that the act of Octavius, although far less liberal in its grants, was welcomed as a popular measure, inasmuch as it substituted an actual distribution of corn for one which had been long since abandoned as impracticable. In short, it appears that the reforms proposed by the Gracchi were in the issue most injurious to the interests of the common people, for we are told that [52] for some years after the death of C. Gracchus, the oppression and corruption of the aristocracy prevailed to a greater extent than ever, insomuch that the liberties of the people were well-nigh extinguished; and allowing something for the prejudices of the writer from whom this statement is taken, it is yet too consonant to the usual revolutions of parties to be in the main rejected.

enforce the agrarian law of his brother Tiberius, although it had never been repealed since its enactment.

[52] Oratio C. Memmii, apud Sallust. Bell. Jugurth. 31.

CHAPTER IV.

SKETCH OF THE INTERNAL STATE OF ROME FROM THE DEATH OF CAIUS GRACCHUS TO THE COMMENCEMENT OF THE SOCIAL WAR.—FROM U.C. 633, B.C. 121, TO U.C. 662, B.C. 92.

CHAP. IV.

From U.C. 633, B.C. 121, to U.C. 662, B.C. 92. The senate enjoy a complete ascendency.

THE ascendency acquired by the party of the senate after the death of C. Gracchus, is marked by a striking fact. C. Papirius Carbo, one of the commissioners under the agrarian law, and formerly so distinguished as a popular leader, deserted his former friends, and was chosen one of the consuls for the ensuing year. During his consulship he undertook the defence of his predecessor in office, L. Opimius, who was impeached by one of the tribunes[1] for punishing citizens in the late tumults in an illegal manner. The trial came on before the people, and Carbo, in the defence of his client, maintained that the resolution of the senate by which the consul had been charged to provide for the safety of the republic[2], fully justified him in dispensing with all the usual forms of law. And this dispensing power in the senate was so far recognized by the assembly,

[1] Livy, Epitome, LXI.

[2] Cicero, de Oratore, II. 30, 31.

either from conviction or fear, that Opimius was acquitted. Carbo, however [3], was accused soon afterwards by L. Crassus, then a very young man, and was charged by him with insincerity in defending Opimius, while the manner in which he had constantly lamented the fate of Tiberius Gracchus, the pernicious laws which he had brought forward in his tribuneship, and above all his share in the murder of Scipio, sufficiently demonstrated his real principles. For what particular crime he was accused we cannot discover; but he was condemned, and destroyed himself in order to escape sentence. It is remarkable also that Crassus might venture to charge him with the murder of Scipio, although no inquiry had ever been instituted respecting that event, nor was it ever proved that Scipio was murdered at all.

Character of the Roman nobility at this period.

During the few years which elapsed between the death of C. Gracchus and the war with Jugurtha, the Roman nobility appear to have been plunged in a state of extreme corruption. The government of the empire was in their hands, and there were no circumstances of peculiar difficulty to render great public virtues necessary, or to tempt ambitious men in the hope of distinguishing themselves to relinquish the pursuit of selfish enjoyments. Commands in the provinces were sought for as a means of acquiring wealth, either by direct extortion and oppression, or by provoking a war with some neighbouring tribe of barbarians, and acquiring plunder and spoil

[3] Cicero, de Oratore, II. 40.

CHAP. IV.

From U.C. 633, B.C. 121, to U.C. 662, B.C. 92.

together with some military renown. At home the rich nobles stood aloof from the bulk of their countrymen, being separated from them by the immense disparity of their fortunes; and having little occasion for their services, while their own numerous slaves supplied them with labourers, tradesmen, stewards, agents, nay even with instructors for their children. In such a state of things it mattered little that the people, as a body, could exercise the most absolute power, and sometimes could enact laws which were very injurious to the interests of the rich. Their force when united was but a poor compensation for their individual weakness; and many a member of the sovereign assembly, when he had left the forum, and became no more than a single poor citizen, was treated by the rich with a pride and oppression from which the humblest labourer in England is secure. The causes of this are to be found in the want of a graduated scale of society, and of an enlightened public opinion. The different parts of the commonwealth were too distinct and too dissimilar to blend together; and too many of the intermediate links in the chain were wanting. And there being thus nothing to answer to that which is with us so emphatically called "the public," public opinion could scarcely exist; and at a distance from the capital it had no means of making itself heard, nor of gaining the information by which alone it can itself be formed. This, it will be observed, is exactly the state of society fitted to breed violent revolutions. A people smarting under individual degradation,

CHAP. IV.

From U.C. 633. B.C. 121, to U.C. 662, B.C. 92.

ignorant of the true means of delivering themselves from it, and possessing as a body the most sovereign power, were likely, when roused by some active leader, to exert their strength in blind and furious acts of vengeance. An aristocracy, on the other hand, equally ignorant of the real evils of the existing order of things, and seeing nothing but the dangerous violence of the tribunitian seditions, were anxious to keep the people quiet, sometimes by bribes, sometimes by flattery, and sometimes by coercion, that so they might preserve their own ascendency, and maintain the actual constitution of the republic. Selfishness on both sides, an habitual familiarity with bloodshed, and a general absence of a pure morality with sufficient sanctions, easily gave to the civil wars that ensued, that character of ferocity and rapacity which marks them so peculiarly.

The popular party begin to recover their strength. U.C. 642. U.C. 643.

The indifference shown by the nobility towards the crimes of Jugurtha, an indifference ascribed by the people to the effect of his bribes, first interrupted that ascendency which the aristocratical party had enjoyed since the death of Gracchus. An active tribune[1], C. Memmius, availed himself of the favourable opportunity; the people, roused by his invectives against the corruption of the nobility, began to re-assume their share in the management of affairs; their voice forced the senate to declare war against Jugurtha; and the misconduct of the generals em-

[1] Sallust, Bell. Jugurth. 27. 30, 31.

CHAP. IV.

From U.C. 633, B.C. 121, to U.C. 662, B.C. 92.

ployed in the first campaigns, giving additional strength to their complaints of corruption, a formidable court of inquiry consisting of three members was instituted [5], with a general commission to investigate all cases of public delinquency. The inquisitors conducted themselves with the utmost rigour; and five persons of the highest rank [6], amongst whom was L. Opimius, were on this occasion found guilty of corrupt practices, and were either condemned to pay heavy fines or were banished [7]. Soon after, Q. Cæcilius Metellus, a man of spotless reputation, was appointed to take the command in Africa; and by his ability, and that of his successor, C. Marius, the war with Jugurtha, as has been mentioned in a former part of this work, was brought to a triumphant end.

arius anges the aracter of e army.

But we must not omit to notice here a memorable change introduced by Marius, when consul, in the constitution of the Roman army. Hitherto the old aristocratical principle, so universal among the commonwealths of Greece, had been carefully observed; and none were admitted to serve in the regular infantry of the legions, except they possessed a certain amount of property [8]: the poorest citizens, unless under circumstances of urgent necessity, were only employed in the naval service. But Marius [9], when raising soldiers to accompany him into Africa,

[5] Sallust, Bell. Jugurth. 40.

[6] Cicero, de Claris Oratoribus, 34.

[7] Opimius was banished, as appears from Cicero, in Pisonem, 40.

[8] Polybius, VI. 19.

[9] Sallust, Bell. Jugurth. 86.

disregarded the usual practice altogether, and enlisted into the legions citizens of the lowest and most indigent classes of society. His motives for this unprecedented measure are variously stated; but it may be most probably imputed to a mingled feeling of personal ambition, and of hatred towards all those who were any way distinguished for birth or fortune. Himself sprung from the lowest of the people, and having forced his way to the high station which he filled, amidst the scorn and aversion of the nobility, it was his delight to be the consul of the populace; and as he had risen by their favour, to show that he cared for the support of no order in the state besides. He knew, moreover, that an army formed out of those who have no property to lose, becomes the ready instrument of its general's ambition, and easily transfers to him the duty and affection which it owes to its country and its government. Marius stands conspicuous among those who have risen to greatness by favouring the envy and hatred of the dregs of the community towards all above them, and who have purchased the forgiveness of the multitude for their crimes and their tyranny, because every thing most noble, most exalted, and most sacred, has been especially the object of their persecution.

U.C. 647. Q. Cæpio alters the law of Gracchus concerning the judicial power.

About the end of the Jugurthine war, Q. Servilius Cæpio, being then consul [10], procured an alteration of that law of C. Gracchus, which had committed the

[10] Cicero, de Claris Oratoribus, 43. De Oratore, II. 49. Cassiodorus, Chronicon.

CHAP. IV.

From U.C. 633, B.C. 121, to U.C. 662, B.C. 92.

whole judicial power to the equestrian order. By the new law, the judges were to be chosen jointly from the senate and the knights. The character of Cæpio seems to render it probable, that the tribunals, as at that time constituted, were very strict in the punishment of corrupt and oppressive magistrates; and that he wished, by restoring a share of the judicial authority to the senate, to secure a greater chance of impunity for such offenders. At least, it is remarkable, that during his command in Gaul[11], where he was stationed to oppose the expected invasion of the Cimbri, he committed a robbery of the sacred treasure belonging to a temple at Thoulouse, which was held by the inhabitants in particular

U.C. 648.

veneration. Nor was his ability as a general greater than his integrity; for he was accounted the principal cause of the bloody defeat sustained by the Romans in the following year, when the united armies of himself and his successor in the consulship, Cn. Mallius, were overthrown by the Cimbri, with the loss of 80,000 men. The popular cry was loud against him, and he was accused some time afterwards, by C. Norbanus, one of the tribunes[12]; but the aristocratical party made a strong effort to save him, and his condemnation was only procured by actual violence. It appears that his trial was attended by a furious riot, in which M. Æmilius Scaurus, the first on the roll of the senate, was wounded by a stone; and two of the tribunes, who

[11] Strabo, IV. 204. Edit. Xyland.

[12] Cicero, de Oratore, II. 49.

CHAP. IV.

From U.C. 633, B.C. 121, to U.C. 662. B.C. 92.

were preparing to interpose their negative on the proceedings of the judges, were driven by the populace from the court. In this manner Cæpio was condemned and banished; and it is said, that his sentence was accompanied by the unusual disgrace of having his property confiscated, by order of the people [13].

Career of L. Appuleius Saturninus.

The war with the Cimbri and the other northern tribes was not yet finished, when the most profligate of demagogues, L. Appuleius Saturninus, made himself for the first time conspicuous. His animosity to the senate is attributed by Cicero to a personal slight which he received when he was quæstor [14], for at a period of scarcity, the charge of superintending the supply of the markets was taken away from him, and given to M. Æmilius Scaurus, one of the most distinguished of the nobility. He had been one of the tribunes for the year of Rome 650, and in the following year, Q. Metellus [15], who was then censor, noticed him for the infamy of his general life, and would have degraded him from his rank by virtue of his censorial power, if his colleague in the censorship had not refused to concur with him in the sentence. In the year next succeeding, when Marius was in his fifth consulship, Saturninus declared himself a second time candidate for the tribuneship; but finding himself rejected, he waylaid one of the successful candidates, A. Nonnius, on his way home from the place of election, drove him into an adjoin-

[13] Livy, Epitome, 67.
[14] Cicero, pro Sextio, 17.
[15] Appian, de Bell. Civil. I. 28.

CHAP. IV.

From U.C. 633, B.C. 121, to U.C. 662, B.C. 92.

ing tavern, and there, by the aid of an armed rabble, murdered him. His partisans, availing themselves of the general consternation, assembled early the following morning, and elected him tribune without opposition; and such was the state of things at Rome, that this mockery of all law was submitted to, and Saturninus was recognized in the character which he had usurped by murder. He was not, however, without associates; they were C. Servilius Glaucia, who was at this time one of the prætors, and C. Marius, who, still unsatisfied with the honours he had gained, was now aspiring to a sixth consulship, and was glad to acquire the support of a man so popular with the multitude as Saturninus. It is said, that Marius gained his election as little from the unbiassed choice of the people as his friend Appuleius had done[16]; but that bribery was unscrupulously used, and that his old soldiers at the same time were introduced into the city, to overawe by their tumults the decisions of the comitia. In this manner the cause of the factious and worthless part of the people obtained an unusual triumph, and might well anticipate the gratification of its wildest hopes, when Rome beheld at the same moment C. Marius a consul, C. Servilius Glaucia a prætor, and L. Appuleius Saturninus a tribune of the commons.

U.C. 653. His tribuneship and policy.

The proceedings of the following year seem hardly consistent with the faintest shadow of regular go-

[16] Plutarch, in Mario, 28.

vernment; for both parties in turn had recourse, without hesitation, to measures of open violence. But we may observe, that Saturninus did not tread in the steps of the Gracchi, nor was it the interest of the poor citizens of Rome that he professed to espouse. He seems to have adopted a policy yet more mischievous, and to have framed his laws for the enrichment of the needy soldiery who had served under Marius in his successive consulships, and who might easily be induced to raise their favourite general to the utmost height of his ambition. He proposed an agrarian law [17], for the division of certain districts in Gaul, which, having been overrun by the Cimbri, had after their defeat fallen into the hands of the Romans; and he added to the law a clause, by which the senators were bound to swear obedience to it, within five days after it should have passed the assembly of the people. But it was apprehended that the soldiers of Marius were likely to be the only gainers from the projected allotment of lands; and among these there was a large proportion of citizens of the allied states of Italy, and also of the agricultural labourers, a class of men which offered an excellent supply of hardy soldiers, and of which Marius had largely availed himself, enlisting, we are told [18], slaves as well as freemen. Many of these men had received from their general, admission to the rank of Roman citizens [19], for their gallant behaviour in the late war: for example, he

[17] Appian, de Bell. Civil. I. 29.
[18] Plutarch, in Mario, 9.
[19] Cicero, pro Balbo, 20.

CHAP. IV.

From U.C. 633, B.C. 121, to U.C. 662, B.C. 92.

had at one time conferred this reward on a thousand soldiers [20] of Camerinum and its district, and had defended himself, when charged with having acted illegally, by saying, that the din of arms had prevented him from hearing the still voice of the laws. So that the party of Marius and Saturninus consisted not so much of the citizens of the capital, as of a country and provincial interest: and in the disturbances that followed, the inhabitants of Rome espoused generally the side of the aristocracy, as feeling that the projects of the three associates were as little favourable to them as to the senate itself. On the other hand a multitude of citizens [21], or of men who hoped to become such, flocked in from the country to support the proposed laws of Saturninus; and as force seemed likely to be more employed than any legal methods, many came to Rome on this occasion, who, although they could not vote in a lawful assembly, were yet able to give their party a powerful support by clamour and violence. It was by these arms, indeed, that Saturninus triumphed. Baebius [22], one of his colleagues, who interposed his negative on the agrarian law, was driven from the place of meeting by showers of stones; and when some of the aristocratical party exclaimed, "that they heard thunder," a sound which, according to the custom of the Romans, should at once have broken up the assembly, Saturninus replied, "that it would hail presently, if they were not quiet." The people of

[20] Plutarch, in Mario, 28.
[21] Appian, I. 29.
[22] Auctor de Viris illustribus, in Vita Saturnini.

the city, incensed at this open violence, endeavoured to maintain their ground by force, but they were overpowered by the armed mob at the disposal of Saturninus; and being obliged to abandon the field, the law was passed amidst the shouts of the victorious party. Other laws in the same spirit were carried in the same manner: one, decreeing a division of lands in Africa to the veteran soldiers, and assigning a hundred jugera to each man; another, ordering that colonies should be planted in various parts of Sicily and Greece; and a third, appropriating the treasure plundered at Thoulouse, by Q. Cæpio, for the purchase of lands to be distributed amongst the poor. To these laws, as has been already mentioned, the senate was ordered to swear obedience within five days; a step concerted by Marius and his associates, to procure the destruction of Q. Metellus, whose undaunted integrity they knew would never allow him to consent to a measure which he deemed mischievous, or to submit to an usurped and unlawful authority. Saturninus and Glaucia hated him, because he had noticed them both when he was censor, for the infamy of their lives. Marius had been patronized by him and his family in early youth [23], and had since deprived him of the honour of finishing the war with Jugurtha by his intrigues and calumnies. A vile nature hates none so much as those from whom it has received kindness, and whose kindness it has recompensed

[23] Plutarch, in Mario, 4.

CHAP. IV.

From U.C. 633, B.C. 121, to U.C. 662, B.C. 92.

with injury; there was enough, therefore, besides the constant antipathy which evil bears to good, to make Marius the determined enemy of Metellus.

As soon as the law was passed, Marius[24], in his quality of consul, expressed his indignation against it in the senate, and declared that he would never submit to take the oath required. Metellus made a similar declaration, and the senate applauding their firmness, was prepared to offer an unanimous resistance to the oath. But on the evening of the fifth day, Marius hastily called the senate together, and told them that it was too dangerous openly to oppose the will of the people; he judged it expedient, therefore, to take the oath with a qualification, swearing to obey the law so far as it was lawful. They would thus pacify the people for the moment, and when the multitude of citizens from the country should have returned to their homes, it would be easy to show that the law had not passed legally, the assembly having continued to vote after thunder had been heard, and thus the obligation of the oath would be null and void. Confounded by this display of the consul's treachery at a moment when there was no time left to concert any new plan of proceeding, the senators listened to him in silence; and he, without giving them leisure to recover themselves, led them out instantly to the temple of Saturn, and there was himself amongst the first to take the oath. The rest of the senate followed his

[24] Appian, I. 30.

CHAP. IV.

From U.C. 633, B.C. 121, to U.C. 662, B.C. 92.

example, no man being willing to expose himself, as an individual, to the fury of the multitude, with the single exception of Metellus. With admirable firmness that excellent citizen resisted all the arguments and entreaties of his friends, and persisted in his refusal to swear, saying to those around him [25], "that a good man was distinguished by his adherence to what was right, in defiance of personal danger." On the following day Saturninus exhorted his followers [26], who now usurped the functions of the Roman people, to pass an act of banishment against Metellus, and to order that the consuls, by a public proclamation, should interdict him from the use of fire and water within the limits of Italy. The citizens of the capital wished to make another attempt on this occasion to shake off the tyranny under which they were labouring, and offered Metellus to oppose to the utmost the sentence that was to be proposed against him. But he, rightly judging it the duty of a good subject to submit peaceably to physical force, as much as it had been to refuse active obedience to an illegal command, declined their proffered assistance, and telling them "that he never would permit the safety of his country to be endangered on his account," withdrew quietly from Rome. The law of banishment passed without opposition, and Marius had the gratification to proclaim it, and to utter the usual prohibition of the use of fire and water.

Banishment of Q. Metellus.

It is mentioned that Saturninus, amongst his other

[25] Plutarch, in Mario, 29.

[26] Appian, I. 31.

CHAP. IV.

From U.C. 633, B.C. 121, to U.C. 662, B.C. 92.

laws[27], proposed also to confirm the corn law of C. Gracchus, by which corn was to be distributed monthly to the people at five-sixths of an as for the modius, or peck. This sufficiently shows that the law of Gracchus had tacitly become obsolete. Its renewal was resisted strongly by the aristocratical party, and some of the colleagues of Saturninus interposed their negative upon it. But he, disregarding all legal impediments, proceeded to put it to the vote, when Q. Servilius Cæpio, one of the quæstors, and son to the consul who had fallen a victim to the indignation of the people on account of his ill success against the Cimbri, made an attack upon the assembly at the head of a body of citizens attached to the senate, overthrew the balloting urns, dispersed the multitude, and prevented the passing of the law. So wretched was the condition of Rome, that those who called themselves the friends of order were driven to support the constitution by acts of illegal violence.

Another law, as is probable[28], was proposed and carried by C. Servilius Glaucia, to repeal the late act of the consul Q. Cæpio, and to restore the judi-

[27] Rhetorica, ad Herennium, I. 12.

[28] Cicero says in his treatise, De Claris Oratoribus, 61, that Glaucia had attached to himself the equestrian order by the law which he had carried in their favour; "Equestrem Ordinem beneficio Legis devinxerat." It is supposed that this law was a repeal of that lately passed, U.C. 647, by Q. Cæpio; because it appears from Cicero, de Oratore, II. 48, that the equestrian order were again in possession of the judicial power at the trial of C. Norbanus, which must have taken place within four or five years of the prætorship of Glaucia; and Livius Drusus, U.C. 662, attempted once more to give the senate a place among the judges, which in his time they did not enjoy.

cial power entirely to the equestrian order, according to the law of C. Gracchus. The knights were thus won over to favour the pretensions which Glaucia was now making to the consulship, and their support, together with that of the popular party, was likely to decide the election in his favour. Saturninus also intended to offer himself a third time as a candidate for the office of tribune; and together with himself he brought forward a man of the lowest rank, named Equitius [29], who professed to be a younger brother of Tiberius and C. Gracchus; and although his claim had been utterly rejected by the family, it yet won him some favour with the people, who regarded the name of Gracchus with great affection. When the elections came on, Saturninus and Equitius were chosen tribunes; but the hopes of Glaucia were in danger of being disappointed, for M. Antonius, so famous for his eloquence, easily obtained his nomination as one of the consuls, and C. Memmius was a formidable competitor for the place of the other. But Saturninus had committed so many outrages with impunity, that he seemed now to bid defiance to the laws; and an armed party, acting under his orders, assaulted and murdered Memmius in the midst of the election, and at once dispersed the people from the comitia in consternation at this new crime. But this last violence awakened the senate, and M. Æmilius Scaurus [30], the first on the roll of the senators, and the same person

Rebellion of Saturninus.

[29] Valerius Maximus, III. 8. Appian, I. 32.

[30] Auctor de Viris illustribus, in Vita M. Æmilii Scauri.

CHAP. IV.

From U.C. 633, B.C. 121, to U.C. 662, B.C. 92.

who twelve years before had moved that the consul Opimius should defend the republic against the party of Gracchus, now again persuaded the senate to commit the same authority to the consuls Marius and Valerius Flaccus, and to give them the usual solemn charge to provide for the safety of the Commonwealth. Alarmed at this resolution, Saturninus, Glaucia, Equitius, and a body of their followers in arms, seized the capitol, and declared themselves in open rebellion. Marius, their old associate, and still secretly their friend, could not however avoid acting upon the orders of the senate, and summoned every citizen to maintain the cause of the republic. All the tribunes[31], except Saturninus; all the prætors, except Glaucia; all the senators, all the equestrian order, and all the most respectable citizens in Rome, assembled at the consul's call, and formed a force so formidable, that Marius was reduced to the condition of an unwilling instrument in their hands, employed by them against a party with which in his heart he entirely sympathized. The rebels, however, resisted for some time, till Marius cut off the pipes by which the capitol was supplied with water[32], and thus obliged them to surrender. They submitted themselves to him with no great reluctance, relying on his known dispositions in their favour; and he, anxious to save their lives, promised them their safety[33] without the authority of the senate, and restraining the indignation of his followers, shut

[31] Cicero, pro Rabirio, Perd. 7.
[32] Cicero, pro Rabirio, Perd. 11.
[33] Cicero, pro Rabirio, Perd. 10.

From U.C. 633, B.C. 121. to U.C. 662, B.C. 92.

He and his partisans are put to death.

them up in the Curia Hostilia[34], the building originally appropriated for the meetings of the senate, under pretence of reserving them for an impartial trial hereafter. But the armed citizens under his command mistrusting the lenity of the consul, assaulted the place of their confinement, and mounting upon the roof of the building, they took off the tiling[35], and destroyed with missile weapons the whole of the defenceless prisoners below. It is almost peculiar to Roman history, that the vengeance finally inflicted even on so great a criminal as Saturninus, should more resemble a murder than a legal execution.

His memory is held in detestation.

The late popular leaders were by no means regretted by the people as the Gracchi had been, for not only was their conduct so desperate as to have disgusted all but the most profligate, but their measures, as has been observed, had been less immediately directed to the advantages of the citizens of Rome. It appears rather that Saturninus was generally regarded as an enemy to his country; and two remarkable instances of this feeling are recorded, which deserve to be noticed as illustrative of the arbitrary and violent spirit by which the administration of justice at Rome was characterised. C. Decianus[36], a man, it is said, of the utmost respectability, was accusing P. Furius, of whom more will be added presently, before the people. In the course of his speech he happened to complain of the manner in

[34] Velleius Paterculus, II. 12.
[35] Appian, I. 32.
[36] Cicero, pro Rabirio, Perd. 9. Valerius Maximus, VIII. 1.

CHAP. IV.

From U.C. 633, B.C. 121, to U.C. 662, B.C. 92.

which Saturninus had been put to death; and for this offence he not only lost his cause, although Furius was notoriously a man of most infamous life, but was himself brought to trial and condemned to banishment. Sex. Titus also was tried and condemned [37] for having a statue of Saturninus in his house. Now it is obvious that there could have been no law by which either of these acts was made a crime, and they were punished merely on the principle that a man might be found guilty for any thing which his judges chose to consider as criminal, whether it were an offence defined by law or not. The fate of Furius, who escaped, owing to the imprudent speech of his accuser, was, according to Appian [38], in itself sufficiently extraordinary. He was one of the tribunes for the year which followed the sixth consulship of Marius; and when, after the death of Saturninus, attempts were made to procure the recall of Metellus from banishment, he interposed his negative upon them all. The son of Metellus threw himself at his feet in vain before the assembled people, and with tears entreated him to relent. But the people felt so much indignation against Furius, that when he was accused before them for his resistance to their will, the multitude without waiting to hear his defence, fell upon him and tore him to pieces. This story, however, is only related by Appian, and does not seem altogether probable. So unusual a burst of popular fury is not

Recall of Q. Metellus.

[37] Cicero and Valerius Maximus, ubi suprà.

[38] De Bell. Civil. I. 33.

likely to have been excited by such a cause, when the lapse of some months must have effaced the impression at first produced by the sight of the treatment shown to the prayers of a son in behalf of his father. But here, as in so many other instances in Roman history, the want of good authority, and the imperfection of all existing reports of the times, render it impossible to attain to a knowledge of the truth.

About this time Marcus Aquilius, who commanded in Sicily as proconsul, concluded a bloody war which had long devastated that island. We speak of the insurrection of the slaves, to which we have before briefly alluded, and which may here deserve to be noticed somewhat more particularly.

Revolt of the slaves in Sicily.

The termination of the second Punic war had left the whole of Sicily in the quiet possession of the Romans. The inhabitants, when the immediate evils of the contest were over, were on the whole mildly treated. Some of them had indeed adhered throughout to the cause of the Romans; and even in those states which had most vigorously opposed them, there were several considerations which might move the conquerors to forbearance. They had long been the zealous allies of Rome during the reign of Hiero; their revolt had been of short duration, and the bulk of the people had been either deceived or forced into taking a part in it; besides that the importance of the island to Rome, and its neighbourhood to Carthage, rendered it expedient to conciliate the inhabitants as much as possible to the Roman government. Accordingly, whilst some of the Sicilian states

CHAP. IV.

From U.C. 633, B.C. 121, to U.C. 662, B.C. 92.

were exempt from all taxes whatsoever [39], the great majority were subject only to the same burthen which they had supported under their native princes, the payment namely of a tenth part of the produce of the soil; and the collection of this tax was so well regulated by law, that the farmer was fully protected from paying more than a just tenth, or from suffering any thing vexatious in the manner of payment. Land, thus comparatively unencumbered, and enjoying the highest reputation for fertility, became a desirable object of purchase to the wealthy citizens of Rome and Latium: large estates were accordingly bought up by them [40], and were stocked with vast numbers of slaves, the use of whom at this time, as we have already noticed, began almost entirely to supersede that of free labourers. In order to derive from them the greatest possible profit [41], they were miserably fed and clothed, and were thus driven to support themselves by robbery; their manner of life as shepherds, in which service a large proportion of them was employed, affording them great facilities in the practice of plunder. It is said, moreover, that the governors of the island were deterred from punishing these offenders by the wealth and influence of their masters, who were well pleased that their slaves should provide for their own wants at the expense of the public.

First revolt headed by Eunus.

In this state of things [42] the slaves began to enter-

[39] Cicero, in Verrem, III. 6.

[40] Florus, III. 19. Diodorus Siculus, XXXIV. Ecloga secunda, edit. Rhodoman.

[41] Diodorus Siculus, XXXIV. Ecl. 2.

[42] Diodorus Siculus, XXXIV. Ecl. 2.

CHAP. IV.

From U.C. 633, B.C. 121, to U.C. 662, B.C. 92.

tain projects of a general insurrection, and a leader was not long wanting to call them forth into action. Eunus, a Syrian by birth, was the slave of a citizen of Enna, named Antigenes, and had acquired great influence amongst his companions in bondage by pretending to divine inspiration, and particularly to a knowledge of the future. Amongst many guesses into futurity, some were likely to be verified by the event; and these established his reputation so, that at last he professed himself to be favoured with constant communication from Heaven; and it is said that he used to secrete in his mouth some lighted combustible substance, and thus amazed the vulgar by seeming to breathe forth smoke and fire, as if under the immediate impulse of the god who spoke from within him. The belief in his miraculous endowments was so general, that the slaves of another citizen of Enna, named Damophilus, unable to bear the cruelty with which they were treated both by their master and his wife, and bent on revenging themselves, applied first to Eunus, and inquired of him if the gods would grant success to their attempts. He eagerly caught at the opportunity thus offered him; assured them of the favour of Heaven, and exhorted them to execute their purpose without delay [48]. The slaves employed on the several estates in the neighbourhood of Enna were excited by the call of the slaves of Damophilus; a body of four hundred men was collected, and they entered the

[48] Diodorus Siculus, XXXIV. Ecl. 2.

CHAP. IV.

From U.C. 633, B.C. 121, to U.C. 662, B.C. 92.

town under the command of Eunus himself, whose trick of breathing fire is said to have produced a great impression on the minds of his followers. The insurgents were instantly joined by the slaves in the town, and an indiscriminate massacre of the free inhabitants followed, in which men, women, and children were treated with equal cruelty. Damophilus and his wife were seized at their country house, dragged in triumph to Enna, and there murdered; but their daughter was saved by the slaves, in gratitude for the kindnesses which they had always met with at her hands. Meantime Eunus spared out of the general slaughter such of the citizens of Enna as understood the manufacture of arms, and compelled them to labour in order to supply his followers with weapons. He also took to himself the title and the ensigns of a king, while he bestowed those of queen on the female slave who lived with him: and he formed a council, consisting of those of his associates most eminent for their courage or ability. In three days he was at the head of six thousand men tolerably armed, besides a great multitude provided only with hatchets, spits, or any other weapons which they could find; and the number of the insurgents daily increasing, he was enabled to overrun the country, and several times to encounter with success the Roman forces which attempted to oppose him. The example presently became contagious: a Cilician slave, named Cleon, took up arms in another part of the island; and far from attempting to rival Eunus, he immediately acknowledged him as king, and acted

CHAP. IV.

From U.C. 633, B.C. 121, to U.C. 662, B.C. 92.

in every thing by his orders. L. Hypsæus, one of the prætors, who arrived from Rome about a month after the commencement of the revolt, brought a regular army of eight thousand men against the insurgents, but was outnumbered by them and defeated. Several other Roman officers met with the same bad fortune, and the slaves made themselves masters of many of the towns of that island. Their career was first checked by M. Perpena, one of the prætors [44], and afterwards was finally stopped by the consul, P. Rupilius [45], who has been already noticed as the author of measures of extreme severity against the partisans of Tiberius Gracchus. This officer first recovered the town of Tauromínium, after a long blockade, in which the slaves were reduced to the utmost extremities of famine; and having put to death all those who fell into his hands, he proceeded to besiege Enna, the first scene of the revolt, and the principal stronghold of the insurgents. The sure process of blockade rendered the condition of the besieged desperate; Cleon was killed in a sally, and the place was in a short time betrayed to the Romans. Eunus escaped from the town, but was soon afterwards taken, and died, it is said, in prison of a loathsome disease; after which Rupilius proceeded to regulate the state of the island, and ten commissioners were sent from Rome to assist in the settlement [46], exactly in the manner which we have seen regularly practised by the senate after the con-

The revolt quelled by P. Rupilius.

[44] Florus, III. 19. Livy, Epitom. LIX.
[45] Diodorus, XXXIV. Ecl 2. [46] Cicero, in Verrem, II. 13. 16.

CHAP. IV.

From U.C. 633, B.C. 121, to U.C. 662, B.C. 92.

clusion of its wars with Antiochus, Perseus, Achaia, and Carthage.

The revolt was thus apparently suppressed; but the cause of the insurgents found every where so many who sympathized with it, that similar attempts were made within a few years, in several other parts of the empire. One of these deserves notice from its singularity. A Roman knight, of the name of T. Minucius [47], having incurred a debt beyond his means, and being pressed for the payment of it, purchased five hundred suits of armour, and having conveyed them secretly into the country, employed them in arming his slaves; and then usurping the style and dignity of a king, invited the slaves in general to join him, and murdered his creditors, whom he contrived to get into his power. Ridiculous as this leader was, he assembled round him above 3000 followers, and was not reduced by the prætor who was sent against him, without maintaining an obstinate struggle. But a far more serious disturbance soon broke out for the second time in Sicily. When C. Marius was looking for troops in every quarter to oppose the invasion of the Cimbri [48], a decree of the senate empowered him to demand assistance from the more distant allies of the republic; and he sent accordingly to Nicomedes, king of Bithynia, requiring of him a certain contingent of soldiers. Nicomedes excused himself, by saying, that so large a portion of his subjects had been carried off and

Second revolt headed by Athenio.

[47] Diodorus Siculus, XXXVI. Ecl. 1.

[48] Diodorus Siculus, XXXVI. Ecl. 1.

CHAP. IV.

From U.C. 633, B.C. 121, to U.C. 662, B.C. 92.

sold for slaves in different parts of the empire, that he was unable to raise the force demanded of him. Upon this, the senate issued an order, that no free-born native of any state in alliance with Rome should be kept as a slave in any of the Roman provinces; and the provincial magistrates were desired to institute inquiries, and to liberate within their several jurisdictions all those who came within the terms of the senate's decree. Licinius Nerva, the prætor of Sicily, began accordingly to set at liberty above 800 slaves within a few days; but he was soon persuaded by the rich slave-owners in the island to suspend his proceedings, and he in future referred all those who applied to him for their liberty to the decision of their own masters. The slaves thus suddenly disappointed of the hopes which they had felt themselves encouraged by the senate itself to entertain[49], resolved to obtain their freedom for themselves; insurrections broke out in several parts of the island, and although at first partially suppressed, revived again with redoubled fury. Sabrius and Athenio were two of the chief insurgents; and the latter displayed considerable military talents, paying more regard to the quality than to the numbers of his army, and accustoming his men to regular discipline. He also, like Eunus, appealed to the superstition of his followers, and declared that the stars

[49] Diodorus Siculus, XXXVI. Ecl 1. It may be observed, that the testimony of Diodorus is more than usually valuable in his account of these transactions, from his being himself a Sicilian, and always showing a lively interest in events that happened in his own country.

CHAP. IV.

From U.C. 633, B.C. 121, to U.C. 662, B.C. 92.

had foretold that he should be king over all Sicily. Several Roman prætors were defeated with loss in successive attempts to reduce the revolters; and the whole of Sicily became a scene of plunder and destruction; many free inhabitants of the poorer class availing themselves of the general confusion, and carrying on an organised system of devastation throughout the country. At length, Marcus Aquilius, the colleague of Marius in his fifth consulship, was sent against this obstinate enemy. He followed the example of Rupilius, by shutting the insurgents up in their strongholds, and surrounding them with lines of circumvallation, till famine obliged them to surrender. Many, however, had fallen by the sword in several previous engagements; and those who at last submitted were sent to Rome, and destined there to afford sport for the populace, by being exposed to fight with beasts in the amphitheatre. But it is said that they preserved their fierceness to the last, and instead of combating with the beasts, turned their swords against one another, and shed their blood upon the altars appointed for the sacrifices usually performed at the games, the last survivor completing the slaughter by killing himself. The peace of the island thus with difficulty restored, was maintained for the future by regulations of extreme severity. No slave was allowed to carry a weapon [50]; and on one occasion, when a boar of remarkable size had been sent as a present to L. Domitius, at that

Quelled by Marcus Aquilius.

[50] Cicero, in Verrem, V. 3.

time prætor of the island, he inquired who had killed it, and finding that it was a slave employed as a shepherd, he summoned the man before him, and asked him how he had contrived to destroy so large an animal. The shepherd replied, that he had killed it with a boar spear; upon which Domitius ordered him immediately to be crucified, for having used a weapon in defiance of the law. In consequence of this arbitrary system, we read of no more revolts of the slaves in Sicily for a very long period.

Trial and acquittal of Aquilius. U.C. 654.

But whatever were the military services of Manius Aquilius, in subduing the insurgent slaves, his conduct as a man too much resembled that of his father whom we have seen poisoning the wells in Asia, and afterwards tried for his corruption and oppression. His son was in like manner brought to trial on a similar charge; and it appears that his guilt could not be denied; for M. Antonius, the orator, who acted as his advocate, could only save him by a violent appeal to the feelings of the judges[51]. He contrasted the former honours of the accused with his present condition; and at last he tore open the dress of his client, and exposed the wounds which he had received in the course of his services as a soldier. So little were the duties of a court of justice observed at Rome, that this most irrelevant mode of defence was completely successful; and Aquilius escaped condemnation. How hard is it for

[51] Cicero, de Oratore, II. 47. In Verrem, V. 1.

CHAP. IV.

From U.C. 633, B.C. 121, to U.C. 662, B.C. 92.

good government and equal justice to exist among a people who allow their feelings to influence them against their reason in the discharge of a solemn duty!

U.C. 655.

In the following year, an attempt was made to check the violent measures sometimes proposed by the tribunes, and which the people were used to approve without due consideration. A law was passed, which bears the names of both the consuls, Q. Cæcilius Metellus Nepos, a cousin of Q. Metellus Numidicus, and T. Didius, and by which it was enacted, that every law should be published on three successive market days[52], before it could be submitted to the votes of the people; it was also provided, that the people should not be obliged to accept or reject any clause of a law contrary to their wishes, as was often the case at present, when several enactments being contained in one law, and proposed to the votes of the assembly all together, it was necessary either to approve or to negative the whole without discrimination.

The Cæcilian and Didian law.

Origin and progress of sumptuary laws.

The year of Rome 656, is marked by some discussions which arose on the subject of sumptuary laws. In a constitution which permitted the magistrates to interfere with the private life of every citizen, to the extent practised by the censors, the expenses of the table were not likely to escape the control of the law. We read of various statutes passed from time to time, with a view to restrain

[52] Cicero, Philipp. V. 3. Pro Domo, 20.

what was called luxury: in the year 538, only a year after the battle of Cannæ, C. Oppius, one of the tribunes [53], brought forward a law to regulate the degree of ornament which might be allowed to female dress, and forbidding the ladies of Rome to use a carriage within the city, except in their attendance on the public sacrifices. But after the end of the second Punic war, it was contended that such provisions were fitted only for a season of national distress, and the Oppian law was repealed. Of the laws directed particularly against the expenses of the table, the first in order of time is fixed about the year 571 [54], and was proposed by Orchius, one of the tribunes, on the recommendation of the senate. It limited the number of guests at any entertainment; and ordered, as we are told, that the doors of the house should be left open during the meal, to guard against any violation of its enactments. A little more than twenty years afterwards, in the interval between the overthrow of Perseus and the third Punic war, the attention of the senate was again directed to the same subject. By a decree of that assembly [55], the principal citizens who were in the habit of giving entertainments to one another, during the celebration of the games in honour of Cybele, were obliged to make oath before the consuls that they would not expend on any meal more than a hundred and twenty asses, or 7*s.* 9*d.* sterling,

[53] Livy, XXXIV. 1.

[54] Macrobius, Saturn. II. 13. Apud Facciolati Lexicon, in voce "Orchia."

[55] Gellius, II. apud Sigonium, Commentar. in Fast. et Triumph.

CHAP. IV.

From U.C. 633, B.C. 121, to U.C. 662, B.C. 92.

exclusive of the sum paid for bread, vegetables, and wine; that they would use no other wine than that made in Italy, and that they would not have more than a hundred pounds weight of silver displayed at their table. Afterwards, in the same year, a law was passed bearing the name of C. Fannius [56], one of the consuls, which restrained the expense of meals still more. On the greatest festivals no man was allowed to exceed an hundred asses, 6*s.* 5½*d.*; on ten other days in every month he might go as high as thirty asses, or 1*s.* 11¼*d.*; and at all other times he was limited to no more than ten, about 7¾*d.* of English money. By the same law [57], also, the consumption of poultry, and all kinds of birds, was expressly forbidden, with the exception of a single hen at each table, and this, it was added, must not have been regularly fatted. This was repeated as a favourite clause in all future laws on the same subject; and other articles of food were prohibited by successive enactments; as for example, M. Æmilius Scaurus, one of the consuls in the year 638, excluded dormice from the table [58], which little animals the Romans, it appears, were accustomed to catch in great numbers, and regarded them when fatted as a peculiar delicacy. It is natural enough that men of small or moderate fortune, who could not indulge in the magnificence of splendid villas, numerous slaves, or costly furniture, should bear with great impatience

[56] Macrobius, Saturnal. II. 13.—apud Facciolati Lexicon, in voce "Fannia."

[57] Pliny, Histor. Natural. X. 50.

[58] Pliny, Histor. Natural. VIII. 57.

these restrictions upon that peculiar gratification which was to them most accessible; besides that, they looked upon any interference in such matters as an encroachment on their just liberty of doing what they chose with their own money. We find, accordingly, that M. Duronius, one of the tribunes [59], procured the rejection of a new sumptuary law brought forward about the year of Rome 656, to enforce the provisions of the law of Fannius. For this action Duronius was shortly after expelled from the senate by the censors M. Antonius and L. Flaccus; and a sumptuary law was in fact carried by the consul P. Licinius Crassus [60], limiting the quantity of meat which might be brought to table on ordinary occasions, but still permitting an unrestricted consumption of vegetables. There is, in one of Cicero's letters [61], testimony to show that these regulations remained in force for many years, and that their intention was completely evaded by the arts of cookery, which found means to provide a luxurious and expensive meal out of the common productions of the garden.

In the consulship of P. Licinius Crassus and Cn. Lentulus, is also dated a decree of the senate for the abolition of human sacrifices [62]. When the republic was engaged in any dangerous war, the superstition of the Romans believed that to bury alive in the

[59] Valerius Maximus, II. 9.

[60] Aul. Gellius, II. 24.—apud Facciolati in voce "Licinius."

[61] Epistol. ad Familiares, VII. ep. 26.

[62] Pliny, Histor. Natural. XXX. 1.

CHAP. IV.

From U.C. 633, B.C. 121, to U.C. 662, B.C. 92.

midst of Rome an individual of the adverse nation, was a powerful charm to secure victory. This had been put in practice in the second Punic war; and although now forbidden, was repeated afterwards on more than one occasion till long after the first preaching of Christianity [63].

Just administration of Q. Mucius in Asia.

It is with pleasure that we are now called to contemplate two rare instances of integrity and humanity: Q. Mucius Scævola, and P. Rutilius Rufus. Q. Scævola filled the office of consul in the year of Rome 658, together with L. Licinius Crassus, so celebrated as an orator. On the expiration of the year he was appointed as proconsul to the government of the province of Asia [64], by which name the Romans meant to express those countries on the western side of Asia Minor, which had formerly composed the kingdom of Pergamus. P. Rutilius attended him as his lieutenant [65], and cordially co-operated with him in all his proceedings. He only held his command for nine months [66], but during that short period he so endeared himself to the people whom he governed by the equity of his administration, and by the firmness with which he protected them against the oppressions of the farmers of the revenue, that a festival was instituted in commemoration of his goodness [67], and continued to be observed for many years afterwards in Asia; while at

[63] Pliny, XXVIII. 2.

[64] Livy, Epitom. LXX. Others place his government of Asia about four years earlier, and say that he obtained the province as prætor.

[65] Livy, Epitom. LXX.

[66] Cicero, ad Atticum, V. ep. 17.

[67] Cicero, in Verrem, II. 21.

CHAP. IV. From U.C. 633, B.C. 121, to U.C. 662, B.C. 92.

Rome his name became identified with that of an upright and merciful magistrate[68], and his conduct was long held up by the senate as a model which officers appointed to similar stations should diligently endeavour to copy. Q. Mucius was happy, moreover, in never being exposed to the malice of those whose interests had suffered from his pure and incorrupt government. But his lieutenant, P. Rutilius, was less fortunate. The judicial power, according to the law of C. Gracchus, (which after a short interruption had been lately put in force again by C. Servilius Glaucia,) was, as we have stated, vested entirely in the equestrian order. This class of men was closely connected with the farmers of the revenue, and entered warmly into their complaints of the treatment which they had received from Mucius and Rutilius. Rutilius was accused of corruption in his province, perhaps by some of those very individuals whose own corruption he had repressed, and was brought to trial before a court consisting entirely of citizens of the equestrian order. His conduct on his trial was consistent with the high principles of his general life. He refused to employ any celebrated orator in his defence[69], nor would he suffer any attempts to be made to work upon the feelings of his judges. His friend, Q. Mucius, spoke in his behalf, confining himself only to a clear and simple statement of the truth. But the tribunal which had so lately acquitted the guilty Aquilius, when de-

Trial of P. Rutilius.

[68] Cicero, in Cæcilium, 17. Valerius Maximus, VIII. 15.

[69] Cicero, de Oratore, I. 53.

CHAP. IV.

From U.C. 633, B.C. 121, to U.C. 662, B.C. 92.

fended by an appeal to its passions, now condemned a man of the most spotless innocence, who disdained any support but that of reason and justice. Rutilius was banished, and retired to Smyrna [70], in the country which was the scene of his alleged corruption, but which was in truth the best witness of his virtue. The people whom he was accused of misgoverning, sent deputies from all their several towns to welcome his arrival once more amongst them; nor did they show less respect to him in his exile than when invested with the authority of a Roman officer [71]. The citizens of Smyrna gladly gave him the freedom of their city [72], and in this adopted home Rutilius spent in peace the remainder of his life; nor could the solicitations of Sylla, when dictator, ever prevail with him to return to Italy.

Censorship of Domitius and Crassus.

In the year of Rome 661 some curious particulars are recorded of the censorship of Cn. Domitius Ahenobarbus and L. Licinius Crassus. The study of eloquence daily becoming more popular at Rome, there arose a number of persons who professed to teach it, and who opened schools for the instruction of young men in this accomplishment. Of these teachers some were Greeks, and if they only interpreted and expounded the works of some of their distinguished countrymen, they must have communicated to their hearers much new and valuable knowledge. An acquaintance with the rhetoric of Aristotle must have opened an unknown world to the mind of a young

[70] Cicero, de Republicâ, I. 8.
[71] Valerius Maximus, II. 10.
[72] Tacitus, Annal. IV. 43.

Roman, and have furnished him with innumerable subjects of thought, while it led him to examine the motives of actions, and the causes of feelings; while it embraced, with wonderful conciseness, the principles of almost every argument that could be used in all questions, judicial and political; and while with intuitive good sense it displayed the excellences to be aimed at, and the faults to be avoided, in the language and arrangement of a writer or an orator. But besides these Greek instructors, some of the Romans themselves professed to open schools of rhetoric; and being for the most part men of little education, and delivering their lessons probably on cheaper terms than the Greek teachers, their scholars consisted chiefly of the poorer class of citizens, and particularly, we may suppose, of those individuals who wished to qualify themselves for the part of noisy and factious leaders of the populace. It was on these grounds, as Cicero makes Crassus himself affirm, in the Dialogue "de Oratore [73]," that the censors, in the exercise of their arbitrary power, thought proper to put a stop to the proceedings of the Latin teachers of eloquence; because, in the language of Cicero, "they could teach their pupils nothing but impudence." In the course of the year the two censors are said to have had a very unbecoming quarrel with each other; the expensive habits in which Crassus indulged in his manner of living, appearing to his colleague to be unworthy of his censorian dignity. It appears,

[73] III. 24.

CHAP. IV. From U.C. 633, B.C. 121, to U.C. 662, B.C. 92.

that Crassus had six date-trees in his garden [74], of remarkable size and beauty, which he valued very highly; and four pillars of the marble of Mount Hymettus in his house [75], a material which had not hitherto been used in any public building at Rome, and which, in a private house, was thought to argue excessive luxury. Another ridiculous charge was brought by Cn. Domitius against his colleague [76]; that he had gone into mourning on the death of a favourite fish, which was kept in one of his fish-ponds. Crassus, we are told, confessed the truth of the story, saying, "that he had indeed wept at the loss of a fish; but that Domitius had borne the loss of three wives without shedding a tear." The history of Rome presents us at once with instances of the strangest extravagance of conduct in some characters, combined with a most complete intolerance of every thing eccentric, in the general feelings of the magistrates and the spirit of the laws.

A.U.C. 662. A.C. 91.

The succeeding year, in which Sextus Julius Cæsar and L. Marcius Philippus were consuls, witnessed the origin of the Italian war. But as the parties formed on this occasion were not without their effect in the civil war that followed, and as Sylla took a distinguished part in the contest maintained by Rome against her revolted allies, we shall include our account of these transactions in the narrative of that individual's life, which we are now preparing to lay before our readers.

[74] Pliny, Histor. Natural. XVII. 1.
[75] Pliny, Histor. Natural. XVII. 1.
[76] Macrobius, Saturnal. II. 11.

CHAPTER V.

PART I.

LUCIUS CORNELIUS SYLLA.—FROM U.C. 616, A.C. 138. TO U.C. 666, A.C. 88.

CHAP. V. From U.C. 616, A.C. 138, to U.C. 666, A.C. 88.

THE Cornelian family was one of the most ancient and honourable in Rome; and two of its branches, the houses of Scipio and Lentulus, furnished the Commonwealth with a long list of distinguished officers, in the several departments of state. A third branch bore the surname of Rufinus; but although its members occasionally appear on the lists of magistrates, none of them, till a much later period, rose to any high personal eminence. In the second Punic war, in the year of Rome 540, P. Cornelius Rufinus, being then prætor, celebrated for the first time[1] the Ludi Apollinares, or games in honour of Apollo, which the Sibylline books had directed the senate to institute; and from this circumstance he is said to have changed his name of Rufinus, for that of Sibylla[2]; which was afterwards corrupted into the shorter appellation of Sylla. His great grandson was L. Cornelius Sylla, the subject of our present narrative, who was born about the year of Rome

[1] Livy, XXV. 12.
[2] Macrobius, apud Facciolati Lexicon, in voce "Sulla."

CHAP. V.

From U.C. 616, A.C. 138, to U.C. 666, A.C. 88.

616, in the consulship of M. Æmilius Lepidus and C. Hostilius Mancinus, four years before the death of Tiberius Gracchus.

The father of Sylla did nothing to promote either the honour or the wealth of his family, and his son was born with no very flattering prospects, either of rank or fortune. We know not by whom his education was superintended; but he acquired, either from his instructors, or by his own exertion in after-life, an unusual portion of knowledge, and had the character of being very profoundly versed in the literature [3] of the Greeks. But intellectual superiority affords no security for the moral principles of its possessor; and Sylla, from his earliest youth [4], was notorious for gross sensuality, and for his keen enjoyment of low and profligate society. He is said to have lived in lodgings at Rome [5], and to have rented one floor of a house, for which he paid 3000 nummi, or about 24*l.* 4*s.* 4½*d.* a year: a style of living which seems to have been reckoned disgraceful to a man of patrician family, and to have inferred great indigence. For his first advancement in life, he was indebted to the fondness of a prostitute, who had acquired a large sum of money, and left it all to him by her will; and he also inherited the property of his mother-in-law, who regarded him as her own son. He was chosen one of the quæstors in the year of Rome 646, and accompanied Marius, then in his first consulship, into Africa; where, as has

[3] Sallust, Bell. Jugurth. 95.
[4] Plutarch, in Syllâ, 2.
[5] Plutarch, in Syllâ, 1.

been mentioned elsewhere, his services were very remarkable; and it was to him that Jugurtha was at last surrendered by Bocchus, king of Mauritania. This circumstance excited, as it is said, the jealousy of Marius; but Sylla [6] nevertheless acted under him as one of his lieutenants in the war with the Cimbri, where he again greatly distinguished himself. But finding the ill-will of his general daily increasing, he left him, and served in the army of Lutatius Catulus, the colleague [7] of Marius; and in this situation, being charged with the duty of supplying the soldiers with provisions, he performed it so well, that the army of Catulus was in the midst of abundance, while that of Marius was labouring under severe privations. This still further inflamed the animosity with which Marius already regarded him.

For some years after this period, Sylla seems to have lived in the mere enjoyment of his favourite pleasures of intellectual and sensual excitement. At length, in the year of Rome 657, he became a candidate for the office of prætor, but without success. He attributed his failure, according to Plutarch [8], to the disappointment of the people at his not first suing for the ædileship; it being a long-established custom that the ædiles should exhibit shows of some kind or other for the amusement of the multitude; and Sylla's friendship with the king of Mauritania seemed to promise that he would procure from Africa an unusual number of lions and other wild

[6] Velleius Paterculus, II. 17.
[7] Plutarch, in Syllâ, 4.
[8] Plutarch, in Syllâ, 5.

CHAP. V.

From U.C. 616, A.C. 138, to U.C. 666, A.C. 88.

Sylla obtains the prætorship.

beasts, to be hunted in the amphitheatre. However, in the following year, Sylla was elected prætor, without the previous step of going through the office of ædile; and not to deprive the people of the gratification they expected, he exhibited no fewer than a hundred lions; the first time, it is said, that the male lion [9] was ever brought forward in the sports of the circus. On the expiration of his prætorship, he obtained the province of Cilicia [10]; and was commissioned to replace on his throne Ariobarzanes, king of Cappadocia, who had lately been expelled by Mithridates. This he easily effected; for Mithridates was not yet prepared to encounter the power of Rome; and it is further mentioned, as a memorable circumstance in the life of Sylla, that while he was in Cappadocia, he received the first communication ever made to any Roman officer by the sovereign of Parthia. Arsaces, king of that country, perceiving that the Romans extended their influence into his neighbourhood, sent an embassy to Sylla, to solicit their alliance. In the interview between the Roman prætor and the Parthian ambassador, Sylla [11] claimed the precedence in rank, with the usual arrogance of his countrymen; and by this behaviour, in all probability, left no very friendly feeling in the mind of Arsaces; and rather encouraged than lessened that jealousy of the Roman power, which the Parthians, in the sequel, were often enabled to manifest with

His proceedings in his province.

[9] Pliny, Histor. Natural. VIII. 16.

[10] Auctor de Viris illustribus, in Vitâ Syllæ. Plutarch, in Syllâ, 5. Livy, Epit. LXX.

[11] Plutarch, in Syllâ, 5.

more success than any other nation since the time of Hannibal.

From U.C. 616, A.C. 138, to U.C. 666, A.C. 88.

On Sylla's return to Rome, he was threatened with a prosecution for corrupt proceedings in his province [12]; but the matter was never brought to a trial. It is said also, that Bocchus, king of Mauritania, presented to the Romans about this time a group of figures in gold, representing himself betraying Jugurtha into the hands of Sylla. This excited anew the jealousy of Marius, who is represented to have attempted in vain to hinder the figures from being received and dedicated in the capitol.

Consulship of L. Philippus and Sex. Jul. Cæsar. A.U.C. 662.

We are now arrived at the memorable consulship of L. Marcius Philippus and Sextus Julius Cæsar. Since the death of Saturninus, the state of affairs at Rome had been generally tranquil; and the accounts given of this period in ancient writers, are proportionably scanty. But to this calm a terrible storm was now to succeed; and Rome, for the first time since the second Punic war, was to be engaged in a desperate contest in the very heart of Italy. It appears that the senate bore [13] with impatience the great power enjoyed by the equestrian order, in possessing the whole judicial authority in the Commonwealth. To attack this formidable body, it was necessary that the senate should effect a coalition with the popular party, and court it by a series of popular enactments. M. Livius Drusus was at this

Tribuneship of M. Livius Drusus.

[12] Plutarch, in Syllâ, 5, 6.

[13] Livy, Epitom. LXX. Velleius Paterculus, II. 13.

CHAP. V.

From U.C. 616, A.C. 138, to U.C. 666, A.C. 88.

time one of the tribunes; the son of that M. Drusus, who had been one of the colleagues of C. Gracchus in his tribuneship, and who had greatly undermined the popularity of Gracchus, by proposing, with the authority of the senate, laws even more grateful to the multitude than his. His son was now prevailed upon to act a similar part, and to bribe the people at almost any price to assist in the meditated attack upon the equestrian order. But Drusus was not of a temper to be the mere instrument of the designs of others. He is described as a man of great talents and great pride; insomuch, that during his ædileship [14], when one of his colleagues suggested something as beneficial to the state, Drusus scornfully replied, "What business have you to interfere in the affairs of our Commonwealth?" and when he acted as quæstor in Asia, he disdained the usual insignia of the office, as if his own personal dignity needed not any external marks of honour. In his tribuneship, he was willing to promote the popularity of the senate, but not so as to resign to it all the credit that his measures might acquire: he rather aspired to be, as it were, the moderator of the republic, to balance the claims of contending factions, and to secure to himself the respect and gratitude of all. The imperfect accounts of these times which remain to us, do not allow us to arrange the order of his proceedings with exactness; but it appears that he at first attempted merely to restrain any abuse of

Laws of M. Drusus.

[14] Auctor de Viris illustribus, in M. Druso.

power in those who filled the stations of judges[15], by making them responsible for their verdicts, and liable to be tried, if there were any grounds for accusing them of corruption. Three of the most eminent individuals of the equestrian order, amongst whom we find the name of C. Mæcenas, an ancestor of the famous minister of Augustus, opposed the law of Drusus in behalf of the whole body to which they belonged; and their arguments, as recorded by Cicero[16], are too remarkable to be omitted. They insisted that the Roman knights, in declining to sue for those offices which might have raised them to the rank of senators, had deliberately sacrificed their ambition to their love of security; that the high dignities which a senator enjoyed, were fairly compensated by his greater liability to have his conduct called in question; while, on the other hand, the equestrian order, which was obliged by law to undertake the office of judges, ought not to be exposed to prosecution for the manner in which they discharged it. Strange as this reasoning appears to us, it was admitted as just at Rome: the plebeians fully sympathized with the knights, and they succeeded in rejecting the proposed law, and in repelling all inquiry into the conduct of the judges, however great might be the iniquity of their decisions. Thus baffled, Drusus had recourse to a stronger measure, and proposed to restore the law of Q. Servilius Cæpio, by which the judicial power had been divided

[15] Cicero, pro Rabir. Postumo, 7; pro Cluentio, 56.

[16] Pro Cluentio, 56.

CHAP. V.

From U.C. 616, A.C. 138, to U.C. 666, A.C. 88. Opposed by Q. Cæpio and L. Philippus, but are mostly carried.

between the senate and the equestrian order. By a curious coincidence, one of his warmest opponents was a son of the very man in whose steps he was treading, Q. Cæpio [17]. Common report assigned a ridiculous cause to their mutual opposition, by tracing it back, in the first instance, to a dispute at a public sale about a valuable gold ring, which each of them was eager to purchase. Personal motives may very possibly have added virulence to their political differences; but Q. Cæpio, as a member of the equestrian order, was naturally disposed to resist the measures of Drusus; and the same vehemence of temper, which induced him, on a former occasion, to defy the power of the tribune Saturninus, would lead him to take an equally prominent part on the side that he now espoused. The proposed law met with another powerful antagonist in the consul L. Philippus. He seems to have been actuated by a settled feeling of opposition to the aristocracy; as we have seen him, when tribune, eager to bring forward an agrarian law; and now, as consul, he continually, in his speeches to the people, inveighed against the senate [18] with the utmost severity. On the other hand, Drusus pursued his schemes with the overbearing violence to which the pride of his nature prompted him; on one occasion, he threatened Cæpio [19], that he would order him to be thrown from the Tarpeian rock; at another time, when

[17] Cicero, pro Domo, 46. Florus, III. 17.

[18] Cicero, de Oratore, I. 7.

[19] Auctor de Viris illustribus, in M. Druso.

Philippus was speaking against him in the Forum, he caused him to be seized and dragged to prison; and when, from the tightness with which the officer grappled him, the blood burst forth from his nostrils, Drusus exclaimed, in allusion to the supposed luxuriousness of his manner of living, "that it was the pickle of his favourite fish." In order to further his views, he proposed a new corn law, and a law for the establishment of several new colonies, to conciliate the common people; and to win the favour of the Italian allies, he renewed the hopes formerly held out to them by C. Gracchus and M. Fulvius Flaccus, of obtaining the privileges of Roman citizens. The senate for a long time cordially supported him: and this circumstance gave occasion to the violent speech of the consul, L. Philippus[20], "That it was impossible for the republic to go on with such a senate." But at length their zeal in his cause began to cool: while he professed to defend their dignity, he almost pretended to act as their patron; and on one occasion[21], when they sent for him into the senate-house, he replied, "That the senate should rather adjourn to the Curia Hostilia," anciently used as the place of their meetings, "that so they might be near him while he was addressing the people, if they wanted him." It is said that the senate actually complied with his proposal; but such an instance of his pride must have taught it, that it was possible to buy too dearly its deliverance from

[20] Cicero, de Oratore, III. 1.

[21] Valerius Maximus, IX. 5.

CHAP. V.

From U.C. 616, A.C. 138, to U.C. 666, A.C. 88.

the arbitrary power of the equestrian order. Meanwhile the laws of Drusus were successively carried: the judicial power was to be divided between the senate and the equestrian order; new colonies were to be planted; corn was to be sold at the rate fixed by the Sempronian law; all the several parties whom Drusus had courted had received the benefits which he had promised them, excepting only the Italian allies. To admitting them to the rights of citizenship, all orders in Rome were equally averse; and they seemed likely to meet the usual fate of strangers who interfere in domestic quarrels, and whose interests are sacrificed to promote the reconciliation of the contending parties. But finding that Drusus was unable to satisfy their expectations, and that nothing was to be looked for from the freewill of the Romans, they prepared to apply themselves to other measures. A conspiracy is said to have been formed by the Latins[22] to assassinate the consul, L. Philippus, whom they considered as one of their greatest enemies, while he was performing a sacrifice on the Alban Mount. Drusus, aware of their design, warned Philippus to provide for his own safety, and the plan was thus frustrated; but the public mind throughout Italy was in the highest state of agitation, and every thing seemed to presage an impending contest.

Drusus is murdered.

It was at this time, when all parties were united in their invectives against Drusus as the author of

[22] Auctor de Viris illustribus, in M. Druso.

these disturbances, that one day, when he was returning home from the forum [23], encircled by an immense crowd of his followers, he was murdered at the door of his own house by some unknown assassin, who stabbed him, and left the knife sticking in his side. He was carried in immediately, and soon after expired; and such was the state of the times, that no inquiry was made to find out the murderer. But it was commonly asserted that Q. Varius Hybrida [24], a vehement enemy of the senate, was the perpetrator of the crime.

And his laws repealed.

After the death of Drusus, the general feeling ran so strongly against his measures, from the sense entertained of his criminal rashness in encouraging the claims of the Italian allies, that the senate now concurred with the consul Philippus in declaring all his laws invalid [25]; grounding this decision on the authority of the consul, who was also one of the augurs, and who alleged that they had been passed without due attention to the forms of religion in observing the auspices. It is remarkable, that the law for the regulation of the judicial power, which the senate had so strong an interest in maintaining, was notwithstanding annulled, together with the rest; as if the aristocracy had not dared to retain any benefit from the support of a man who was now considered as an enemy to his country by all parties equally.

[23] Velleius Paterculus, II. 14. III. 33. Cicero, pro Milone, 7.

[24] Cicero, de Naturâ Deorum,

[25] Cicero, de Legibus, II. 6. 12.

CHAP. V.

From U.C. 616, A.C. 138, to U.C. 666, A.C. 88.

A.U.C. 663.

The allies, however, had not yet broken out into open hostilities when the new consuls, L. Julius Cæsar and P. Rutilius Rufus, entered upon their office. In the mean time the equestrian order, having thus successfully repelled the attack made against it, resolved to follow up its victory, and to terrify its enemies by an unsparing exercise of that judicial power of which it had been vainly attempted to deprive it. A law was proposed and carried by Q. Varius Hybrida[26], the reputed assassin of Drusus, and now one of the tribunes of the people, that an inquiry should be set on foot in order to discover what persons had given encouragement to the pretensions of the Italians, and that all who had done so should be held guilty of a treasonable offence. This was a favourite method of annoying the nobility; and we have seen it practised already with success at the beginning of the war with Jugurtha. The knights promised themselves the same results from it on the present occasion. Accusations were brought against M. Æmilius Scaurus[27], the first on the roll of the senate; against M. Antonius[28], the famous orator; against C. Cotta[29], Q. Pompeius, L. Memmius, and several others of the senators. But the majority of those whom we have named obtained their acquittal; and the whole proceeding had little other effect than that of exasperating the Italians still further, when they saw that to have

[26] Valerius Maximus, VIII. 6. Appian, de Bell. Civil. I. 37.

[27] Cicero, Fragm. Orat. pro M. Scauro.

[28] Cicero, Tuscul. Disput. II. 24.

[29] Cicero, de Claris Orator. 56. 89.

From U.C. 616, A.C. 138, to U.C. 666, A.C. 88.

Confederacy among the Italian allies.

shown any encouragement to their petitions was considered at Rome as a crime. Accordingly, the different cities of Italy[30] entered into a secret league with each other, and began to make an interchange of hostages. Their intrigues were first discovered at Asculum, a town of Picenum; and Q. Servilius, with proconsular authority, was sent thither to punish the offenders. But not being supported by a sufficient military force, he provoked the inhabitants to proceed at once to open violence; and they accordingly massacred him and his lieutenant Fonteius[31], together with all other Roman citizens who happened to be found in Asculum. Immediately after the perpetration of this outrage, the Italians with one consent flew to arms: the Marsi[32], the Peligni, the Samnites, the Lucani, the Vestini, the Marrucini, the Picentes, the Hirpini, and the Japygians; almost every nation in Italy, except the Latins, Tuscans, and Umbrians, took part in the confederacy. They fixed upon Corfinium as their seat of government[33], giving it the name of Italicum; and there a senate was formed out of the principal individuals in the several states; and two officers were elected with the title of consuls, to conduct the operations of the war; each, in imitation of the practice of the Romans, having one half of Italy assigned him as his province, and six generals, with the title of lieutenants, to act under his command. A deputation

Revolt of the Italian allies.

[30] Appian, de Bell. Civili, I. 38. LXXII.
[31] Cicero, pro Fonteio, 14.
[32] Appian, I. 39. Livy, Epitome, XXXVII.
[33] Diodorus Siculus, Eclog.

CHAP. V.

From U.C. 616, A.C. 138, to U.C. 666, A.C. 88.

was sent to the Roman senate, representing the reasonable claims of the Italians to enjoy their share of the privileges of a city, whose greatness was in so large a proportion the work of their own courage and fidelity; but an answer was returned with the usual spirit of the Romans, that no proposals would be received until the Italians should express contrition for their rebellion, and return to their obedience. Thus an end was put to all negotiation, and the war was commenced on both sides with the utmost vigour and animosity.

Of the nature of the ancient system of alliance between a stronger and a weaker power.

That the reader may more fully understand the nature of this quarrel, and of the connexion which subsisted between Rome and the different nations of Italy, it will be proper to refer to the history of an earlier period, and to notice that system of alliances between the stronger and weaker powers which is one of the most peculiar points in the political relations of antiquity.

Nothing can be imagined more miserable than the condition of the weaker states, in those ages of barbarism which subsisted both in Greece and Italy long after the establishment of political societies or commonwealths. That superior power conferred a right of dominion, and that foreigners might be freely plundered, unless protected by some particular treaty, were two principles generally acted upon, and which exposed all small communities to the double evils of oppression from their neighbours, and of kidnapping and robbery from any one who had the means of occasionally reaching them. Their only resource

From U.C. 616, A.C. 138, to U.C. 666, A.C. 88.

Reasons why alliance was preferred to a complete union.

was to form a connexion with some nation strong enough to defend them, and the protection of which they purchased by binding themselves to serve it faithfully in all its wars; or, in other words, by surrendering their national independence. Unhappily the system of government which prevailed in those times led them to preserve their municipal independence, and substituted the connexion of alliance for that of union under the same executive and legislative power. The origin of most of the cities of Greece and Italy resembled that of the European settlements in America; they were the colonies of a more civilized people seating themselves in the country of barbarians; and thus, instead of freely naturalizing themselves and spreading over the face of the land, they advanced timidly and slowly beyond the walls of their first fortified habitation, and were accustomed to contract their feelings of patriotism within the limits of a single city. The spirit of a town is naturally somewhat republican; men are thrown more completely together, they live in the sight of one another, and all are readily summoned together to consider on any thing that may affect the common interest. Thus the principle of representation does not suggest itself to their minds; where all can meet to consult for themselves, they are not likely to intrust others with the power of acting for them. In this manner it came to be considered as an axiom amongst the political writers of antiquity, that where any portion of liberty was enjoyed, there some points at least must be subject to

CHAP. V. From U.C. 616, A.C. 138, to U.C. 666, A.C. 88.

the decision of the collective body of the people; and even where property was made a qualification, and the poorest citizens were excluded from the public assemblies, still those who had a voice in the Commonwealth always exercised it in their own persons collectively, and not through the medium of representatives; and thus the national council, if so it might be called, was always a considerable portion of the whole population, and formed too large a body to be contained within the walls of a single building. This circumstance rendered it impossible for the dependent allies of a state to become incorporated with it: the inhabitants of many towns could not habitually meet together in one common assembly; and the citizens of the capital, or seat of government, would then in effect hold in their hands an absolute sovereignty over all the rest of the nation. Whereas, by retaining a municipal independence, the allied cities still enjoyed an entire freedom in their internal government, lived under their own laws, held in their own hands the administration of justice, and confined to themselves all offices of civil honour and emolument. But at the same time their interests were thus kept distinct from those of their protecting ally, they were regarded always as subjects and not as fellow-citizens, and were liable to have their property taxed, their trade shackled, and their people called to serve as soldiers, whenever it suited the policy or pleasure of the sovereign state.

The invaluable histories of Thucydides and Xeno-

From U.C. 616, A.C. 138, to U.C. 666, A.C. 88.

Causes which placed the Romans at the head of an alliance.

phon afford a complete picture of these alliances among the Greeks; and it is from these that we must derive our knowledge of the same system, as it was practised in Italy. We find that Rome[34], so early as the first year of the Commonwealth, was strong enough to act as the protecting ally of several small adjacent cities, among which Ardea, Antium, Laurentum, Circeii, and Tarracina, are particularly mentioned. They were thus secured against the descents which the Carthaginians often made on the coasts of Italy, for the purposes of plunder, and especially of carrying off the inhabitants as slaves; for Rome, being of importance enough to treat with Carthage, stipulated that all her own dependent allies should be secured from molestation: but, with regard to all the other cities of Latium, it was provided, that if the Carthaginians took any of them, they might carry off the people and the moveable property, but might not convert the towns into establishments or garrisons for themselves. Thus they were allowed to plunder all who did not put themselves under the protection of Rome: and this permission was doubtless intended to exalt the benefits of the Roman alliance in the estimation of the neighbouring states. In process of time the Romans found means to include all the nations of Italy in the number of their allies, and thus to place all the military force of the peninsula at their own disposal They actually were preparing to call it into action

Their authority over their allies; 1. In war.

[34] Polybius, III. 22.

CHAP. V.

From U.C. 616, A.C. 138, to U.C. 666, A.C. 88.

when the Gauls invaded Italy between the first and second Punic wars, and caused returns to be made to them of the whole number of citizens able to bear arms in the several states of their confederacy [35]. In every war, the troops of the Italian allies formed one half of the Roman army: they were levied by orders from the consuls [36], who named the states from which the contingents were to be drawn, the number of them to be raised, and the time and place at which they were to be ready to put themselves under the command of the Roman generals. They had officers of their own [37], and their own paymasters, but these were entirely subordinate to generals appointed by the Romans to command them, with the title of prefects of the allies. The prefects had the power of punishing by fine or by flogging; and the consuls, as appears from a passage in Sallust, to which we referred on a former occasion, might even condemn any of the soldiers of the allies to death [38]. It

2. In peace.

is more difficult to state exactly what was the power of Rome over the Italian nations in time of peace. Generally speaking, the Roman laws were not binding on the allies, unless they themselves chose to adopt them [39]; but a large reservation was made of all such things as the Romans held to concern their dignity or prerogative, and in all these their decisions were of paramount authority to any municipal laws of their allies. For example, it was held that

[35] Polybius, II. 23, 24.
[36] Polybius, VI. 21.
[37] Polybius, VI. 21. 26. 34.
[38] Sallust, Bell. Jugurth. 69.
[39] Cicero, pro Cornelio Balbo, 8.

the senate or people of Rome, or that any of their generals, might confer the freedom of Rome on any meritorious individuals in the allied states [40], although it seems that the Italians viewed the exercise of this power with some jealousy, probably because they thought that it gave the Romans too great an influence among them. But, with whatever reluctance they might see the rights of Roman citizenship conferred on individuals amongst them by the patronage of Roman magistrates, the allies had long entertained a wish to share universally in these rights, and to find the road open before them to the command of armies, to the administration of provinces, to a participation, in short, in all the dignities and emoluments so largely enjoyed by the citizens of Rome. The Latins, or at least some states among them, possessed indeed the right of voting in the Roman assemblies; but it appears that they were all comprehended in one of the Roman tribes [41], and could influence consequently no more than a thirty-fifth part of the whole number of voters; so that there was little inducement for them as a body to interest themselves in the business of the forum. The rest of the Italians did not enjoy even so much political consequence as this; and both were alike incapable of being elected to any magistracy at Rome, or to any military command in the provinces. It is no wonder, therefore, that they bore with impatience such a state of exclusion: and a modern reader may

The allies are anxious to obtain the privileges of Roman citizenship.

[40] Cicero, pro Cornelio Balbo, 9. [41] Livy, XXV. 3.

CHAP. V.

From U.C. 616, A.C. 138, to U.C. 666, A.C. 88.

be surprised that their efforts were directed towards obtaining a closer union with Rome, rather than towards asserting their complete independence; and he may think it strange also, that the Romans should have risked the very existence of their Commonwealth, rather than adopt a measure which promised to strengthen it by the accession of so large a number of citizens, whose interests would from henceforth have been identified with that of Rome. But the allies on their part considered, that if they became independent, they would lose the fruits of all those conquests which they had so largely helped the Romans to acquire. Instead of being a sovereign nation, exempted from taxes, and deriving a large accession of wealth every year from its subject provinces, they would have relapsed into the condition of poor and petty republics, none of which had any claim to become a centre of union to the rest, while their separate strength would have been utterly incompetent to withstand the power of Rome, by which, long before it had reached its present eminence, they had already been successively overwhelmed. On the other hand, the pride of the Romans induced them to revolt at the notion of raising their inferiors to the rank of their equals. The senate besides, by admitting so many new competitors, diminished each individual senator's prospects of obtaining honours and emoluments: the equestrian order dreaded lest their exclusive possession of the judicial power should be invaded, or their profits, as farmers of the taxes, wrested from them

CHAP. V.

From U.C. 616, A.C. 138, to U.C. 666, A.C. 88.

by the competition of some of the wealthy Italians; whilst the bulk of the people were unwilling to lessen the value of their votes in the public assembly by extending the right of suffrage so largely. All parties in the Commonwealth, trusting to the well-known discipline of the Roman armies, to the superior experience of their generals, and to the usual dissensions and weaknesses of confederacies, resolved to hazard the issue of a war, not without the hope, perhaps, of establishing their power over their allies on a firmer basis, and silencing for ever all their claims to a participation in the rights of Roman citizenship.

The Italian war. First campaign.

Accordingly, the two consuls, L. Julius Cæsar and P. Rutilius Rufus, took the field, having under them as their lieutenants, all the officers of highest reputation in the Commonwealth [42]. Under Rutilius were employed C. Marius, who seems to have rested in inactivity since the sedition of Saturninus; Cn. Pompeius, the father of Pompey the Great; Q. Servilius Cæpio, who had made himself conspicuous by his opposition to M. Drusus, during his late tribuneship; C. Perpenna and Valerius Messala. Under L. Cæsar, were Licinius Crassus, P. Lentulus, Titus Didius, and L. Sylla. These several officers acted in their different quarters against the generals of the confederate Italians; but as we have no account of the war written by a contemporary, or by a military historian, we know not what were the plans for

[42] Appian, de Bell. Civil. I. 40.

CHAP. V.

From U.C. 616, A.C. 138, to U.C. 666, A.C. 88.

the campaign on either side; and the reports which we possess, contain little more than an unconnected list of battles and sieges, devoid alike of information and of interest, It is mentioned that the consul, L. Cæsar [43], was joined by an auxiliary force of Gauls and Numidians; but that the latter were rendered useless to him, by an able expedient of the Italian commander, C. Papius. Oxyntas, a son of the famous Jugurtha, had been detained a prisoner in Italy since the death of his father, and now falling into the hands of Papius, was by him invested with the ensigns of royalty, and studiously presented to the sight of his countrymen in the consul's army. Numbers of them immediately deserted to him, looking upon him as their king; and L. Cæsar, suspicious of those who remained, was obliged to send them back into Africa.

In the first year of the war, the Romans [44] met with some severe losses: the consul, P. Rutilius, and Q. Cæpio, one of his lieutenants, were, on separate occasions, defeated and slain. L. Postumius, one of the prætors, was killed at Nola; and that town, which had been so faithful to Rome in the second Punic war, now fell into the hands of the Samnites. Several other cities were either taken by the Italians, or were encouraged to join their cause of their own accord; and towards the close of the year, the Umbri and the Tuscans showed evident signs of their intention to follow the general

[43] Appian, de Bell. Civil. I. 42.
[44] Appian, de Bell. Civil. 43, 44. Livy, Epitomę, LXXIII.

CHAP. V.

From U.C. 616, A.C. 138, to U.C. 666, A.C. 88.

example. This last danger seemed so alarming, that the Romans were driven to avert it by concession; and they passed a law, admitting all the Italians who had continued faithful to Rome, to the rights of citizenship[45]. This fixed the Latins to their cause, and stopped the Tuscans from revolting as they had meditated; the Umbri, however, probably not being aware of it in time, actually joined the confederates. Yet, although Rome had thus been obliged to concede in some measure, her strength in the field had been too resolutely and successfully exerted, to allow the enemy to calculate on the speedy attainment of his object by force of arms. Sylla and Marius had obtained a great victory over the Marsi[46]; L. Cæsar had defeated the Samnites; and Cn. Pompeius, having obtained some advantage over the Picentes, was enabled to lay siege to Asculum. On the other hand, the Romans were so pressed for want of soldiers, that they enlisted even freed men into the legions[47]; and as their victories had been fully counterbalanced by defeats, it became evident that concessions must be made; and the difficulty consisted in disarming the resentment of the enemy without seeming to be actuated by fear, to yield the point in dispute without sacrificing the national honour.

Second campaign. A.U.C. 664.

The military events of the next campaign tended, however, in a great degree, to preserve the reputa-

[45] Appian, 49.
[46] Appian, de Bell. Civil. I. 46. Livy, Epitome, LXXIII. LXXIV.
[47] Appian, de Bell. Civil. 49. Livy, Epitome, LXXIV.

CHAP. V.

From U.C. 616, A.C. 138, to U.C. 666, A.C. 88.

tion of the Romans, and enabled them to extricate themselves without degradation from this alarming war. L. Porcius Cato, and Cn. Pompeius Strabo, were chosen consuls; and the latter brought the siege of Asculum to a triumphant issue [48], an event which was peculiarly welcome to the Romans, as that town had set the first example of revolt, and had accompanied it with the massacre of two Roman officers, and a number of Roman citizens. Cn. Pompeius gained also a victory over the Marsi, and reduced that people, together with the Vestini, Peligni, and Marrucini, to make a separate peace. Possibly, some intimation was given them, that the object for which they were contending would be granted them on their submission; for we find that the states which first withdrew from the confederacy, were rewarded by receiving the right of citizenship immediately. The seat of government of the Italians was now removed from Corfinium to Æsernia [49], in the country of the Samnites; that bold people resolving to continue the struggle as obstinately as their ancestors had done in the days of Pontius and Papirius Cursor. But they had to contend with one of the most formidable of the Roman generals, in the person of Sylla, whose exploits in this second campaign had raised him to the highest distinction. The forces under his command were increased early in the season [50], by a mutiny

[48] Livy, Epitome, LXXV. XXXVII. LXXVI.

[49] Diodorus Siculus, Eclog.

[50] Livy, Epitome, LXXV. Plutarch, in Syllâ, 6.

which took place among the troops of A. Postumius Albinus, another of the consul's lieutenants. That officer, being suspected of treason, was murdered by his own soldiers, who then joined themselves to the army of Sylla; nor did he scruple to receive them, but observed, "that they would only fight the better, in order to atone for their crime." Thus strengthened, he took and destroyed the town of Stabiæ [51], in Campania, defeated a large army with immense loss near Nola, reduced the Hirpini to subjection, and then, invading Samnium, defeated the Samnite general, Papius Mutilius, with severe loss in the field, drove him into Æsconia, and attacked and took the town of Bovianum. These successes encouraged him to offer himself as a candidate for the consulship; for which purpose, towards the end of the campaign, he returned to Rome.

Mithridates refuses to assist the Italians.

A circumstance, which is mentioned by Diodorus Siculus [52], served, in all probability, as a powerful inducement to the Romans to reward the submission of the Italians as early as possible with the privileges which they so earnestly desired. It appears that the confederates had applied for aid to Mithridates, king of Pontus, whose power and ambition were now disposing him to enter into a contest with the Romans. Either his pride, or his want of sufficient information, dictated to him his most ill-judged answer, and led him to commit a fault in policy, which the ability and vigour of all his after-

[51] Pliny, Historia Natural. III. 5. Appian, I. 50, 51.

[52] Eclog. XXXVII.

CHAP. V.

From U.C. 616, A.C. 138, to U.C. 666, A.C. 88.

life could never repair. He told the Italians, that he would lead his armies into Italy as soon as he had secured the dominion of Asia Minor. But the fortune of his intended allies could brook no delay; and a bare suspicion of so formidable an accession to their enemy's force, would dispose the Romans to hasten their measures of conciliation. Accordingly, the Italian war vanishes almost instantaneously from our notice; one state after another submitted, and received in return the gift of Roman citizenship; and after the close of the second year of the contest we only find some faint sparks remaining of the vast conflagration which had so lately involved all Italy. Nola still refused to yield[53]: and the relics of the Samnites and Lucanians were yet in arms, either in their own country, or in the extremity of Bruttium, almost in the same quarter where Hannibal had so long maintained himself under circumstances nearly similar.

End of the Italian war.

Its connexion with subsequent events should be observed.

The war which we now have been recording, was undertaken for a definite and intelligible object, and naturally ended when that object was attained. But as it had sprung out of the internal dissensions of Rome, so it was lost in them again; and the different interests which had been engaged in it, although no longer the leading points in the civil wars that followed, yet became easily connected with the respective parties, and served to prolong and exasperate their quarrel. It is here that we again deeply feel

[53] Velleius Paterculus, II. 17. Diodorus Siculus, Eclog. XXXVII.

the want of a contemporary, or a sensible historian, to guide our researches. Reduced to connect, as well as we can, the facts incidentally mentioned by the writers whom we are obliged to follow, and forced to supply, often by conjectures, the chasms in their most unsatisfactory narratives, we can only hope at best to present our readers with an imperfect picture, and may be forgiven if it be in some respects even an erroneous one. The name of Marius has scarcely occurred to our notice in the second campaign of the Italian war; whereas the services of Sylla were most eminent. We have seen that Sylla went to Rome to stand for the consulship, and the prospect of his attaining that dignity was most galling to the jealousy of Marius; especially as a war with Mithridates now appeared certain, and if a general of Sylla's reputation filled the office of consul, his claims to the command of the army employed in the contest would prevail over all others. C. Julius Cæsar, and Q. Pompeius, were the two other candidates; the former of whom could not legally offer himself[54], as he had never gone through the previous office of prætor, and on this account his election was vigorously opposed by P. Antistius and P. Sulpicius, tribunes of the people. Sulpicius was one of the ablest orators of his time[55], and had lived in habits of familiarity with L. Crassus, with M. Antonius, and particularly with the late tribune, M. Drusus. He is introduced by Cicero as one of the speakers in the dialogue "de Oratore,"

Sylla a candidate for the consulship.

Consulship of L. Sylla and Q. Pompeius, A.U.C. 665.

[54] Cicero, de Claris Oratoribus, 62.

[55] Cicero, de Claris Oratoribus, 49. 55. De Oratore, I. 7. 21.

CHAP. V.

From U.C. 616, A.C. 138, to U.C. 666, A.C. 88.

and is said to have been regarded by the elder part of the nobility, as a man likely to be one of the best supporters of the aristocratical cause. One of his first public acts was the accusation of C. Norbanus[56], for a riot and sedition in his tribuneship, and this was considered as a favourable omen of his future attachment to the laws and to good order. His opposition to the illegal pretensions of C. Cæsar gained him great popularity[57], without any prejudice to his character in the opinions of the nobility; but it appears that the favour with the multitude, which he had thus honourably gained, accompanied, perhaps, with an excessive confidence in his own talents as a speaker, excited in his mind a fatal ambition, and led him to tread in the steps of the Gracchi, of Saturninus, and of his friend Drusus, in assuming the character of a popular tribune. Other circumstances may have contributed also to the same effect: he had a violent personal quarrel with Q. Pompeius[58], who, together with Sylla, proved the successful candidate in the consular election; and he had, perhaps, already formed that connexion with Marius, which his subsequent conduct so clearly discovered. The measure which he principally endeavoured to carry, seems to have been a favourite one with all the popular leaders since the days of Tiberius Gracchus; and Sulpicius, in the course of his intimacy with Drusus, probably learned to regard it with peculiar attachment. This was an unlimited communication

Rise, character, and proceedings of the tribune Sulpicius.

[56] Cicero, de Oratore, II. 21. 48.

[57] Cicero, de Hauruspic. Responsa. 19.

[58] Cicero, de Amicitiâ, 1.

CHAP. V.

From U.C. 616, A.C. 138, to U.C. 666, A.C. 88.

of the right of citizenship to all the inhabitants of Italy; a project essentially popular in its principle, as it tended to render the government less exclusive; and which, though abhorred by the aristocracy, and viewed with jealousy by a large portion of the people at large, possessed notwithstanding great attractions for the very lowest class of citizens[59], as well as for the turbulent and enthusiastic of all classes; for not only was it recommended by being of a spirit entirely democratical, but it was obvious that the indiscriminate admission of all the Italians to the privilege of voting at Rome, would greatly lessen the influence of the richer class of Roman citizens, and, by rendering the assembly of the people so immoderately numerous, would in fact reduce it to little better than a mere mob, the ready tool of an eloquent and ambitious leader. Nor had the late grant of citizenship to the allies entirely satisfied their wishes; for, in order to prevent them from exercising a power in the comitia proportionate to their numbers, they had been all admitted into eight

[59] The history of the Catholic question in our own times will greatly illustrate the account given in the text. The cause of the Catholics has been espoused by the popular party, because the principle of abolishing laws of exclusion, and rendering all men equally eligible to a share in the government, is in itself a popular one. Yet considerations of danger or loss to themselves from the consequences of the measure, have often strongly influenced the multitude to oppose it, and to inveigh against its supporters; although, after the ferment was over, they have not liked their leaders the less for continuing to be its advocates. Thus Drusus may be said to have fallen a sacrifice to something like the outcry of "No Popery;" yet Sulpicius, only two years afterwards, could tread in his steps, not only without forfeiting the affections of the people, but as if the side of the question which he espoused were the one which a popular leader would naturally adopt.

CHAP. V.

From U.C. 616, A.C. 138, to U.C. 666, A.C. 88.

only of the thirty-five tribes[60]; and as all questions were decided by a majority of tribes, and not of individual votes, their weight in the assembly was still much less than they thought themselves entitled to claim. Accordingly, Sulpicius now professed himself the advocate of their complete equality with the natives of Rome, and proposed that they should be admitted into all the tribes without distinction. Finding his project resisted by the aristocratical party, he became only more violent in his proceedings; he knew that, if it became a question of physical force, his partisans were likely to prevail, provided only that he could give them organization as well as numbers, to prevent them from being seized with a panic in the time of danger, and leaving him personally exposed to the fate of the Gracchi and of Saturninus. He prepared, therefore, a body of three thousand gladiators[61], whom he kept always about him; and he is said, besides, to have been attended by six hundred young men of the equestrian order, whom he called his anti-senate. While we start at such a systematic defiance of the forms of a regular government, we should remember that acts of outrage and violence were not confined to the popular party; for, only two years before this time, a riot had been excited by a class of men necessarily removed far above the mere rabble[62], those who had large debts due to them; who had

[60] Velleius Paterculus, II. 20.

[61] Plutarch, in Mario, 35; in Syllâ, 8. Appian, I. 54.

[62] Livy, Epitome, LXXIV.

assaulted and murdered A. Sempronius Asellio, one of the prætors, in open day, because, in his judicial capacity, he had issued some decrees for the protection of insolvent debtors. In the meantime, news arrived that Mithridates had actually attacked and overrun the Roman dominions in Asia Minor. War was, therefore, declared against him at Rome; and Asia and Italy being named as the provinces of the consuls, the latter fell to the lot of Q. Pompeius[63], and the former to that of Sylla. The army which Sylla was to command, was at this time employed near Nola, as that city still refused to submit to the Romans; but he himself remained in the city with his colleague, endeavouring to baffle the projects of Sulpicius, by proclaiming frequent holy-days, and ordering consequently a suspension of public business. But Sulpicius[64], on one of these occasions, attacked the consuls with his armed force, calling upon them to repeal their proclamation for the festival; and on their refusal a riot ensued, in which Q. Pompeius escaped with difficulty to a place of concealment, his son was killed, and Sylla, finding himself in the power of his enemies, complied with their demands and annulled his late edict. Then, unwilling to expose himself to similar insults, he instantly left Rome to join the army. Sulpicius carried his favourite measure, and the Italian allies were placed by law on a footing of perfect equality with the Romans in the right of voting.

[63] Appian, 55.
[64] Appian, de Bello Civili, I. 56. Plutarch, in Syllâ, 8.

CHAP. V.

From U.C. 616, A.C. 138, to U.C. 666, A.C. 88. Sulpicius procures the command of the army, destined to act against Mithridates, to be transferred from Sylla to Marius.

Sylla had already shown that he possessed none of the virtuous courage of Metellus, who had preferred banishment to a compliance with the illegal demands of the popular party in the time of Saturninus. It was soon to appear that he resembled that excellent citizen as little in the readiness with which he had sacrificed his own interests and dignity, rather than endanger the peace of his country. Marius was now to reap the advantage which he had proposed to himself from his connexion with Sulpicius, and from the late triumph of the Italian allies. It should be recollected, that he had supported the interests of the Italians in the tribuneship of Saturninus, and that he in return relied upon their devotion to him in promoting his views of ambition. His own low birth, his want of education, and the inherent coarseness of his character, had prevented him from ever blending cordially with the aristocracy; he was besides himself a native of a country town, Arpinum, and could have no invincible prejudices in favour of the exclusive possession of power by the inhabitants of Rome. Accordingly, soon after the admission of the Italians into all the tribes, a law was passed in the comitia, by which the people transferred the command of the army, destined to act against Mithridates, from Sylla to Marius[65]; and two military tribunes were sent to notify this change to Sylla. His soldiers are said to have been as indignant as himself at this decree: they had been

[65] Velleius Paterculus, II. 18. Appian, 56.

fighting for two campaigns against the revolted Italians; and now the enemy whom they had vanquished in the field, had acquired an ascendancy in the councils of the state, and would probably deprive them, as well as their general, of the spoils and honours which all anticipated from an Asiatic war. The violence of the comitia was imitated in the camp; the two military tribunes were murdered [66], and the army, consisting of six legions, immediately broke up from its quarters, and began to move towards Rome. But it is said [67], that almost all the superior officers, unwilling to fight against their country, resigned their commands, and hastened to escape into the city.

Sylla marches towards Rome.

In retaliation for the murder of the two military tribunes, several of Sylla's friends were murdered by the popular party at Rome. The senate was completely overawed; and none of the many illustrious persons whom it contained, are recorded as making any attempt to mediate between the parties, or to prevent the violence that was impending. Sylla was joined, meantime, by his colleague, Q. Pompeius, and the two consuls continued to advance, disregarding the repeated deputations that were sent to stay their march. At last, when they were already in the neighbourhood of Rome, they received a final address, entreating them, in the name of the senate, not to approach within four miles of the capital [68]. Sylla pretended to comply, and gave the usual orders

[66] Plutarch, in Syllâ, 9.
[67] Appian, 57.
[68] Appian, 57. Plutarch, in Syllâ, 9.

CHAP. V.

From U.C. 616, A.C. 138, to U.C. 666, A.C. 88.

to measure out the ground for his camp, on the spot on which the deputation had met him. But, while his antagonists were thus thrown off their guard, he sent off a detachment to follow close after the returning deputies[69], and to occupy one of the gates of the city. This was effected; and he and his colleague, putting themselves instantly in motion with the main army, and stationing troops on several quarters of the town, proceeded to force their way into the streets. Marius and Sulpicius, having in vain tried to strengthen their cause, by inviting the slaves to join them with a promise of freedom, attempted for a time to resist with such a force as they had been able to raise and arm, and with the aid of many of the inhabitants, who annoyed the assailants with stones and arrows from their houses. But Sylla, without scruple, ordered his men to set fire to the quarters from whence they were thus annoyed, and at the same time prepared to assail the city in an opposite direction, at once to distract the plans of the defenders, and to menace them with cutting off their retreat. Then it was that Marius, Sulpicius, and their principal friends, gave up the contest, and consulted for their safety by flight; whilst the conquerors, halting in the Sacred Way, took instant measures for securing their victory, punished severely some of their soldiers[70], who were beginning to plunder, stationed guards in the most important positions, and were on the alert the

Assaults and takes the city.

[69] Plutarch, in Syllâ, 9. Appian, 58.
[70] Appian, I. 59.

whole night to prevent any new disorders, or any further hostile attempts on either side.

On the following morning the Romans, for the first time since the invasion of the Gauls, awoke to the sight of a victorious enemy in possession of their city. Sylla proceeded to assemble the senate, and proposed that Marius[71], Sulpicius, and their adherents should be declared public enemies, and a price set on their heads. A decree was passed accordingly to that effect, and Sulpicius, being betrayed by one of his slaves, was put to death by the consul's orders, and his head exposed upon the Rostra. Marius, after a series of romantic adventures, succeeded in escaping from his pursuers, and sought a refuge for the present in Africa, so that the popular party, deprived of its leaders, and controlled by the presence of a military force, submitted without resistance to the storm. What measures were taken by Sylla to secure the power of the aristocracy for the future, it is difficult to decide[72]; nor is it material, for they were all reversed in the counter-revolution that immediately followed. The laws of Sulpicius were, as might be expected, declared invalid; and the Italians were thus again debarred admission

Marius and Sulpicius are declared traitors.

[71] Appian, 60. Cicero, de Claris Oratoribus, 45.

[72] Appian says, that he restored the old custom of voting by centuries instead of tribes; that he revived the practice that nothing should be submitted to the decision of the people, unless it had first passed the senate; and that the senate itself was swelled by the nomination of three hundred new members from the different orders of the state to be placed on its rolls. But the reality of such important changes must not be admitted on the sole authority of such a writer as Appian.

CHAP. V.

From U.C. 616, A.C. 138, to U.C. 666, A.C. 88.

into more than eight of the tribes. But the Epitomizer of Livy tells us[73], that Sylla at this time planted several colonies, in order, as we may suppose, to reconcile some of the poorer citizens to his party; and he so abstained from interfering in the elections, that L. Cornelius Cinna, a man notoriously devoted to the popular interest, was chosen consul for the following year, together with Cn. Octavius, a partisan of the aristocracy. It is said that he bound Cinna[74] by the most solemn oaths not to disturb the order of things which he had established; a precaution so little likely to be of any avail, that we may almost wonder that Sylla should have adopted it. In fact, no sooner did Cinna come into office, than he began to declare his real sentiments, and induced one of the tribunes to threaten Sylla with a prosecution for his late violent assault on the city and usurpation of the government[75]. It is probable that Sylla now saw too late how incomplete and short-lived was the victory that he had gained; still, secure of the attachment of his army, he trusted that the senate might be able to maintain their own cause till he should return in triumph from Asia; and, to prevent all chance of again being deprived of his command, he at once left Rome, rejoined his soldiers whom he had some time before sent back to Campania, and then proceeded without delay to sail with them into Greece, there to check, if possible, the alarming career of Mithridates.

Election of Cinna and Octavius to the consulship.

Sylla sails with his army to Greece.

[73] Epitome, LXXVII.
[74] Plutarch, in Syllâ, 10.
[75] Plutarch, in Syllâ, 10. Cicero, de Claris Oratoribus, 48.

CHAP. V.

From U.C. 616, A.C. 138, to U.C. 666, A.C. 88.

His colleague in the consulship, Q. Pompeius[76], had been also confirmed by the senate in his appointment to the command of the army which was still kept on foot to oppose the remnants of the Italian confederacy. He accordingly set out for the quarters of the troops, which were at this time in the country of the Marsi. But Cn. Pompeius, the general whom he was going to supersede, considered the possession of an army too valuable to be easily relinquished; and the soldiers, at his instigation, as is stated in all our accounts of these times, murdered their intended commander as soon as he arrived among them. Cn. Pompeius, thus retaining his station, aspired perhaps to act the part of Sylla, and to become like him the defender of the senate against the enemies who were preparing to assault it; but it was not decreed that his crime should be so successful; and the author of an act, unexampled till now in the Roman history, was not permitted even to reap that poor renown which attends on prosperous wickedness.

Q. Pompeius is murdered by his soldiers.

[76] Appian, 63. Velleius Paterculus, II. 20. Livy, Epitome, LXXVII.

CHAPTER VI.

PART II.

LUCIUS CORNELIUS SYLLA.—FROM U.C. 666, A.C. 88, TO U.C. 677, A.C. 77.

From U.C. 666, A.C.88, to U.C. 677, A.C. 77.

Causes which led to a renewal of disturbances.

THE former triumphs of the aristocratical party over the Gracchi, and over Saturninus, had been followed by some years of comparative calm. But the popular cause had now gained an accession of strength, more fatally, indeed, to its adversaries than beneficially to itself, in the support of ambitious and powerful men, who hoped to turn its successes to the advancement of their own greatness. Besides this, the Italian war, while it had filled Italy with armies, had degraded the quality of the soldiery: for, in the distress of the state, the Romans had enlisted freedmen into the legions: and this, combining with the example already set by Marius of admitting men to serve without any qualification of property, had rendered the troops readier instruments of the personal schemes of their generals. The Italians also, by coalescing with one of the great divisions of the Roman Commonwealth, might hope for more complete success than when they had struggled against the united force of the senate and the people. Added to all this, the late violence of Sylla, although

professing to be no more than a necessary retaliation of preceding outrages, yet furnished those who had suffered from it with abundant excuses for a new reaction on their part; while the proscription of Marius, after the signal services he had rendered to his country, exasperated not only his own numerous friends, but a large body of independent citizens, who forgot the associate of Sulpicius, and remembered only the conqueror of the Cimbri.

Cinna proposes to renew the law of Sulpicius, admitting the Italians into all the tribes.

Immediately, therefore, on the departure of Sylla from Italy, L. Cinna again brought forward the law of Sulpicius[1], which admitted the Italians into all the thirty-five tribes without distinction. Those whom this law was intended to benefit crowded to Rome in great numbers, to support its author by their swords rather than by their votes. If we may believe Appian[2], hardly a shadow of any constitutional form of proceeding was observed; and no sooner had some of the tribunes of the aristocratical party interposed their negative to stop the passing of the law, than a violent riot broke out and the lives of the tribunes were threatened. Upon this, Cn. Octavius, the other consul, broke into the forum with an armed force, and drove out the rioters, great numbers of whom were killed by his followers in their flight, but, as we are told, without his orders. Thus far the scene resembles the seditions of the Gracchi; but Octavius was of a mild and scrupulous temper, and had left the principal offender un-

[1] Velleius Paterculus, II. 20.

[2] De Bellis Civilibus, I. 64.

CHAP. VI.

From U.C. 676, A.C. 88, to U.C. 667, A.C. 77.

touched; and Cinna, being fully prepared for the last extremities of civil discord, began to summon the slaves to his standard, in the hope of maintaining his ground in the capital. But, finding himself disappointed, he fled from the city with his chief partisans, and the senate, by an act of authority hitherto unprecedented, declared that he had forfeited the consulship[3]: and the people being called on to proceed to a new election, L. Cornelius Merula, the Flamen of Jupiter, was appointed consul in his room.

He is driven from Rome, and deprived of the consulship.

Is assisted by the Italians, and gains over a Roman army.

The Italian towns, regarding the cause of Cinna as their own, received him with the utmost cordiality[4], and encouraged by their support, and assisted by their supplies of money, he presented himself at the camp of the army, which still, it seems, was employed in the neighbourhood of Nola. Here, by bribes and promises, he persuaded the soldiers to acknowledge him as their lawful consul, and to take the military oath of obedience to him; and, having thus secured a rallying point for his partisans, he was soon joined by many individuals of the popular party from Rome. But his most powerful auxiliaries were the different cities of Italy[5], who, thinking that now they had a fair opportunity of resuming the contest with Rome under happier auspices, exerted every nerve in the cause, and not only furnished Cinna with money, but took up arms with such spirit and unanimity to join him, that he was able in a very

[3] Velleius Paterculus, II. 20.
[4] Appian, 66.
[5] Appian, 67. Paterculus, 20.

short time to form an army of thirty legions, amounting at the least to a hundred and fifty thousand men. Already, too, Cinna had invited Marius and the other exiles of the popular party to return to their country[6], and Q. Sertorius and Cn. Carbo were actually holding commands in his army. Hoping, therefore, to imitate the example of Sylla, he moved immediately with his forces towards Rome.

The senate apply to Cn. Pompeius for aid.

The senate had no hopes of withstanding this assault by the mere efforts of the citizens of the capital. They required the support of a regular army[7], and implored Cn. Pompeius, who, as we have seen, still retained his command in Umbria, to employ his soldiers in their defence. But he, more anxious to make the troubles of his country an occasion of his own advancement, remained for some time in suspense, as if waiting to see which party would purchase his services at the highest price, and thus allowed Cinna and his faction to consolidate their force beyond the possibility of successful resistance.

Marius lands in Italy and joins Cinna.

Marius in the meanwhile landed in Tuscany with a small body of adherents[8], and studiously retaining all the outward marks of wretchedness and poverty in his person and dress, he appealed to the compassion of the people by contrasting his present miserable condition with his former triumphs and dignities. He is said to have raised by these arts a body of about six thousand men, and to have effected

[6] Plutarch, in Sertorio, 5.

[7] Livy, Epitom. LXXIX. Appian, I. 67. Paterculus, 21.

[8] Appian, 67. Plutarch, in Mario, 41.

CHAP. VI.

From U.C. 666, A.C. 88, to U.C. 677, A.C. 77.

his junction with Cinna, so that their combined forces were capable of being divided into four distinct armies[9], with two of which Cinna and Carbo took up their positions on both sides of Rome; while Sertorius, with a third, stationed himself so as to command the navigation of the Tiber above the city; and Marius, with a fourth, was master of the course of the river below, between Rome and the sea.

Progress of the civil war.

In this state of things Cn. Pompeius at last resolved to espouse the cause of the senate, and marched towards Rome. A battle was fought between his army and that of Cinna, immediately under the walls of the capital[10]; but, though the slaughter was great, the event seems to have been indecisive, and soon afterwards Cn. Pompeius was killed by lightning in his own camp. Both parties were suffering severely from the attacks of sickness, and this probably suspended their operations; while Marius was employed in destroying several of the towns in the neighbourhood of Rome[11], from whence the city might have been supplied with provisions; and a detachment occupied Ariminum to intercept the reinforcements which the senate hoped to receive from Cisalpine Gaul. One hope still remained to the aristocracy. Metellus Pius, the son of that Metellus Numidicus, whose name, combined as it is with the recollection of his virtues, is a beautiful contrast to those which we must now so often mention, was at the head of an army in Samnium, and

[9] Livy, Epitome, LXXIX. Appian, 67.

[10] Paterculus, II. 21. Appian, 68.

[11] Appian, 67, 68.

CHAP. VI.

From U.C. 666, A.C. 88, to U.C. 677, A.C. 77.

was still carrying on hostilities against the people of that country, who, with hereditary obstinacy, even now kept alive the last sparks of the Italian war. He was desired by the senate to make the best terms in his power with the Samnites[12], and to hasten to the relief of his country. But either some difficulties occurred in the negotiation, or the conditions which he granted were not so favourable as to prevent the popular leaders from turning his retreat out of Samnium to their own advantage. Marius promised to give the Samnites every thing which they required; and accordingly they instantly joined his cause, defeated a Roman officer whom Metellus had left behind him to watch their movements, and added their whole strength to that already overpowering confederacy by which the aristocracy of Rome was assaulted.

The defenders of the old constitution, under the command of Octavius the consul, and Metellus[13], had established themselves on the hill of Alba, and still presented a force which might have encountered any one of the enemy's armies with a fair hope of victory. But the generals dreaded to expose the whole nobility of the Commonwealth, with their wives and children, to the consequences of a decisive defeat; besides this, their soldiers could not be fully depended on, for many of them preferred Metellus to Octavius[14], and entreated him to take the supreme command; and when he refused, and desired

[12] Appian, 68. Livy, Epitome, LXXX.

[13] Appian, 69.

[14] Plutarch, in Mario, 42.

CHAP. VI.

From U.C. 666, A.C. 88, to U.C. 677, A.C. 77.

them to submit to the consul, who was their lawful general, they went over in crowds to the enemy. The very uprightness, indeed, of the aristocratical leaders contributed to the present success of their adversaries. Whilst Cinna was seducing the slaves to join him by promising them their liberty, Octavius refused to follow the example, declaring that he would not imitate that conduct which he had himself denounced in his antagonist as treasonable. Thus the consular army was continually diminishing by desertion, without being able to repair its losses; and the enemy had now established so strict a blockade, that the mass of the people were alarmed at the prospect of a famine, and impatient of a longer continuance of this hopeless struggle.

Cinna and Marius enter Rome. U.C. 668. A.C. 86.

Deputies were accordingly sent to Cinna by the senate to treat of peace [15]. But he insisted on knowing whether they were going to treat with him as consul, or as a private individual; and this difficulty broke off the negotiation for the moment. But the desertion from the city to the besieging army daily increasing, the senate were obliged to yield; they consented to acknowledge Cinna as consul, and only requested him to swear that he would shed no blood after his victory. He received the deputies with all the state of a consul [16], and refusing to take any oath, merely promised that he would not willingly be the author of any executions. But what little comfort the deputies might have derived from this

[15] Appian, 69.
[16] Appian, 70. Plutarch, in Mario, 43.

CHAP. VI. From U.C. 666, A.C. 88, to U.C. 677, A.C. 77.

assurance was destroyed by the sight of Marius, who stood silently beside the consul's chair, and whose savage glances, rendered more fearful by the assumed wildness of his face and the meanness of his attire, betokened nothing but executions and massacres. Metellus had in the mean time withdrawn from Alba, and retired towards the north of Italy [17]; but Octavius, partly actuated by a courageous sense of duty, partly trusting to the solemn assurances of safety which he received from Cinna and Marius, and partly led away by his prophets and soothsayers, who foretold that he should suffer no injury, and to whose predictions he was habitually too ready to listen, refused to quit his station, and still continued to wear the ensigns of his office, and to show himself in public in the city. Cinna had already entered the walls, and disguise being no longer needful, he sent a party of soldiers to murder his colleague. Octavius quietly waited their approach, refusing either to fly or to conceal himself; the assassins executed their task, and the head of this blameless consul was, by Cinna's orders, suspended over the rostra, as the first victim to his vengeance.

Rome, with every thing that was most noble and most distinguished within its walls, now lay at the mercy of the popular leaders. But Marius professed, that as he had been declared an exile by the people [18], he could not enter the city till his sentence should be regularly repealed: and the tribes were sum-

[17] Appian, 80. Plutarch, in Mario, 42.
[18] Plutarch, in Mario, 43.

CHAP. VI.

From U.C. 666, A.C. 88, to U.C. 677, A.C. 77.

moned in mockery, that their votes might enable their conqueror to avail himself of his own victory. His thirst of blood, however, could not brook the delay which he had devised to enhance the delight of his triumph; and when two or three of the tribes had voted, he took possession of one of the gates, and entered the town at the head of a band peculiarly attached to his own person, and which consisted chiefly of the peasants or fugitive slaves who had joined him on his first landing in Tuscany.

Massacres in Rome by order of Marius.

With these instruments he proceeded at once to the work of murder. The principal nobility were selected as his victims. Some fell by their own hands to anticipate the stroke of their assassins; some were betrayed, and dragged from their places of concealment to death; some were discovered and slain in the houses where they had sought refuge; and others were butchered in the open streets, and gratified Marius with the sight of their agony. In the midst of this carnage, the wretches who were employed in it added to its horrors by all varieties of unauthorized crimes of their own devising. Fugitive slaves availed themselves of the opportunity to murder their masters [19], to plunder their houses, and to commit the worst outrages on their families. The wife and children of Sylla were happy enough to escape this fate [20], though they were especially sought after; they were concealed by some of their friends until means were found to

[19] Appian, 74.

[20] Plutarch, in Syllâ, 22. Appian, 73.

convey them out of the city. That their property should have been confiscated, that all Sylla's laws should have been repealed, and himself declared, in his turn, a public enemy, seemed only the natural retaliation of a party which had so lately suffered at his hands a similar treatment. But the general scene of lawless rapine and murder which was every where exhibited, as it far exceeded any thing which Rome had hitherto witnessed, so it was far too dreadful to be palliated by any plea of former provocations, and has deservedly procured for those who were its actors, the unmitigated abhorrence of all posterity.

From U.C. 666, A.C. 88. to U.C. 677, A.C. 77.

In this massacre there perished by the orders of Cinna and Marius, L. Julius Cæsar[21], who had been consul during the Italian war, and had distinguished himself by a splendid victory over the Samnites; together with his brother, C. Julius Cæsar, whose ill-advised competition for the consulship had first provoked Sulpicius to enter on his career as a demagogue, and was now visited with death by the unforgiving jealousy of Marius. The heads of both these victims were exposed over the rostra; and near them was seen the head of M. Antonius[22], the most eloquent citizen in the Commonwealth, who had filled the offices of consul and censor, and who was respected as the able defender of all who applied for his aid in the courts of justice. His place of concealment was betrayed to Marius[23], who, although

[21] Cicero, de Oratore, III. 3. Tusculan. Disputat. V. 19.
[22] Cicero, de Oratore, III. 3.
[23] Appian, 72.

CHAP. VI.

From U.C. 666, A.C. 88, to U.C. 677, A.C. 77.

he was then at supper, was on the point of starting up from the table, to be himself a witness of his death; but being restrained by his friends, he sent a party of soldiers instantly to destroy him, and bring back his head with them. P. Crassus[24], the father of M. Crassus the triumvir, who had also, like M. Antonius, been both censor and consul, being now marked out for destruction, and having seen one of his sons murdered, killed himself. C. Numitorius and M. Bæbius[25], both apparently men of some consideration, and the latter a name that occurs frequently in earlier periods of the Roman history, were murdered, and their bodies ignominiously dragged through the forum by the common executioners. These, with many others, were sacrificed by mere military execution to the first fury of the victorious leaders. But against L. Cornelius Merula, who had been appointed consul when Cinna was driven from Rome, and against Q. Lutatius Catulus, the colleague of Marius in his fourth consulship, and his companion in his great victory over the Cimbri, it was resolved to proceed with something of the forms of justice. Their condemnation they well knew was the necessary consequence of their trial: Merula, therefore, preferring to die by his own hands, opened his veins[26], and as his blood flowed upon the altar of Jupiter, he, in his character of Flamen, imprecated the vengeance of his god upon

[24] Cicero, de Oratore, III. 3. Livy, Epitome, LXXX. Florus, III. 21.

[25] Florus, III. 21.

[26] Velleius Paterculus, II. 22.

the head of his murderers. Catulus, it appears, had actually co-operated with Sylla in procuring the expulsion of Marius and Sulpicius[27], and causing them to be declared public enemies. For this, Marius was bent upon his death, and answered every solicitation in his behalf by saying, "He must die[28];" upon which Catulus, like Merula, to avoid falling by the executioner, shut himself up in a close room, and suffocated himself by burning charcoal.

Often as the leaders of a popular party have made the interests of their followers subservient to their own ambition, yet never was this more shamelessly exemplified than in the behaviour of Cinna and Marius. After having plunged their country into a civil war, under pretence of supporting the just claims of the Italians to an equal share in the right of suffrage, the chiefs of the victorious party would not, or could not, rely on the gratitude of those whose cause they had upheld; nor would they allow the people to exercise the form of an election, even when they could have so certainly commanded the result. Cinna and Marius, by their own authority, declared themselves consuls for the ensuing year[29]; U.C. 667. A.C. 87. and it is mentioned of the latter, that on the very day on which he entered upon his usurped office, he ordered a senator, of the name of Sextus Licinius, to be thrown from the Tarpeian rock. The atrocities, indeed, which Marius was daily committing, and the excesses in which his band of fugitive slaves in-

[27] Appian, 74.
[28] Cicero, Tuscul. Disputat. V. 19.
[29] Livy, Epitome, LXXX.

CHAP. VI.

From U.C. 666, A.C. 88, to U.C. 677, A.C. 77.

dulged themselves without remorse, at last awakened the shame or the jealousy of his associates. Cinna, instigated, as it is said, by Sertorius[30], who beheld with indignation the crimes with which his party had disgraced themselves, finding all attempts to repress these disorders fruitless, assembled a body of his Gaulish auxiliary troops, and attacking Marius's band in their quarters by night, put the whole of them to the sword. Such an act was likely to have exasperated Marius against his colleague, had he been capable of revenging the affront; but his career was fast drawing to a close: he was now in his seventieth year, and plunging deeply into the utmost intemperance in his manner of living[31], he contracted a pleurisy, of which he died after a short illness, having enjoyed his seventh consulship for only seventeen days. It was reported that he became delirious before his death, and imagined himself to be commanding the army against Mithridates, which had so long been the object of his ambition, often shouting aloud, and expressing by the most violent gestures the liveliness of the impression which occupied his mind. But whatever were the scenes which accompanied his last hours, they could scarcely add any thing to the certain horror of a sudden death thus cutting him off amidst the perpetration of so many and such dreadful crimes; nor are any stories of his late remorse and agony of mind required to aggravate our abhorrence of a life which, in the

Sickness and death of Marius. U.C. 668. A.C. 86.

[30] Plutarch, in Sertorio, 5. Appian, 74.

[31] Plutarch, in Mario, 45, 46.

course of seventy years, presents an unvaried picture of evil passions, darkening more and more as he advanced in age, and growing to the deepest intensity of blackness as he approached the latest period of his earthly existence.

It is mentioned by Cicero[32], that during the celebration of the funeral of Marius, C. Fimbria, a man whose ungoverned violence in speaking and in acting amounted sometimes almost to insanity, caused an attempt to be made on the life of Q. Mucius Scævola, one of the most virtuous citizens of his time. The assassin only wounded his intended victim; and Fimbria, when he heard that Scævola had escaped, declared that he would bring him to trial before the people. He was asked what charge he could possibly invent against a character so pure as Mucius; to which he replied, "I shall accuse him for not having given my dagger a more hearty welcome." Such were the wretches whose crimes were now enjoying a full impunity in the triumph of the professed champions of the cause of liberty.

Cinna remains master of the government.

After the death of Marius, L. Cornelius Cinna remained in fact the sovereign of Rome. His power was little less absolute than that afterwards held by Sylla or Cæsar; and it is somewhat remarkable that his usurpation should have been so little noticed by posterity, and that he himself should be so little known, that not a single trait of character, and scarcely a single personal anecdote of him, is to be

[32] Orat. pro Roscio Amerino, 12.

CHAP. VI.

From U.C. 666, A.C. 88, to U.C. 677, A.C. 77.

found on record. His first step was to supply the vacancy in the consulship occasioned by the death of Marius; and for this purpose he fixed on L. Valerius Flaccus[33], who had been the colleague of Marius in his sixth consulship, about fourteen years before. The massacres had now, for the most part, ceased; and it was intended that the usual forms of the constitution should still be observed. Nothing, indeed, appeared to dispute the power of the victorious leaders: many of the nobility had left Italy[34], and sought a refuge in the camp of Sylla; some had retired to their estates in the country, and some still remained in Rome, anxious above all things to avoid participating themselves in a civil war, and hoping that they might still possess influence enough to prevent the return of such a calamity altogether. In this last class we find the names of Q. Mucius Scævola[35], of another L. Valerius Flaccus, and of L. Philippus, the famous antagonist of Drusus, and notorious, during his consulship, for his opposition to the interests of the senate. But the usual freedom of speech allowed in the forum and in the courts of justice was so much abridged, that Cicero describes the three years which followed the victory of Cinna, as a period in which the republic was without laws and without dignity[36]. He himself remained during all this time at Rome[37], and was employing himself

[33] Appian, 75. Paterculus, II. 23.

[34] Paterculus, 23. Plutarch, in Pompeio, 6.

[35] Cicero, ad Atticum, VIII. epist. III.

[36] Cicero, de Claris Oratoribus, 62.

[37] De Claris Oratoribus, 89.

in the study of eloquence and philosophy; attending the lectures of Philo, then a refugee from Athens, and of Molo of Rhodes, and preparing himself at leisure, during this cessation of opportunities for actual practice, for the splendid career which the subsequent triumph of the aristocracy laid open to him.

The scanty reports of these times which remain to us, will assist but little in ascertaining the state of the people at large under the dominion of Cinna. An immense military force was kept on foot throughout Italy; so that even if the Romans were exempted from all share in its support, the burthen must still have pressed heavily on the Italians, in addition to the numerous excesses which troops, so little subject to discipline, would naturally commit in the districts in which they were quartered. In Rome itself there was a large proportion of debtors among the lower orders, who were insolvent either through poverty or dishonesty. To relieve them, was judged a measure becoming a party professedly popular; and L. Flaccus, the consul, brought in a law[38], allowing a debtor to avoid all further claims upon him, on payment of a fourth part of his debt. It is one of the most difficult problems in legislation, to observe a just balance between severity to unavoidable distress, and indulgence to wilful extravagance or fraud; but at Rome, in this case, as in so many others, the scale vibrated from one extreme of injustice to the other; and the

[38] Velleius Paterculus, II. 23.

CHAP. VI.

From U.C. 666, A.C. 88, to U.C. 677, A.C. 77.

monied interest, who a short time before had murdered a lawful magistrate, because he had defended the poor against their oppressions, now saw their just rights sacrificed in return, because the government wished to conciliate the needy and the desperate.

Sylla refuses to acknowledge the government at Rome.

Meanwhile, the several provinces of the empire submitted, as far as appears, without opposition to the party which prevailed in the capital. Sylla alone remained an object of fear and jealousy. Far from seeking to disarm his enemies by concession, he is said continually to have avowed his intention of punishing them [39], so soon as he should have finished the war with Mithridates; and his confidence in his army was so well grounded, that he had no fears of their allowing any other general than himself to be appointed to command them. L. Flaccus, indeed, was sent into Greece with a new army [40], as the officer intrusted by the people with the conduct of the war; but he, not venturing to interfere with Sylla, who was at this time wintering in Thessaly, moved through Macedonia, and from thence crossed over into the northern parts of Asia Minor, to attack Mithridates in his own country. Here, however, he was soon assassinated by C. Fimbria, who had accompanied him from Rome as his lieutenant, and whose daring wickedness gladly caught at this opportunity of advancing himself. On the death of Flaccus, he succeeded to the command, and carried

[39] Paterculus, II. 24.
[40] Appian, de Bell. Mithridatico, 51, 52. Paterculus, II. 24.

on hostilities against Mithridates with some success; but when Sylla, having recovered the whole of Greece, crossed over himself into Asia, and there soon concluded a peace with the enemy, Fimbria was summoned to surrender the authority which he had unlawfully acquired[41]; and finding his soldiers yielding to the ascendancy of Sylla's reputation, and inclined to desert him, he, to avoid the punishment which he deserved, killed himself.

The death of Fimbria, however, did not take place till after the period at which we are now arrived. To resume, then, the regular course of our narrative, we must go back to the conclusion of the year 667, when the time was arrived for the appointment of consuls for the year following. Cinna again re-elected himself by his own authority[42], and chose as his colleague, Cn. Papirius Carbo, a man whose very name was ominous of evil; for of the two individuals of his family who had hitherto been most conspicuous, one had, through his perfidy, embroiled the republic in a quarrel with the Cimbri, and had sustained from them a severe defeat in Illyria; and the other was deeply involved in the mischievous plans of the Gracchi, and when brought to trial, as has been already mentioned, by L. Crassus, the orator, poisoned himself through fear of the sentence of his judges. The consuls, thus self-appointed, began to prepare themselves for the approaching contest with Sylla: they endeavoured to conciliate

Cinna associates Carbo with himself in the consulship, and prepares for war.

[41] Appian, de Bell. Mithridat. 59.

[42] Appian, de Bell. Civil. I. 75, 76. Livy, Epitom. LXXXIII.

CHAP. VI.

From U.C. 666, A.C. 88. to U.C. 677, A.C. 77.

the rich by showing them unwonted attentions; they appealed especially to the Italian states, of whose interests they always professed themselves the advocates; and endeavoured to secure the coasts of Italy against the expected invasion, by collecting a considerable fleet from the different ports of Italy and Sicily.

In this interval of suspense, a motion was made and carried in the senate, by L. Valerius Flaccus [43], that deputies should be sent to Sylla, to prevent, if possible, the evils of war; and Cinna and Carbo were desired to suspend their military preparations, till the answer to this embassy should be received. The consuls promised compliance, and the deputies were sent over into Greece to treat with Sylla; but Cinna could not consent thus easily to relinquish the sovereignty he had gained, nor to treat on equal terms with an enemy whom he had injured beyond all hope of reconciliation. Once more, therefore, he re-appointed himself and Carbo to the consulship [44]; and both leaders then left Rome, and began themselves to press the levies of soldiers, intending no longer to remain on the defensive, but to cross the Adriatic in person, and to anticipate Sylla in beginning hostilities. But it seems that they had not a fleet sufficient to transport at one passage a force strong enough to maintain itself against the enemy. They resolved, therefore, to send over their troops

U.C. 669. A.C. 85.

[43] Livy, Epitom. LXXXIII. II. 24. Livy, Epitom. 83. Auctor Appian, 77. de Viris illustribus, in Vitâ Cinnæ.

[44] Appian, 77, 78. Paterculus,

in successive detachments from the neighbourhood of Ancona, to the opposite coast of Liburnia, a spot so distant from the intended scene of operations, that the whole army might be safely landed, before Sylla could arrive to attack it. But the high reputation of the general against whom they were to act, rendered the soldiers very averse to the expedition: one detachment, after it had set sail, was driven back by a storm; and no sooner did the men find themselves again on Italian ground, than they deserted their standards, and returned to their several homes. This example decided the rest of the army, and they all refused to embark. Cinna called them together, and endeavoured to enforce obedience. They crowded round him with minds prepared for the last extremities; and when one of his lictors struck a soldier in order to clear the way, the blow was returned by the man's comrade; Cinna called out to seize the offender; a general mutiny broke out at the word, stones were cast at him, and the soldiers who were nearest, drawing their swords, immediately stabbed and killed him. Carbo at once saw that the project of crossing the Adriatic was hopeless; he recalled the few men who had already effected their passage, and resolved to confine his care to the defence of Italy. The death of Cinna, however, and the avowed disposition of the soldiers, encouraged the ordinary magistrates of the Commonwealth to resume somewhat of their lawful authority. Carbo was summoned by the tribunes to return to Rome, and to hold the comitia for the election of a

Mutiny of the soldiers, in which Cinna is killed.

CHAP. VI.

From U.C. 666, A.C. 88 to U.C. 677, A.C. 77. Carbo remains sole consul.

consul in the room of Cinna[45]. He obeyed; but on the first day that the comitia were held, the auspices were unfavourable; and on the next, the meeting was broken off by a thunder-storm, so that the augurs forbade the election to take place till after the summer solstice; and Carbo thus remained sole consul.

About this time, the answer of Sylla to the deputation of the senate was received in Rome[46]. It stated that he would lay aside his purpose of invading Italy, if all those citizens whom Cinna had outlawed, were restored to their country and their honours. The senate, we are told, was disposed to accept these conditions; but the influence of Carbo and his party procured their rejection, and war now appeared inevitable. Some months, however, intervened, before Sylla commenced his expedition to Italy; and this delay was occasioned, in part, by an illness which attacked him[47], and which obliged him to go to Ædepsus, in Eubœa, to try the effect of the warm baths, for which that place was celebrated. Here he passed a considerable time, amusing himself with the society of actors[48], and of those persons, then so common in Greece, who lived upon their several talents of disputation, of eloquence, of wit, or of buffoonery. But he might console himself for this interruption to his plans, by reflecting that the party of his antagonists was by no means

[45] Appian, 78.
[46] Livy, Epitom. LXXXIV.
[47] Plutarch, in Syllâ, 26. Strabo, I. 56, et IX. 487, edit. Xyland.
[48] Plutarch, in Syllâ, 26.

rising in the public opinion, and that his own friends on the contrary were daily becoming more numerous; while the fate of Cinna sufficiently showed, that he was in no danger of being anticipated in his schemes of invasion, and of finding himself obliged to act on the defensive in the country which he now occupied.

In the meantime, Q. Metellus Pius [49], who, in conjunction with Octavius, had unsuccessfully opposed Cinna and Marius in their attack upon Rome, and who, since their victory, had been living in one of the provinces in obscurity, now endeavoured to raise again the standard of the aristocratical party, and to obtain possession of the province of Africa. His attempt, however, was unfortunate; he was repulsed by C. Fabius, the prætor, and from thence retired to Liguria, there to wait for a better opportunity of renewing the contest. The senate, though greatly overawed, was yet not entirely subservient to Carbo; for it is said that he was prevented by them from demanding hostages of all the towns and colonies of Italy [50], as a security against their supporting Sylla. But in other points the interest of the popular leaders visibly prevailed. The right of voting was solemnly conferred, by a decree of the senate, on all newly admitted citizens, of whom the late war had given birth to a considerable number, not consisting of the inhabitants of the states of Italy, but of enfranchised slaves or foreign soldiers, who had flocked

[49] Livy, Epitom. LXXXIV. [50] Livy, Epitom. LXXXIV. Appian, 80.

CHAP. VI.

From U.C. 666, A.C. 88, to U.C. 677, A.C. 77.

to the standard of Cinna and Marius, and had contributed to their triumph. These had not only the right of voting now given to them [51] (whereas, before they only enjoyed the personal liberties of Roman citizens), but they were, moreover, allowed to be enrolled indiscriminately in all the tribes; that important point which, in the case of the Italians, had been so warmly contested, and which, in fact, had furnished Cinna with his first pretext for disturbing the public peace. In addition to these acts, a decree of the senate was also passed, commanding all military officers in every part of the empire to disband their forces. That Sylla should obey this order was scarcely to be expected; but Carbo probably hoped, by its apparent fairness, to throw upon him the odium of being the chief obstacle to peace, and of disobeying that body, whose authority he professed to respect so highly.

Consulship of Scipio and Norbanus. U.C. 670.

The year of Carbo's consulship now drew to an end; and as he could not, or would not, procure his own re-appointment, two new consuls were chosen, C. Norbanus, and L. Cornelius Scipio. We are not informed what circumstances could have connected the latter, a member of one of the noblest families in Rome, with the party of Carbo; or whether, indeed, he may not have been chosen by the most moderate citizens, as a man who might temper the violences of the times; and have been tolerated by the popular party, on account of his want of the

[51] Livy, Epitom. LXXXIV.

CHAP. VI.

From U.C. 666, A.C. 88, to U.C. 677, A.C. 77.

vigour and ability which might have made him dangerous to them. But C. Norbanus was a consul such as Carbo might have most desired. We have already noticed his seditious tribuneship, during which, at his instigation, a riot broke out at the trial of Q. Cæpio, and the condemnation of the prisoner was procured by actual force. For this crime, he was accused by P. Sulpicius [52], who was destined, at no remote period, to tread in his footsteps; and was defended by M. Antonius, whose murder, some years afterwards, might have been justified by the very arguments which he himself, on this occasion, taught the people to approve. It was against these consuls that Sylla now led his army from Greece. All his preparations were completed, his health was fully re-established, and the devotion of his troops had been just proved, by their taking an oath to abide by him when they should be landed in Italy [53], and by their offering to raise among themselves a supply of money for his use. With soldiers so attached to him, and inured as they were to war, his force was far stronger than the proportion of his numbers seemed to promise; and though it is said that he landed in Italy with no more than 40,000 men [54], while more than 200,000 were in arms against him, he might yet fairly calculate on meeting his enemies with at least an equal chance of victory.

[52] Cicero, de Oratore, II. 49.
[53] Plutarch, in Syllâ, 27.
[54] Velleius Paterculus, II. 24. Appian, 79.

CHAP. VI.

From U.C. 666, A.C. 88, to U.C. 677, A.C. 77.

Sylla lands in Italy.

The expedition set sail from Patræ in Achæa [55], and arrived in safety at Brundusium. The inhabitants of that town received Sylla without opposition, and he immediately began to move forwards. On his march through Calabria and Apulia [56], his army observed the strictest discipline; and his conduct thus confirmed his professions, that he was ever ready to listen to fair conditions of peace. It is said, that he sent deputies to the camp of Norbanus, to propose a negotiation [57]; and that it was not till they had been insulted and outraged, that he commenced his military operations. He fell upon Norbanus, who was encamped in the neighbourhood of Capua, and defeated him with considerable loss. Over the other consul, L. Scipio, he obtained a still more decisive advantage. With him too he offered to treat, and commissioners from the two armies actually met to deliberate on the terms to be agreed upon [58]. Of the particulars which followed, contradictory accounts are given by different writers, none of whom are of sufficient authority to be confidently followed. The result, however, admits of no dispute; the soldiers of the consular army were corrupted by those of Sylla [59], and at last, leaving L. Scipio and his son alone in the general's tent, they went over in a body to the enemy. Sylla then attempted to open a communication with the army of Norbanus; but finding that his design was suspected,

[55] Appian, 79.
[56] Paterculus, 25.
[57] Livy, Epitom. LXXXV.
[58] Cicero, Philippic. 12. 11.
[59] Plutarch, in Syllâ, 28. Appian, 85. Livy, Epitom. LXXXV.

and that no answer was returned to his proposals, he continued to advance towards Rome, and then for the first time began to lay waste the country through which he passed. He was not, however, yet in a condition to approach the capital, where Carbo's influence prevailed so far as to procure a decree of the people [60], declaring all those who had joined Sylla to be public enemies. This denunciation was not issued on light grounds; for the nobility were flocking on all sides to the camp of the invader; and Q. Metellus had joined him with such troops as still adhered to him, and was zealously co-operating with him in the conduct of the war.

Is joined by Pompey.

It was at this time that Cn. Pompeius, the son of the late proconsul of that name, first made his appearance as a public character. After the death of his father, and the establishment of Cinna's power at Rome, he had retired into Picenum [61], where he possessed some property, and where his father's memory, hated as it was by the Romans, was regarded with respect and affection. To account for this, we must suppose that, during the long period of his military command in that neighbourhood, he had prevented his soldiers from being burdensome to the people, and had found means of obliging or gratifying some of the principal inhabitants. Be this as it may, his son possessed so much influence in Picenum, partly hereditary, and partly personal, that he prevailed on the people to drive away the

[60] Appian, 86.
[61] Plutarch, in Pompeio, 6. Paterculus, 29. Appian, 80.

CHAP. VI.

From U.C. 666, A.C. 88, to U.C. 677, A.C. 77.

officers sent among them by Carbo, to enlist soldiers for the support of his cause, and succeeded himself in raising an army of three legions, or about 16,000 or 17,000 men. With this force, having obtained also the necessary supplies for its maintenance from the zeal of the Picentes, he set out to join Sylla. He was at this time only twenty-three years of age, and had never filled any office in the state; but his appearance at the head of an army so collected, announced him as a young man of more than ordinary promise; and Sylla, as we are told, received him with the most flattering marks of distinction.

Whilst both parties were endeavouring to strengthen their forces, the season for action gradually passed away, and the armies mutually went into winter quarters. So imperfect are our accounts of this famous war, that we cannot tell how far Sylla had penetrated, nor what positions were occupied by him during the winter. His progress, however, had been such as to fill his antagonists with alarm: Carbo, therefore, caused himself to be appointed consul for the following year [62], and selected, as his colleague, C. Marius the younger, the nephew and adopted son of the famous Marius, and who already, at the early age of twenty, seemed to have inherited all his father's wickedness.

Consulship of Carbo and the younger Marius.

The winter was long and severe, and detained the armies on both sides for a considerable time in a state of inaction. Carbo, meanwhile, chose Cisalpine

[62] Livy, Epitom. LXXXVI. Appian, 87.

CHAP. VI.

From U.C. 666, A.C. 88, to U.C. 677, A.C. 77.

Gaul as his province [63], and thus reserved the country to the north of Rome for the scene of his operations; while Marius lay between the capital and the main army of Sylla, on the confines, perhaps, of Latium and Campania. It was about this time that Sylla, to quiet the suspicions of the Italian allies [64], who were afraid that he would rescind the concessions made to them during the ascendancy of Cinna, issued a declaration that he would respect all the privileges which they actually enjoyed; and on these terms concluded, as we are told, a treaty with them. But whether the Samnites were not among those to whom this promise extended, or whether they distrusted his sincerity, and thought they might do better by adhering to their old cause, it is plain that they were amongst his most determined enemies, and, as we shall see presently, did more than any of their confederates to render his victory doubtful. On the part of Sylla, Q. Metellus was opposed to Carbo on the side of Tuscany [65], and after having gained an advantage over one of his lieutenants, was so hard pressed by the consul himself, that Cn. Pompeius, or, as his celebrity has caused his name to be anglicized, Pompey, was sent to support him; and these two commanders together kept the fortune of the war in suspense. To the south of Rome, Sylla first took the town of Setia [66]; and Marius, retreating before him in the direction of Præneste,

[63] Cicero, in Verrem, I. 13.
[64] Livy, Epitom. LXXXVI.
[65] Appian, 87. Plutarch, in Pompeio, 8.
[66] Appian, 87.

CHAP. VI.

From U.C. 666, A.C. 88, to U.C. 677, A.C. 77.

halted at a place called Sacriportum, situated apparently between Præneste and Setia, and there drew out his army in order of battle. Sylla instantly proceeded to attack him, encouraged, as it is said, by a dream [67], which had visited him in the preceding night, and which had named the ensuing day as fatal to the family of Marius. The enemy had broken up the roads, and raised such obstacles to his march, that his soldiers, in their exertions to remove them, were worn down with fatigue, and many of them threw themselves on the ground, with their heads resting on their shields, to seek relief in sleep. It was in vain to persist in forcing them to action under these circumstances; and Sylla, however reluctant to contradict his dream, issued the order to halt, and to begin the usual works for the formation of a camp. But whilst his men were busied in digging the trench, the enemy's cavalry rode up, and began to annoy them; till, irritated into an entire forgetfulness of their fatigues, they at once left their work, and rushed on sword in hand to revenge the insults that had been offered to them. Their vehemence, however, might have proved fatal to themselves, had the soldiers of Marius done their duty; but, on the first impression made by the assailants on the adverse line, five cohorts of infantry and two troops of cavalry deserted their standards [68], and joined the hostile army; and this act of treachery presently decided the fate of the battle. The whole Marian

Battle of Sacriportum, in which Marius the younger is defeated by Sylla. U.C. 672. A.C. 82.

[67] Plutarch, in Syllâ, 28.

[68] Appian, 87.

army fled, and was pursued with great slaughter: the fugitives sought a shelter in Præneste; but the victors followed them so closely, that it became necessary to shut the gates in haste, and to exclude the greatest number of them, and even Marius himself was drawn up by ropes thrown down to him from the top of the wall [69]. Thus exposed to the swords of their conquerors, 20,000 of them were said by Sylla to have been slain, and 8000 made prisoners [70]; while he acknowledged on his own side no greater loss than that of twenty-three men.

Massacre committed at Rome by order of the younger Marius.

It was only a short time before the battle of Sacriportum, that the heads of the popular party added their last and most horrible act to the numerous provocations which were soon to be so mercilessly repaid. At the commencement of the campaign, Marius had fixed on Præneste as the place of support to his operations [71], and as the intended refuge and bulwark of his partisans, in case they should be defeated in the field. The situation of the town was naturally strong, as it was built on the side of a projecting eminence [72], connected only by one narrow ridge with that chain of hills which rises immediately from the Campagna, or great plain of Rome, at the distance of about twenty miles from the capital. Standing on the edge of this plain, Præneste is a conspicuous object from the walls of the eternal city; and a strong army, occupying this

[69] Appian, 87.

[70] As quoted by Plutarch, in Syllâ, 28.

[71] Paterculus, 26.

[72] Strabo, V. 261.

CHAP. VI.

From U.C. 666, A.C. 88, to U.C. 677, A.C. 77.

position, might greatly impede or endanger the approach of an enemy towards the capital from the side of Campania. Marius, therefore, had strengthened the place to the utmost, by the assistance of art, and had carried thither the treasure of all the temples in Rome [73], to be converted into money for the payment of his soldiers. But the advance of Sylla still gave him considerable alarm; and fearing that the aristocratical party in the capital might yet be able to exert itself with effect, should Sylla continue his progress, he sent instructions to L. Damasippus [74], at that time prætor, to assemble the senate in the Curia Hostilia. When the members were met together, the avenues leading to the spot were secured by armed men, and the individuals most obnoxious to the popular leaders were then marked out to be massacred. Publius Antistius, the father-in-law of Pompey [75], and C. Papirius Carbo, a relation of the consul, and the son of that Carbo who had shared in the proceedings of the Gracchi [76], were murdered in the senate house. L. Domitius was killed in endeavouring to escape; of him little else is known, but that his name and noble family were likely to render him an object of suspicion to the enemies of the aristocracy. But the most distinguished victim was Q. Mucius Scævola, the Pontifex Maximus, who had earned the purest and the rarest

[73] Pliny, Histor. Natural. XXXIII. 1.

[74] Livy, Epitome, LXXXVI. Paterculus, 26.

[75] Plutarch, in Pompeio, 9.

[76] Cicero, ad Familiar. IX. epist. 21. De Claris Orator. 60.

CHAP. VI.

From U.C. 666, A.C. 88, to U.C. 677, A.C. 77.

glory of any of his contemporaries, by his virtuous administration of his province of Asia. Having brought home with him a character of spotless integrity and benevolence, he stained it by no subsequent acts of infamy; his name is charged with no participation in the crimes of either party; but he continued to reside at Rome, and to make himself generally useful to all who asked his advice, by his unrivalled knowledge of the civil law. Though bound by birth, and station, and connexions, to the cause of the aristocracy, and although the attempt made on his life by Fimbria, at the funeral of the elder Marius, might have warned him of the danger to which his virtues exposed him under the sway of the most profligate of mankind, he yet had refused to quit Rome, or to choose any part in the civil war, declaring that he would rather die than take up arms against his countrymen. Marius, however, was bent upon his destruction; and the soldiers of Damasippus advancing to murder him, he fled to the temple of Vesta[77], and was overtaken and butchered even within the sacred ground. His body, together with those of Domitius, Carbo, and Antistius, was thrown into the Tiber; and by this murder of the most virtuous of citizens, it was hoped that the ascendancy of the Marii, the Carbones, and the Norbani, might yet be maintained.

Sylla recovers Rome, and obliges Carbo and Norbanus to fly from Italy.

But the issue of the battle of Sacriportum rendered this massacre as fruitless as it was detestable.

[77] Cicero, de Naturâ Deorum, III. 32.

CHAP. VI.

From U.C. 666, A.C. 88, to U.C. 677, A.C. 77.

Marius, the author of it, was now blocked up in Præneste; and the road to the capital being left open, Sylla advanced towards it with one part of his army, while the other part, under the command of Lucretius Ofella[78], was pressing the siege of Præneste. Rome received her new master without a struggle; and he who had so lately been regarded as an outlawed rebel, being now in possession of the seat of government, was in a condition to retort the charge of rebellion on his antagonists. He immediately ordered their property to be confiscated; and having then left the city to the care of some of his partisans, he again took the field, and hastened to Clusium, in order to superintend the operations of the war in Tuscany and the north of Italy[79]. His arms were attended with equal success in every quarter: his lieutenants, Metellus Pius, Pompey, M. Crassus, M. Lucullus, and others, signalized themselves by several victories over Carbo and his adherents; and in proportion as the Marian party seemed declining, it suffered more and more from the treachery of its own members. Not only did the common soldiers often desert in large bodies to the enemy, but Albinovanus[80], an officer of considerable rank, purchased his pardon from Sylla by contriving the assassination of several of his colleagues in command; and Verres, on whom the eloquence of Cicero has bestowed such an infamous celebrity, and who was at this time quæstor in Carbo's army, abandoned

[78] Appian, 88.
[79] Appian, 89.
[80] Appian, 91.

his general [81], and carried off with him a considerable portion of the money committed to his charge for the maintenance of the consul's forces. Attempts had been made in vain to raise the blockade of Præneste; and in this state of their affairs Norbanus, being left almost alone at Ariminum by the desertion of his troops [82], escaped by sea to Rhodes; while Carbo gave up the command of the army which he still possessed in Tuscany, and withdrew with some of his friends into Africa, hoping there to be able to renew the contest, and to obtain the assistance of Hiarbas, the king of Mauritania.

The Samnites, with the remains of the Marian party, attack Rome.

At this late period of the war, when the victory of the aristocratical party seemed decided, one desperate effort was made to wrest it from them, which had well nigh altered the history of the world. The Samnites and Lucanians, alone of all the people of Italy, had not forgotten their own national grounds of hostility towards the Roman government; and, whilst they supported the party of Marius against Sylla, they intended to make their assistance subservient to their own views, rather than to sink into the mere adherents of one of the factions of Rome. During the advance of Sylla, their armies rested securely amid their own mountains, and had seen the defeat of Marius at Sacriportum, and the blockade of the remnant of his forces in Præneste, without exerting their main strength in his behalf. Possibly they beheld without regret every field of battle

[81] Cicero, in Verrem, I. 13, et seq.

[82] Appian, 91, 92. Livy, Epitome, LXXXVIII.

CHAP. VI.

From U.C. 666, A.C. 88, to U.C. 677, A.C. 77.

covered with Roman dead, and may have rejoiced in the hope that, when both parties were exhausted by mutual slaughter, they might themselves arise to wrest from their weakened hands the prize for which they were contending. But now, when the rapid victories of Sylla threatened them with a speedy termination of the civil war, their generals, Pontius Telesinus and M. Lamponius, saw that it was necessary for them to take a decisive part; and before Carbo and Norbanus had left Italy, the Samnites and Lucanians had endeavoured to relieve Præneste[83], but were unable to force the strong positions occupied by the blockading army. Still they lingered in the neighbourhood, hoping that some opportunity might arise to facilitate the execution of their object. Meantime Carbo had retired to Africa, and the army which he had forsaken had sustained a bloody defeat at Clusium from Pompey, so that the remaining generals of the popular party, Carinas, Marcius, and L. Damasippus, the agent in the late massacre at Rome, resolved, as their last hope, to effect a junction with the Samnites and Lucanians, and then to attempt once more to deliver Marius and his garrison. The armies were united, and the attempt was made, but still in vain, when the confederate generals conceived the plan of falling suddenly upon Rome, which they thought to find stripped of troops, and utterly unprovided with means to withstand their assault. At this very time they were threat-

[83] Appian, 90. 92.

ened at once by two armies, that of Sylla on one side, and that of Pompey on the other; yet hoping to win the capital before their purpose could be discovered, they broke up from their camp in the night, hastened towards Rome, and halted till morning[81] at the distance of little more than a mile from the Colline gate. Day dawned, and discovered to the Romans the unlooked-for sight of the Samnite and Lucanian army. Some parties of cavalry, consisting of the flower of the youth of the city, immediately sallied to observe and to check the enemy; but they were routed and driven back within their walls with severe loss. The panic then rose to the greatest height, when L. Balbus arrived with an advanced guard of seven hundred cavalry from Sylla's army, and hardly allowing his horses a moment's respite, he led them at once into action. Sylla himself followed soon after; he was well aware of the urgency of the danger, and had hurried with the utmost speed in pursuit of the Samnites, as soon as he learnt their object. His men were greatly fatigued, and his officers pressed him to postpone the action, for it was now late in the afternoon of a November day; but he refused to listen to them, and having ordered his men to eat their dinners as fast as they arrived from their march, he sent them to engage the enemy successively. Telesinus, on his part, forgetting his character as a partisan of Marius, and feeling only as a Samnite general, rode along the

Battle at the Colline gate.

[81] Plutarch, in Syllâ, 29.

CHAP. VI.

From U.C. 666, A.C. 88, to U.C. 677, A.C. 77.

ranks repeatedly exclaiming[85], that this was the last day of the Roman empire, and calling to his soldiers to pull down, to destroy the city, for that those wolves, who had so long ravaged Italy, could only be extirpated by rooting up the wood which used to shelter them. At length M. Crassus, who commanded the right wing of Sylla's army, routed the left of the enemy[86], and pursued them as far as Antemnæ; but the wing which was led by Sylla in person, in spite of all the efforts of its general, was driven back under the walls of Rome, and was pursued even to the gates of the city. The gates were hastily closed to prevent the Samnites from entering together with the fugitives; and the Romans, thus obliged to defend themselves, continued the action till some time after it was dark, although with little hope of resisting effectually. Nay, so great was the general panic, that some of Sylla's soldiers flying from the field arrived at the lines before Præneste, and urged Lucretius Ofella, who commanded the blockading army, to raise the siege, and hasten to the rescue of his general and his country. Night at last stopped the engagement, and the Romans believed themselves completely defeated; when, about an hour after the close of the action, an officer arrived from M. Crassus, with the tidings of his success, and requiring supplies of provisions to be sent to him at Antemnæ. It then appeared that the enemy's loss had been even greater than that of Sylla; and the

Victory of Sylla, at the Porta Collina, Nov. 1. U.C. 672. A.C. 82.

[85] Velleius Paterculus, 27.

[86] Plutarch, in Syllâ, 29, 30.

morning displayed more fully the real issue of the contest. Telesinus had fallen, and his soldiers, discouraged by his death and by the terrible slaughter of the battle, had abandoned the field, and had begun to retreat in all directions. Sylla, then, to lose no time in improving his victory, set out at an early hour, and immediately joined Crassus at Antemnæ.

Sylla commences his massacres.

The Roman writers, whose accounts of these times remain to us, after following Sylla thus far in his career, and sympathizing in his victories over the popular party, all concur in turning away with unmingled abhorrence from his conduct after the decision of the struggle. One act of cruelty, indeed, follows another so rapidly in this part of his life, that a complete picture of his character cannot be drawn without satiating the reader with details of spoliation, and outrage, and massacre. On his arrival at Antemnæ, three thousand of the enemy sent to implore his mercy [87], which he promised them, if they would deserve it by helping him to execute vengeance on their associates. Thus encouraged, they fell upon another party of fugitives from their own army, and began to cut them to pieces; and then surrendered themselves to Sylla, to receive his promised pardon. But they, with all the other prisoners taken after the battle, amounting together to eight thousand men, were conveyed to Rome, and orders were issued by Sylla that they should all be put to the sword. The men, thus doomed to be slaughtered,

[87] Plutarch, in Syllâ, 30.

CHAP. VI.

From U.C. 666, A.C. 88. to U.C. 677, A.C. 77.

were not the instruments of former massacres and proscriptions, wretches whose punishment, however shocking, might yet have worn the appearance of an awful retribution; but they were mostly Samnite soldiers [88], who had fought fairly against the Romans in the field, and who were now to be sacrificed to the same atrocious policy which, in former times, had murdered their heroic countryman, C. Pontius; which had driven Hannibal, in old age and exile, to end his life by suicide; which had exercised every extremity of unmanly cruelty against the brave citizens of Numantia, and against the rival people of Carthage. In the mean time, while the massacre was perpetrating, Sylla, having returned to Rome, had assem-

[88] Ferguson has ventured to describe those who were thus murdered, as, "six or eight thousand of those who were supposed to have been the busiest instruments of the late usurpations and murders," who had been "taken prisoners in the war, or surprised in the city." It is not easy to say where Ferguson found his authority for this statement, as he appeals to no ancient writer to justify it; but it is a most blameable misrepresentation, to use the lightest term, as far as it labours to give a colour of retributive justice to a massacre dictated by mere policy and national hatred. In particular the words, "or surprised in the city," are inserted especially to palliate Sylla's conduct, in complete opposition to the truth. That the men who were murdered were soldiers, taken in battle, is the concurrent account of every writer whom we have been able to consult; and as it is a point of some importance, the references, by which any reader, who has means and inclination, may satisfy himself, are here subjoined.

Livy, Epitome, LXXXVIII. Auctor de Viris Illustribus, in Syllâ. Florus, III. 21. Valerius Maximus, IX. 2. Seneca, de Beneficiis, V. 16.

All these writers agree in the fact, that the men who were massacred were soldiers, and soldiers who had surrendered themselves to the conqueror. Seneca's words are as follows:—"Legiones duas, quod crudele est, post victoriam; quod nefas, post fidem, in angulum congestas contrucidavit."

In addition to these testimonies, Strabo declares that the victims were mostly Samnites, V. 271, edit. Xyland; and Appian agrees with him, I. 93.

bled the senate in the temple of Bellona[89], and was beginning to address the members upon the state of the republic. The cries of his victims mingled with his first words, and the senators started with horror at the sound; but he, with an unmoved countenance, desired them to listen to him, and not to concern themselves with what was passing elsewhere; what they heard was the correction bestowed by his orders on a few disturbers of the public peace. On the following day, Marcius and Carinas, two of the Roman officers who had joined the Samnite army previously to their attack on Rome, were taken in their flight, and, being brought before Sylla, were by his orders put to death, and their heads, with the head of Telesinus, were sent to Lucretius Ofella before Prænestę[90], with directions that they should be carried around the walls of the town, to inform the besieged of the fate of their expected deliverers.

One signal act of justice was performed by Sylla at this time, which was received with general satisfaction. L. Damasippus[91], the murderer of Mucius Scævola, had been taken after the late battle; and was instantly put to death. So great indeed were the crimes with which the chiefs of the Marian party were loaded, that men became reconciled to executions from the pleasure with which they regarded the fate of these flagrant offenders. But they soon were taught that the wickedness of the sufferer ought never to lessen our hatred of bloody and

[89] Seneca, de Clementiâ, I. 12.
[90] Appian, 93. Paterculus, 28.
[91] Sallust, Catilina, 51.

CHAP. VI.

From U.C. 666, A.C. 88, to U.C. 677, A.C. 77.

illegal acts of vengeance. Numerous victims were every day murdered; some by Sylla's own order; but many more were sacrificed to the rapaciousness or personal enmities of his adherents[92], whose excesses he took no pains to suppress. At last he was entreated to relieve the Commonwealth from its present state of suspense, by assuring of their pardon those whom he did not intend to destroy; but one of his own retainers gave a different turn to this request[93], by asking him only to name those whom he had marked out for punishment. Sylla answered, that he would do so, and immediately published his first list of proscriptions, containing the names of eighty individuals who were to be put to death: to this, on the following day, he added two hundred and twenty names more; and again, on the third day, the fatal list was increased by an equal number. "These," said Sylla to the people, "are all that I can at present remember; if I recollect any others who must be punished, I will proscribe their names hereafter." It soon appeared that he had good reason to stipulate thus for the further gratification of his vengeance. In proportion as he extended his massacres, reasons would arise for perpetually adding new victims to the catalogue of the proscribed; and the more he became deserving of a future retaliation upon himself and his party, the more anxious was he to rid himself of every person who might be likely to assist in effecting it. But it was the most dreadful

The proscription lists are published by Sylla.

[92] Plutarch, in Syllâ, 31. Sallust, Catilina, 51.

[93] Plutarch, in Syllâ, 31.

part of this proscription, that by establishing the reign of wild and unbridled violence, and by trampling under foot not only the laws of the Commonwealth, but even the most lax of all the restraints which men under a low system of morals still imposed on themselves, it emboldened every meaner criminal to participate in the license of which the present master of the republic set so large an example. The meanest office, in ordinary times, is obtained from a government by its retainers with less ease than Sylla's followers could gain from their leader the gift of innocent blood. It is mentioned that one Q. Aurelius [94], an inoffensive individual, who had never mingled in political quarrels, stopped one day in the forum to read the list of the proscribed, and found his own name among the number. "Wretch that I am!" he exclaimed; "my Alban villa is my death;" and before he had gone far from the spot he was followed, overtaken, and murdered. Nor were these scenes confined to the neighbourhood of Rome, but extended over the whole of Italy. All who had rendered any assistance to the Marian party [95], who had carried arms in their cause, or had supplied them with money; nay, those who had held any communication even in the commonest civilities of life with the enemies of Sylla, were exposed to the vengeance of the conquerors. It is natural to suppose that subordinate officers, commanding in remote provinces, would exceed the wishes of their

[94] Plutarch, in Syllâ, 31.

[95] Appian, 96.

CHAP. VI.

From U.C. 666. A.C. 88, to U.C. 677, A.C. 77.

chief, and would gratify their cupidity or their cruelty with less scruple. We are told that M. Crassus[96], who was employed in Bruttium, proscribed a wealthy individual without Sylla's orders, in order to get possession of his fortune; and that Sylla, being informed of the fact, would never afterwards commit to Crassus any post of importance. But, if this be so, Crassus might fairly complain of his ill fortune, for he had done no more than was practised by almost every one in similar circumstances; and these supernumerary crimes heightened still more the horrors of the original proscription. Murders, it is said, were sometimes perpetrated even in the presence of Sylla himself[97], when some of the victims, condemned by his proscription, endeavoured to save themselves by a direct appeal to his mercy, and were slain in his sight by their pursuers, who never found any interruption to their work from any touch of compunction in his nature. His doors were beset with the executioners of his orders, who flocked thither with the heads of those whom they had murdered, to claim from him the promised reward; and it is said, that this sight so awakened the indignation of M. Cato[98], who being then a boy was taken by his tutor to visit Sylla, that he could not forbear asking for a sword, with which he might himself despatch the tyrant. Yet, on one memorable occasion, the remorseless nature of Sylla listened to the intercession of his friends, and spared a man,

[96] Plutarch, in Crasso, 6.
[97] Appian, 95.
[98] Plutarch, in Catone, 3.

whom if he could have looked into futurity, he would, above all others, have desired to destroy. C. Julius Cæsar[99], then quite a young man, had married the daughter of Cinna, and, during the ascendancy of his father-in-law, had been designed to fill the office of Flamen of Jupiter. He was further connected with the popular party through the marriage of Julia, his father's sister, with the elder Marius; yet, although thus doubly obnoxious to the victorious party, he refused to comply with the commands of Sylla to divorce his wife; and, being exposed in consequence to his resentment, he fled from Rome, and baffled all attempts upon his life, partly by concealing himself, and partly by bribing the officer sent to kill him, till Sylla was prevailed upon, according to Suetonius, to spare him at the entreaty of some common friends. A story was afterwards common, that Sylla did not pardon him without great reluctance; and that he told those who sued in his behalf, that in Cæsar there were many Mariuses. Had he indeed thought so, his was not a temper to have yielded to any supplications to save him; nor would any considerations have induced him to exempt from destruction one from whom he had apprehended so great a danger.

Surrender of Præneste, death of the younger Marius, and massacre of the Prænestines.

Soon after the defeat of the Samnites before Rome, the garrison of Præneste surrendered. Marius attempted to escape from the town by a subterranean passage, communicating with the open

[99] Suetonius, in C. J. Cæsar, 1.

CHAP. VI.

From U.C. 666, A.C. 88, to U.C. 677, A.C. 77.

country [100]; but his flight was intercepted, and he fell, either by the hands of the enemy's soldiers, or, according to the more common account, by the sword of his own slave, whom he requested to perform this last service. His head was brought to Rome, and presented to Sylla, who ordered it to be exposed in front of the rostra in the forum; and, as if his triumph were now complete, he assumed to himself, from henceforward, the title of Felix, or the Fortunate. He might have justly claimed this title, says Paterculus, if his life had not been prolonged beyond the hour which thus crowned his victory. Immediately on the surrender of Prænestè, Lucretius Ofella put to death several senators whom he found in the town [101], and detained others in custody, to wait Sylla's decision on their fate. Sylla soon arrived, and having first ordered the execution of all whom Ofella had arrested, and selected from the whole number of his prisoners some few whom he thought deserving of mercy, he divided all the rest into three parties, one consisting of Romans, another of Samnites, and a third of the citizens of Prænestè. To the first he said, that though they deserved death he nevertheless gave them their lives; but the other two divisions were indiscriminately massacred, to the number, as is said, of twelve thousand persons. The women and children were then dismissed, with what prospect of future provision we know not; and the town was given up to plunder. In like manner the

[100] Paterculus, 28. Livy, Epitome, LXXXVIII.

[101] Appian, 94.

towns of Spoletum, Interamna, Fluentia, Sulmo, Norba, Arretium, and Ariminum were plundered [102], and deprived of their privileges, and their inhabitants were either sold for slaves or massacred. But the Samnites felt the heaviest weight of the conqueror's vengeance; for, not satisfied with the slaughter of so many thousands of them in cold blood, both at Rome and at Præneste, he seemed bent on the utter extirpation of the whole people; and his subsequent proscriptions destroyed or compelled to emigrate so large a proportion of them, that in Strabo's time the ancient cities of Samnium had either been reduced entirely to ruins [103], or were dwindled to the rank of mere villages.

CHAP. VI. From U.C. 666, A.C. 88, to U.C. 677, A.C. 77.

Italy had been filled with murders and devastations from one end to the other, while the author of them was as yet uninvested with any legal authority. His partisans, however, were every where inflicting as summary vengeance upon his enemies, as if he had been the lawful sovereign of Rome. C. Norbanus, who had fled to Rhodes [104], finding that he was proscribed, and fearing that he might be arrested by Sylla's order, even in this remote exile, killed himself. Carbo, after having abandoned Italy, had fled first to Africa [105]; but, hearing that some attempts were making to rally his party in Sicily, he crossed over to that island, leaving the command in

Deaths of Carbo and Norbanus.

[102] Florus, III. 21. Appian, 94. Cicero, in Verrem, I. 14; pro Cæcinâ, 33.

[103] Strabo, V. 272.

[104] Livy, Epitome, LXXXIX.

[105] Appian, I. 95, 96. Livy, Epitome, LXXXIX. Plutarch, in Pompeio, 10.

CHAP. VI.

From U.C. 666, A.C. 88, to U.C. 677, A.C. 77.

Africa to Cn. Domitius. But his hopes were blasted by the arrival of Pompey, who, having been dispatched to Sicily by an order of the senate, soon crushed the beginnings of resistance there, and obliged Carbo again to fly to the neighbouring island of Cossura. He was pursued, however, and taken, and brought as a prisoner to Lilybæum, where Pompey then was. It is said, that his treatment was that of a common criminal; that he was brought before the tribunal, where Pompey sat as judge, and, after undergoing a short examination, was ordered away to immediate execution. By his death, added to that of Marius, the republic was left without consuls; and the senate accordingly appointed L. Valerius Flaccus to be interrex [106], that he might hold the comitia for the elections of the ensuing year. But the interrex, having received instructions from Sylla, instead of proceeding to the election of consuls, moved, that the office of dictator, which had been disused almost since the time of Q. Fabius Maximus, should now be revived, and intrusted to the hands of Sylla; proposing besides, that it should be given him for an unlimited period, till he should have restored the affairs of the Commonwealth to a state of tranquillity and security. Nor was L. Flaccus contented with investing Sylla with absolute power for the future; but he proposed further, that all his acts up to the present time should be ratified [107]; thus giving the sanction of law to all his

[106] Appian, 98.
[107] Cicero, de Lege Agrariâ, III. 2.

CHAP. VI.

proscriptions and confiscations. The senate and people, however, felt that resistance was hopeless, and agreeing to both the proposed laws, Sylla was named dictator, and L. Flaccus was by him appointed his master of the horse. Having thus secured all real power to himself, Sylla was still willing that the year should be marked as usual by the names of two consuls; and, accordingly, M. Tullius Decula and Cn. Cornelius Dolabella were selected to wear the titles of the consular office.

From U.C. 666, A.C. 88, to U.C. 677, A.C. 77. Sylla is appointed perpetual dictator.

In this manner the liberties of Rome were surrendered into the hands of a man, whose utter contempt of his fellow creatures seemed to promise a dreadful exercise of that absolute power with which he was now in some sort legally invested. His dominion, however, did not extend over the whole space of the Roman empire. In Asia, the war with Mithridates, which had been imperfectly smothered by the treaty concluded just before Sylla's arrival in Italy, was now again breaking out; and in Africa, the native force of Mauritania, always destined to assist the unsuccessful party in the civil wars of Rome, was supporting Cn. Domitius, and the last remains of the Marian fugitives from Italy, and was preparing to resist the arms of Pompey, to whom the task of establishing Sylla's authority was intrusted. But the most formidable enemy of the new government was to be found in Spain. Thither Q. Sertorius had retired, after the

U.C. 672. A.C. 82.

CHAP. VI.

From U.C. 666, A.C. 88, to U.C. 677, A.C. 77.

first successes of Sylla over the consuls Scipio and Norbanus; and there he had organized a force, insignificant indeed at present, in its actual strength, but which became, by the extraordinary abilities of its general, an invincible obstacle for many years to the complete triumph of the aristocratical party. In Italy, however, the power of the dictator was undisputed; there a series of battles, massacres, and proscriptions, had almost annihilated the popular cause; and the Commonwealth lay subdued and exhausted, incapable of resisting any remedies which Sylla might think proper to administer, in order to correct the evils from which it had suffered, and to infuse into it a principle of future health and vigour.

Laws of Sylla.

It is a most certain truth, that the leader of a victorious faction can never safely be intrusted with the task of reforming that which is faulty in the constitution of his country; and least of all, when he has committed acts so violent as those of Sylla, in humbling the party of his opponents. The eyes of the dictator were blind to all grievances, except those under which the interests of his own friends had suffered; while he attributed all the disorders of the Commonwealth to the turbulence and inordinate authority of the popular assembly and the tribunes. The great object of his measures, accordingly, was to strengthen the senate and the aristocracy, and to weaken the democratical part of the constitution. For this purpose, he transferred the

CHAP. VI.

From U.C. 666. A.C. 88. to U.C. 677, A.C. 77.

judicial power, which had been so often the subject of dispute [108], from the hands of the equestrian order to the senate. He deprived the tribunes of the right of proposing laws [109], and made it illegal for any one, who had filled the office of tribune, to be afterwards elected to any other magistracy. He increased the number of the pontifices and augurs [110], and repealing the law of Domitius, which had left the appointment of them to the people, he restored to them their ancient right of filling up the vacancies in their own body. He selected the most distinguished individuals of the equestrian order to recruit the numbers of the senate [111], which had been greatly thinned by the civil wars and proscriptions; and he pretended to subject the persons, whom he thus named, to the approval or rejection of the assembly of the tribes. Added to these were a great variety of statutes, some amending and strengthening the code of criminal laws, others providing for the better administration of the provinces, and others, again, tending to promote the general regularity and security of the government. In these points, where the interest of the republic did not interfere with any personal or party views of the legislator, his wisdom and experience suggested to him regulations which were really excellent. Of his criminal laws, one

[108] Velleius Paterculus, II. 32.

[109] Livy, Epitome, LXXXIX. Appian, de Bell. Civili, I. 100. Cæsar, de Bell. Civili, I. 5. Cicero, de Legibus, III. 9. Lepidi Oratio, Sallust.

[110] Livy, Epitome, LXXXIX. Cicero, Agrar. cont. Rull. II. 7. Dion Cassius, XXXVII. 46, edit. Leunclav.

[111] Livy, Epitome, LXXXIX: Appian, I. 100.

CHAP. VI.

From U.C. 666, A.C. 88, to U.C. 677, A.C. 77.

was directed against forgeries of wills, or any other instruments [112], and against coining, or adulterating money; and its object was partly, perhaps, to determine more carefully the penalty for such offences, and also, in the case of forgeries, to render them public crimes, for which any individual might lawfully prosecute. Another law, or rather another clause of the same law, denounced punishment against murders [113], whether committed by poison or by actual violence; and a third clause rendered it criminal in any magistrate or senator to have conspired or concurred in procuring the condemnation of a citizen in a court of justice [114]. When we find so many various provisions comprehended in one statute, and many of them relating to the first and most natural subjects of criminal legislation, we might be apt to wonder how such enactments could be needed, when the Commonwealth had subsisted nearly 700 years, and must have possessed sufficient laws on all such points for many generations before the time of Sylla. But it seems that in all half-civilized countries, and in governments which have often been disturbed by seditions and acts of violence, the time at which a law is considered obsolete commences early, and it soon ceases to regulate the proceedings of the courts of justice, unless it be sanctioned and renewed at certain intervals by the authority of a more recent statute. In this manner, we know that Magna Charta was confirmed often

[112] Cicero, in Verrem, I. 42. Cicero, pro Cluentio, 54.
[113] Seneca, de Providentiâ, 3. [114] Cicero, pro Cluentio, 54.

after its first enactment, in several successive reigns; and thus, after such violent convulsions as the republic had lately sustained, Sylla might deem it expedient to republish and confirm anew the existing laws, on all points which he considered of importance. With regard to the provinces, Sylla limited the expenses allowed by the provincial cities to their deputies [115], whom they were in the habit of sending to Rome at the end of every year, to pronounce a compliment before the senate, on the conduct of their late governor. He ordered, also, that every officer should leave his province within thirty days after the arrival of his successor [116]; and, for the better prevention of bribery, it was enacted, that if a magistrate, condemned for this crime [117], should not have property sufficient to refund all that had been corruptly received, the deficiency might be recovered from any other person who had shared in his unjust gains, or to whom any portion of them had descended. The general security of the government was consulted in some provisions of the law of treason, which also derive their origin from Sylla. By these, all provincial governors were forbidden to lead an army out of their province [118], to carry on any war by their own authority, or to enter any foreign country, without the orders of the senate and people, to endeavour to tamper with the soldiers

[115] Cicero, ad Familiares, III. epist. X.

[116] Cicero, ad Familiares, III. epist. VI.

[117] Cicero, pro Rabirio Postumo, 4.

[118] Cicero, in Pisonem, 21; pro Cluentio, 35; in Verrem, I. 5.

CHAP. VI.

From U.C. 666, A.C. 88, to U.C. 677, A.C. 77.

of any other general, or to set at liberty any of the enemies of the republic. The last of these, indeed, was an offence of which Sylla could not be accused; but he who had crossed over from his province into Italy with his army, who had made war upon the existing government of his country, and who had seduced the soldiers of the consul Scipio to desert their leader, had good reason to fear lest his own example should in turn be employed to his own disadvantage, and wisely desired to prevent others from imitating that conduct by which he himself had acquired the dictatorship.

Such are the principal measures by which the new sovereign of Rome proposed to reform the defects of the existing order of things. It now remains to notice the price which the people had to pay for the benefits of his government. The property of all those whom he had proscribed, was declared to be forfeited to the state [119], and was ordered to be publicly sold before the calends of June. All persons, even near relations, were forbidden to support or to assist any who had been proscribed; and the children of the proscribed were excluded during their lives from the enjoyment of any public office or magistracy. Nor was the forfeiture of property confined to those only whose names Sylla had actually inserted in the lists of proscription. A clause in his law, 'de proscriptis,' was intended to provide for any omissions into which he might have

[119] Cicero, pro Roscio Amerino, 2. Velleius Paterculus, II. 28. 43; in Verrem, I. 47; in Pisonem,

fallen [120], by including amongst those who were to be stripped of their fortunes, all who had at any time been killed in any of the ports, garrisons, or lines of the adversaries. Yet even this did not carry the evil to its full extent. Long after the proscription lists had been closed [121], and the war had been generally ended, Sextus Roscius, a wealthy citizen of the town of Ameria, in Umbria, who had attached himself to the party of Sylla, was assassinated in the streets of Rome; his property was sold, and was bought at a price far below its value, by L. Chrysogonus, Sylla's freedman. A deputation was sent by the magistrates of Ameria, to acquaint Sylla with the merits of the case, and to intercede for the son of the murdered Roscius, who was thus deprived of his inheritance. But Chrysogonus, by his entreaties and assurances that he would satisfy their wishes, prevailed with them not to lay the affair before the dictator; and he found also several persons among the nobility, whom he persuaded to join with him in the same request and the same promises. The promises, however, were never fulfilled; and the fortunes of Roscius were divided between an individual of his own name, who was suspected of having procured his murder, and Chrysogonus, who was bribed with a share of the plunder, to contrive and maintain the forfeiture. It is not likely that Sylla was ever aware of the particulars of this transaction; but his indifference to the sufferings of his

[120] Cicero, pro Roscio Amerino, 43.

[121] Cicero, pro Roscio Amerino, passim.

CHAP. VI.

From U.C. 666, A.C. 88, to U.C. 677, A.C. 77.

fellow-creatures, and his pride, which regarded mankind as unworthy of his notice, naturally emboldened his creatures to commit numberless crimes in his name; and the fortunes acquired by his freedmen and low dependents, as they added the severest pang to the sorrow and indignation of the people, so they are alone sufficient to show how little of real patriotism, or love of justice, was mingled with the pretended reforms of Sylla.

We are told by Appian, that Sylla also passed a law[122], by which all candidates for the prætorship were obliged previously to have gone through the office of quæstor; and no one could be elected consul, without having before been prætor. To this it was added, that a certain interval must pass, before a man who had filled one magistracy could be again elected to another; and he could not hold the same office the second time, till after the expiration of ten years. But this law was dispensed with in favour of his own adherents; as we find, that L. Lucullus was appointed ædile when absent from Rome, and immediately afterwards succeeded to the prætorship[123]. Possibly, Sylla found it necessary to grant this indulgence to his own principal supporters; for, in one instance, he had at first seemed resolved, in a remarkable manner, to enforce the law without distinction. Lucretius Ofella, who had commanded at the siege of Præneste, offered himself as a candidate for the consulship[124], without having

[122] Appian, 100.
[123] Cicero, Academic. prior, II. 1.
[124] Appian, 101.

CHAP. VI.

From U.C. 666, A.C. 88, to U.C. 677, A.C. 77.

been either prætor or quæstor. Sylla commanded him to desist; and on his still continuing his canvass, ordered him to be slain by a centurion in the middle of the forum. Sylla then summoned the people before him, and told them that Ofella had been put to death by his orders. Appian reports, that he addressed the assembly, on this occasion, in a style characteristic of his deep contempt for those whom he governed. "A labourer, when at plough," said he, "was annoyed by vermin; and he twice stopped from his work, and picked them off his jacket. But finding himself bitten again, to spare himself any further trouble, he threw the jacket into the fire. Now, I advise those whom I have twice conquered, not to oblige me the third time to try the fire." It was natural, however, that his chief officers should remonstrate strongly against such a precedent as the death of Ofella; and, perhaps, it was owing to his knowledge of their sentiments, that he afterwards especially exempted them from the restrictions of his general law.

Victories of Pompey in Africa.

During the course of the year, Pompey had completely destroyed all opposition to Sylla's government in Africa[125]. Hiarbas, king of Mauritania, and Domitius, his confederate, were defeated and slain; and Pompey, on his return to Rome, enjoyed the honour of a triumph, although he was not of senatorian rank, nor had ever filled any magistracy.

Reduction of Nola, and Volaterræ. U.C. 673. A.C. 81.

When the nominal consulship of M. Tullius

[125] Livy, Epitome, LXXXIX.

CHAP. VI.

From U.C. 666, A.C. 88, to U.C. 677, A.C. 77.

Decula and Cn. Dolabella was expired, Sylla, while still retaining the dictatorship, caused himself and Q. Metellus Pius to be nominated as consuls for the year following. It appears that, amidst the general submission of Italy, two towns remained unsubdued up to this time; Nola, in Campania, and Volaterræ, in Tuscany. The first of these had never been completely reduced since the Italian war: a Roman army had been employed against it at the period of Sylla's first consulship; and again, when Cinna was driven from Rome by his colleague Octavius, it was to the camp before Nola that he first applied for support, and in which his attack upon the government was first organized. Our knowledge, however, of the fate of this town, after so long a resistance, is limited to the simple fact mentioned by the epitomizer of Livy, that Sylla reduced Nola. Volaterræ had been occupied by the remains of one of the Tuscan armies defeated by Sylla in the late war[126]; and numbers of Romans, who had been proscribed, escaping thither, and uniting with them, a force was formed amounting to four cohorts, or about 2400 men. The situation of this town resembled that of the hill forts of India, or of those remarkable fortified heights which are to be seen rising in the midst of the valley close to Luxemburg. It was built on an isolated point, rising abruptly on every side from a deep and narrow valley; on the top was a flat surface of considerable

[126] Strabo, V. 246.

extent, which the town itself occupied; and the ascent was nearly two miles in length, and was every where rough and difficult. These natural advantages enabled the garrison to hold out for two years; and their resistance led Sylla himself to take the field against them [127], and to preside in person at the siege. Even at last, they would only surrender on a capitulation, by which they were allowed to leave the town unmolested; while the vengeance of the conqueror fell only upon the inhabitants, whom he deprived of their lately-acquired privilege of Roman citizenship. It is remarkable that this alone, of all his measures, was maintained to be illegal [128], as exceeding even the power of the Roman people to authorize. The right of citizenship, according to Cicero, could never be taken away from any one; and it is doubtful how far Sylla's laws on this subject were observed, even during his lifetime. Thus it is satisfactory to see, that the real and substantial rights acquired by the people of Italy, survived the violence of the storm, by which themselves and their party at Rome had been almost overwhelmed; and, amidst such a succession of crimes and miseries, the cause of true liberty had yet gained an advantage which it continued permanently to enjoy.

Violations of property.

It is, however, seldom at this period of history, that any thing favourable to human happiness offers itself to our notice. If the privileges of Roman citizenship were secured to the Italians beyond the

[127] Cicero, pro Roscio Amerino, 7. 37.

[128] Cicero, pro Cæcinâ, 33, et seq.

CHAP. VI.

From U.C. 666, A.C. 88, to U.C. 677, A.C. 77.

power of Sylla to take away, it was not so with their properties, over which he exercised the most absolute dominion. Large tracts of land had been wrested from different cities [129], as well as from proscribed individuals; besides which, there were considerable portions which had never been enclosed or appropriated, and of which Sylla now claimed the right to dispose as he thought proper. On all these he proceeded to settle the soldiers who had enabled him to attain to his present greatness. Their numbers are variously reported; the epitomizer of Livy stating them at forty-seven legions; while Appian, with far greater probability, limits them to twenty-three. To make room for 115,000 new proprietors, for such, at the lowest computation, would be the number of soldiers whom Sylla rewarded with a settlement, we may well imagine how large a proportion of the inhabitants of Italy must have been reduced to poverty, even when every allowance has been made for the probable amount of waste and unclaimed land, which formed a part of the distribution. But as one individual case speaks a far clearer language than any general statement, let the reader consult the first Eclogue of Virgil, and he will there find a picture, drawn from reality, of the dreadful misery occasioned by these gifts of victorious leaders to their soldiers.

Having thus interested so many and such formidable supporters in maintaining his various regula-

[129] Appian, 100. Sallust, Oratio Lepidi in Sullam.

tions, Sylla proceeded to secure to himself a party in the assembly of the people of Rome. He gave liberty to more than 10,000 slaves [130], chiefly belonging to men of the opposite faction, who had been proscribed, or had fallen in battle, and he allowed them to be enrolled freely among the tribes. These new citizens, according to the usual practice of the Romans, adopted the name of him who had given them their freedom, and were all called Cornelii; and they of course would be most anxious to resist any counter-revolution, which, by rescinding Sylla's act, would have restored them also to their former slavery.

From U.C. 666, A.C. 88, to U.C. 677, A.C. 77.

The persons nominated to the title of consuls for the following year, were P. Servilius, and Appius Claudius. Sylla's government was now fully established; and the ascendancy of his party, and the validity of his measures, seemed no longer to depend on his continuing to hold the office of dictator. He himself had no fondness for the mere ostentation of power, so long as he possessed the reality; and his favourite enjoyments, the gratification of his sensual and intellectual appetites, might be pursued more readily, if he relieved himself from the ordinary business of the administration of the Commonwealth. Accordingly, having assembled the people in the forum [131], he made a formal resignation of the dictatorship, dismissed his lictors, and, professing that he was ready to answer any charges against his late

Sylla resigns the dictatorship U.C. 675. A.C. 79.

[130] Appian, 100.

[131] Appian, 103, 104.

CHAP. VI. From U.C. 666, A.C. 88, to U.C. 677, A.C. 77.

conduct, continued to walk up and down for some time, accompanied only by his friends, and then withdrew quietly to his own house. This is that famous abdication which has been ever viewed as so remarkable a point in Sylla's character; and which has been sometimes adduced to prove, that he was actuated chiefly by a regard to the public welfare in all that he had done to gain and to secure the sovereign power.

But if the preceding pages have faithfully represented the state of parties at Rome, and have truly related the origin and events of the civil war, we shall form a different estimate both of the act itself, and of the motives which led to it. Sylla was the leader of the aristocratical interest, and it was his object to raise that interest from the low condition to which Marius and Cinna had reduced it, and to invest it with a complete ascendancy in the Commonwealth. This he had entirely effected. He had extirpated the chiefs of the popular party; he had plundered, and almost destroyed several states of Italy, who were used to support the popular cause at Rome; he had crippled the tribunitian power; had given to the nobility the exclusive possession of the judicial authority; had enriched the most eminent families by the sale of the confiscated estates, which his principal partisans had purchased at a low price; and he had provided for the security of his triumph, by immense grants of lands to the soldiers, by whose swords he had won it. He had raised to wealth and honours a great number of his

own personal dependents[132]; and he was himself in possession of a property amply sufficient to maintain him in a style of magnificence, and to give him the free enjoyment of his favourite pleasures. His pride had been gratified by the fullest revenge upon his own private enemies, and by the absolute control which he had exercised in the settlement of the republic, securing the interests of his party as he thought proper, without allowing them to direct or interfere with his measures. If his object, indeed, had been to convert the government into a monarchy, the resignation of the dictatorship might justly have surprised us; but viewing him as the chief of a party, whose ascendancy he endeavoured to establish, whilst he himself enjoyed a pre-eminent share of the glory, and power, and advantages of their success, his abdication appears to have been a sacrifice of—nothing. It is clear that he was still considered as the head of his party, and that he resigned no more than a mere title, with the fatigue of the ordinary business of the state, while he continued to act as sovereign whenever he thought proper to exert his power. This appears from a speech, which Sallust ascribes to M. Æmilius Lepidus, who was consul the year after Sylla's abdication. It is supposed to be spoken during his consulship; and in it he continually inveighs against Sylla, as the actual tyrant of the republic, without the least allusion to any resignation which he had made of his authority.

[132] Sallust, Catilina, 51. Oratio Lepidi in Sullam.

From U.C. 666, A.C. 88, to U.C. 677, A.C. 77.

And another speech, preserved among the Fragments of Sallust, and ascribed to Macer Licinius, tribune of the people, a few years afterwards, speaks of Sylla's tyranny as only ending with his life. "When Sylla was dead, who had laid this bondage upon us, you thought," says Macer to the people, "that the evil was at an end. But a worse tyrant arose in Catulus." It appears, then, that Sylla, while relieving himself from the labours of government, retained at least a large portion of his former power, and that, having completed his work, he devolved the care of maintaining it upon the other members of his party, while he himself retired to enjoy the pursuits to which he was most strongly addicted.

His manner of life after his resignation.

Then it was, when the glare of the conqueror and the legislator were no longer thrown around him, that he sank into the mere selfish voluptuary, pampering his senses and his mind with the excitements of licentiousness and of elegant literature. His principal companions, according to Plutarch, were actors and performers of various kinds, some of whom, indeed, such as the famous Q. Roscius, were of unblemished reputation; but others were of the vilest class of those wretches who ministered to every appetite of their patrons, of those men of prostituted talents, who, above all others, are most deserving of contempt and abhorrence. The intervals which were not passed in such society, Sylla employed in the composition of his own "Memoirs," a work in which he took great interest, and in which

he brought down his history to within a few days of his death. It was about a year after he resigned the dictatorship, that he was attacked by the disorder which proved fatal to him; and which is said to have been one of the most loathsome that afflict humanity. We have, in truth, no very authentic accounts of his sickness; but it was the belief of the Romans in the time of Pliny[133], that he who had shed such torrents of blood, was visited by an awful retribution of suffering; that vermin bred incessantly in his body, and that thus he was in time destroyed. The senate ordered that his funeral should be celebrated in the Campus Martius[134]; and by his own desire his body was burnt, contrary to the general practice of his family[135], who were accustomed to commit their dead to the ground. But as he had ordered the grave of Marius to be opened, and his remains to be scattered abroad, he possibly departed from the custom of his ancestors, to prevent any similar insults from being hereafter offered to himself. The members of his party, who owed their present greatness to him, testified their gratitude to their departed leader, by lavishing every kind of magnificence on his funeral. The soldiers who had served under him crowded to Puteoli[136], where he had died, and escorted the body in arms to Rome. All the ministers of the gods, all the magistrates of the Commonwealth, in their ensigns of office, all the

His sickness and death. U.C. 676. A.C. 78.

[133] Pliny, Histor. Natural. XI. 33; XXVI. 13; VII. 43.

[134] Livy, Epitome, XC.

[135] Cicero, de Legibus, II. 22.

[136] Appian, 105, 106.

CHAP. VI.

From U.C. 666, A.C. 88, to U.C. 677, A.C. 77.

senate, the equestrian order, and an immense multitude of the people, walked in the procession; and the ladies of the nobility vied with each other in offering perfumes to throw upon the funeral pile [137]. Such was the end of Sylla, in the sixtieth year of his age, 676 years after the building of Rome, and seventy-eight before the Christian era.

And character.

His character must sufficiently be collected from the events of his life. Some anecdotes are to be found in Plutarch, respecting his behaviour in his family, which we cannot prevail on ourselves to copy on Plutarch's sole authority. It appears, however, that he was strongly attached to his wife Metella, although he is said finally to have divorced her, and to have married again only a few months before his death. The predominant feature in his character was an intense pride, and a contempt for mankind, feelings which must ever be incompatible with a virtuous and noble nature. Indifferent to the ordinary duties and honours of the republic, he found a stimulus during his early youth and manhood in literature and sensuality; and to these he gladly returned in his last years, when he had fully satisfied the passions which led him to take part in political contests. But, when circumstances drew him into public situations, his pride could be content with no second place; and, when he found himself slighted and injured, the desire of ample vengeance, and of establishing his superiority beyond all rivalry,

[137] Plutarch, in Syllâ, 38.

CHAP. VI.

From U.C. 666, A.C. 88, to U.C. 677, A.C. 77.

prevailed in his mind over every other. He found himself individually opposed to a man whom he envied for his military glory, and despised for his low birth and ignorance: as a patrician, he felt an aristocratical contempt for the popular party; as a Roman, he looked down with habitual arrogance upon all foreign nations. It happened that Marius, his enemy, was leagued with the popular cause at Rome, and with the Italian states, which were claiming an equality with Roman citizens; and thus his pride as an individual, as a noble, and as a Roman, was wounded beyond endurance by their victory. But, when that victory was accompanied by crimes which awakened the abhorrence even of the most moderate men, Sylla set no bounds to his retaliation, and seemed bent upon effecting the utter extirpation of all the three parties who were united against him, Marius and his personal enemies, the popular interest, and the allied states of Italy. Careless of the means by which this end was to be accomplished, and utterly indifferent to the multiplied miseries with which it must be attended, he commenced a series of boundless cruelties, in which it is impossible to find any resemblance to the just severities of a lawful government exercised upon flagrant criminals. He did not apply himself to a calm review of the causes which had so long disturbed the peace of his country; nor, as some tyrants have done, did he forget in his elevation the character of a party leader, and, being placed above all, learn to regard all classes of citizens with an eye

CHAP. VI.

From U.C. 666, A.C. 88, to U.C. 677, A.C. 77.

of impartiality. No doubt he reformed many things that needed alteration; but they were the abuses of one side only that he removed, and all that he did was to provide for the security of his party, except in those points where the common sense of every government sees, that in the prevention of ordinary crimes its own interest and that of society are identified. The inscription which he is said to have dictated for his own monument, well declares that constant thirst for superiority, or, in other words, that unceasing pride, which we have called his characteristic quality. It contained, in substance, that no friend had ever outdone him in the exchange of good offices, and no enemy had done him more evil than he had rendered to him again in return.

The character of Sylla, moreover, exemplifies a truth most useful to be remembered, yet most often contradicted or forgotten. His life, and the lives of many others in every age, and not least in our own, show that a cultivated understanding is no warrant for virtuous principles and conduct, and that the old adage of

> "Ingenuas didicisse fideliter artes,
> Emollit mores, nec sinit esse feros,"

unless a very strained interpretation be put upon the word *fideliter*, is widely at variance with the evidence of facts. Sylla had a general taste for literature; he was intimately acquainted with the writers of Greece; he delighted in the society of men of talent; and he was himself long and carefully engaged in

CHAP. VI.

From U.C. 666. A.C. 88. to U.C. 677. A.C. 77.

recording the history of his own actions; yet no man was ever more stained with cruelty, nor was ever any more degraded by habitual and gross profligacy. Nor is this at all wonderful, if we consider that the intellectual faculties, like the sensual, are gratified by exercise; and that the pleasure derived from the employment of talent is quite distinct from the application of the lessons taught by the understanding to the government of the affections and the conduct. In all men, whose mental powers are at all considerable, the indulgence of them is as much an object of mere natural appetite, as the gratification of hunger and thirst is to the mass of mankind; and it is only because it is less common that it is regarded as conferring on the character a much superior value. Bad men, of good natural faculties, gratify therefore with equal eagerness their animal and their intellectual desires, and are equally ignorant of the government of either. It is the part of goodness to restrain both, and to convert them to their own purposes; an effort which is as painful to pride in the one case as it is to the ordinary feelings of what is called licentiousness in the other: and it is the presence or absence of this effort which distinguishes talent from wisdom, and forms a perpetual barrier between men like Sylla, and those who have deserved the respect, and admiration, and love of posterity.

Sedition, rebellion, and death of M. Lepidus.

It will form a proper conclusion to this part of our history, if we add here a short account of the disturbances that immediately followed the death of Sylla, and which originated in an attempt made by

CHAP. VI.

From U.C. 666, A.C. 88, to U.C. 677, A.C. 77.

the popular party to procure the repeal of his various laws and measures. The consulship was at this time filled by M. Æmilius Lepidus and Q. Lutatius Catulus; the former of whom had governed Sicily some years before as prætor[138], and had rendered himself infamous for his maladministration; the latter was the son of that Catulus who had been the colleague of Marius in his fourth consulship, when he overcame the Cimbri, and had afterwards killed himself when sentenced to die by the same Marius, at the beginning of Cinna's usurpation. During Sylla's lifetime, Lepidus had attempted to revive the popular cause, and had inveighed against the tyranny under which, as he said, the republic laboured. Upon the death of Sylla he endeavoured to deprive his remains of that magnificent funeral with which the aristocratical party proposed to honour them[139]; but in this, as we have seen, he failed; and Catulus, supported by Pompey, succeeded in paying the last tribute to the late dictator's memory. Lepidus, however, having now declared himself the enemy of the party in possession of the chief power in the state, at once proceeded to try his strength, and proposed that Sylla's acts should be rescinded[140], which was, in other words, to move for a counter-revolution. Attempting to tread exactly in the steps of Cinna, he called on the Italians to support him[141], as he was labouring to procure a restoration of the

[138] Cicero, in Verrem, III. 91.

[139] Appian, 105.

[140] Florus, III. 23. Livy, Epitome, XC.

[141] Appian, 107. Sallust, Oratio L. Philippi contra Lepidum.

CHAP. VI.

From U.C. 666, A.C. 88, to U.C. 677, A.C. 77.

privileges of Roman citizenship for those states which Sylla had deprived of them. Disputes and contests, we know not of how serious a kind, were frequently occurring between his partisans and those of Catulus; the senate, however, bound both consuls by an oath, that they would not carry their dissensions into a civil war. Lepidus, perhaps, consented the more readily to take this oath, as he expected, on the expiration of his consulship, to obtain the government of a province, and consequently the command of an army; and he considered himself as only pledged to abstain from arms whilst he was actually consul. The senate, on their part, anxious to remove him from the capital, and either trusting to the obligation of his oath, or despising his means of injuring them by open rebellion, allowed him, on the expiration of his office, to receive the command of the province of Gaul [142], with the title and authority of proconsul. No sooner did he find himself at the head of an army than he threw aside all reserve; he endeavoured to raise partisans in Etruria, the quarter of Italy in which the latest resistance had been made to the power of Sylla; whilst from his station in Gaul he might easily connect himself with those remains of the Marian party which Sertorius yet kept in the field in Spain. Numbers also of the lowest and most profligate inhabitants of Rome flocked to join him; the same men who had aided the riots of Sulpicius, and had been ready agents in

[142] Sallust and Appian, locis citatis.

CHAP. VI.

From U.C. 666, A.C. 88. to U.C. 677, A.C. 77.

the massacres of Marius and Damasippus. Lepidus marched at once towards the capital, and approached almost as far as the very walls of the city; but the senate were prepared for their defence. Appius Claudius, the interrex, the consuls for the following year not being yet chosen, and Q. Catulus, as pro-consul, were charged to provide for the safety of the state; and, by the forces which they collected, Lepidus was easily checked and defeated. Destitute of any further means to continue the war in Italy, Lepidus then retired to Sardinia[143], where he was

U.C. 677. A.C. 77.

soon attacked by sickness, and died in the midst of his plans for renewing the contest. M. Brutus[144], one of his officers, and the father of the famous assassin of Cæsar, was about this time taken and put to death at Mutina, by Pompey; and thus the ascendancy of the aristocracy remained unimpaired, and was probably rather strengthened than injured by this rash and idle attempt to overthrow it. But the present leaders of the victorious party were men who have left behind them a purer character than most of their countrymen; and Catulus has the rare merit of sullying his triumph with no cruelties[145], and of remaining content with the suppression of the rebellion, without endeavouring to add any thing further to the powers and advantages of his friends, or to the depression of his antagonists.

[143] Livy, Epitome, XC. Plutarch, in Pompeio, 16.

[144] Livy and Plutarch, ubi supra.

[145] Florus, III. 23.

CHAPTER VII.

PART I.

CAIUS JULIUS CÆSAR.—A VIEW OF THE INTERNAL AFFAIRS OF THE ROMAN EMPIRE.—FROM U.C. 676, A.C. 78, TO U.C. 695, A.C. 59.

From U.C. 676, A.C. 78, to U.C. 695, A.C. 59.

The Julian family.

THE nobility of the Julian family was so ancient and so illustrious, that even after it obtained the imperial dignity, it needed not the exaggeration of flatterers to exalt it. Within thirty years after the commencement of the republic, we find the name of C. Julius on the list of consuls; and the same person, or a relation of the same name, is said to have been one of the decemviri, by whom the laws of the Twelve Tables were compiled. During the Punic wars, and the whole of the sixth century of Rome, the family produced indeed no individuals of distinguished character; but there is a Sex. Julius Cæsar among the prætors of the year 544, a L. Julius among those of the year 569, and a Sextus Julius, who appears as consul in 596, seven years before the third Punic war. In the seventh century we have already had occasion to mention three of the Cæsars; namely, Sextus Julius Cæsar, who was consul with L. Philippus, A.U.C. 662, during the

CHAP. VII.

From U.C. 676, A.C. 78, to U.C. 695, A.C. 59.

famous year of the tribuneship of Drusus; L. Julius Cæsar, who was consul in the year following, who distinguished himself in the Italian war by a great victory over the Samnites, and who was afterwards murdered by the order of Marius; and C. Julius Cæsar, the brother of Lucius, eminent as an orator, for his wit and pleasantry, whose irregular offer of himself for the consulship, in 665, first led P. Sulpicius to act the part of a popular tribune in opposing him, and who perished, together with his brother, when Marius and Cinna first usurped the government. But the individual to whom the name of Cæsar owes its renown with posterity, was cousin in the second degree to these two brothers, and nephew to Sex. Cæsar, the colleague of L. Philippus in the consulship. His father was C. Julius Cæsar, a man of prætorian rank, and who is recorded by Pliny as a remarkable instance of sudden death [1], he having expired suddenly one morning at Pisa, while dressing himself. C. Cæsar married Aurelia [2], of the family of Aurelius Cotta; and of these parents was born the famous Caius Julius Cæsar, about the year of Rome, 653, in the consulship of C. Marius and L. Valerius Flaccus.

Some of the incidents of his early life, his marriage with the daughter of Cinna, and his narrow escape from the proscription of Sylla, have been already related. But although there are numerous anecdotes to be found of him in the stories of his two biogra-

[1] Pliny, Histor. Natur. VII. 53. [2] Suetonius, in C. Jul. Cæsare, 74.

CHAP. VII.

From U.C. 676, A.C. 78, to U.C. 695, A.C. 59.

phers, Suetonius and Plutarch, yet the authority of both these writers is so low, and their accounts are at such variance with one another, that it is useless to repeat that which we have such imperfect grounds for believing. Without pretending to arrange the order of the several events, it will be enough to say, that he commenced his military service at an early age in Asia, and was present at the reduction of Mitylene[2], the only town which remained in arms against Rome after the end of the first war with Mithridates. He studied eloquence for some time at Rhodes[4], under Apollonius Molo, from whom Cicero, about the same period, was also receiving instructions. On one occasion he was taken by some of those pirates, who were then so formidable on all the coasts of Greece[3] and Asia, and was detained by them till he collected from some of the neighbouring cities fifty talents for his ransom. No sooner was he released than he procured a small naval force, and set out on his own sole authority in pursuit of the pirates. He overtook them, and took some of their vessels, which he brought back to the coast of Asia with a number of prisoners. He then sent word of his success to the proconsul of Asia, requesting him to order the execution of the captives; but that officer being more inclined to have them sold for slaves, Cæsar crucified them all without loss of time, before the proconsul's pleasure was

[3] Suetonius, in C. Jul. Cæsare, 2. Livy, Epitome, LXXXIX.
[4] Suetonius, 4. Cicero, de Claris Oratoribus, 91.
[5] Velleius Paterculus, II. 41. Suetonius, 4.

CHAP. VII.

From U.C. 676, A.C. 78, to U.C. 695, A.C. 59.

officially known. Such conduct was not likely to recommend him to those in authority; and we are told, that on several other occasions he wished to act for himself[6], and even to take part in the war which was now renewed with Mithridates, without any commission from the government, and without submitting himself to any of the regular officers of the republic. These early instances of his lawless spirit are recorded with admiration by some of his historians, as affording proofs of vigour and greatness of mind.

His first public appearance at Rome, where he espouses the popular party.

He first brought himself into notice at Rome by bringing a charge of corruption in his province against Cn. Dolabella[7], who had been consul with M. Tullius Decula, under the dictatorship of Sylla, and had since been appointed to the province of Macedonia, and had obtained a triumph for some victories over the neighbouring barbarians. Dolabella, however, was defended by Cotta and Hortensius, two of the most famous orators of that period, and was acquitted. Whatever may have been the merits of this case, Cæsar probably was glad to seize any opportunity of annoying the partisans of Sylla; and even in his early youth he made no secret of his enmity to the aristocratical party, and obtained the credit of boldly supporting the weaker cause, by an ostentation of his regard for the memory of Marius and Cinna. He lost during his quæstorship both

[6] Suetonius, 4.
[7] Suetonius, 4. Cicero, de Claris Oratoribus, 92.

CHAP. VII.

From U.C. 676, A.C. 78, to U.C. 695, A.C. 59.

his own wife [8], Cornelia, the daughter of Cinna, and his aunt Julia, who had been the wife of the elder Marius. He pronounced an oration in honour of each of them; and, at the funeral of his aunt, he ordered that the images of her husband Marius should be exhibited amongst those of her other deceased relations and ancestors, which, according to the custom of the Romans, were always carried in the procession on such occasions. Marius having been adjudged a traitor, the sight of his statues produced a great surprise among the people, and the lower populace, looking upon them as a pledge of the revival of the popular party, welcomed them as they passed with the loudest acclamations. But, whilst Cæsar was thus giving tokens of the danger which the aristocracy had to apprehend from his political career, he almost lulled their fears by the unbounded infamy of his personal character. We will not and cannot repeat the picture which ancient writers [9], little scrupulous on such points, have drawn of his debaucheries; it will be sufficient to say, that he was stained with numerous adulteries committed with women of the noblest families; that his profligacies in other points drew upon him general disgrace, even amidst the lax morality of his own contemporaries, and are such that their very flagitiousness has in part saved them from the abhorrence of posterity, because modern writers cannot pollute their pages with the mention of them.

[8] Suetonius, 6. Plutarch, in Cæsare, 5.

[9] Suetonius, 49, et seq. et Auctores ibi citati.

CHAP. VII.

From U.C. 676, A.C. 78, to U.C. 695, A.C. 59.

With such an outline of the family and the early life of C. Cæsar, we shall close his personal history for the present. According to the plan which we have pursued on former occasions, we shall attempt to describe the state of the Roman empire immediately before that period at which his ambition openly aspired to enslave it; and we trust to be forgiven, if we sacrifice to this object some details of particular facts, which are either little worthy of attention, or, from their great notoriety, are already familiar to every reader.

State of the Roman empire about the year 680, B.C. 73.

If a merchant of Alexandria had traversed the Mediterranean in the year of Rome 680; if he had been bound in the first instance to Spain; if thence he had been led by circumstances to visit the coasts of Italy, and to pass a short time at Rome itself; if then, while pursuing his voyage homewards, he had met with the fate which at that period was most likely to befal him, that of falling into the hands of pirates; and finally, if he had touched at some places on the coasts of Greece and Asia Minor, while his captors were returning with their prize to their strongholds in Cilicia; and if, having effected his ransom, he had at last been happy enough to reach Egypt in safety, and had there recorded the story of his eventful voyage, and of the various scenes which he had witnessed; with what delight should we have welcomed such a treasure, and how thankful should we feel to that African traveller whose researches should procure for us so valuable a fund of information! The thought, indeed, of the knowledge

of antiquity which we desire, is enough to make us discontented with that which we possess. But in imagining the case of the Egyptian merchant, our object is to bring before our readers at one view the state of the different extremities of the Mediterranean; and to enable them to judge of the condition of the times, by describing the scenes which would have presented themselves to the eyes of an individual, in whatever quarter of the Roman empire his fortune might have placed him.

Of Spain.

If a trading vessel had approached the more southern parts of Spain, she might have found every thing tranquil; but if her course had been directed towards the mouths of the Sucro or the Ebro, she would have probably been stopped by the light cruisers of Sertorius [10], which covered the whole coast, in order to intercept any supplies coming by sea for the armies of Pompey and Metellus. On shore, the country was suffering under the miseries of a long and dubious warfare. We have already slightly mentioned the beginnings of Sertorius's career, and we shall have occasion to speak of him hereafter more at length. He had at first been opposed in Spain by Q. Metellus Pius; but, when that officer was found unable to bring the war to a conclusion, and Sertorius had been greatly reinforced by the troops which had followed Lepidus in his attempt to revive the popular cause, and which after his defeat M. Perpenna had led into Spain [11], the senate

[10] Plutarch, in Sertorio, 21. Strabo, III. 167, edit. Xyland.

[11] Appian, de Bell. Civil. I. 108.

CHAP. VII.

From U.C. 676, A.C. 78, to U.C. 695, A.C. 59.

deemed it necessary to intrust the command to a general of the highest reputation, and accordingly fixed their choice upon Pompey. Sertorius, however, withstood the united efforts of his two antagonists with great ability and success: he availed himself of the activity and ingenuity of the Spaniards, who were warmly attached to him, and who became most excellent soldiers, when they had received from him some portion of discipline and military skill in addition to their natural excellences. The war, which had begun before the death of Sylla, was still in the year 680 maintained with unabated vigour; nor was it terminated till two years afterwards, when, Sertorius having been assassinated by some of his officers, who were jealous of his talents, but very unable to supply his place, Pompey obtained an easy victory, reduced the whole of Spain to a state of obedience, and returned to Rome to enjoy the honours of a triumph, and to enter upon the office of consul. In the mean time we find that his army [12], for a considerable portion of the time that it had served in Spain, was very irregularly paid, and was obliged to support itself at the expense of the country which was the seat of war. This was also the case with the army of Sertorius; so that the whole north-east of Spain, as may readily be imagined, was reduced to a state of the greatest poverty and desolation.

U.C. 682.

Of Gaul.

Pursuing a coasting navigation from Spain to-

[12] Epistola Cn. Pompeii, apud Fragm. Sallust.

CHAP. VII. From U.C. 676, A.C. 78, to U.C. 695, A.C. 59.

wards Italy, a vessel would naturally stop at some of the ports of the province of Gaul. It appears that the Gauls on both sides of the Alps had taken up arms in the cause of Lepidus; and Pompey, when marching into Spain, had inflicted on them a severe chastisement [13], and had expelled many of the Transalpine Gauls in particular from their cities and territories. During the war with Sertorius, the province of Gaul was obliged to contribute largely to the necessities of the Roman armies, and both Metellus and Pompey, on two several occasions, wintered there [14], when the country to the south of the Pyrenees was too much exhausted to maintain them. Manius Fonteius was about this time governor of the province, and he made himself very odious to the natives, not only by the rigour with which he exacted supplies of horses, corn, and money, for the troops in Spain, but by the duties which he levied on their wines [15], and, as they alleged, by the partial and corrupt manner in which he demanded their services in making roads [16]. Fonteius was afterwards brought to trial at Rome for his conduct in his province; and while Cicero, in his defence of him, denies strongly the charge of corruption, he admits the severity, or, as he calls it, the vigour, with which he maintained the authority of Rome amongst a people always turbulent and disaffected, and who were so lately in open rebellion.

[13] Cicero, pro Fonteio, 2; pro Lege Manilia, 10.
[14] Epistola Cn. Pompeii, apud Sallust. Cicero, pro Fonteio, 3.
[15] Cicero, pro Fonteio, 5.
[16] Cicero, pro Fonteio, 4.

CHAP. VII.

From U.C. 676, A.C. 78, to U.C. 695, A.C. 59.

Of Italy.

From Gaul a short passage would transport the voyager to the mouth of the Tiber, and would place him amongst all the various rumours, and interests, and speculations which abound in the seat of government of a great empire. At the period of which we are now speaking, he would have found the public attention seriously excited by an insurrection of gladiators, which had broken out a short time before. About seventy persons of this class[17], mostly natives of Gaul and Thrace, who had been either taken prisoners in war, or carried off by slave-traders from their own country, had effected their escape from the place where they were kept in training at Capua. Having fallen in with some waggons on the road, which were carrying a quantity of arms for the use of the gladiators in a neighbouring city, they seized the whole supply, and retired to Mount Vesuvius, as to a post which they might maintain with advantage. Here they chose three leaders, Spartacus, Crixus, and Œnomaus; and having repulsed the first attempts which were made to reduce them, their numbers were rapidly swelled by the concourse of fugitive slaves from all quarters, and by many of the poorest class of freemen, who were allured by the prospect of plunder. They were attacked by a regular force commanded by a Roman prætor; and having completely defeated it, they quitted their asylum of Mount Vesuvius, and receiving daily large additions to their numbers: they

Insurrection of the gladiators under Spartacus.

[17] Livy, Epitome, XCV. Plutarch, in Crasso, 8. Appian, de Bell. Civili, I. 116.

plundered several of the principal cities in Campania, intending, when satiated with plunder, to march towards the Alps, and thus to effect their escape in safety to their own countries, carrying with them the spoils of Italy. CHAP. VII. From U.C. 676, A.C. 78, to U.C. 695, A.C. 59.

An intelligent and curious traveller would naturally have wished to gain some insight into the state of parties in the capital, and into the views and feelings of the people with respect to public affairs. Five years had elapsed since the death of Sylla, and the laws which he had enacted were still almost wholly in force, and the depression of the popular interest was consequently almost the same as after his victory. Since the defeat of Lepidus, one or two tribunes had attempted to restore their office to its former powers and dignities; but their efforts had been ineffectual, and one of them, Cn. Sicinius, is said to have lost his life through the violence of his opponents[18]. C. Cotta, however, who was consul in the year 678, finding the people in a condition of great distress, owing to the disturbed state of many of the provinces which used to supply the capital with corn, and to the extensive depredations committed by the Cilician pirates, deemed it expedient to try some means of conciliating them. Accordingly he procured the repeal of that law of Sylla[19], by which those who had been tribunes of the people had been declared ineligible to any of the higher magistracies, and he was empowered by the senate State of parties in Rome. U.C. 678.

[18] Oratio C. Licinii Macri, apud Fragm. Sallust.

[19] Asconius, in Ciceron. pro Cornelio Oration. 1.

CHAP. VII.

From U.C. 676, A.C. 78, to U.C. 695, A.C. 59.

considerable part of the king's navies, and that the nature of their country disposed them to maritime affairs. The chain of Mount Taurus[23], in its course from the western coast of Asia Minor, approaches nearly to the Mediterranean, towards the south-eastern extremity of the peninsula; leaving between itself and the sea a district of unequal breadth and dissimilar character, which was divided into two parts, the mountainous and the plain Cilicia. Of these, the mountainous Cilicia presented a number of strongholds, built on high and steep cliffs overhanging the sea, and each, for the most part, commanding either a small harbour, or a smooth and sheltered beach, which, for the purposes of ancient navigation, was hardly less convenient. With these facilities of access to the sea, and of escape from its violence or from the pursuit of an enemy, were combined the advantages of an inexhaustible store of timber in the cedar forests of Taurus, and the stimulus afforded by the natural poverty of a mountain region, which inclined its inhabitants to a life of plunder. A people of this description can only be civilized by the systematic efforts of a powerful government; but the Cilicians had first been included in the empire of Persia, and after the conquests and early death of Alexander, they formed a part of the kingdom of Syria. But neither the kings of Persia nor of Syria were likely to employ themselves in civilizing their barbarian subjects; and the character and habits of

[23] Strabo, XIV. 766, et seq., edit. Xyland.

CHAP. VII.

From U.C. 676, A.C. 78, to U.C. 695, A.C. 59.

the Cilicians remained unchanged, till, in the seventh century of Rome, the increasing weakness and the constant family dissensions of their sovereigns enabled them to indulge their inclinations with less restraint. The chiefs of the several strongholds along the coast, despising the authority of the Syrian government[24], commenced a system of plunder; and the circumstances of the times determined them to follow peculiarly the occupation of man-stealers. The demand for slaves among the great land proprietors of Italy, so far exceeded the occasional supply produced by the conquests of the republic, that the slave-trade was become a most lucrative branch of commerce; and the Cilicians, being bold and able seamen, carried it on with success, by making descents on various parts of the neighbouring coast, and surprising the persons of the inhabitants. They then carried their captives to Delos, which was so great a mart for this traffic, that many thousands of slaves might be landed there, sold, and exported again on the same day. Doubtless, the well-known horrors of the "middle passage" were experienced often by the unhappy wretches who were crowded together in narrow vessels, built far more for swiftness than for the reception of passengers, and who were exposed to the cruelty and merciless avarice of a crew of barbarian pirates; whilst they themselves would frequently be persons of some fortune and education, torn away, with their wives and children, from the

[24] Strabo, XIV. 766, et seq., edit. Xyland.

CHAP. VII. From U.C. 676, A.C. 78, to U.C. 695, A.C. 59.

enjoyment of all the comforts of civilized life. Nor did the neighbouring states of Cyprus and Egypt attempt to prevent these atrocities; but they are said to have witnessed them with pleasure through jealousy of the Syrians, who were the chief sufferers. But both they who neglected to crush the evil, and the Romans, who had first given occasion to it, began soon to feel its effects themselves. Gain and impunity encouraged the pirates to extend their robberies: property and merchandise of every kind, and belonging to every nation, were attacked without scruple; insomuch that the Romans were obliged to notice these piracies as early as the year 651, and M. Antonius, the orator, who was then prætor, received Cilicia as his province[25], and there obtained some victories, which were held sufficient to entitle him to the honour of the smaller triumph, or ovation. The war with Mithridates followed in about fourteen years; and during that war, the Cilician pirates offered their services to the king of Pontus against the Romans[26], and infested the Ægean so much with their light squadrons, that Sylla often felt considerable annoyance from them. But after the regular war was at an end, the pirates became more formidable than ever; they were joined by many individuals who had been ruined during the late contest; and now no longer wearing the semblance of auxiliaries to a regular government, they extended their cruises to all parts of the Mediterranean, and not only

[25] Cicero, de Oratore, I. 18. Livy, Epitome, LXVIII.

[26] Plutarch, in Pompeio, 24. Appian, de Bell. Mithridat. 92.

CHAP. VII.

From U.C. 676, A.C. 78, to U.C. 695, A.C. 59.

made partial descents, but attacked and often made themselves masters of fortified towns situated on the coast. Under these circumstances, P. Servilius Vatia, who had been consul in the year 674, was in the year following sent to repress the pirates[27]; and he appears to have held the command during some years, in the course of which he defeated them at sea, and also stormed so many of their fortresses in Pamphylia and the neighbouring country of Isauria, that he received the surname of Isauricus, and was considered to have put an end altogether to the evil. These hopes, however, were soon disappointed. The trade of piracy had been found so profitable, that many others of the maritime states of Asia Minor were engaged in it as well as the Cilicians[28]; and no partial losses could put a stop to a system carried on on so extensive a scale. A more vigorous attempt to repress it had been made, indeed, about the year 678, when M. Antonius, the son of the orator, and father of the triumvir, received an extraordinary command[29], extending over all the sea-coasts of the Mediterranean, that he might be enabled to check the enemy at once in every quarter. But Antonius seems to have distinguished himself by nothing but his oppression and his exactions from the allies of Rome, and his injustice towards neutral states: and the conduct of his subordinate officers greatly resembled his own. The

[27] Suetonius, in Cæsare, 3. Strabo, XII. 663, edit. Xyland.
[28] Appian, de Bell. Mithridat. 92.
[29] Cicero, in Verrem, II. 3; III. 91.

CHAP. VII.

From U.C. 676, A.C. 78, to U.C. 695, A.C. 59.

robberies of the pirates continued unabated, and the behaviour of the Roman commanders only added to the general misery. It is, however, by some particular facts that we may best convey a notion of the extent of the public losses and dishonour. In the year 680, the notorious C. Verres was appointed to command the province of Sicily as proprætor; and during his administration, a piratical chief named Heracleo [30], with a light squadron of four vessels, appeared on the coasts of the island, defeated and burnt an ill-provided fleet which had attempted to oppose him, and entered in a bravado into the very harbour of Syracuse, which, having surveyed at his leisure, he again put to sea without molestation. The communication between Italy and Greece was intercepted during the whole summer [31]; several officers going abroad, with commissions from the senate, on the public service, were taken, and released for a ransom; and two prætors, with their lictors, while going abroad to take the command of their provinces, fell into the hands of the pirates. Descents were made on both coasts of Italy; the harbour of Caieta, which was full of Roman vessels, was entered before the eyes of a Roman prætor, and every thing in it was taken or destroyed; the children of M. Antonius, the orator, at the very time, apparently, that their brother was commanding against the pirates, were carried off from the house of their family at Misenum, and were ran-

[30] Cicero, in Verrem, V. 34, 35. 37.

[31] Cicero, pro Lege Manilià, 11, 12.

CHAP. VII.

From U.C. 676, A.C. 78, to U.C. 695, A.C. 59.

somed for a large sum of money. Nay, the mouth of the Tiber itself was not secure from insult; and a fleet, which one of the consuls had been appointed to command, was surprised and taken at Ostia, within twenty miles of Rome. While such were the affronts sustained so near the seat of government itself, it will excite no surprise to hear that Cnidus, Samos, and Colophon, with 400 other cities, were taken at different times by this daring enemy [32]; and that some of the most famous and richest temples, those of Juno at Samos, at Argos, and at Lacinium in Italy; those of Apollo at Leucas and Actium; those of Neptune at the Isthmus of Corinth, and at Tænarus; and that of Ceres and Proserpine in Samothrace, were violated and ransacked. The revenues and the commerce of Rome were alike intercepted or suspended; and the power of the republic was, for awhile, baffled or despised by an enemy, without a country and without a government, who possessed no other resources than the plunder which they had acquired by their piracies.

Oppression of Roman governors in the provinces.

In describing the progress of the pirates, we have anticipated the mention of the scenes which would have presented themselves to the eyes of a voyager in the seas, and on the coasts of Greece and Asia Minor. If any accident had led him to visit the interior of those countries, he would have found the violences of the pirates almost equalled by the tyranny of the Roman governors and officers. It appears that, for several years after the triumph of

[32] Plutarch, in Pompeio, 24.

CHAP. VII.

From U.C. 676, A.C. 78, to U.C. 695, A.C. 59.

the aristocratical party under Sylla, the crimes of the Roman magistrates and generals, and the excesses which their examples encouraged their soldiers to commit, were unusually great[33]; and that the corrupt state of the tribunals at Rome, where the judicial power was vested entirely in the hands of senators, ensured a frequent impunity to such offenders. When Cicero accused Verres, in the year 683, he did not hesitate to declare, that it was the wish of the provinces that the laws against the maladministration of Roman officers might be repealed[34]; for, whilst they existed, corrupt governors increased their extortions, that they might have wherewithal to reward their advocates, and to bribe their judges, in case they should be brought to trial; and the most respectable of the Romans, and the warmest supporters of the cause of the nobility, Q. Catulus and Cn. Pompey, confessed and deplored the truth of this statement. History has preserved to us the names of Cn. Dolabella, who was tried for his misgovernment of Macedonia; of another Cn. Dolabella, who was accused of corruption and cruelty in Cilicia[35]; of M. Antonius, who has been already mentioned as infamous for his general misconduct in the extensive command which had been intrusted to him; of his brother, C. Antonius, who was brought to trial for his exactions in Greece[36]; of Q. Calidius, who was charged with oppression in

[33] Cicero, pro Lege Manilia, 13. 22.

[34] Cicero, in Verrem, actio I. 14, 15.

[35] Cicero, in Verrem, I. 38.

[36] Q. Cicero, de Petitione Consulatûs, 2.

Spain [37]; of Manius Fonteius, whom Cicero defended against the complaints of the Gauls; and, above all, of C. Verres, who for three years practised every kind of cruelty and corruption in Sicily. Besides these, were officers who are charged with no personal corruption, yet whose conduct towards foreign states was harsh and unjust. P. Servilius has been already mentioned as having gained several victories over the pirates in Pamphylia and Isauria. Amongst other places, they had occupied Olympus, a city of Lycia; and Servilius besieged and took the town from them. The Lycians, to whom it of right belonged, had carefully abstained from imitating the example of their neighbours [38], and had taken no part in the depredations of the pirates; yet the ornaments of the city were carried off as spoils to Rome, and the people of Olympus were deprived of a portion of their territory.

A Gaulish chief, while exhorting his countrymen to maintain their independence against the arms of Rome, is represented by Cæsar as describing, in two words, the degraded condition of that part of Gaul which was already a Roman province [39]. He called it "subjecta securibus," "subject to the lictor's axe:" and although the last extremities of tyranny might have been comparatively rare, yet, in fact, the lives of the provincials were subject to the arbitrary will of the governors, without any immediate pro-

[37] Cicero, in Verrem, act. I. 13; III. 25, et Asconius, in act. I. in Verrem.

[38] Strabo, XIV. 762, edit. Xyland. Cicero, in Verrem, I. 21, de Lege Agrar. I. 2.

[39] De Bello Gallico, VII. 77.

CHAP. VII.

From U.C. 676, A.C. 78, to U.C. 695, A.C. 59.

tection, and too often with only a feeble prospect of retribution upon their oppressor. When Verres was in Asia [40], as quæstor to Cn. Dolabella, he was sent by him on a mission to Nicomedes, king of Bithynia, and on his way he passed through Lampsacus. He was there informed that Philodamus, one of the principal citizens, had an unmarried daughter of extraordinary beauty; and in order to effect the infamous design which he instantly entertained, he caused one of his creatures to be lodged at the house of Philodamus. This man, whose name was Rubrius, was entertained with the greatest hospitality, and was desired to name the persons whom he wished to form the company; Philodamus sending even his own son to sup at the house of a friend, that he might have room for a greater number of Roman officers. Towards the close of the evening, Rubrius called upon Philodamus to introduce his daughter to their party; a proposal which, according to the manners of the Greeks, was one of the utmost insult and indelicacy. The father refused, and his guests, assisted by their slaves, and by some of the lictors of Verres, proceeded to assault him in his own house, and to threaten the honour of his daughter. He contrived to inform his son of his danger, and the young man instantly flew to the house, followed by a crowd of the people of Lampsacus, who were roused by the report of so gross an outrage. In the scuffle that ensued, Rubrius and some of his slaves

[40] Cicero, in Verrem, I. 24, et seq.

were wounded, and a lictor was killed; and on the next day, when it was known who was the original author of the attempt, the people crowded to the house where Verres lodged, and were with difficulty prevented from exercising on him a summary vengeance. He escaped, however, and Philodamus and his son were brought to trial before C. Nero, the governor of the province of Asia, for the death of the lictor. At the earnest request of Verres, Dolabella left his own province of Cilicia to assist at the trial; Verres himself was present also, and he and Dolabella used all their influence, both by vehemence and supplication, to procure the condemnation of the prisoners. Nero, a weak and timid man, yielded to their instances, and Philodamus and his son were beheaded in the market-place of Lampsacus. Dolabella was afterwards accused, as we have seen, of corruption in his own province, and was condemned to exile, which he underwent; but Verres was elected prætor, and exercised jurisdiction both in Rome and in Sicily; nor was he ever questioned for his conduct at Lampsacus, till after the perpetration of numberless additional crimes, when Cicero, his accuser, mentioned this early enormity as preparatory to the series of his greater and more recent offences. Nero, it should be observed, by whose sentence Philodamus and his son were put to death, was never brought to trial at all. It is not possible that actions so dreadful as this should have been of very frequent occurrence; still the circumstances which we have related were far from singular; and

CHAP. VII.

From U.C. 676, A.C. 78, to U.C. 695, A.C. 59.

every province in the empire could probably at some time have produced instances of equal, or even of greater, enormity. But that one such act should have been committed with impunity, shows how wretched was the condition of those countries that were subject to the yoke of the Roman government.

Conclusion of the war with the gladiators. U.C. 681.

In tracing the course of events from the year 680 to 690, the only wars which will here demand our attention are those with Spartacus and with the pirates. The beginnings of both have been already noticed; and we have seen that in the year 680, Spartacus was carrying devastation over some of the finest districts of Italy. In the following year a part of his forces was destroyed by Q. Arrius, one of the prætors[41]; but he himself, intending to carry into execution his plan of escaping over the Alps into Germany, was encountered by Cn. Lentulus, one of the consuls, and gained a complete victory over him; after which he engaged and defeated another army, commanded by the other consul, L. Gellius, and the lately victorious prætor, Q. Arrius. All obstacles to his march being thus removed, he continued his course as far as Cisalpine Gaul, where he found himself again opposed by a third army, under the command of C. Cassius, one of the consuls of the former year, and Cn. Manlius, one of the prætors. He attacked this new enemy near Mutina, and gained a third complete victory; but it

[41] *Livy, Epitom.* XCVI. Plutarch, in Crasso, 9. Florus, III. 20.

appears that these repeated successes intoxicated him or his followers, and instead of continuing their march to the Alps, which they might have effected with perfect safety, they returned towards the south, dazzled by fantastic hopes of the conquest and plunder of Rome itself. But finding, probably, that any attempt upon the capital was impracticable, Spartacus passed the winter without venturing on any exploit of importance, maintaining his soldiers, we may suppose, upon the plunder of the country. Dissensions, meanwhile, crept in amongst his followers, which proved his ruin. The Gauls and Germans still wished to return to their own country [12], and finding that they could not prevail on the majority of the army to join them, they separated from Spartacus, and commenced their march to the northward by themselves. The senate, on their part, had committed the conduct of the war to M. Crassus, who was the prætor; and the new general, according to the practice which we have before noticed among the Roman commanders after a series of disasters, began his career by severe executions upon the soldiers of the defeated armies, and having thus taught them to dread him more than the enemy, he first assaulted the division of the Gauls and Germans, and put the greatest part of them to the sword. He then engaged with the main army under Spartacus, and having won a second victory, obliged him to retreat to the southern extremity of Italy. It was

U.C. 682.

[12] Livy, Epitom. XCVII. Appian, de Bell. Civil. I. 118.

CHAP. VII. From U.C. 676, A.C. 78, to U.C. 695, A.C. 59.

the wish of the gladiators to effect their passage into Sicily, in the hope of reviving the insurrections of the slaves, which had raged with such violence in that island not many years before. To accomplish their purpose, they entered into a treaty with some of the Cilician pirates, who chanced to be cruising in the neighbourhood; but the pirates are said to have first secured the money for their transport [43], and then to have sailed away without fulfilling their part of the engagement. Spartacus then endeavoured to construct rafts on the Italian shore [44], but the active pursuit of Crassus rendered this impracticable, and he was soon blockaded in a small peninsula near Rhegium, in which he had taken refuge. He effected his escape, however, by passing unobserved in a dark and stormy night, through the enemy's lines, and with the troops that still remained to him, he directed his march towards the mountains of Petilia in Lucania [45]. Here the tidings of the return of Pompey from Spain, made both Crassus and Spartacus anxious to risk a battle before that dreaded general could take a part in the contest. Accordingly a desperate action ensued, in which Spartacus was defeated and slain, and his army dispersed or destroyed: but Pompey laid a claim to a share in the victory, because he fell in with some parties of fugitives who had escaped from the battle, and cut them to pieces. A considerable number of prisoners were taken, who were crucified along the

[43] Plutarch, in Crasso, 10.
[44] Cicero, in Verrem, V. 2.
[45] Plutarch, in Crasso, 11. Appian, I. 120.

road from Rome to Capua, and their bodies extended at intervals along the whole of the distance.

From U.C. 676, A.C. 78, to U.C. 695, A.C. 59. Consulship of Pompey and Crassus U.C. 683.

The war with the pirates was not concluded till four years afterwards; and some events occurred in the intervening period, which will require our notice. Pompey, although we have so often had occasion to mention his name, had as yet held no public magistracy, and was therefore precluded, by one of Sylla's laws, from offering himself as a candidate for the consulship. But the extraordinary circumstances attending his career, and the services he had rendered to the aristocratical party on so many occasions, disposed the senate to regard him with unusual favour; while, on the other hand, he had always possessed the affection of the people, who seem to have excepted him from the general aversion which they entertained towards the partisans of Sylla. At this time his return from Spain was looked forward to by the popular party with an anxious hope that he would become their leader, and enable them to repeal some of those laws which, as they thought, had so greatly encroached upon their liberties. Their chief wish was for the complete restoration of the tribunitian power; not only for its own sake, but as preparatory to effecting a reform in the constitution of the courts of justice [6]. The natural feelings of the people at large were shocked by the long series of crimes which their officers were continually committing in the provinces

[6] Cicero, in Verrem, actio I. 15.

CHAP. VII.

From U.C. 676, A.C. 78, to U.C. 695, A.C. 59.

with impunity; and so long as the judges were taken only from among the men who had enjoyed or were expecting to succeed to the commands in which these excesses were perpetrated, it was not likely that the evil would be effectually remedied. Looking then upon Pompey as on a young man of popular qualities, who would be glad to acquire a claim to the lasting gratitude of the majority of his countrymen, the people welcomed his appearance with joy; and a decree of the senate being passed [47], allowing him to be a candidate for the consulship, although he had not held the previous offices of quæstor and prætor, he was elected consul, together with M. Licinius Crassus, who had distinguished himself by his recent victory over the gladiators. Pompey did not disappoint the hopes which were formed of him. After his election [48], when he made his first speech to the people before entering on his office, he promised to restore the tribunitian power, and to endeavour to remedy the grievances of the provinces, and the corrupt state of the courts of justice. His first declaration was received with murmurs of delight; but when he spoke of reforming the courts of justice, he was interrupted by a loud and general shout of applause. Accordingly his consulship is memorable for the repeal of Sylla's laws respecting the tribuneship [49], and the restoration of that office to its original privileges; and also for the law of L. Aurelius Cotta, one of the prætors,

[47] Cicero, pro Lege Manilià, 21.
[48] Cicero, in Verrem, actio I. 15. Livy, Epitome, XCVII.
[49] Cicero, de Legibus, III. 11.

which was passed with the sanction of Pompey, and which provided that the judges should hereafter be chosen partly from among the senators, partly from the equestrian order, and partly from the tribuni ærarii [50]. These last, as far as appears, were plebeians, possessed of a certain property [51], and on that account were appointed to act as agents for the payment of the legions, it being their office to receive the money for that purpose from the quæstors of the city, and to negotiate the business of transmitting it to the provincial quæstors, that it might by them be issued to the troops. The object of the law in adding this additional class to those of the senate and the knights, was to establish the courts of justice on a less exclusive system than before, while it endeavoured to obviate the evil of corruption amongst the judges, by providing that they should only be chosen from among men of competent fortune. At the conclusion of the year, which had been marked by such welcome acts, Pompey increased his popularity still more, by declaring that he would not accept the government of any province [52]; and, accordingly, when his consulship was expired, he continued to reside at Rome as a private individual.

The censorship revived after some years' discontinuance of it.

The extreme disorders of the times had filled men, according to the usual course of opinions, with the desire of seeing the arm of authority strengthened;

[50] Asconius, in Ciceronis pro Cornelio Oration. I. Cicero, ad Quintum Fratrem, II. epist. VI. Cicero, Philippica, i. 8.

[51] Facciolati Lexicon, in voce "Tribunus."

[52] Velleius Paterculus, II. 31.

CHAP. VII.

From U.C. 676, A.C. 78, to U.C. 695, A.C. 59.

and thus the censorial power [53], which was, on many accounts, justly obnoxious, and which had been discontinued since the beginning of the late civil wars, was now revived agreeably to the general wish of the people. It was exercised with great severity by the censors, Cn. Lentulus and L. Gellius, who removed sixty-four persons from the lists of the senate [54]; and probably gratified the public feeling by stigmatizing so large a portion of the nobility. They are charged, indeed, with having listened too lightly to popular reports [55], and with having affixed their censure on some characters without any sufficient knowledge of their demerits. Instances, too, occur of their disagreement with one another [56], and on one of them disapproving and acting in opposition to the sentence of his colleague. But, on the whole, it is probable that the revival of the censorship was beneficial; and faulty as were the old institutions of the Commonwealth, they were far better than the general lawlessness, and tyranny, and corruption, which had of late superseded them.

The war with the pirates. U.C. 686.

The evils of the piratical war still continued; nor did the consuls of the two following years do any thing effectual to remove them. We have seen that the experiment had been already tried of appointing one man, with supreme command, to act in every quarter of the Mediterranean; but the misconduct of the individual selected, M. Antonius, had disappointed the hopes which had been entertained of its success.

[53] Cicero, in Q. Cæcilium, 3.
[54] Livy, Epitome, XCVIII.
[55] Cicero, pro Cluentio, 47.
[56] Cicero, pro Cluentio, 47.

CHAP. VII.

From U.C. 676, A.C. 78, to U.C. 695, A.C. 59.

There was, however, another person in the Commonwealth, whose personal character was likely to add weight to whatever authority was intrusted to him, whose high military talents fitted him to combat with the enemies of the state, while his integrity and humanity would protect and conciliate its subjects and allies. Accordingly, in the consulship of C. Piso and Manius Acilius Glabrio, Aulus Gabinius[57], one of the tribunes, proposed to the people that the management of the war with the pirates should be committed to a single person for the term of three years: and that the power of the officer thus chosen should extend over every part of the empire, with authority to raise such supplies of men and money as he should think proper, and that he should have under him a certain number of lieutenants of senatorian rank, nominated by the senate. Gabinius was known to be a partisan of Pompey, and his character is said to have been bad; his own motives, therefore, in proposing this measure, may well be suspected; but the measure itself, if stripped of some of its clauses, seems not to have been justly blameable. The people took it up with eagerness, and immediately fixed upon Pompey as the individual to be appointed to this extraordinary command. But the high aristocratical party now began to pause in lavishing upon him unusual honours. His late conduct, during his consulship, had shown that he was not insensible to the welfare of the people at large, nor

U.C. 686. Law of A. Gabinius, granting an extraordinary commission to Pompey.

[57] Cicero, pro Lege Manilià, 18. Dion Cassius, XXXVI. 10, edit. Leunclavii.

CHAP. VII.

From U.C. 676, A.C. 78, to U.C. 695, A.C. 59.

indifferent to the charms of popularity. He could not, therefore, be considered as an undoubted supporter of the nobility on all occasions; and his personal renown seemed to raise him above their level. The motion of Gabinius was therefore generally opposed in the senate, and especially by Q. Catulus and Q. Hortensius[58]; and the negative of two of the tribunes, L. Trebellius and L. Roscius, was secured, accordingly to the old practice of the aristocracy, to stop the progress of the law. Both parties, as usual, had at the very outset of the dispute resorted to violence: the person of Gabinius, we are told, was threatened in the senate when he first announced there his intended law; and the mob, in return, beset the senate-house, and having laid hold on C. Piso the consul, were with difficulty persuaded by Gabinius to let him go without injury. But a more mischievous step was taken by the proposer of the measure, when he proceeded to imitate the conduct of Tiberius Gracchus[59]; and finding Trebellius obstinate in his opposition, submitted to the assembly the question of his degradation from his office. Trebellius, however, was less resolute than Octavius; and before the eighteenth tribe was called on to vote, he withdrew his negative upon the law. Yet the people listened with respect to Q. Catulus, when he, having been expressly called upon by Gabinius to deliver his sentiments, endeavoured, in manly and

[58] Cicero, pro Lege Manilià, 18. Dion Cassius, 31. Velleius Paterculus, II. 11.

[59] Cicero, pro Cornelio, et Asconii Commentarius.

CHAP. VII.

From U.C. 676, A.C. 78, to U.C. 695, A.C. 59.

temperate language, to prove to them the mischiefs of the intended measure. That he should have prevailed, indeed, was not to be expected, but the aristocracy disappointed any personal views which Gabinius might have had in procuring so extensive a command for Pompey; for, although Pompey himself made application in his behalf, the senate refused to insert the name of Gabinius amongst those of the fifteen lieutenants who were to act under his orders [60].

Pompey reduces the pirates to submission.

It was late in the year when the law of Gabinius was carried [61]; but Pompey employed the winter most diligently in making immense preparations for the war. He divided the care of the different parts of the Mediterranean among his several lieutenants, resolving himself to superintend their proceedings in every quarter, and to bestow his peculiar attention wherever it should be most needed. Before the winter was well ended, he put to sea, and deeming it important to open, as soon as possible, the communication between the capital and those countries from which it was usually supplied with corn, he sailed first to Sicily, thence crossed over to Africa, and having carefully scoured the coasts there, he returned to Sardinia, stationing a sufficient fleet off the island, and strong guards on different points along the shore, as he had done in the two provinces which he had previously visited. These operations were completed, according to Plutarch [62], in less than six weeks; and he then

[60] Cicero, pro Lege Manilià, 19.
[61] Cicero, pro Lege Manilià, 12.
[62] Plutarch, in Pompeio, 26.

CHAP. VII.

From U.C. 676, A.C. 78, to U.C. 695, A.C. 59.

returned to Italy, where he remained for a short time, disposing his forces for the protection of both coasts of that peninsula, and sending squadrons and land forces to secure the provinces of Spain, Gaul, and Illyricum. The effect of all these measures was to hunt out the pirates from all their haunts in the western quarters of the Mediterranean, and to drive them gradually back to the seat of their main power in Cilicia. Thither, accordingly, Pompey sailed in pursuit of them [63]; and expecting to meet with a long and obstinate resistance in the strongholds on that coast, he provided himself with every thing necessary for a succession of sieges. But the fame of his personal character went before him; and the vigour of his military operations, combined with the humanity which he had shown to those of the pirates who first fell into his hands, at once deterred the enemy from continuing to oppose him, and encouraged them to trust themselves to his mercy. On his arrival off the coasts of Cilicia, fortresses and ships were successively surrendered to him without a blow. Nor did he deceive the confidence thus reposed in him; but after receiving the submissions of the pirates, after delivering the prisoners whom he found in their hands, and becoming master of all their resources, he took measures for reclaiming the inhabitants of those countries from that rude and wretched state of life which tempted them to robbery. The town of Soli,

[63] Cicero, pro Lege Manilià, 12. Florus, III. 6. Appian, de Bello Mithridatico, 96.

CHAP. VII.

From U.C. 676, A.C. 78, to U.C. 695, A.C. 59.

with some others in the neighbourhood [64], had been lately deprived of their citizens by Tigranes, king of Armenia, who had transplanted them into Upper Asia, to people his new capital Tigranocerta. Into the towns thus deserted, Pompey brought some of the pirates who had surrendered, and settled them in a situation where they might naturally be led to taste and to value the blessings of peace and civilization; while he removed others into some of the districts in the interior [65], which, perhaps, their own incursions, on former occasions, had reduced to desolation, and placed them where the constant sight of the sea might not tempt them to resume their former occupation of piracy. By this admirable conduct Pompey obtained a glory very different from that usually gained by Roman generals; and in seven weeks from the time of his leaving Italy for the East [66], he had cleared every corner of the sea from the enemy, and had provided for the stability of his victory by those measures of wisdom and goodness which alone, in public as well as in private conduct, can permanently ensure a happy result.

War of Crete. Conquest of that island by Q. Metellus.

Whilst he was thus employed in Cilicia, he received a deputation from the people of Crete, who were at this time attacked by Q. Metellus, a Roman proconsul, and who, refusing to submit to him, were willing to trust themselves to the mercy of Pompey. It appears that M. Antonius [67], amongst various other

[64] Dion Cassius, XXXV. 2; XXXVI. 18. Appian, 96.
[65] Velleius Paterculus, II. 32.
[66] Cicero, pro Lege Manilià, 12.
[67] Florus, III. 7. Asconius, in Ciceron. Divinat. in Cæcilium, 17.

CHAP. VII.

From U.C. 676, A.C. 78, to U.C. 695, A.C. 59.

acts of injustice which had signalized his command, had commenced hostilities against the Cretans without any just provocation, from the mere ambition to conquer that famous island which had thus long preserved its independence. He failed, however, in his attempt, and had himself died whilst engaged in it. But the Romans, little solicitous about the origin of their wars, finding that one of their officers had engaged them in a quarrel with the Cretans, resolved to continue it; and Q. Metellus, who had been consul in the year 684, was sent, after his consulship, into Crete as his province. He carried on his operations very successfully, and was looking forward to the speedy reduction of the whole island, when the Cretans, hearing of the extraordinary powers committed to Pompey, and of his merciful treatment of those whom he had conquered, sent a deputation to him in Pamphylia[68], requesting him to receive their submission. Crete, with every other island in the Mediterranean, was included within the limits of Pompey's authority; he sent, therefore, to Metellus, desiring him to abstain from further hostilities, and at the same time despatched Octavius, an officer of his own, to receive the offered surrender. Metellus treated the message with contempt[69]; and when Octavius threw himself into the town of Lappa, trusting that his character as a Roman officer would protect the inhabitants, Metellus besieged and took the place, and put the Cilicians, who formed the garrison, to

[68] Cicero, pro Lege Manilià, 12. [69] Dion Cassius, XXXVI. 8.

death. Octavius then employed a part of the force under Pompey's command, which L. Sisenna, one of his lieutenants, had brought over from Greece, in defending some of the remaining cities of Crete against Metellus; but, being too weak to act with effect in their behalf, he was obliged at last to quit the island, and Metellus then soon completed the conquest of every part of it. His conduct was marked with the usual cruelty of the Romans, embittered, in this instance, by personal irritation at the preference which the Cretans had shown for Pompey. After the ordinary succession of executions and exactions [70], Crete was reduced to the form of a Roman province, and Metellus arranged the affairs of the island as he thought proper. But the dispute which arose from his disobedience to Pompey's authority, was for some time an obstacle to his enjoying the honour of a triumph, till some years afterwards, the senate, being more and more alienated from Pompey, thought proper to grant it [71].

[70] Florus, III. 7. Livy, Epitome, C.

[71] The conduct of Pompey in this transaction is represented in a very different light by some modern writers, who have echoed the sentiments of Plutarch. They impute Pompey's behaviour to a mean desire of robbing Metellus of the glory of his conquest; and Plutarch dwells upon the extravagance of his actually supporting pirates against the power that was employed in punishing them. It is probable that his vanity was flattered by the preference which the Cretans shewed for him; but it is also likely that he, who was acting in Cilicia on such wise and merciful views, was eager to stop the cruelties of Metellus, and to give the Cretans, a people unjustly attacked by the Romans in the outset, the benefit of his own humane policy. Be this as it may, as Pompey's commission certainly extended to Crete, Metellus was guilty of an act of rebellion in resisting his authority, and became himself the robber and the outlaw, in persisting to attack places protected by a superior officer of his

CHAP. VII.

From U.C. 676, A.C. 78, to U.C. 695, A.C. 59.

In this part of the history of the internal state of Rome, we must again remind the reader of the necessary imperfection of our account. The varying objects pursued by parties and by individuals at different times, can only be explained by so full a knowledge of the circumstances and characters as should either remove or account for that which apparently was inconsistent; and the same knowledge could alone enable us to judge correctly of the merits of several measures, which otherwise we might approve or condemn presumptuously and erroneously. Such a knowledge, however, cannot now be obtained, and the conjectures by which we have endeavoured to supply it we wish always to propose with a full consciousness of their uncertainty; for it may happen that some detached passage of an ancient author may have escaped our researches, which, had we known it, would have obliged us to alter, or to qualify, the theory which we had ventured to offer. With this caution we proceed to trace the disorders from which, henceforward, scarcely a year, during the existence of the Commonwealth, was exempt.

Tribuneship of C. Cornelius. U.C. 686.

Amongst the evils by which the state was beset, that of obtaining public offices by undue means, was at this time severely felt [72]. Like many other grievances, it was loudly complained of by the people, and some measure was called for that might

government. It may be a question whether it was owing to the mildness of Pompey's temper, or to the strength of the aristocratical faction, that Metellus was never brought to trial and punished as he deserved for his disobedience. Plutarch, in Pompeio, 29.

[72] Dion Cassius, XXXVI. 18, edit. Leunclav.

CHAP. VII.

From U.C. 676, A.C. 78. to U.C. 695, A.C. 59.

remove or lessen it. C. Cornelius, who was one of the tribunes for the year 686, resolved to take up the subject, and proposed to bring in a law which should punish all bribery or undue influence in elections in the severest manner. The senate, wishing the measure to proceed from themselves rather than from one of the tribunes, directed C. Calpurnius Piso, who was then consul, to prepare a law to the same effect with that of Cornelius, except that its penalties were somewhat less severe. Cornelius, on his side, regarded this interference of the senate with jealousy and suspicion, and the people, in general, violently opposed the law of Piso [73]; as if its only object were to baffle and disappoint their wish for an effective check to the evil complained of. Some serious tumults appear to have arisen; and the consul, provoked at the opposition with which he met, called upon every citizen, who was a well-wisher to his country, to assist in procuring the enactment of the law. This was deemed equivalent to summoning them to support the consular authority by force, as was usual in cases of extreme danger; but even this appeal failing of its effect, and the election for the ensuing year drawing on [74], and being preceded by the usual scenes of violence and corruption during the canvass, the senate, by their own sole authority, decreed that the law should be enacted, and voted a guard to the consuls for the maintenance of the public peace. It had happened

[73] Cicero, pro Cornelio, I. Fragm. [74] Dion Cassius, XXXVI. 19.

From U.C. 676, A.C. 78, to U.C. 695, A.C. 59.

that Cornelius had been already disgusted with the conduct of the senate on another occasion during his tribuneship. The provinces and allies of the Commonwealth were in the habit of often sending deputies to Rome [75], sometimes to compliment the officers who had exercised the government amongst them, sometimes to complain of their tyranny, and sometimes to make interest among their friends at Rome, to procure some measure which they deemed expedient for their country. It often happened that the deputies were detained at Rome for a considerable period; and in the want of those resources which modern commerce has devised to facilitate the obtaining money in foreign countries, they were obliged to borrow the sums they wanted of wealthy individuals, and could only procure them by engaging to pay an exorbitant interest. Many of the provincial cities were thus burthened with a debt; and their creditors were not unfrequently employed under the proconsul or prætor of the province [76], and were then ready to abet him in all his proceedings, in order to purchase the aid of his authority in recovering, by a summary process, the money that was due to them. The evils and the scandal of this system were equally great, and C. Cornelius had moved the senate to repress them, by forbidding any Roman citizen to lend money to the deputies of foreign states or countries. But the senate did not second his wishes; and this had already given him a handle

[75] Asconius, Argumentum in Ciceron. pro Cornelio, I.

[76] Cicero, in Verrem, I. 29.

From U.C. 676, A.C. 78, to U.C. 695, A.C. 59.

for inveighing against that body in the assemblies of the people. When, therefore, they had again thwarted his projects of reform [77], by substituting a weaker measure in the place of his proposed law against bribery, he determined to attack one of the privileges which they had gradually usurped in later times, and which had degenerated into an abuse of a flagrant nature. This was no other than a power of dispensing with the laws in particular cases: such, for example, as that of Pompey, who had been allowed, by a decree of the senate, to offer himself as a candidate for the consulship, before he had been prætor or quæstor, in direct violation of the existing laws. In former times, these dispensations, after they had passed the senate, had, in theory at least, if not in practice, required the sanction of the people to give them validity; but by degrees this sanction became so merely a form, that it was neglected altogether; and the usual expression in the decrees of the senate, "that the matter should be submitted to the approval of the people," was at last omitted as superfluous. This, perhaps, might have been a change well suited to the altered circumstances of the Commonwealth; but it was accompanied by another which was nothing but an abuse. These dispensations were often granted by some of those members who took an active part in public business, when none but themselves were present in the senate-house; and thus the privilege was en-

He proposes a law to regulate the dispensing power of the senate.

[77] Asconius, Argumentum in Ciceron. pro Cornelio, I.

CHAP. VII.

From U.C. 676, A.C. 78, to U.C. 695, A.C. 59.

grossed, in fact, by a few individuals of the highest rank and consideration, who availed themselves of it as of a valuable store of patronage. To correct this system, C. Cornelius proposed to revive and enforce the whole principle of the constitution, that no one should be exempted from the observance of any law, except by the authority of the people. The aristocratical party, resisting this alteration, procured the negative of one of the tribunes, P. Servilius Globulus, to stop the progress of the proposed law. When, therefore, the day arrived on which the question was to come before the people, and the crier began to repeat aloud the terms of the law, with a clerk standing behind to prompt him, Globulus forbade both the clerk and the crier to proceed. Cornelius then took the law from the hands of the clerk and read it himself; not intending, as his friends declared, to propose it to the people in defiance of his colleague's negative, but merely to satisfy himself what the provisions were which he was not allowed to submit to their decision [78]. However, the consul, C. Piso, who witnessed the fact, interpreted it in a different manner, and loudly exclaimed that Cornelius was destroying the very

It is negatived, but passed in an amended shape.

[78] Cicero, in Vatinium, 2. Defendebatur non recitandi causâ legisse sed recognoscendi. It seems that persons were in the habit of reading aloud, even when reading by themselves alone, and thus the action of Cornelius might have had no other motive than that which his friends represented. In the Acts of the Apostles, when the Ethiopian eunuch was reading the Scriptures to himself, as he travelled in his chariot, he evidently pronounced the words aloud; for it is said, that "Philip *heard* him reading;" whereas now, the natural expression would be, that a man reading alone in a carriage was *seen* reading.

CHAP. VII.

From U.C. 676, A.C. 78, to U.C. 695, A.C. 59.

essence of the tribunitian power. The multitude received this speech with violent expressions of displeasure; and when Piso sent his lictors to arrest some of those whom he observed as most outrageous, the lictors were resisted, their fasces were broken, and stones were thrown by some persons at the extremity of the crowd against the consul himself. But Cornelius, far from abetting these disorders, immediately broke up the assembly, and relinquished his law; and in order to show his willingness to conciliate his opponents, he brought it forward again without its obnoxious clauses, proposing merely that no dispensation from the laws should be considered as valid, unless two hundred members had been present in the senate when it was granted; and that, although the sanction of the people was necessary as a point of form, yet that it should not be lawful for any tribune to negative a dispensation which had regularly passed the senate[79]. In this amended state the law was too reasonable to be openly opposed; but the leading senators were greatly offended that their particular influence should be at all diminished. Another salutary measure was brought forward and carried by Cornelius, which appears to have been entirely free from any factious design or tendency. It seems that the prætors had a large discretionary power in the administration of justice, and that it was usual for every prætor[80],

[79] Ne quis in senatu legibus solveretur, nisi ce adfuissent, neve quis, quum solutus esset, intercederet, quum de eâ re ad populum ferretur. Asconius, Argumentum in Ciceron. pro Cornelio, I.

[80] Asconius, ubi supra. Conf. Dion Cass. XXXVI. 19.

CHAP. VII.

From U.C. 676, A.C. 78, to U.C. 695, A.C. 59.

when he entered upon his office, to publish a proclamation, declaring, generally, the principles on which his decisions would be founded during the year. But from these principles the prætors continually deviated, alleging, we may suppose, that the equity of particular cases required them to depart from their general rule. Whatever may be the advantages or disadvantages of leaving much to the discretion of judges in well-ordered governments, and in a tolerably pure state of public morals, we may well conceive that with such officers as the Roman prætors are described to have been at this period, whatever discretionary power they possessed, was likely to be abused for their own purposes. Accordingly, Cornelius was listened to with general approbation, when he proposed a law obliging the prætors to conform in all cases to the principles laid down in their own proclamations; and this measure also was carried without any open resistance. It is said that he brought forward several other laws during his tribuneship, which were negatived by some of his colleagues; but the particulars are not mentioned. The resentment, however, which his conduct had excited, broke out as soon as his year of office was expired. He was accused of what, perhaps, may best be expressed in English by the general term of "high crimes and misdemeanours [81];" but on the day appointed for the trial, P. Cassius, the prætor, who was to act as judge, did not appear;

Law to abridge the discretionary power of the prætors.

Cornelius is brought to trial. U.C. 687.

The trial broken off by a riot.

[81] "De Majestate."

and a mob assembling at the instigation, as it is said, of Manilius, one of the tribunes, assaulted the accusers, threatening them with death, if they did not abandon their accusation, and, finally, obliged them to fly for their lives. Cornelius appears to have had no share in this riot; but his trial was again resumed in the year following, and he was arraigned chiefly for having read aloud his law to the people, after another tribune had interposed his negative against it. On this point, Q. Catulus, Q. Hortensius, Q. Metellus Pius, and L. Lucullus, all came forward to give their evidence with a strong leaning against him; while, on the other hand, Cicero undertook his defence, and is said to have conducted it with the greatest ability in two speeches, of which, unfortunately, only a few fragments remain to us. His eloquence was received with bursts of applause from the assembled people [82], and Cornelius, as far as we can learn, was acquitted [83].

From U.C. 676, A.C. 78, to U.C. 695, A.C. 59.

He is tried again and acquitted. U.C. 688.

We have dwelt the longer upon the tribuneship and laws of Cornelius, because he appears to have been one of the few men of his time who advocated firmly and temperately the real interests of the people; and because the opposition which he met with from the aristocracy, shows how much they were inclined to resist not only the seditious, but even the fairest and most moderate supporters of reform, as if every thing were mischievous which did not tend to main-

[82] Quintilian. VIII. 3

[83] Quintilian, VI. 5—"ut Cornelium ipsa confessionis fiducia eripuerit."

CHAP. VII.

From U.C. 676, A.C. 78, to U.C. 695, A.C. 59.

tain their exclusive ascendancy. At a crisis such as that in which Rome was now placed, there were few popular leaders who were disposed to imitate the temper and judgment of Cornelius, and the treatment which he met with was likely still more to diminish the number. Men of real sense and patriotism were deterred from the task of redressing grievances, when they found that they could only succeed at the price of provoking a strong resistance on the part of the nobility, and, perhaps, dangerously exciting the passions of the multitude. But profligate adventurers, to whom sedition was in itself an end, instead of being regarded with aversion even as the means of obtaining some real good, were rejoiced to find the senate so selfish and short-sighted. They could then say, with more plausibility, that the aristocracy were habitually the enemies and oppressors of the poor, and that nothing could effectually benefit the Commonwealth but a total revolution in the state of society.

Tribuneship of C. Manilius.

In the year 687, C. Manilius, one of the tribunes [84], proposed a renewal of one of the laws which had been passed during the triumph of the popular party under Carbo, and which had subsequently, we may suppose, been annulled by Sylla. By this law the freedmen had been enrolled promiscuously in all the tribes, instead of being confined, as before, to the four city tribes only. Manilius procured its revival, by proposing it suddenly at a late hour of the day,

[84] Asconius, in Ciceron. Orat. pro Milone, 8; and Cicero, Orat. pro Cornelio, I.

CHAP. VII.

From U.C. 676, A.C. 78. to U.C. 695, A.C. 59.

when the majority of respectable citizens had left the forum [85]; but it was instantly annulled by the senate, as having been illegally passed, and Manilius himself was induced to abandon any further mention of it [86]. But finding that he was still threatened with the resentment of the aristocracy, he resolved to secure himself by courting more assiduously the favour of the people, and by gaining the protection of an individual, whose friends it might not be politic for the senate to attack. This is said to have been the origin of the famous Manilian law, by which it was proposed to commit the sole management of the war with Mithridates and Tigranes to Pompey, and to continue to him a large portion of the extraordinary powers with which he was already invested to act against the pirates. The aristocratical party, as may be supposed, warmly opposed the law, but it was supported by Cæsar and by Cicero, and finally carried [87]. It is probable that the mere military part of the command might have been safely intrusted to other hands; but with the peculiar temptations which the East offered to plunder and extortion, no officer could have been so well chosen as Pompey to retrieve the lost character of Roman magistrates, to conciliate the affections of the people of the provinces, and to administer his extensive command with justice, humanity, and wisdom. Nor would the measure, in strictness, have been dan-

The Manilian law.

[85] Dion Cassius, XXXVI. 20, edit. Leunclav.

[86] Cicero, pro Cornelio, I.

[87] Dion Cassius, XXXVI. 20.

CHAP. VII.

From U.C. 676, A.C. 78, to U.C. 695, A.C. 59.

gerous, even as a precedent; for as Pompey was appointed to wield such unusual powers, on account of his tried moderation and integrity, there was little probability that officers would often be found with similar qualities to entitle them to a similar honour.

Towards the close of the year, P. Cornelius Sylla [88], a relation of the late dictator, and P. Autronius, were elected consuls for the year following; but being shortly after accused of bribery, and being found guilty, the election was declared null and void, and L. Aurelius Cotta and L. Manlius Torquatus were chosen in their room. The famous L. Sergius Catilina had intended to offer himself as a candidate, but he was also at this time under accusation for misconduct in his late province of Africa [89], and the senate resolved that under such circumstances he could not be elected. Irritated at his disappointment, he entered into a conspiracy with P. Autronius and Cn. Piso, a young man of noble birth, but needy and profligate: and it was resolved that the two consuls elect, Cotta and Manlius, should be murdered in the capitol on the first of January, when they would first enter upon their office; that Catiline and Autronius should then seize upon the consulship, and Piso should be sent with an army to secure the important province of Spain. The design was suspected, and its execution was, therefore, post-

First conspiracy of Catiline, Autronius, and Piso.

[88] Sallust, Catilina, 18. Cicero, pro P. Syllâ, 17. 32.

[89] Q. Cicero, de Petitione Consulatûs, 3. Cicero, Fragm. Orationis in Togâ Candidâ. Sallust, Catilina, 18.

CHAP. VII.

poned to the fifth of February, when it was intended to assassinate not the consuls only, but a great number of the senators when assembled in the senate-house. Catiline, however, gave the signal for the massacre before the armed men, whom they had hired to execute it, were collected in sufficient force; and after this second disappointment the attempt was relinquished. But although this conspiracy is mentioned by Cicero and Sallust as a matter perfectly notorious, yet the authors of it were suffered to remain unquestioned, and Catiline ventured, two years afterwards, to offer himself again as a candidate for the highest office in the Commonwealth.

From U.C. 676, A.C. 78. to U.C. 695, A.C. 59.

The year which had begun with such alarming circumstances was marked in its progress with little that is remarkable. Catiline's trial for misconduct in his province came on, but he was acquitted: an escape which he is said to have owed to the corruption of his judges and of his accuser, P. Clodius [90], who suffered himself to be bribed by Catiline to weaken purposely the force of his own accusation. At this time also M. Crassus and Q. Catulus were acting as censors; but they were warmly at variance with each other on an important question relating to the inhabitants of Cisalpine Gaul to the north of the Po [91]. Crassus wished to extend the privileges of Roman citizenship to them as to all the other people within the Alps; but Catulus, according to

U.C. 688.

Censorship of M. Crassus and Q. Catulus.

[90] Cicero, de Haruspicum Responsis, 20. Fragm. Orat. in Togâ Candidâ.

[91] Dion Cassius, XXXVII. 33.

CHAP. VII.

From U.C. 676, A.C. 78, to U.C. 695, A.C. 59.

the usual policy of the aristocratical party, was adverse to the measure, and both persisting in their respective opinions, resigned the censorship. It was thought by many that the streets of Rome were thronged too much already, without swelling the number of citizens still more; and C. Papius[92], one of the tribunes, proposed and carried a law, by which all foreigners were ordered to depart from Rome. This measure occasioned, probably, great inconvenience and distress to individuals, without any important benefits to the public peace. While the number of needy and profligate citizens was so great, and whilst such multitudes of slaves and gladiators were kept in the city, ready at all times to serve the purposes of riot and violence, it was of little avail to drive away the small proportion of free foreigners who might possibly have strengthened the cause of any sedition.

The Papian law.

Beginnings of the second conspiracy of Catiline. U.C. 689.

In the year following, L. Julius Cæsar and C. Marcius Figulus were chosen consuls. Catiline now was preparing to renew his canvass for the consulship, and to combine it with the plan of a second conspiracy. This man must not be classed among the ordinary leaders of the popular party who opposed the authority of the senate; nor with such men as the Gracchi, who, although their meditated changes threatened to affect the tenure of property, yet proposed no more than that which an unrepealed law of the republic had already sanctioned, and who,

[92] Dion Cassius, XXXVII. 33. Cicero, de Officiis, III. 11.

with all their rashness and violence, would have shrunk from the thought of shedding the blood of the noblest of their countrymen. But Catiline, from his early youth, had been stained with crimes: in the proscription of Sylla he had distinguished himself by peculiar cruelty and rapacity [93], and since that period the free indulgence of his profligate desires had reduced him to indigence, which he had again repaired by his extortions in his province, but which was returning upon him afresh from the usual tenour of his life in Rome. He was of a patrician family, and found many others amongst the nobility who resembled him in profligacy and neediness, and who were willing to share with him all his projects of revolution [94]: to these were added a multitude of worthless and desperate men from the lower classes of society. Whoever disliked a life of labour, whoever wished to be relieved from the restraints of law, whoever were involved in debts which they could only hope to wipe off by the murder of their creditors; the envious, the rapacious, and the revengeful, who form so large a portion of mankind, all were ready to embrace a scheme which promised them plunder, and license, and bloodshed. Political circumstances added others to the number of the conspirators. The inhabitants of Tuscany [95], who had been deprived of their lands by Sylla's confiscations, were eager to recover their property; many of the soldiers who had received these lands as settlements

[93] Q. Cicero, de Petitione Consulat. 2, 3.

[94] Sallust, Catilina, 17.

[95] Sallust, Catilina, 28.

CHAP. VII.

From U.C. 676, A.C. 78, to U.C. 695, A.C. 59.

had since become involved by their extravagance or ignorance of farming, and were anxious for a second civil war that they might receive fresh rewards; whilst the children of those who had been proscribed, being excluded by Sylla's laws from all the honours of the Commonwealth during their lives, were anxious to raise themselves from this state of degradation. It is mentioned, too, that a great many women of birth and talents [96], but of infamous character, who in the decay of their youthful beauty had no longer the means of indulging their extravagant habits, and had thus contracted considerable debts, were ready to use all their arts and influence in support of the conspiracy, and to assist it more directly by the use of poison or the dagger against their own husbands, whose rank or character might render them valuable friends to the constitution of their country.

The chief grievance on which Catiline dwelt when endeavouring to excite his associates to overthrow the existing government, was the monopoly of honours and riches amongst a few great families [97], by which the bulk of the people were kept in a degraded and impoverished condition. This complaint was utterly groundless in his own mouth, or in the mouths of all the patrician conspirators of his party: they certainly were not excluded by any aristocratical jealousy from office; nor is it possible to trace, in the lists of consuls and prætors about this period, any signs of a predominant influence exer-

[96] Sallust, Catilina, 24.

[97] Sallust, Catilina, 20.

cised either by a few individuals, or by a few particular families of the aristocracy. But it is true that the nobility, as a body, were unwilling to see the highest posts in the Commonwealth occupied by men of inferior birth and fortune, and wished to make the constitution too nearly resemble an oligarchy. The same C. Piso, who was consul when C. Cornelius was tribune, and who had been so strongly opposed to him, is said to have declared to the assembled people [98], when, in his quality of consul, he was presiding at the election of consuls for the ensuing year, that if M. Palicanus, a man of humble origin and a popular tribune, should be chosen by the votes of the comitia, he never would return him as duly elected. This no doubt was an extreme case; yet the lists of consuls sufficiently prove that no one could easily attain that dignity, unless he were of noble blood and distinguished connexions; and at the time of Catiline's conspiracy, Cicero's pretensions to the consulship, for which he was now a candidate, were much discouraged by the high aristocratical party [99]. His character, however, was so pure, his eloquence so popular, and his political principles so much inclined to support the senate, that these merits atoned for his want of family; and as Catiline's projects excited considerable alarm, the nobility perceived the necessity of having a consul able and willing to check them, and thus M. Cicero and C. Antonius were elected to fill the consulship for the following year.

Election of M. Cicero to the consulship.

[98] Valerius Maximus, III. 8.

[99] Sallust, Catilina, 23.

CHAP. VII.

From U.C. 676, A.C. 78, to U.C. 695, A.C. 59.

Thus disappointed in his hopes of obtaining a place of lawful power, Catiline turned more zealously to his schemes of revolution; and whilst he was increasing the number of his partisans at Rome, he provided depôts of arms in different parts of Italy, and having found means to borrow money on his own credit and that of his friends, he transmitted it to Fæsulæ in Tuscany, to the care of one C. Manlius, who was to commence the intended insurrection in the country. At the same time he contrived repeated attempts against the life of Cicero; and in the midst of these designs he actually proposed to offer himself once more, at the ensuing elections, as a candidate for the consulship. His plans, however, had been constantly communicated to different persons, and from a very early period of the conspiracy had been denounced to the consul Cicero. One of his associates, Q. Curius [100], had long been engaged in a criminal connexion with a woman of the name of Fulvia, who resembled, in the general profligacy and extravagance of her manner of living, those females whom we have already mentioned among the accomplices of Catiline; but who, from some feelings of humanity or private connexions, or some regard for the constitution of her country, was a stranger to all the plans of the conspirators. Curius was a man of good family, but indigent; and having no means left of gratifying Fulvia's habits of expense, he found himself a less welcome visitor to her.

The designs of Catiline communicated by Q. Curius to Cicero.

[100] Sallust, Catilina, 23.

CHAP. VII.

From U.C. 676, A.C. 78, to U.C. 695, A.C. 59.

But so soon as he had become acquainted with the views of Catiline, and had heard the splendid allurements which he held out to his partisans, he endeavoured to regain her favour by assuring her that in a short time he should be enabled to testify, in the amplest manner, the affection which he bore her. Some doubts expressed by Fulvia as to his sincerity, led him in his own defence to disclose the means to which he was looking for his enrichment; and Fulvia, struck with horror at this communication, lost no time in making several persons acquainted with it. Afterwards, when Cicero became consul, he gained her over entirely to the interests of the Commonwealth, and empowered her to make Curius such promises as tempted him to give regular information of all that passed at every meeting of the conspirators. Through this channel he also gained timely notice of the designs formed against his own life; and took care to keep a strong body of his friends and dependents near his person, that they might defend him either from assassination or from open violence.

Events of the early part of Cicero's consulship.

Such, however, were the imperfections of the Roman laws, that, with the fullest knowledge of the existence and constant progress of a treasonable conspiracy, the consul was obliged to wait for some overt act of rebellion before he could venture to act officially against the guilty. In the mean time the people in general were ignorant of the dangers which threatened the state; and whilst Catiline was carrying on his projects of revolution in secret, several

CHAP. VII.

From U.C. 676, A.C. 78, to U.C. 695, A.C. 59.

The agrarian law of P. Rullus.

other matters of far less importance successively engaged the attention of the public. P. Servilius Rullus, one of the tribunes[101], proposed to gratify the lower orders by a new agrarian law, framed on a scale far more extensive than any that had preceded it, and conferring powers unusually great on the commissioners by whom it was to be carried into effect. The general object of the law was to provide the poorer citizens with settlements of land in Italy; and for this purpose a commission of ten persons was to be appointed, who should be enabled to sell national property of every description in every part of the empire, and, with the money arising from the sale, should purchase lands in Italy, and settle upon them colonies of Roman citizens. With something more than the usual arbitrary jurisdiction intrusted to commissions of this nature, the commissioners were constituted sole judges of what was national property, and were authorized to fix the place of sale wherever they should think proper, a door being thus opened on the one hand to the greatest oppression, and on the other to the most shameful corruption. The commission, moreover, was to exist for five years, and during its existence none of its members could be subjected to trial for misconduct[102]; and two hundred of the equestrian order were to be chosen yearly as a sort of guard of honour, that the commissioners might travel everywhere with kingly state, and with more than kingly

[101] Cicero, Orationes de Lege Agrariâ.

[102] Cicero, Orationes de Lege Agrariâ, II. 12, 13.

CHAP. VII.

From U.C. 676, A.C. 78, to U.C. 695, A.C. 59.

power; for it seems they were empowered every where to enforce their authority by punishments inflicted at their own discretion, while there was no other power which could protect from their jurisdiction, or reverse their sentences. It was proposed further that these sovereign magistrates should be chosen by a majority out of seventeen tribes only [103]; that the tribes who were to elect should be chosen by lot, and the comitia should be held by the framer of the law, that is, by Rullus himself; so that, according to the well-known influence exercised over the result of an election at Rome by the officer who presided at it and received the votes, Rullus might calculate fairly on being placed himself on the commission. This agrarian law is not the only instance in history in which a popular party has incurred general odium by attempting, under the colour of an extraordinary commission, to confer immoderate powers upon its own leaders. Cicero instantly perceived the advantage which was afforded him; and whilst he professed to approve the principle of agrarian laws, he attacked this particular measure as a mere device to invest ten persons with absolute sovereignty over the whole empire; and as Rullus had not acquired such an ascendancy over the people as to make them deaf to all insinuations against the purity of his views, the eloquence of Cicero was listened to with delight; one of the other tribunes promised to negative the law [104] if it should be

[103] Cicero, de Lege Agrariâ, II. 7, 8.

[104] Cicero, pro Sullâ, 23.

CHAP. VII.

From U.C. 676, A.C. 78, to U.C. 695, A.C. 59.

submitted to the votes of the people; and Rullus, thus finding the popular feeling turned against him, abandoned his measure without further trial.

The aristocratical party were contented with having exposed the folly of their adversaries' scheme, and with having completely defeated their attempt. It is ever the case in party warfare that the public good is sacrificed, while the contending factions appeal almost exclusively to the most contemptible of all arguments, those which derive their force from the weakness or contradictions of an opponent. The proposed law of Rullus was extravagant and absurd; but was there no other practicable plan for the relief of the poor, which Cicero, the professed friend of the principle of agrarian laws, might have most seasonably devised, to remove some portion of the really-existing sufferings of the lower orders, and to conciliate their affections to the nobility at a period so fraught with danger to the Commonwealth? When the temptations of the capital, and the distressed state of the country had drawn to Rome so large a portion of the free population of Italy; when Samnium and some of the neighbouring districts were almost a wilderness, and Etruria was overrun with banditti; above all, when a conspiracy was known to exist which struck at the very foundation of the present order of things, sound policy surely demanded that the chief magistrates of the state should themselves propose some expedient, which, by relieving the indigent, and restoring Italy in general to a more healthful condition, might deprive the enemies

of society of their principal resources. A severe but necessary tax, levied upon all establishments of slaves above a certain number, might have gradually resupplied the country with a population of free labourers; or, as the agrarian laws were the ordinary method of providing for the poor at Rome, the product of such a tax might have been employed in the purchase or rent of lands to be distributed among the poorer citizens; and such a step, abhorrent as it may be to our notions, might perhaps have alleviated the public distresses, and certainly would have enabled the nobility to resist the attacks of seditious adventurers with a greater consciousness of innocence, and a better claim to the support of the people at large.

Proposal for the repeal of the law of Sylla respecting the children of the proscribed.

After the defeat of the proposed agrarian law, an attempt was made by some of the popular party to procure the restoration of the children of those whom Sylla had proscribed to the common rights and dignities of citizens, by rendering them eligible to public offices. On this occasion Cicero again displayed his eloquence with success in opposing the law. He alleged that the existing order of things was so much built upon the laws of Sylla[105], that the sons of those who had suffered under his government could not, without danger, be relieved from the disabilities under which they laboured. Of the justice of this argument we have no adequate means of judging; it admitted, at least, that the exclusion

[105] Quinctilian, XI. 1, § 85.

CHAP. VII.

From U.C. 676, A.C. 78, to U.C. 695, A.C. 95.

of so many innocent individuals was an evil; but whether their influence, could they have exerted it, would have tended to reform or to revolutionize the actual order of things, we cannot easily determine. From the general profligacy of the times, however, we may conjecture that a depressed party, invested suddenly with power, was not likely to exercise it with moderation, or with any regard to the public welfare.

Trial of C. Rabirius.

The next proceeding of the popular party was more clearly deserving of censure. It has been already noticed, that C. Cæsar had, on one or two occasions, expressed with some ostentation his affection for the party of Marius, and he now attempted to vindicate the memory of L. Saturninus, who, having been for a long time the associate of Marius, was afterwards opposed by him as the reluctant instrument of the senate, and having been taken in actual rebellion, had been murdered by the armed citizens, who broke into his place of confinement. Cæsar [106], it is said, instigated T. Altius Labienus, at this time one of the tribunes, and afterwards distinguished in Gaul as one of Cæsar's lieutenants, and in the civil war as a partisan of Pompey, to accuse C. Rabirius, an aged senator, as the perpetrator of this murder. The cause was first tried before L. Cæsar and C. Cæsar [107], who were appointed by lot to act as special commissioners in this case, by virtue of the prætor's order; and the accused was arraigned

[106] Suetonius, in Cæsare, 12. [107] Dion Cassius, XXXVII. 42.

according to the old law of murder, by which, if he had been found guilty, he would have been condemned to be hanged. But this mode of proceeding was stopped by Rabirius appealing to the people, or by the interference of Cicero as consul [108], as his speech seems to imply, and his procuring the removal of the cause before another tribunal. The people, however, it is said, were likely to condemn the accused, when Q. Metellus Celer [109], one of the prætors, obliged the meeting to break up by tearing down the ensign, which was always flying on the Janiculum whilst the people were assembled, and without which, according to ancient custom, they could not lawfully continue their deliberations. In this manner Rabirius escaped, for Labienus or his instigators did not think proper to bring forward the business again, whether despairing of again finding the people equally disposed to condemn the accused, or whether the progress of the conspiracy of Catiline began now to turn men's attention more entirely to a different subject.

The comitia for the election of consuls were on the point of being held, when Cicero acquainted the senate with some of the facts of which he was in possession relative to the conspiracy, and persuaded them to order the postponement of the elections, that the state of affairs might previously undergo a full discussion [110]. On the following day, when the senators were assembled, Cicero taxed Catiline openly

[108] Cicero, pro Rabirio, 4, 5.
[109] Dion Cassius, XXXVII. 42.
[110] Cicero, pro L. Murænâ, 25.

CHAP. VII.

From U.C. 676, A.C. 78, to U.C. 695, A.C. 59.

with the criminal designs imputed to him, and called on him to justify himself. But when he had said in reply, that there were two parties in the Commonwealth, the one weak both in its head and its body, the other strong in body but headless, and that he was resolved to supply it with a head, the senate expressed their indignation by a general murmur, and the decree, usual in all dangerous emergencies [111], was passed, "That the consul should provide for the safety of the republic." Cicero, however, did not avail himself as yet of the ample powers thus committed to him; he contented himself with defending his own person on the day of the election, by going down to the Campus Martius attended by a strong escort [112], and having seen Catiline once more rejected, and D. Junius Silanus and L. Muræna chosen consuls, he continued to learn all Catiline's plans from the information of Curius, and to take the proper precautions to obviate every attempt that might be made of a nature directly hostile.

The agents of Catiline take up arms in Etruria.

In the mean time C. Manlius, according to the instructions of Catiline, had taken up arms in Etruria [113], and two others of the conspirators had been despatched to excite insurrections in Picenum and Apulia. To oppose these movements, two of the prætors and two proconsuls, who had lately returned from their provinces, and who, having claimed the honour of a triumph, were both waiting with their armies not yet disbanded, in the neighbourhood of

[111] Cicero, in Catilinam, I. 2
[112] Cicero, pro Murænâ, 26.
[113] Sallust, Catilina, 27. 30.

CHAP. VII.

From U.C. 676, A.C. 78, to U.C. 695, A.C. 59.

Rome, were sent into the different quarters where the danger was most threatening, while guards were stationed in different parts of Rome itself, and the public mind was studiously alarmed with reports of the atrocious designs of the conspirators. Catiline finding himself the object of universal suspicion, offered successively to commit himself to the custody of several individuals of distinction, and amongst others even to that of the consul [114]; but no one would undertake such a charge, Cicero being anxious to oblige him to leave Rome, and the others being probably unwilling to incur so great a responsibility, and supposing, perhaps, that Catiline's accomplices in the city were numerous enough to effect his rescue, and that they who held him in custody would be the first marked out for destruction. It appears that Cicero having full information of the extent of the conspiracy, and knowing that there were many persons engaged in it whom he could not venture to punish without driving them first into some act of open treason, was desirous that it should not merely be checked for a time, and allowed again to prosecute its plans in secret, so as to keep the country in perpetual alarm, but that it should be brought at once to its execution; for he trusted to the precautions which he had taken to ensure the Commonwealth from any danger which the explosion might occasion; and after it had taken place he knew that the consular authority might be freely used to deliver

[114] Cicero, in Catilinam, I. 8.

CHAP. VII.

From U.C. 676, A.C. 78, to U.C. 695, A.C. 59.

society effectually from those who had so long been plotting against it.

The measures of Catiline were greatly embarrassed by this policy; his accomplices in Rome were restrained and awed by the vigilance of the government, and could not be roused to action; so that he resolved to put himself at the head of the forces already in arms in Etruria, and try his fortune in the field. He called together his principal associates [115], late at night, at the house of M. Porcius Læca: he complained of their inactivity; proposed to them in greater detail his plans for the general insurrection in the country, and declared his own intention of joining the army of C. Manlius without delay, if Cicero could by any means be removed before his departure. Upon this two Roman knights [116], C. Cornelius and L. Vargunteius, engaged to go early the next morning to the consul's house, to procure an interview with him, and to assassinate him in his own chamber. But Curius did not fail to give information as usual of what had been undertaken; and when the intended assassins arrived at Cicero's doors they were refused admittance. Notwithstanding this disappointment, there were other parts of the conspirators' plans which might be avoided with greater difficulty, and Cicero assembled the senate on the following day, the eighth of November, in the temple of Jupiter Stator, on the ascent of the Palatine hill, a place of unusual security from its

Cicero denounces Catiline in the senate, and forces him to leave Rome and join his army in Etruria.

[115] Cicero, in Catilinam, I. 4. [116] Cicero, in Catilinam, I. 4. Sallust, Catilina, 27.

situation and the nature of its buildings. It was on this occasion that Catiline ventured to appear in the senate to defend himself against the imputations under which he laboured, and was attacked by Cicero in a vehement invective, in which he was told instantly to leave Rome, where all his treasons were now fully known, and would be no longer tolerated. His attempted excuses were drowned by a general cry of indignation; he at once left the senate, and on the very same night quitted the city[117], and hastened to join his associate Manlius in Tuscany. But on his way thither he wrote letters to several persons of high rank at Rome, still asserting his innocence, and saying that, oppressed as he was by the violence of his enemies, he was going to retire to Marseilles, and there live in banishment, rather than involve his country, on his account, in civil disorders. In the want of those regular channels of information by which events are so speedily and so surely known in our days from one end of a country to the other, this statement might continue to be believed by a large portion of the people, long after Catiline was really at the head of an insurgent army, and might furnish his partisans with grounds for attacking the administration of Cicero, and possibly might establish a common point on which the leaders of the regular popular party would not refuse to co-operate with them.

After leaving Rome, he waited for a short time

[117] Cicero, II. 1. Sallust, Catilina, 32.

CHAP. VII.

From U.C. 676, A.C. 78, to U.C. 695, A.C. 59.

in the neighbourhood of Arretium[118], in order to organize the insurrection in that quarter, and then proceeded to the camp of Manlius near Fæsulæ, attended by his lictors, as if he were a lawful magistrate of the Commonwealth. The better to maintain this character, he would not receive any of the slaves who offered to enlist in his army; although his agents in Apulia and Picenum were at this very time endeavouring to rekindle the war of Spartacus, by exciting the slaves every where to assert their freedom and rise in arms. But still his forces were so considerable, that the senate, after declaring him and Manlius public enemies, directed the consuls to levy soldiers, and, intrusting Cicero with the care of the city, commissioned his colleague, C. Antonius, to oppose Catiline in the field. The situation of Antonius on this occasion greatly resembled that of Marius, when he was ordered by the senate to act against his old associate, L. Saturninus. We have already mentioned that Antonius had been accused and condemned, some years before, for corruption and oppression in Greece, and that he had been expelled from the senate by the censors, L. Gellius and Cn. Lentulus, in the year of Rome 683. From that time the profligacy of his life had connected him with Catiline, and other persons of similar character; and in the elections of the preceding year, Catiline had coalesced with him against the pretensions of Cicero; and his success was regarded

Antonius is ordered to march against the conspirators.

[118] Sallust, Catilina, 36. 44. 56.

by Catiline as a most favourable circumstance, even in the midst of his own disappointment [119]. Worthless as Antonius personally was, it was of importance to conciliate him to the cause of the existing constitution, whilst he held the office of consul; lest, if he openly quarrelled with his colleague, he might lend the sanction of the consular name, as Cinna had done before him, to the projects of the enemies of the government. Cicero, therefore, when the consuls, as usual, were to receive by lot the care of some province for the year following their consulship, gave up to Antonius the government of Macedonia [120], which had fallen to him, and was contented to receive in exchange the less desirable province of Gaul; and by this attention, and by avoiding every thing that could give him offence, he induced Antonius to rest contented with the existing state of affairs, and kept him so distinct from the conspiracy, that he could with the less scruple obey the senate in acting against it. The departure of Catiline had still left, however, a dangerous band of conspirators within the walls of Rome [121], who were, agreeably to his instructions, to set fire to the city in several places on a particular day, and to murder the principal magistrates and supporters of the government during the confusion; while Catiline was to be ready with his army, in the neighbourhood, to cut off all who should escape the massacre and attempt to fly

[119] Sallust, Catilina, 21. 26. Asconii Argumentum in Ciceron. Orat. Fragm. in Togâ Candidâ.

[120] Cicero, in L. Pisonem, 2. Plutarch, in Cicerone, 12.

[121] Sallust, Catilina, 39. 43.

CHAP. VII.

From U.C. 676, A.C. 78, to U.C. 695, A.C. 59.

from Rome, and thus should put the finishing stroke to the revolution. Of the conspirators left behind in the capital, the principal were P. Lentulus Sura, who had been consul in the year 682, and had been expelled from the senate, like C. Antonius, by the censors in the year following; C. Cethegus, a man also of noble family, but of infamous life; L. Cassius Longinus, P. Autronius, L. Statilius, and P. Gabinius. Many other persons were connected with these; and it is said that a very large proportion of the young nobility favoured their views, and were ready to assist them by murdering their own parents, when the time fixed for the massacre should arrive. In the mean time, attempts were made to throw upon Cicero the odium of the war which had just broken out; and the signal for the execution of the plot was to be given by one of their party, L. Bestia, who was then tribune of the people, and who was to inveigh against the tyranny of the consul in a speech to be delivered in the forum. But the whole conspiracy was timely and completely discovered in a very remarkable manner. There happened to be at Rome some deputies from the Allobroges, a people of Transalpine Gaul[1,2], who had been some years before added to the Roman dominions, and who had suffered as usual from the oppression of the provincial magistrates. About six or seven years before this period, they had especially complained of the exactions of Marius Fonteius, and

Attempt to corrupt the ambassadors of the Allobroges.

[1,2] Cicero, in Catilinam, III. 2. Sallust, 40.

he had been brought to trial on their accusation; and although he was warmly defended by Cicero, yet it was admitted that his government had been rigid, and that the Allobroges were now in a state of great distress, and had incurred a heavy public debt. Their deputies were sent to Rome, in the hopes of obtaining some relief from the senate; but, finding that they had little to expect from this body, they were, after a time, reduced to despair, when one of the conspirators, who had formerly traded in Gaul, and was personally known to most of the chiefs of the country, addressed them in the forum, and, learning the hopeless state of their affairs, proposed to them, by degrees, that they should join in the conspiracy, telling them its views, and the names of some of the principal members, and promising, if they could excite their countrymen to take up arms against the republic, that they should be perfectly freed from all their difficulties. The offer was tempting; but, on the other hand, the knowledge of so important a secret might enable them to purchase, without any hazard, an ample reward from the government; and they accordingly disclosed the whole transaction to Q. Fabius Sanga, to whom their countrymen usually applied to further their interests when they had any business at Rome, and who lost no time in laying the information before Cicero. The consul directed the Allobroges to keep up their correspondence with the conspirators, and to feign compliance with their wishes, that they might be able, at the proper time, to furnish him

CHAP. VII.

From U.C. 676, A.C. 78, to U.C. 695, A.C. 59.

with some written proofs of the reality of the plot; for which purpose, they were instructed to demand that the terms of their agreement should be given them in writing, with the signatures of the principal conspirators, in order that their countrymen in Gaul might know on whom they were to depend. Not only was this request complied with, but the deputies were further desired by Lentulus to visit the camp of Catiline on their way home, and there to confirm with him the alliance which they had contracted with his associates; and T. Volturtius, a citizen of Croton, who was to accompany them, was charged by Lentulus with a letter without any signature, which he was to deliver to Catiline. All these things being duly reported to Cicero, he ordered two of the prætors to keep guard on the opposite sides of the Milvian bridge on the night fixed for the departure of the deputies[123]. The train of the Allobroges, accompanied by Volturtius, arrived at the bridge about two or three hours after midnight, on the morning of the third of December; they were instantly stopped by the guards, and, on the appearance of the prætors, surrendered themselves; all their papers were secured, and themselves, together with Volturtius, were taken to Cicero's house a little before sunrise. Messages were immediately despatched to Lentulus, Cethegus, Statilius, and Gabinius, to require their attendance; and they all without any suspicion obeyed the summons. The

Arrest of the ambassadors and of the chief conspirators.

[123] Cicero, in Catilinam, III. 2.

senate was ordered to meet in the temple of Concord; and there Volturtius, the Allobroges, and the arrested conspirators were successively brought forward. The first was encouraged to declare freely all that he knew; and upon his direct evidence, together with that of the Allobroges, confirmed by their own seals and handwriting, the conspirators either confessed their crime, or did not any longer venture to deny it. They were then committed to custody, Lentulus having first resigned the office of prætor with which he was invested.

Scarcely was the meeting of the senate dissolved, when Cicero assembled the people in the forum, and there related to them, in detail, the objects of the conspiracy, and the manner in which it had been fully detected. With whatever disappointment the mere profligate rabble might have heard this statement, yet the majority of the people, even of those who on ordinary occasions opposed the aristocratical interest, regarded the wickedness of the plot with horror, and felt thankful to Cicero, whose ability had discovered and destroyed it. Every one was incensed at the project of setting fire to the city[121], which would have been as ruinous to the poor as to the rich; and, for a moment, all, but the most unprincipled of the community, sympathized with each other in the preservation of the Commonwealth. A slight attempt was made by some of the dependents of Lentulus to effect his rescue, and to call on the

Feeling of the populace on the discovery of the plot.

[121] Sallust, Catilina, 48.

CHAP. VII.

F. U.C. 676, A.C. 78, to U.C. 695, A.C. 59.

slaves to join them, and to hire the most notorious leaders of the lower people to excite a disturbance amongst them. But Cicero's vigilance baffled these designs; and the fate of the conspirators depended on the decision of the senate, which assembled on the fifth of December, to determine on their punishment.

Debate on the punishment of the conspirators.

D. Junius Silanus, who was at this time consul elect, gave it as his opinion that the conspirators should be put to death; but C. Cæsar, not pretending to extenuate their guilt, but insisting only that death was by the constitution of Rome an illegal punishment, proposed that their property should be confiscated, and that they should be condemned to perpetual imprisonment in some of the free towns of Italy. His speech is said to have produced a considerable impression; but Q. Catulus, L. Lucullus, C. Piso, and Cicero himself[125], with most of the senators of consular dignity, still supported the opinion of Silanus. It was reserved, however, for M. Porcius Cato to move the resolution, which was finally carried; and in which he combined the highest panegyrics on the conduct of the consul, with a vote that the conspirators should be put to death, according to the ancient customs of the republic, as having been guilty of manifest treason. In compliance with this decree of the senate, Cicero ordered Lentulus and his accomplices to be carried, on the very same evening, to a secret under-ground

[125] Cicero, ad Atticum Epistolar. XII. epist. XXI.

cell in the public prison, were they were successively strangled.

On no occasion were the faults of the Roman constitution more mischievously displayed than in these proceedings. So ill framed were the laws, that the worst criminals could not legally receive that punishment which our natural sense of justice, no less than the maxims of state policy, declares to be the only adequate chastisement of the worst kinds of wickedness. Thus, although justice and the public safety alike demanded the execution of the conspirators, yet these claims could only be satisfied by an assumption on the part of the senate of a power to dispense with the laws, and by another appeal to abstract principles in order to justify a departure from the ordinances of the existing constitution. The advantage thus offered to a popular leader was not lost upon Cæsar: he had now obtained a point on which the sincere but ill-judging friends of liberty might be induced to sympathize with the vilest supporters of sedition, and which might effectually terminate that short-lived harmony between honest men of all parties, which had been produced by the first discovery of the conspiracy. It mattered nothing that no traces of a sanguinary or tyrannical spirit were to be found in Cicero's proceedings; that after the execution of five persons, all guilty of the most heinous crime on the clearest evidence, the justice of the government was satisfied; and that its triumph was not stained, as in the case of the Gracchi, by any after acts of un-

CHAP. VII.

From U.C. 676, A.C. 78, to U.C. 695, A.C. 59.

warrantable and disgraceful cruelty. Cæsar's ambition required that he should excite the resentment of the people against the senate; and here, as on every other occasion, he sacrificed to it the welfare of his country.

The fate of Catiline himself[126] soon followed the punishment of his associates[127]. His force had at

[126] Sallust, Catilina, 56, et seq.

[127] The conspiracy of Catiline, as described by Sallust and Cicero, is considered by some persons to contain many improbabilities. It is incredible, say they, that a man like Catiline, unconnected with the regular popular party, should have seriously hoped to effect a revolution; nor can it be believed that any of the nobility should have submitted themselves to the guidance of such a leader. Even if he had succeeded in setting fire to the city and destroying the principal senators, the prætor of the nearest province would presently have marched against him, and would have crushed him with little difficulty. But they who argue thus, forget that Catiline was a patrician of noble family; that he had been prætor; and that he was considered by Cicero as his most dangerous competitor for the consulship, when he was a candidate for that office. He had been known in Sylla's proscriptions as a man who scrupled at nothing; and there was a large party in Rome to whom such a character was the greatest recommendation, and who would gladly follow any one who possessed it. That this party was inconsiderable in point of political power is true; and they accordingly hoped to effect their designs by fire and assassination, rather than by open force. But if Catiline could have once made himself master of the city, no one can doubt but that he would have found a majority in the comitia ready, either from fear or sympathy in his projects, to elect him consul or dictator; and when thus invested with the title of a legal magistrate, and in possession of the seat of government, he would probably have persuaded a very great part of the community to remain neutral, while his own active supporters, the profligate young nobility, the needy plebeians, the discontented Italian allies, and the restless veterans of Sylla's armies, would have enabled him to defy the efforts of any neighbouring prætor who might have been disposed to attack him. He might have held the government as easily as Cinna and Carbo had done; and although Pompey might have imitated successfully the conduct of Sylla, in returning from Asia to revenge the cause of the aristocracy, yet the chance of resisting him was not so hopeless as to dismay a set of desperate conspirators, who, in their calculations, would have been well contented if the probability of their failure was only a little greater than that of their success.

one period amounted nearly to twelve thousand men, but of these not more than a fourth part were regularly armed, so that he did not choose to venture a battle; but having occupied the line of the Apennines, he manœuvred his troops with considerable ability, sometimes threatening to march towards Rome, and at other times to retreat into Gaul, and never allowing the enemy to bring him to action. But the news of the detection of his accomplices in the city soon caused a considerable desertion amongst his followers, and despairing of success from any offensive operations, he fell back upon the neighbourhood of Pistorium by forced marches, through mountain roads, hoping that thence he might effect his escape into Gaul without being discovered. But finding that his retreat was cut off by the army of the prætor, Q. Metellus Celer, who suspecting his designs had hastened to place himself on his proposed line of march, Catiline altered his plans, and prepared to fight with the consul C. Antonius, who, with a considerable force, had been following him during his retreat. It happened that Antonius either was, or pretended to be, indisposed, so that the command devolved on M. Petreius his lieutenant, an experienced soldier, assisted by P. Sextius[128], one of the quæstors, who was warmly attached to Cicero, and was heartily desirous of destroying the remains of the conspiracy. Accordingly the army of the republic did its duty, and the rebels, after a des-

Defeat and death of Catiline.

[128] Cicero, pro Sextio, 5.

CHAP. VII.

From U.C. 676, A.C. 78, to U.C. 695, A.C. 59.

perate resistance, were totally defeated. C. Manlius, Catiline's lieutenant, was killed before the battle was decided, and Catiline himself, when he saw that the rout of his followers was complete, is said to have rushed into the ranks of the enemy, and there to have been slain. Nothing has been recorded of him to lessen the abhorrence which the general wickedness of his life, and the peculiar atrocity of his designs against his country, have justly deserved, and have ever abundantly met with.

Cæsar prætor, Cato tribune. Account of the early life of Cato. U.C. 691.

From this time forwards the correspondence of Cicero with his different friends, furnishes us with so many materials for our history, that it becomes necessary, unless we would greatly exceed our limits, to notice only such as are of the greatest importance. When C. Cæsar endeavoured to save the accomplices of Catiline from their deserved fate, he was already prætor elect for the following year; and M. Cato, who so successfully opposed him, was in like manner about to enter on the office of tribune of the people. Of the family and early life of the former we have already spoken; and as we have now mentioned the name of his great opponent, we may take this opportunity of giving a slight sketch of his extraction also, and of the beginnings of his public career. M. Porcius Cato was the great grandson of Cato the censor, and the son of M. Cato and Livia, the sister of M. Livius Drusus, and the divorced wife of Q. Servilius Cæpio, who perished in the war with the Italian allies. His father died when he was a child, and he was brought up in the house of his uncle M.

CHAP. VII.

From U.C. 676, A.C. 78, to U.C. 695, A.C. 59.

Drusus[129], where he is said to have given very early proofs of that resolute and even stubborn character which marked him through life. After the assassination of Drusus, he appears to have passed his time under the care of a tutor named Sarpedon; and his half brother Q. Cæpio, after having lost his father, seems to have been placed in the same hands. The lively affection which Cato entertained for his brother was a striking contrast to the general coldness of his nature, and even after his constitutional apathy had been confirmed by the precepts of the Stoic philosophy, he gave vent to the most violent expressions of grief at the death of Cæpio, and celebrated his funeral with a sumptuousness which was most opposite to his usual habits. But with this single sacrifice to the common feelings of humanity, he was in other respects, even in his early youth, so stern and reserved, that he is said rarely to have been seen to laugh, and so determined not to follow the vicious or absurd fashions of his age, that he ran into the opposite extreme of an indecent singularity, choosing in his dress the colour that was most unusual, and walking about with his personal appearance so neglected as to be utterly unworthy of his rank in the Commonwealth[130]. Yet he was not without feelings of anger, which he displayed towards Q. Cæcilius Metellus Scipio[131], who had married the lady to whom he himself was engaged, and whom he attacked in consequence in a violently satirical poem,

[129] Plutarch, in Catone, 1, &c.
[130] Plutarch, in Catone, 6.
[131] Plutarch, in Catone, 7.

CHAP. VII.

From U.C. 676, A.C. 78, to U.C. 695, A.C. 59.

after he was persuaded by his friends to abandon his intention of obtaining redress in a court of law. He was carefully just in his conduct; and it is mentioned of him, that when he was travelling through Asia as a private individual [132], he contented himself often with the entertainment of the common inns, instead of taxing the hospitality of the principal inhabitants, which, it seems, was the usual practice of the Roman nobility in their journeys through the provinces. When the inns could not accommodate him, he applied to the magistrates to receive him, but as he used no imperious or threatening language, he frequently was treated with neglect. This is an odious picture of the ordinary tyranny of the Roman government, and the debasement of character which such a system produced among those who suffered from it; nay, even Cato himself is said to have been much offended when he was not treated with attention, and to have warned the magistrates that other Romans would not imitate his forbearance, but would exact by force a better reception. It is a wretched state of society when good men are proud of themselves merely for abstaining from acts of positive injustice.

In preparing himself to enter upon his political career at Rome, Cato had resolved to support the ancient constitution of his country, and to resist what he regarded as the growing corruptions of the age in which he lived. From the pursuit of this

[132] Plutarch, in Catone, 12.

object he was never diverted by any considerations of friendship, interest, or fear; but he did not follow it always with a cool and enlightened judgment; and his personal animosities and prejudices sometimes influenced him, insensibly perhaps to himself, in opposing with excessive vehemence those whom he deemed the enemies of the Commonwealth. The debate concerning the accomplices of Catiline was well calculated to display the predominant features of Cato's character: his civil courage and contempt of popularity in braving the odium which was likely, owing to Cæsar's speech, to fall upon those who voted for the death of the criminals; his zealous support of the old authority of the senate, and his abhorrence of those who sought to overturn it. But a very short time before he had given a proof of his zeal, the wisdom of which was more questionable, in joining to prosecute L. Muræna, one of the consuls elect, for bribery during his election, a charge which he could not substantiate, and which was likely to divide unseasonably the friends of the constitution at a moment when their close union was so necessary. On the whole, however, the senate looked forward to his services with sanguine hope during the ensuing year; and the support of one firm tribune was particularly needed, as Q. Metellus Nepos, a friend of Pompey and a warm enemy of the aristocracy, who was one of Cato's colleagues in the tribuneship, was expected to employ his year of office in promoting measures most unwelcome to the party of the senate.

CHAP. VII.

From U.C. 676, A.C. 78, to U.C. 695, A.C. 59.

Proceedings of Q. Metellus Nepos against the aristocracy.

The first measure which was adopted, on Cato's recommendation, displayed a more politic and conciliating temper than he usually appeared to possess. Already the poorest classes of the people began to murmur at the execution of Catiline's accomplices, and to complain that the senate was prompt enough in repressing seditions, but never bestowed a thought on relieving the sufferings of the poorer citizens. Q. Metellus was disposed to support these discontents by charging Cicero with the illegal murder of Roman citizens without trial; and C. Cæsar, the idol of the populace, was ready to unite his intrigues and his eloquence to further the same purposes. Cato, therefore, advised the senate to pass a corn law [133], by which the sum of 1250 talents was to be annually employed in purchasing corn for the maintenance of the poor; and the thankfulness with which this bounty was received ought to have encouraged the senate to devote their attention seriously to the discovery of some plan for the permanent improvement of the condition of the lower classes of the community. As for the attacks made by Metellus upon Cicero's consulship, they had no other immediate effect than to draw from the senate some strong resolutions [134], by which every person who should presume to question the justice of the late executions was declared an enemy to his country. Metellus after this did not venture to proceed any further; but he proposed a law for the recall of

[133] Plutarch, in Catone, 26; in Cæsare, 8.

[134] Dion Cassius, XXXVII. 49, edit. Leunclav.

CHAP. VII.

From U.C. 676, A.C. 78, to U.C. 695, A.C. 59.

Pompey with his army, to remedy the existing grievances of the state; and when this measure was frustrated by the opposition of Cato, he left Rome, and withdrew to Pompey's army [135], as if apprehending personal danger from the violence of his opponents. At the same time C. Cæsar was suspended by a decree of the senate from the discharge of his office as prætor [136]; but on his submitting to their authority, and refusing the proffered aid of the populace to reinstate him by force, he was soon afterwards restored by another decree, and received many compliments in the senate on his dutiful behaviour. The year then appears to have passed on in tolerable tranquillity, except that apprehensions were entertained by many lest Pompey, exasperated at the pretended affronts offered to Metellus, should be tempted to follow the example of Sylla, and cross over with his army into Italy to interfere by force with the government. But Pompey was greatly wronged by these suspicions. He was ambitious, indeed, of exercising a commanding influence in the Commonwealth, and was gratified by seeing one of his lieutenants, M. Calpurnius Piso, elected consul, when he sent him home from the army to be a candidate for that dignity, and had avowedly exerted all his interest in his favour. This, however, was the utmost extent of his wishes; and far from entertaining any treasonable or revengeful designs, he no

[135] Dion Cassius, XXXVII. 49. Plutarch, in Catone, 29.

[136] Suetonius, in Julio Cæsare, 16.

CHAP. VII.

From U.C. 676, A.C. 78, to U.C. 695, A.C. 59.

Return of Pompey to Rome.

sooner landed in Italy in the winter of this year [137], than he disbanded his army, and repaired to Rome, attended only by a few of his friends. As he was not allowed to enter the city whilst laying claim to a triumph, the people, in compliment to him, were assembled without the walls, and he there addressed them for the first time after an absence of six years. All parties were waiting with anxiety to hear his sentiments on the state of the republic, and all, according to Cicero, were alike disappointed [138]. But it may well be doubted whether it were really a just subject of blame in Pompey, that his speech did not espouse sufficiently the interests of any particular party to satisfy their expectations, or excite their applause.

P. Clodius is detected in Cæsar's house during the celebration of the mysteries of the Bona Dea.

A short time before the end of the year 691, an affair had taken place which, at the moment of Pompey's arrival, was attracting particularly the public attention. P. Clodius Pulcher, a young man of the highest nobility, whose father and grandfather had both been consuls, was detected in disguise in the house of C. Cæsar [139], during the celebration of certain mysteries, which were annually performed at the houses of some of the higher magistrates, and from which every person of the male sex was most carefully excluded. Clodius was a man of infamous life, and the cause commonly alleged for this act of profanation, was an adulterous intrigue in which he

[137] Cicero, ad Atticum, I. epist. XIV. Velleius Paterculus, II. 40.

[138] Ad Atticum, I. epist. XIV.

[139] Cicero, ad Atticum, I. epist. XII.

CHAP. VII. From U.C. 676, A.C. 78, to U.C. 695, A.C. 59.

was said to be engaged with Cæsar's wife [140]. The matter, however, was taken up very earnestly, and being mentioned in the senate by Q. Conificius, was submitted to the pontifices, and by them pronounced to be an act of sacrilegious wickedness [141]. Upon this decision a motion was founded in the senate to bring Clodius to trial, and this gave occasion to some warm debates. The offender, from various causes, was provided with powerful supporters: his family interest, probably, was extensive, and he had violently opposed Lucullus, and had encouraged the discontent of his soldiers against him [142], whilst acting as that general's lieutenant in the war with Mithridates, by which conduct he had recommended himself both to the populace and to the partisans of Pompey, to whom Lucullus was equally odious. Besides, there was probably a large portion of the young nobility and of the profligate citizens of all ranks, who naturally sympathized with Clodius from similarity of character, and who would regard him as an injured man, when threatened with a prosecution for an act of irreligion. Accordingly, when it was proposed to the people that Clodius should be brought to trial, and that the prætor should himself select a certain number of judges to decide the cause with him [143], M. Piso, the consul, opposed the measure, and the popular party were so clamorous

[140] Plutarch, in Cæsare, 9. Velleius Paterculus, II. 45.
[141] Cicero, ad Atticum, I. epist. XIII.
[142] Plutarch, in Lucullo, 34.
[143] Cicero, ad Atticum, I. epist. XIV.

CHAP. VII.

From U.C. 676, A.C. 78, to U.C. 695, A.C. 59.

He is tried and acquitted. U.C. 692.

against it, that it was deemed advisable to withdraw it. Q. Fufius [144], one of the tribunes, then moved that Clodius should still be tried, but that the judges, instead of being named by the prætor, should be chosen as usual by lot from the different orders in whose hands the judicial power was then placed. This proposal was approved by the people, and the trial from thenceforward, according to Cicero, became a mere mockery. The judges, thus indiscriminately chosen, were men not inaccessible either to fear or to corruption. The rabble (by which term must be understood not the poorest, but the most profligate of the people, consisting in a great degree of the young nobility) was clamorous for the acquittal of Clodius, and money was distributed so liberally by his friends, that sentence was pronounced in his favour by a majority of six votes out of fifty-six.

Cæsar receives Spain as his province. His conduct during his command there. U.C. 692-3.

The trial of Clodius came on in the spring of the year 692, and C. Cæsar about the same time set out for Spain, which was allotted to him as his province on the expiration of his prætorship. He had divorced his wife on account of the suspicion which her character had incurred from the circumstances of the late profanation of the mysteries; but ever careful not to compromise his popularity, he had taken no part against Clodius [145], and professed not to believe that he was guilty. His debts were so enormous [146], that he could not leave Rome till some

[144] Cicero, ad Atticum, I. epist. XVI.

[145] Plutarch, in Cæsare, 10.

[146] Plutarch, in Cæsare, 11. Suetonius, 18.

of his friends, amongst whom M. Crassus is particularly mentioned, became his sureties with his creditors for very considerable sums. When he was thus enabled to enter upon the government of his province, he displayed the same ability, and the same unscrupulous waste of human lives for the purposes of his ambition, which distinguished his subsequent career. In order to retrieve his fortune, to gain a military reputation, and to entitle himself to the honour of a triumph, he attacked some of the native tribes on the most frivolous pretences [147], and thus enriched himself and his army, and gained the credit of a successful general, by the plunder and massacre of these poor barbarians. Probably, also, the spoils which he collected on this occasion enabled him to solicit and procure from the senate an abatement of the taxes paid by the province of Spain [148], a favour which of course gained him numerous friends amongst the wealthy inhabitants of the sea-ports of that country. But while thus employed, his eyes were constantly fixed on the state of things at Rome. The prospect appeared favourable to his ambition; and, accordingly, after an absence of about twelve months, he returned home to claim a triumph for his victories, and to offer himself as a candidate for the consulship.

State of affairs in Rome during his absence.

The remainder of the year 692 had passed away unmarked by any thing of considerable importance; and L. Afranius and Q. Metellus Celer were chosen U.C. 693.

[147] Dion Cassius, XXXVII. 53.
[148] Hirtius, de Bello Hispaniensi, 42.

CHAP. VII.

From U.C. 676, A.C. 78. to U.C. 695, A.C. 59.

consuls for the year following. Metellus, although the brother of the late tribune, Metellus Nepos, had yet shown his attachment on several occasions to the aristocratical party: he had, during his prætorship, been the means of saving C. Rabirius, when tried for the murder of Saturninus; and when, after his prætorship, he was appointed to the province of Gaul, he had behaved with great zeal in supporting the government, and in opposing Catiline in the field. Afranius owed his elevation entirely to the interest of Pompey, who, according to Cicero [149], spent a large sum of money in securing votes in his favour. He is described as a man totally destitute of political influence [150], and so insignificant as to have been of little or no service in forwarding the views of his patron. It appears that Pompey at this time severely felt the jealousy with which he was regarded by the aristocracy. His successive appointments to the command against the pirates and against Mithridates had been carried in spite of the opposition of the nobles; and in those commands he had given the greatest offence, first to Q. Metellus, when he interfered to save the Cretans from his cruelties, and afterwards to L. Lucullus, when he deprived him of the honour of finishing a war which he had so long been engaged in conducting. But both Metellus and Lucullus were men of great influence in the senate; and now that Pompey was returned from Asia, they exerted themselves to

[149] Ad Atticum, I. epist. XVI. § 7.

[150] Cicero, ubi supra. Dion Cassius, XXXVII. 51, 52.

prevent the ratification of his various acts[151], it being requisite that all measures adopted by a general in settling the state of the conquered provinces after a war, should receive the sanction of the senate's authority. Mortified at this treatment, and thinking it an affront that his measures should be separately canvassed, and confirmed or annulled according to the pleasure of others, he connected himself with the party in opposition to the senate, not intending, if we may judge from his general character, to follow the steps of Marius or Cinna, but rather fancying that he might avail himself of the support of the popular party, just so far as to force the aristocracy to cease from opposing him, and that, by a dexterous management of the two contending interests in the state, he might be acknowledged by the general deference of all to be the first person in the Commonwealth, without raising himself by violence to a situation of actual supremacy. Amongst other things, he was particularly desirous to procure settlements of lands for the soldiers who had served under him; a reward which, if we may trust Plutarch's report[152], he had on former occasions procured for those who had followed him in his early campaigns, and a measure which was sure to confer on a general the highest popularity. Accordingly, L. Flavius, one of the tribunes, as early as the month of January, brought forward an agrarian law[153], it having been

Agrarian law of L. Flavius.

[151] Velleius Paterculus, II. 40. Florus, IV. 2.

[152] In Lucullo, 34.

[153] Cicero, ad Atticum, I. epist. XVIII. Dion Cassius, XXXVII. 52.

CHAP. VII.

From U.C. 676, A.C. 78, to U.C. 695, A.C. 59.

judged expedient to extend the proposed grant of lands to the poorer citizens in general, as well as to the soldiers of Pompey, in order to make the resolution more acceptable to the people at large. It was intended that the lands to be thus distributed should be purchased by the revenue arising from Pompey's new conquests, which accordingly for the next five years was to be appropriated to this object [154]. This law, like every other of the same nature, was warmly opposed by the aristocracy, headed by the consul Metellus; and on the other hand, it was supported by Pompey, as might be imagined, with all his interest. Cicero declared himself favourable to the principle of it, but proposed various modifications to prevent it from injuring the rights of individuals; and these alterations, he tells us, were favourably listened to by the people. The alarm of a war in Transalpine Gaul, which threatened the state about the beginning of March, drew off the public attention from the law; but when the prospect of affairs cleared up abroad, the internal disputes were renewed; and it appears, that they continued through a great part of the year, and that the resistance of the aristocracy was so determined, that although L. Flavius on one occasion ordered the consul, Q. Metellus, to be sent to prison for obstructing the progress of the law [155], yet he was finally unable to gain his object; and Pompey could neither obtain settlements for his soldiers, nor

[154] Cicero, ad Atticum, I. epist. XIX.

[155] Dion Cassius, XXXVII. 52. Cicero, ad Atticum, II. epist. I.

CHAP. VII.

prevail upon the senate to pass the desired confirmation of his acts in Asia.

From U.C. 676, A.C. 78, to U.C. 695, A.C. 59.

In this state of affairs Cæsar returned from Spain about the middle of June, wishing at once to obtain a triumph, and to offer himself as a candidate for the consulship. But as the time of the elections was drawing near, and no officer was allowed to enter the city whilst waiting the permission of the senate to triumph, he petitioned that he might be admitted as a candidate in his absence[156]. This however, being opposed in the senate, and particularly by Cato, Cæsar gave up all thoughts of his triumph, and entering the city immediately commenced his canvass. He had already effected that famous coalition between Pompey, Crassus, and himself, which has been distinguished by the name of the triumvirate, or "Commission of Three," an appellation borrowed from the usual number of persons employed by the senate as commissioners for executing any particular service, and bestowed in mockery upon the three individuals, who were purposing to dispose of the whole government of the Commonwealth with no authority but their own ambition. The secret conditions of this union cannot of course be otherwise known than from the subsequent conduct of the parties who formed it; but we may conjecture that Cæsar was anxious to secure a military command on an extensive scale, which he might enjoy during several years, that he, too, as Pompey

Cæsar returns from Spain.

The first triumvirate.

[156] Suetonius, in Cæsare, 18. Plutarch, in Cæsare, 13.

CHAP. VII.

From U.C. 676, A.C. 78, to U.C. 695, A.C. 59.

had done, might possess a veteran army attached to his person; and that he might employ it, as Pompey had *not* done, in procuring for himself whatever he might choose to demand. Pompey, on his part, offended with the aristocracy, seeing that he might obtain, through Cæsar's support, that ratification of his acts in Asia, and those settlements for his soldiers, which had been so long denied him; and too vain to imagine that his own exploits, or his consideration among the people, could ever be rivalled; contemplating, besides, the immediate prospect of enjoying an undivided supremacy at Rome for some years, during the absence of Cæsar, and too willing to calculate that the danger, which is at a distance, may be timely dispelled by some unforeseen contingencies; Pompey, for all these reasons, listened to the advances of Cæsar with readiness and without suspicion. Crassus was, like Cæsar, ambitious of obtaining a military command; and, perhaps, flattered himself that, while the personal character of his two associates might direct their jealousy chiefly against one another, he might be able, by his immense wealth, to secure himself in the enjoyment of his greatness heareafter, even without their co-operation. But with whatever views these confederates were actuated, their coalition was as dangerous to the state as the exorbitance of the prizes which they secured to themselves, and the violence used in order to obtain them, were actually destructive of the existing constitution of their country.

Consulship

Supported by such powerful assistants in addition

CHAP. VII.

From U.C. 676, A.C. 78, to U.C. 695, A.C. 59.

of Cæsar and Bibulus. U.C. 694.

to his own popularity, Cæsar was elected consul without difficulty; the aristocratical party succeeding, however, in giving him as a colleague M. Calpurnius Bibulus, on whose attachment to their cause they could fully depend. But it seems that the contending interests in the republic were very unequally matched. On the aristocratical side there was neither unanimity nor vigour. Q. Catulus was lately dead, and his high character and long habits of acting as the head of a party, rendered his loss particularly severe. Those who had succeeded to his station, L. Lucullus, Q. Hortensius, and others of less renown with posterity, were mostly engrossed, if we may believe Cicero [157], with their own private luxuries, and allowed their public duties to lie neglected. M. Cicero was in many respects so situated, as to regard the dissensions of his countrymen with unusual impartiality. His birth placed a barrier between him and the high nobility, which they were never able entirely to forget; while, on the other hand, the principles on which he had always acted, and which he had more particularly enforced in his consulship, rendered him an object of aversion to the violent popular party, and removed him from any participation in the ambitious schemes of the triumvirate. But, according to his own statement [158], the impolicy of his friends, in holding a tone of unseasonable severity, had so alienated from the cause of the republic many of those whom it had

[157] Ad Atticum, II. epist. I.
[158] Ad Atticum, II. epist. I.; I. epist. XVII. XVIII.

CHAP. VII.

From U.C. 676, A.C. 78, to U.C. 695, A.C. 59.

been his endeavour in his public conduct to conciliate, that he considered the state of affairs utterly unpromising, and during the eventful year which was now about to commence, he absented himself almost entirely from the business of the Commonwealth. The most active defender of the aristocratical cause was M. Cato, who, although he filled no magistracy, nor enjoyed any political rank, yet, by his birth, his unshaken integrity, and his great courage, had rendered himself a person of considerable importance. Towards Cæsar he entertained a fixed animosity, which he retained to the very end of his life; and the notoriety of this feeling deprived his opposition, perhaps, of some of the weight to which it otherwise would have been entitled. But, had Cato's influence been much greater than it was, it could have availed little against the united power of Pompey, Cæsar, and Crassus, supported as it was at present by the whole strength of the popular party, and arming itself unscrupulously with all those violent means which had been practised in former times by L. Saturninus, P. Sulpicius, Marius, or Sylla.

The agrarian law of Cæsar.

We have said that Pompey had been unable to carry the agrarian law of L. Flavius during the preceding year. The first fruits of his coalition with Cæsar were seen in the agrarian law proposed by the new consul early in the year, and by which it was proposed to grant settlements to 20,000 citizens in Campania [159], one of the richest districts in Italy,

[159] Velleius Paterculus, II. 44. Cicero, ad Atticum, II. epist. VII.

CHAP. VII.

From U.C. 676, A.C. 78, to U.C. 695, A.C. 59.

which had been let out under the Roman government since the second Punic war, and which no former author of an agrarian law, except the tribune Rullus, during the consulship of Cicero, had ever ventured to give up to distribution among the people. The division of these lands among the settlers was to be committed to twenty commissioners, who were to be invested with full powers to manage it as they thought proper. It appears from Dion Cassius [160], that Cæsar had at first designed to do little more than bring forward anew the law of Flavius; and that he submitted it to the senate, endeavouring to procure their concurrence in it. But finding that body obstinate in opposing it, on no other grounds, it is said, but because it was an innovation, he resolved to propose it to the people in a more popular form, and to carry it by their authority alone. Bibulus, his colleague, with three of the tribunes, did all in their power to oppose it; and despairing of success by any other means, they endeavoured to break up the assembly from time to time, by reporting that thunder had been heard [161], an occurrence which, according to the law of Rome, should have immediately suspended the business of the forum. But P. Vatinius, a tribune, entirely devoted to Cæsar, had declared on entering upon his office [162], that he would regard none of those obstructions which the augurs might throw in the way of his

[160] Dion Cassius, XXXVIII. 59.

[161] Cicero, in Vatinium, 7. Dion Cassius, XXXVIII. 61.

[162] Cicero, in Vatinium, 6.

CHAP. VII.

From U.C. 676, A.C. 78, to U.C. 695, A.C. 59.

measures, by reporting their observations on the state of the heavens; and as he now was busily engaged in supporting the agrarian law, he provided an armed rabble to abet him in his proceedings, and thus defying the opposition of his colleagues, and ordering Bibulus on one occasion to be sent to prison, and at another time driving him out of the forum by violence, he procured by these means the enactment of the law.

It was after several similar riots, in which Bibulus found his life endangered, that he confined himself entirely to his own house [163], and contented himself with issuing strong protests and invectives against the measures of his colleague. Cæsar, thus finding himself relieved from all opposition, proceeded to fulfil the conditions of his union with Pompey, by procuring from the people a law ratifying all his acts [164]; and he seized the opportunity of gratifying the equestrian order by another law, for the relief of the farmers of the revenue, who having, in their eagerness to obtain the contract [165], offered too large a sum for the rent of the taxes in the newly conquered provinces, had afterwards petitioned the senate that this agreement might be relaxed a little in their favour. Their petition had been first presented towards the end of the year 692, and had been constantly rejected; Cato on all occasions speaking against it with great vehemence. It was

Other laws of Cæsar.

[163] Cicero, in Vatinium, 9; ad Atticum, II. epist. XIX. XX. XXI.

[164] Dion Cassius, XXXVIII. 62.

[165] Cicero, ad Atticum, I. epist. XVII. XVIII.; pro Plancio, 14.

CHAP. VII.

From U.C. 676, A.C. 78, to U.C. 695, A.C. 59.

now granted by the people through the influence of Cæsar; and thus the affections of a powerful body of men were alienated from the aristocracy, at a time when their assistance was most needful.

These, however, were all of them measures with regard to which good and wise men might fairly differ, however much they condemned the violent means by which they were carried. It now remained that the triumvirs should provide more directly for their own aggrandizement. Accordingly, P. Vatinius moved before the people, that the provinces of Cisalpine Gaul and Illyricum should be given to Cæsar for five years, with an army of three legions [166], although the disposal of such commands was vested by the law, as it then stood, in the senate alone. The people, as may be supposed, readily agreed to the grant; and the senate, wishing, perhaps, to increase the weight of Cæsar's employments abroad, and to remove him further from the city, added to his government the province of Transalpine Gaul, and voted him another legion. Meantime Pompey had connected himself more closely with Cæsar [167], by marrying his daughter Julia; and Cæsar, on his part, married Calpurnia, the daughter of L. Piso, intending that his father-in-law, Piso, and A. Gabinius, an old partisan of Pompey, should succeed in the following year to the consulship. At the same time, the adoption of P. Clodius into a plebeian family had been effected through the influence of

The province of Gaul given to Cæsar.

[166] Suetonius, in Cæsare, 22. Cicero, in Vatinium, 15.

[167] Plutarch, in Cæsare, 14.

CHAP. VII.

From U.C. 676, A.C. 78, to U.C. 695, A.C. 59.

Pompey and Cæsar[168], in order that he might be able to be elected tribune of the people. It is probable that he was considered generally as a useful instrument to keep the aristocratical party in a state of depression and alarm: and Cæsar, it is said, offended by the manner in which Cicero spoke of the triumvirate, was disposed to co-operate with Clodius in those measures which were more particularly aimed against him personally. But the transactions which led to Cicero's exile belong more properly to the subsequent year; and the story of Cæsar's consulship may be closed by observing, that after seeing Piso and Gabinius elected consuls according to the wish of the triumvirate, and leaving Clodius in possession of the tribuneship, and bent on effecting the destruction of Cicero, he set out from Rome early in the spring of the year 695, to commence his long career of conquests in Gaul[169].

At this point our narrative of the internal affairs of the Commonwealth may be allowed to pause, while the reader's attention is directed to a farther detail of the events which had previously occurred in Spain, to the operations of Cæsar in Gaul, and to those of Crassus in Parthia. The latter expedition, indeed, did not take place till a period somewhat later than that which we have now reached; but, as it is quite distinct from the course of events at Rome,

[168] Cicero, ad Atticum, II. epist. XII.; pro Domo, 16. Suetonius, in Cæsare, 20.

[169] Cæsar, de Bello Gallico, I. 6, 7.

it may be a little anticipated, in order that the thread of our story may not be interrupted, as we proceed from the exile of Cicero to the actual beginning of the civil war.

CHAPTER VIII.

CAIUS JULIUS CÆSAR.—A SKETCH OF THE ROMAN HISTORY FROM THE APPOINTMENT OF CÆSAR TO THE COMMAND IN GAUL TO HIS DEATH.—FROM U.C. 695 TO 710, A.C. 59 TO 44.

CHAP. VIII.

From U.C. 695 to 710, A.C. 59 to 44.

THE proceedings of the triumvirate, and the supreme influence which its members had exercised during the consulship of Cæsar, were a sufficient proof that the effects of Sylla's victory were already lost, and that the aristocracy was unable to resist the enemies by whom it was again assailed. That coalition between the popular party and individuals of great personal distinction, which had before taken place when Marius united himself with Sulpicius, had now been repeated; and as there was now no Sylla to assert by arms the authority of the senate, it had been repeated with more entire success. The part of Sulpicius had been hitherto performed by Vatinius; it was now to devolve on P. Clodius, who having entered on his tribuneship in the month of December 694, and being supported not only by the influence of the triumvirs, but by the consuls elect, Piso and Gabinius, who would use all the authority

Coalition between the triumvirate and the popular party.

of their office in his favour, and by the terror of Cæsar's military force, was likely to pursue his career with little impediment [1]. His chief object was to effect the ruin of Cicero, as by so doing he would at once gratify a personal enmity of his own, and would deprive the senate of the most eloquent, and, with all his faults, the most popular, and one of the most upright of their defenders.

During the earlier months of Cæsar's consulship, Cicero had absented himself from Rome [2], but he had returned thither in June, soon after the passing of the law of Vatinius, which conferred on Cæsar the command in Gaul, and the unusual power of nominating his own lieutenants. He already apprehended the effects of the enmity of Clodius, and was at first inclined to accept the offer made him by Cæsar, that he would accompany him as his lieutenant into Gaul [3]. But encouraged by the apparent popularity which he enjoyed, and receiving from Pompey the strongest assurances that Clodius would not think of attacking him, and that if he should do so he would sacrifice his own life rather than that Cicero should be injured, he was persuaded to remain in Rome and abide the issue [4]. Accordingly Clodius, as we have already mentioned, entered on his tribuneship in December, and immediately professed his intention of visiting upon Cicero's head the execution of Lentulus, Cethegus, and the other

[1] Cicero, pro Sextio, 17.
[2] Epist. ad Atticum, II. epist. IV.—XVII.
[3] Epist. ad Atticum, II. epist. XVIII.
[4] Epist. ad Atticum, epist. XX.

From U.C. 695 to 710, A.C. 59 to 44.

accomplices of Catiline. He was sure of the support of the consuls Piso and Gabinius; and he boasted also that he was acting with the entire concurrence of the triumvirate. Mobs, consisting of slaves and the lowest of the people[5], were openly armed and organized to overawe every attempt of Cicero's friends to defend him by legal means; and when the senate and the equestrian order, and, as Cicero asserts[6], the great majority of respectable citizens, put on mourning, and assumed the dress of suppliants, to testify their grief and the deep interest which they felt in his cause, the consuls ordered the senate to resume their usual habit; and Gabinius in particular, in a speech addressed to the multitude, told them that the senate was nothing in the Commonwealth, and that the equestrian order should soon be made to suffer for the part they had taken in abetting Cicero's proceedings during the late conspiracy. It is added that, by his own sole authority, Gabinius commanded L. Lamia, a citizen who had been zealous in Cicero's defence, to leave Rome, and not to come within two hundred Roman miles of the city[7]; an exercise of power which is mentioned, indeed, as illegal and tyrannical, but which still shows to what an extent the consuls could carry their orders, and enforce obedience.

The professed measure on the part of Clodius, which filled Cicero with such lively alarm, was a law proposed by him for the punishment of all persons

[5] Cicero, pro Sextio, 15; in Pisonem, 5.

[6] Pro Sextio, 12.

[7] Cicero, pro Sextio, 12, 13.

guilty of putting a Roman citizen to death without trial[8]. It is said that when this law was brought before the assembly of the people (who were summoned by Clodius to meet without the city, because Cæsar could not otherwise, as commander of an army, be present at the discussion), Cæsar spoke in favour of its principle, but wished that it should not affect any past transactions. This exception, however, would have so defeated Clodius's main object, that it was not admitted, and the law passed in its original form, which denounced punishment against any past as well as against any future violation of its provisions. But still, although Cicero might have been brought to trial under this act, yet the natural prejudice against *ex post facto* laws, together with the strong considerations that might have been urged in his defence, and the popularity and interest which he possessed, might have rendered his condemnation a matter of great uncertainty. His own conduct, therefore, as he himself afterwards confessed, was the main occasion of his ruin[9]; for by soliciting protection, by assuming the dress of a suppliant, and appealing to the compassion of the people, he in a manner anticipated his own accusation, and rendered the motion of bringing him to trial for the measures adopted in his consulship less startling and extravagant to others, by seeming himself fully to expect it. While he was going round the city with his friends, all wearing the same air of dejection and

[8] Dion Cassius, XXXVIII. 67, edit. Leunclav.

[9] Epist. ad Atticum, III. epist. XV.

CHAP. VIII.

From U.C. 695 to 710, A.C. 59 to 44.

entreaty, he was frequently met and insulted by parties of the armed rabble which acted under Clodius's orders [10], and he thus compromised his own dignity without any advantage to his interests. He particularly laboured to obtain the support of Pompey, from whom indeed, both on public and private grounds, he had a right to look for it. But Pompey had entangled himself so deeply in the plans of the enemies of the aristocracy, that he could not act freely on either side. With the usual fate of those men whose principles are not firm enough to keep them steadily in the path of duty, but are yet sufficiently powerful to check them in their deviations from it, and to hinder them from ever attaining the rewards of wickedness, Pompey already, it is probable, repented of his share in the proceedings of the triumvirate, and found that the confirmation of his acts in Asia had been too dearly purchased by the loss of the good opinion of the better part of his countrymen, and the degradation to which he was reduced of being a tame spectator of the ruin of his friend, and of the outrages of a man like Clodius. Thus beset with shame and difficulties, he avoided a personal interview with Cicero, who came himself to his Alban villa to solicit his assistance; and when L. Lentulus, L. Torquatus, M. Lucullus, Q. Fabius Sanga [11], and many other persons, applied to him to the same effect, he referred them to the consuls, saying that he, as a private individual, did not like

Behaviour of Pompey towards Cicero.

[10] Plutarch, in Cicerone, 30.

[11] Cicero, in Pisonem, 31.

CHAP. VIII.

From U.C. 695 to 710. A.C. 59 to 44.

to enter into a contest with a tribune who had an armed force at his disposal; but if the consuls should act in defence of the Commonwealth, with the authority of the senate, he would take up arms to join them. We have seen Marius, in his sixth consulship, obliged by the senate to act against his own associate Saturninus; and Pompey, it is probable, would gladly have obeyed a similar call to return to his own natural situation as defender of the Commonwealth. But the call was not given; the consuls, it is said, had bound themselves, for their own private interests, to abet all the proceedings of Clodius [12]; and thus Pompey remained inactive in his villa, and Cicero, despairing of any effectual support, and unwilling, as he tells us [13], to be the occasion of bloodshed, withdrew by night from Rome, and went into voluntary exile. His departure relieved his enemies from every difficulty; and the punishment which a judicial sentence would hardly have pronounced, was easily inflicted by a legislative attainder. Clodius proposed a law forbidding him, in the usual language, the use of fire and water within four hundred miles of Italy [14], denouncing penalties against any person who should harbour him within those limits; and forbidding any one to move for his recall either in the senate or before the people. This was carried immediately, and not, if we may believe Cicero [15], by the votes of the Roman people, but in

Cicero withdraws from Rome, and a decree of banishment passes against him.

[12] Cicero, pro Sextio, 10.
[13] Pro Sextio, 20, et seq.
[14] Cicero, pro Domo, 19; ad Atticum, III. epist. IV. XII. XV.
[15] Pro Sextio, 24.

CHAP. VIII.

From U.C. 695 to 710, A.C. 59 to 44.

an almost empty forum, by the voices of that rabble which was the mere instrument of Clodius's violence. In addition to this, the property of Cicero was ordered to be confiscated; his house on the Palatine hill was burnt to the ground, its site was consecrated to religious purposes, and a statue of Liberty was erected on the place whereon it had stood [16].

A change of circumstances begins to take place in his favour, but is checked for a time by the violence of Clodius.

It has often been remarked, that it is the natural tendency of violent measures to produce a reaction; and this effect seems to have followed from the banishment of Cicero. Scarcely had he left Italy, before the senate began to exert itself to procure his recall. Pompey also was at last roused by an affront offered to him by Clodius, of a nature peculiarly irritating. Tigranes, the son of the king of Armenia, was amongst the prisoners brought to Rome by Pompey on his return from Asia, and having remained ever since in captivity, was at this time under the custody of L. Flavius, one of Pompey's old adherents, and now one of the prætors. Clodius was bribed, as it is said, to take Tigranes out of the hands of Flavius, and to cause him to be set at liberty [17]. This happened in May, little more than a month after Cicero's retreat from Rome; and Pompey from this time began to appear in the senate, and to complain of the late proceedings of Clodius. On the first of June the senate passed a resolution in favour of Cicero's recall, without a single dissen-

[16] Cicero, pro Sextio, 24. Dion Cassius, XXXVIII. 70. Cicero, ad Atticum, III. epist. VIII.

[17] Dion Cassius, XXXVIII. 78.

tient voice[18]; but Sextus Ælius, one of the tribunes, interposed his negative, and for the present prevented it from being attended with any effect. Clodius, meanwhile, was not wanting either in art or audacity in his endeavours to rid himself of those persons whose opposition he most dreaded. About the beginning of August, one of his slaves dropt a dagger near the senate-house[19], and on being seized, and examined before the consul Gabinius, it was said that he had received orders from his master to assassinate Pompey, who was at that time in the senate. Whether this plot was real or fictitious, Pompey took alarm at it, and during the remainder of Clodius's tribuneship he confined himself to his house[20], the armed rabble which acted under Clodius rendering it unsafe for him, it is said, to appear in public. The other individual whom Clodius most feared was M. Cato, and him he contrived to remove from Rome, by forcing him to accept a public commission which would employ him abroad for a considerable time[21]. Its nature will deserve our notice, as exemplifying the wide extent of the evils which the power of Rome at this period enabled a profligate demagogue to inflict.

M. Cato is sent to Cyprus.

Sketch of the revolutions of that island.

The island of Cyprus was early filled with Greek colonies, and was first conquered by Amasis, king of Egypt, about five hundred and forty or fifty years before the Christian era[22]. When Egypt was over-

[18] Cicero, pro Sextio, 31.

[19] Asconius, in Oration. pro Milone.

[20] Cicero, pro Sextio, 32.

[21] Cicero, pro Sextio, 28.

[22] Herodotus, Euterpe. cap. ultim.

CHAP. VIII. From U.C. 695 to 710, A.C. 59 to 44.

run by Cambyses, the Cyprians submitted to the Persian dominion, and remained attached to that empire, although sometimes enjoying a practical independence, till its final overthrow by the arms of Alexander. In the division of his conquests which followed upon his untimely death, Cyprus was again united to the new Egyptian monarchy established by Ptolemy the son of Lagus [23]; and although its possession was often disputed by the kings of Syria, yet it still continued among the dependencies of the crown of Egypt, and appears to have formed what would in modern language be called an appanage, being bestowed as a separate principality on some member of the royal family. At the time of which we are now speaking, it was ruled in this manner by a brother of the reigning king of Egypt, who himself also bore the name of Ptolemy. It is said that Clodius, when a young man, having fallen into the power of the Cilician pirates, during the period of their greatness, applied to the king of Cyprus for money to pay his ransom [24], and that Ptolemy sent so small a sum that the pirates refused to accept it, and afterwards, from what motives we know not, released their prisoner gratuitously. Clodius, it is added, had long resented the behaviour of Ptolemy on this occasion, and now gladly availed himself of his present power to propose a law, declaring the island of Cyprus forfeited to the Roman republic. The only possible colour for such an act was a pre-

[23] Strabo, XIX. 782, edit. Xyland.

[24] Strabo, ubi supra.

tended will of the late king of Egypt, by which he was said to have assigned his dominions to the Roman people. But the reality of this instrument was so questionable, that the senate had never chosen to act upon it, and the present king of Egypt had lately been acknowledged as a lawful sovereign, so that his brother, the ruler of Cyprus, holding his crown by the same title, was in equity equally included in this acknowledgment. It was sufficient, however, that the island was a tempting prize, and that the power of the Romans enabled them to seize it with impunity. Its fertility, indeed, and abundant resources of every kind, were highly celebrated, and it was the boast of the inhabitants that they could build and send to sea a ship of the largest size, without applying to foreign countries for the supply of a single article required in her construction and equipment[25]. The law for the forfeiture being passed, Clodius proposed by a separate law to intrust M. Cato with the execution of it, and he was accordingly despatched with prætorian authority to carry into effect a measure which he is said to have abhorred for its injustice. He was, besides, ordered to procure the restoration of certain individuals who had been exiled by the government of Byzantium[26]; and these two employments were expected to detain him for a considerable time at a distance from Rome.

Proceedings and behaviour of Cato in Cyprus.

They were, however, both executed without any

[25] Ammianus Marcellinus, XIV. 21, edit. Vales.

[26] Cicero, pro Sextio, 26. Plutarch, in Catone, 34.

CHAP. VIII.

F. U.C. 695 to 710, A.C. 59 to 44.

difficulty. Ptolemy, hearing of the sentence of deposition issued against him, swallowed poison in despair[27]; and Cato, being informed of his death, sent the famous M. Brutus, his nephew, immediately to Cyprus, to secure the king's property, while he himself first went to Byzantium to discharge his commission there. As soon as this was effected he rejoined his nephew in Cyprus, and superintended the sale of the confiscated treasures with an excessive and almost ridiculous minuteness, allowing nothing to be sold except in his own presence, and doing his utmost to procure a good price for every article[28]. Whilst he was thus engaged, Munatius Plancus, one of his most devoted friends, arrived in Cyprus to join him; but, happening to call on Cato when he was transacting business with his principal officer, he was refused admittance. He complained of this afterwards to Cato, and received from him a very rough answer, being told that Canidius, the officer with whom Cato had been engaged, was the person most deserving of confidence from his experience and integrity, and that Cato therefore preferred his company. Not content with having said this to Munatius himself, Cato, with characteristic indelicacy, repeated it afterwards to Canidius, and Munatius then, feeling himself offended, absented himself from Cato's table, and did not go to him when sent for to assist him in the despatch of business. This behaviour shocked Cato's notions of discipline, and

[27] Plutarch, in Catone, 36. Ammianus Marcellinus, ubi supra.

[28] Plutarch, 37.

CHAP. VIII. From U.C. 695 to 710, A.C. 59 to 44.

he threatened to fine him for his disobedience; but Munatius immediately quitted the island, and remained for some time in a state of alienation from his former friend. Afterwards, however, they both were invited to an entertainment at the same house, and Cato, arriving after the guests had taken their places at the table, asked his host to which couch he ought to go; when being told to choose any place that he liked, he said that he would then fix himself near Munatius, and accordingly he lay on the sofa next to him for the whole evening, but made no further advances towards a reconciliation. But, at the request of his wife Marcia, he afterwards wrote to Munatius, requesting him to call at his house as on business, and Munatius coming, and being detained by Marcia till all other visitors were gone, Cato then went in to him, threw his arms around him, and embraced him with great cordiality. This story exhibits very fairly Cato's characteristic good and bad qualities[29]; and as Plutarch professes to copy it from the account of Munatius himself, it rests on sufficient authority to deserve our belief, and may therefore be readily admitted; for the well

[29] Some points in this story must remind the reader of Dr. Johnson, who is said by Boswell to have often made indirect advances towards a reconciliation, when he had offended his friends by some rudeness; expecting that they would accept such tokens of his good will towards them, in the place of any more open apology. In fact, the natural dispositions of Cato and Johnson appear to have borne a considerable resemblance to one another; and, had Cato been a Christian, the likeness would have been more perfect. His character would have been far better than it was, had he been taught to struggle against his pride and coarseness of mind, instead of thinking it to his credit to indulge them.

CHAP. VIII.

From U.C. 695 to 710, A.C. 59 to 44.

attested personal anecdotes of eminent individuals are so rare in Roman history, that we may well be pardoned for noticing those which do present themselves to our curiosity.

Meanwhile the consular elections at Rome came on, and P. Cornelius Lentulus Spinther, and Q. Cæcilius Metellus Nepos, were elected to succeed Piso and Gabinius. Lentulus had been ædile during Cicero's consulship, and his dispositions were known to be such, that Cicero conceived his appointment to be a favourable omen for himself. Metellus, during his tribuneship, had affronted Cicero personally, and had acted uniformly against the aristocracy; but he was so much under the influence of Pompey, that nothing was to be feared from him under the present circumstances. Accordingly, on the very day on which the new consuls came into office, P. Lentulus brought the case of Cicero before the senate, and found that body almost unanimously disposed in his favour[30]. It was proposed that a law should be submitted to the people repealing his sentence of banishment; but the assembly held for this purpose was interrupted by the armed partisans of Clodius[31]; Q. Cicero was assaulted and obliged to fly for his life, the tribunes friendly to Cicero's cause were driven from the forum, and great numbers of citizens were murdered in the riot. On a subsequent occasion, P. Sextius, another tribune, zealously devoted to Cicero, was wounded and left

New proceedings at Rome in behalf of Cicero. U.C. 695.

[30] Cicero, pro Sextio, 34.

[31] Cicero, pro Sextio, 35.

for dead in the temple of Castor[32]; and these atrocious acts were perpetrated without receiving any check from the authority of the government. But T. Annius Milo, who was also among the tribunes of this year, and who was of a temper well fitted to render him a proper antagonist to Clodius in such times of disorder, seeing the laws utterly powerless to preserve the peace of the city, resolved to meet the rioters on their own ground; and while on the one hand he threatened Clodius with a legal prosecution for his acts of violence[33], he prepared, in the mean time, to restrain his outrages by force; and, having procured a body of gladiators and armed retainers, he enabled the aristocratical party to speak and act with more freedom. Then it was that the senate and people, with wonderful unanimity, passed the law for Cicero's recall; and on the fifth of August he returned once more to Italy[34], and was received at Brundusium with a kindness which was a foretaste of the universal feeling soon after manifested towards him in every quarter. After a short stay at Brundusium, he set out on his way to the capital. Deputies from the several towns met him on the road with their congratulations; and when he approached Rome, there was not a single individual of any note, except his avowed enemies, who did not come forth to welcome him. As he entered by the Capene gate, the steps of the temples were thronged with multitudes of the poorest of the people, who

He is recalled from exile, and returns in a triumphant manner to Rome.

[32] Cicero, pro Sextio, 37.
[33] Cicero, pro Sextio, 40, et seq.
[34] Cicero, Epist. ad Atticum, IV. epist. I.

CHAP. VIII.

From U.C. 695 to 710, A.C. 59 to 44.

expressed their joy by the loudest cheers; and as he passed through the streets to the capitol, he was every where greeted with the same acclamations, and surrounded by a similar concourse. This was, indeed, a triumphal procession far more honourable than those of victorious generals; and on this occasion it was proved, that Cicero was not only regarded by a party, but possessed, in an unusual degree, the respect and affection of the people at large. He reaped on this day the just reward of that upright and impartial course which he had pursued since the commencement of his political life; supporting the moderate ascendancy of the aristocratical party, yet not ashamed to advocate the rights and promote the benefit of the lower classes; the queller of a profligate insurrection, but unseduced to abuse his victory, or to gratify a spirit of animosity or ambition, by shedding any blood that was not demanded by justice and the safety of the Commonwealth.

Pompey is appointed controller of the markets throughout the empire.

One of the first things which he did after his return, was to propose a law for investing Pompey with another extraordinary commission. There had been for some time a scarcity of corn at Rome[35], which, as was natural, disposed the multitude to tumult; and at the time of Cicero's return, a mob assembled round the senate-house, and calling aloud that Pompey should be intrusted with the controul of the markets, they required Cicero by name to propose a vote to that effect. Accordingly, the

[35] Cicero, ad Atticum, IV. epist. I.

senate, on his suggestion, resolved that Pompey should be appointed with full powers to manage every thing relating to the supply of the corn markets in every part of the empire for five years; and a law to the same purpose was submitted to the assembly of the people. C. Messius, however, one of the tribunes, proposed another law, in which Pompey's authority was extended still more, inasmuch as it conferred on him the controul of the entire revenue of the Commonwealth, gave him the command of a fleet and army, and bestowed on him a power in all the provinces paramount to that of the officers by whom they were immediately governed. It does not appear whether these additions to the original proposition were approved by the people or not; but it seems most probable that they were rejected. Still the power actually committed to Pompey was exceedingly great; and the readiness with which the people conferred such great charges on individual citizens, was a sure symptom of that helplessness in themselves, and that habit of dependence for every thing upon their government, which show that a nation is fit only for despotism.

Riots in the streets of Rome. T. Milo supports the cause of the aristocracy.

The remainder of the year 696 was marked by nothing that deserves particular notice. The senate, on the report of the pontifices[36], before whom the question had been previously argued, resolved that the consecration of the site of Cicero's house was not valid; and that the ground should be given back

[36] Cicero, ad Atticum, IV. epist. II. and III.

CHAP. VIII.

From U.C. 695 to 710, A.C. 59 to 44.

to him, and a sum presented to him out of the treasury to enable him to restore the building. Smaller sums were also voted to him to repair the damage which his country houses had sustained. But the workmen who were employed in rebuilding his house in Rome, were dispersed on the third of November by the armed rabble under the command of Clodius; the house of his brother Quintus was deliberately set on fire by the same assailants; and a few days afterwards, a house belonging to Milo was attacked in the same manner. On this last occasion, however, Q. Flaccus sallied out from another of Milo's houses at the head of an armed party, and attacking Clodius, killed a number of his most notorious followers, and obliged him to save his own life by flight. At the same time, also, Clodius, as we have before mentioned, was threatened with a prosecution by Milo; but, by the assistance of his brother-in-law, Q. Metellus, the consul, and of his brother, Appius Claudius, one of the prætors, he succeeded in postponing his trial till after the comitia had been held for the election of ædiles[37]. He was a candidate for that office; calculating that, if he should gain it, he should be able to shelter himself under its protection from the impeachment of his adversaries for another year; and being, in fact, elected, he immediately commenced in his turn a prosecution against Milo, whom he charged with disturbing the public peace[38].

[37] Epist. ad Atticum, IV. epist. III.

[38] Cicero, pro Sextio, 44. 69.

P. Sextius, who, when tribune, had been nearly murdered by the followers of Clodius, was now also himself brought to trial for the same offence; but he was defended by Cicero in one of his most eloquent orations, and was acquitted. The trial of Milo was adjourned from time to time, till it was either abandoned altogether, or may be supposed to have ended in the acquittal of the accused.

Affair of Ptolemy Auletes, king of Egypt.

The consuls for the year 697 were Cn. Cornelius Lentulus Marcellinus, and L. Marcius Philippus; the former warmly disposed in favour of the aristocratical party; the latter a respectable and moderate man, who is known as the father-in-law of Augustus Cæsar, having married Atia, his mother, after the death of her first husband, C. Octavius. About this time the partisans of Pompey endeavoured to procure for him another extraordinary command. Ptolemy, king of Egypt[39], having been expelled from his throne by his subjects, had come to Rome during the preceding year, in the hope of recovering his kingdom through the assistance of the Roman government. It is said that he gained many partisans by bribery; and be this as it may, the senate passed a vote that he should be restored, and the consul, P. Lentulus Spinther, to whose lot Cilicia had fallen in the distribution of provinces, was appointed to carry the vote into execution. But in the mean time, a deputation of a hundred citizens of Alexandria had been despatched from Egypt to

[39] Dion Cassius, XXXIX. 97.

CHAP. VIII. From U.C. 695 to 710, A.C. 59 to 44.

counteract, if possible, the effect of Ptolemy's bribes and intrigues; and the king, imitating the conduct of Jugurtha on a like occasion, had caused the greater part of them to be assassinated, some on their way to Rome, and others in the city itself. Still it appears that the influence which he had gained by his money, or by the hope that his restoration would afford to many an opportunity of obtaining military commands and emoluments, was likely not only to save him from punishment, but even to secure his return to his kingdom; when it began to be whispered that a prophecy had been found in the Sibylline books, warning the Romans "not to restore a king of Egypt to his throne with the aid of numbers, but that in any other way they might effect it." On the first rumour of this injunction of the sibyl, C. Cato, one of the tribunes, summoned the keepers of the mystic books before the assembly of the people, and obliged them to repeat the oracle exactly. It may be hoped that he availed himself of this expedient to baffle the intrigues of Ptolemy and his supporters from an honest indignation at their crimes, and that it was taken up by a large party in the senate with the same feelings. But, however this may be, the subject was debated with considerable warmth [40]. Pompey's friends proposed that he should be commissioned to restore the king; since his name and authority, now that the support of an army was forbidden, were more likely

[40] Cicero, ad Familiares, I. epist. I. et seq.

CHAP. VIII.

From U.C. 695 to 710. A.C. 59 to 44.

to succeed than those of any other person. Cicero and Hortensius insisted that P. Lentulus should not be deprived of an office which the senate had already committed to him; but C. Cato, finding that Pompey's claims were regarded with peculiar jealousy, and that the appointment would probably remain with Lentulus, brought in a law to take away that officer's command [41]. In this he does not appear to have succeeded; but his determined opposition, and the mutual jealousies of the partisans of Pompey and Lentulus, disappointed, for the present, the hopes of Ptolemy; who, despairing of his return, retired to Ephesus, and there, to avoid the vengeance to which he might be exposed from the relations of those whom he had murdered, he lived in a sort of sanctuary, under the protection of the sacred precincts of the temple of Diana [42].

Cæsar at Lucca.

While these transactions were occurring, Cæsar, as usual, was passing the winter at Lucca, on the very southern extremity of his province, and regarding, with no indifferent eye, the state of affairs at Rome. He had just concluded his second campaign, which he had signalized by his famous victory over the Nervii; and for this, together with his other successes, he soon after received from the senate an unprecedented honour, in the appointment of a solemnity of thanksgiving, which was to continue for fifteen days [43]. But the aristocratical party,

[41] Cicero, ad Q. Fratrem, II. epist. III.

[42] Dion Cassius, XXXIX. 99.

[43] Cæsar, de Bello Gallico, ii. 35. Cicero, de Provinciis Consularibus, 10, 11.

CHAP. VIII.

From U.C. 695 to 710, A.C. 59 to 44.

retaining a lively resentment against him for the seditious tenour of his consulship, and viewing his present extensive military command with a very reasonable jealousy, were resolved to avail themselves of the known sentiments of one of the consuls, and of the moderation of the other, to commence an attack upon him and his measures.

The aristocratical party threaten to attack the laws passed in his consulship.

Scarcely had the present consuls been elected, when P. Rutilius Lupus[44], one of the tribunes, brought forward in the senate the question of Cæsar's agrarian law, by which the lands of Campania were assigned for division among the poorer citizens. This had been always an obnoxious measure to a large portion of the people, as it cut off one of the most valuable sources of the public revenue; for the whole of Campania having been forfeited to the Roman people after the revolt of Capua in the second Punic war, had been since let out to individuals, and the rent arising from these estates afforded a considerable and constant income to the treasury. Thus, when P. Rullus, in the agrarian law which he brought forward during Cicero's consulship, had proposed to include Campania among the districts that were to be divided, Cicero attacked this as one of the most pernicious parts of the whole scheme. No wonder, therefore, that Cæsar's law was regarded by many as a measure which ought to be rescinded as soon as possible; but as Pompey was not present when P. Lupus first laid the subject

[44] Cicero, ad Quintum Fratrem, II. epist. I.

before the senate, it was judged right to postpone the discussion of a question, in which the triumvirate was so nearly concerned, till he could attend to take a part in it. On the fifth of April [45], however, after a vote had passed to grant Pompey the sum of forty millions of Roman money (322,916*l.* 13*s.* 4*d.*), for the discharge of his duties as controller of the markets, the agrarian law was again mentioned; the large grant which had just been made out of the treasury, made its poverty more deeply felt, and rendered the recovery of the Campanian rents more desirable; and, accordingly, after a stormy debate it was voted, on the motion of Cicero, that the question of the lands of Campania should be formally discussed in a full senate, on the fifteenth of May. But the fifteenth of May arrived, and the lands of Campania were suffered, without dispute, to remain subject to the provisions of Cæsar's law; while, instead of commencing any attack on Cæsar's measures, Cicero about this time delivered a speech in the senate full of the highest praises on his conduct in Gaul [46], and recommending that his province should still be continued to him, when some members had proposed that a new officer should be sent out to succeed him, according to the usual practice and law of the Commonwealth. It appears that Cicero, ever since his return from exile, had been disgusted with the high aristocratical party, and finding that they regarded him with jealousy, according to his own

Cicero is persuaded to desert the aristocratical party.

[45] Cicero, ad Quintum Fratrem, epist. IX. II. epist. V.; ad Familiar. I.

[46] De Provinciis Consularibus.

CHAP. VIII.

From U.C. 695 to 710, A.C. 59 to 44.

account [47], he was naturally disposed to seek the friendship, or at least to deprecate the enmity, of their opponents. Accordingly, on the trial of P. Sextius, when he attacked P. Vatinius, one of Cæsar's instruments during his consulship, with the utmost vehemence, he was careful to speak of Cæsar himself in terms of respect [48]. Still he seemed disposed to adhere to the cause which he had formerly upheld: he openly extolled the conduct of M. Bibulus [49], Cæsar's late colleague: he supported the interests of P. Lentulus in opposition to the friends of Pompey, in the question of the king of Egypt's restoration; and above all, his motion on the fifth of April seemed to be the pledge of his determined enmity to the party of the triumvirate. It was received as such by the high aristocratical party, who displayed an evident joy at the prospect of an irreconcilable quarrel between him, and Pompey, and Cæsar. Cicero took alarm at this, and having probably received some personal grounds of offence from the aristocratical leaders, he despatched, within five days [50], a small work of his own composition to Cæsar, couched in language designedly complimentary, on purpose, as he himself confesses, to bind him to his reconciliation with Cæsar, and to cut off the possibility of his re-uniting himself with the aristocracy. Still his conduct in the senate, on the fifth of April, had so offended and alarmed Pompey, that leaving

[47] Ad Familiares, I. epist. IX. Ad Atticum, IV. epist. V.

[48] Cicero, in Vatinium, 6, 7.

[49] Ad Familiares, I. epist. IX.

[50] Ad Atticum, IV. epist. V.

CHAP. VIII.

From U.C. 695 to 710. A.C. 59 to 44.

Rome immediately, as if to superintend the business of his office as controller of the markets, he paid a visit to Cæsar at Lucca [51], and there consulted with him upon the steps to be taken with regard to Cicero's opposition to their measures. From Lucca Pompey crossed over to Sardinia, and had an interview with Q. Cicero, who held a public situation in that island [52]. He dwelt much on the services which he had rendered to Marcus Cicero, and reminded Quintus that he had answered to him for his brother's attachment to the interests of the triumvirate, when soliciting their concurrence in his proposed recall from banishment. Quintus, it is probable, lost no time in reporting this conversation to his brother; and it seems to have produced on him the desired effect, for he dropped, as we have seen, the prosecution of the Campanian question, and during the greater part of the remainder of the year he absented himself from political business altogether.

Return of M. Cato to Rome.

It was in the early part of this year that M. Cato returned to Rome from Cyprus, bringing with him a considerable treasure which had belonged to the late sovereign of the island. As his vessel advanced up the Tiber [53], the senate, headed by the two consuls, and followed by an immense crowd of private citizens, came out of the city, and descended along the banks of the river to welcome him; but he proceeded

[51] Cicero, ad Familiares, I. epist. IX.

[52] He was one of Pompey's lieutenants, in the service of superintending the markets throughout the empire. Cicero, pro Scauro. Fragm. Orat. ab Angelo Maio editarum.

[53] Velleius Paterculus, II. 45. Plutarch, in Catone, 39.

CHAP. VIII. From U.C. 695 to 710, A.C. 59 to 44.

without noticing this compliment, till he reached the spot where the treasure was to be landed. Still further to testify their regard for him, the senate proposed to confer on him the office of prætor for the following year [54], by voting that he should be appointed prætor at the next comitia, "extra ordinem," that is, by virtue of the senate's resolution, independently of the votes of the centuries. But Cato disapproving of such an unusual measure, and conscious also that, if it were contested by the popular party, it would greatly prejudice his prospects of success when he became a candidate in the ordinary manner, declined the compliment thus offered him. It is said also, that he complained of the conduct of Cicero [55] in wishing to declare the tribuneship of Clodius illegal, and all the acts passed in it to be consequently invalid, and that he openly espoused the cause of Clodius on this question. In doing this he was defending, in fact, the validity of his own proceedings in Cyprus, which, as his commission was bestowed on him by a law of Clodius, would themselves have lost their authority, if that commission were not legally conferred. But the aristocratical party in general were disposed to coalesce with Clodius at the present moment, because he was now at enmity with Pompey; and this was one of the reasons which alienated Cicero from them, and inclined him, as we have seen, to relinquish his opposition to the triumvirate.

[54] Valerius Maximus, IV. 1. Cassius, XXXIX. 100, edit. Leunclav.
[55] Plutarch, in Catone, 40. Dion

CHAP. VIII.

From U.C. 695 to 710, A.C. 59 to 44.

Pompey and Crassus candidates for the consulship.

L. Domitius Ænobarbus, by birth and by preference alike attached to the aristocracy, was preparing to offer himself as a candidate for the consulship, with the avowed intention of procuring the recall of Cæsar from his province [56]. It was not to be doubted that he would receive the zealous support of the senate; and if the comitia were held by the present consul Marcellinus, his election was most likely to follow. To prevent it, Pompey and Crassus resolved to come forward themselves as his opponents; and that the comitia might not be held by an unfriendly person, C. Cato [57], one of the tribunes, was prevailed on to stop the elections by his negative, till the year expired and the present consuls went out of office. Whether he had been gained over by Pompey since his opposition to the restoration of king Ptolemy, or whether he only served the triumvirate from his aversion to the aristocratical party, we cannot clearly decide; but it seems that, in forbidding the comitia, he professed only to retaliate upon the consul Marcellinus, who, by appointing frequent holydays, had obstructed the assembling of the people on public business, and had deprived him of all opportunities of carrying some laws of which he was the proposer.

They procure their success by violence.

After all, the consular elections were disgraced by scenes of open violence: Domitius [58], who persisted in trying the event, was prevented by force from reaching the forum; M. Cato, who attended him

[56] Suetonius, in Cæsare, 24.
[57] Dion Cassius, XXXIX. 103. Cicero, ad Q. Fratrem, II. epist. VI.
[58] Dion Cassius, XXXIX. 105. Plutarch, in Catone, 41.

CHAP. VIII.

From U.C. 695 to 710. A.C. 59 to 44.

with his usual courage, was wounded, and one of his servants killed; and in this manner Pompey and Crassus obtained their second consulship, fifteen years after they had been for the first time elected together to the same office.

U.C. 698. M. Cato sues for the prætorship, and is rejected.

But although Domitius was thus excluded from the consulship, M. Cato still hoped that he should himself obtain a place among the prætors, even though he had declined the irregular interference of the senate in his behalf. His character was so respected, that if no unfair arts were practised by his opponents, he was likely to be successful; but the elections were deferred, it appears, till the month of May[59]; and then the consuls rejected a proposal made by some of the senators, that sixty days should elapse between the nomination of the prætors and their entering upon their office, in order to allow time for inquiry into any corrupt practices to which they might have been indebted for their success. Bribery, indeed, is said to have been used most unscrupulously by the triumvirate[60]; yet still, on the day of the comitia, Cato obtained the votes of the first tribe, a circumstance which so alarmed his opponents, that Pompey himself came forward and declared that he had heard thunder; thus procuring the adjournment of the assembly, at the expense, it is said, of an open falsehood. In the interval thus gained, the party of the consuls renewed their efforts to procure votes, and when the election again came

[59] Cicero, ad Q. Fratrem, II. epist. IX.

[60] Plutarch, in Pompeio, 52; in Catone, 42.

on, Cato was rejected. The other elections were equally unfavourable to the aristocracy, and only two of their partisans, C. Ateius Capito and P. Aquillius Gallus [61], could find a place on the list of tribunes.

The Trebonian law.

The most memorable event of this year was the law proposed by C. Trebonius, now tribune of the people, and a partisan of the triumvirate, and afterwards more notorious as one of the assassins of Cæsar. Its object was to confer a military command for a term of years on each of the consuls: thus, the province of Spain was assigned to Pompey [62], and that of Syria to Crassus, to be held for five years, with a discretionary power of raising troops, and of making peace and war. After a most resolute opposition on the part of the two aristocratical tribunes, and of M. Cato, the law was carried by absolute violence; and immediately afterwards Pompey himself proposed and carried another [63], prolonging Cæsar's command in Gaul for five, or, according to Dion Cassius, for three years beyond the term originally assigned to it, and adding Germany also, as it is said, to his province. Crassus, who was eager to grasp the glory which he anticipated from an attack on the Parthians, left Rome in the month of November [64], on his way to Syria; but his departure was attended with circumstances which were re-

Crassus sets out from Rome on his way to Syria.

[61] Dion Cassius, XXXIX. 105.
[62] Livy, Epitome, CV.
[63] Dion Cassius, XXXIX. 106. Plutarch, in Catone, 43; in Pompeio, 52.
[64] Cicero, ad Atticum, IV. epist. XIII.

CHAP. VIII.

From U.C. 695 to 710, A.C. 59 to 44.

garded at the time as ominous of evil, and which were remembered more carefully after the disastrous issue of his expedition. The tribunes, Ateius and Aquillius [65], at first attempted to prevent him from going, and Ateius threatened him with imprisonment, but was restrained by the negative of his colleagues: however, when Crassus was leaving the city, as we have before related, he denounced the wrath of the gods against his enterprise, and lighting a fire at the gate through which Crassus was to pass, he went through certain ceremonies of imprecation, devoting, with the most fearful curses, both the general and his army to destruction. It is said, too, that the projected war with the Parthians was so unpopular, especially when combined with the manner in which Crassus had gained his province, that he was attended by nothing of that train of citizens who were used to crowd round an officer when departing from Rome to undertake an arduous contest against a foreign enemy; but that he besought Pompey to accompany him out of the city, in the hope that his presence might save him at least from any open expressions of ill will on the part of the multitude. Meanwhile Pompey himself intrusted the command of his province to his lieutenants, and continued to reside in Rome, pretending that his post of controller of the markets did not allow him to be absent from the capital [66]; but enjoying probably the thought, that whilst he, like Cæsar and Crassus, had

[65] Velleius Paterculus, II. 46. [66] Dion Cassius, XXXIX. 109. Plutarch, in Crasso, 16.

CHAP. VIII.

From U.C. 695 to 710. A.C. 59 to 44.

a province and an army at his disposal, he was living at the same time at the seat of government, and exercising an influence there which was little short of sovereignty.

Consulship of L. Domitius and Appius Claudius. M. Cato prætor. U.C. 699.

In this situation Pompey was at the utmost height of his ambition; and accordingly from this time forwards he abetted no acts of violence, and encouraged no parties against the aristocracy, but seemed inclined to regard the senate as a prince would view the nobility of his kingdom, that is, as the most natural supports and ornaments of his own greatness. Thus the elections for the ensuing year appear to have passed without disturbance; and L. Domitius, who had been the unsuccessful opponent of Pompey and Crassus, was now able to gain his object, and was chosen consul, together with Appius Claudius Pulcher, the brother of P. Clodius, and a partisan of Cæsar. M. Cato also was allowed to avail himself of the esteem which the people entertained for him, and was elected prætor without difficulty. Cicero's reconciliation with Cæsar was about this time confirmed by the appointment of his brother Quintus to be one of Cæsar's lieutenants in Gaul; and P. Clodius had now somewhat declined in notoriety, and had lost much of his power, and perhaps of his inclination, to excite disturbances. The Commonwealth seemed, in short, destined to enjoy a breathing time from the perpetual tumults by which it had been assailed; but its peace rested on such slender foundations, that no intelligent observer could venture to calculate on its perpetuity.

CHAP. VIII.

From U.C. 695 to 710, A.C. 59 to 44.

Ptolemy, king of Egypt, is restored to his throne by A. Gabinius.

We have already seen that Ptolemy, king of Egypt, had left Rome in the year 697, and had retired to Ephesus, hopeless of effecting his restoration to his throne by the assistance of the Romans, although he had committed so many crimes to purchase it. But in the beginning of the year following he found an unexpected friend in A. Gabinius, who still held the province of Syria, to which he had succeeded on the expiration of his consulship. Gabinius, instigated, as some say, by private letters from Pompey[67], and at any rate trusting to his protection to save him from punishment, if he were afterwards questioned for his conduct, did not hesitate to espouse the king's cause; and, in defiance of the provisions of two recent laws of Sylla and Cæsar, marched with his army out of his province[68], invaded Egypt, and having defeated the Egyptians and taken Alexandria, reinstated Ptolemy in his former power. Meantime, the Syrians, during the absence of his army[69], suffered severely from the incursions of some hordes of plunderers, by whom, as by the common scourge of that part of Asia, the wilder parts of their country were occupied. They carried their complaints to Rome, and they met with the more favourable reception, because, from the distressed state of the province, which had been ill protected even when Gabinius was present, the taxes could not be collected, and the farmers of the revenue were unable to discharge their debt to the

[67] Dion Cassius, XXXIX. 115.
[68] Cicero, in Pisonem, 21.
[69] Dion Cassius, XXXIX. 118.

government. But the interest of Pompey and Crassus sufficiently defended Gabinius during their consulship; and Crassus, who was going to supersede him in his province, felt himself possibly the more bound to secure him from molestation on his return to Rome. Now, however, the interest of the triumvirate was less predominant; and Gabinius, when he at last arrived in Italy, and entered the capital by night, on the twenty-eighth of September [70], found himself at once beset with prosecutions. On his first trial, for a violation of the Cornelian law, in leading an army out of his province, he was acquitted [71], partly, according to Cicero, from the want of talent in his accuser, and partly from the corruption of his judges. He was tried a second time, however, on a charge of receiving bribes from king Ptolemy; and to the surprise of every one, Cicero, who had ever been his most vehement enemy, now appeared as his advocate [72]. This change had been brought about by the earnest solicitations of Pompey [73], to whom Cicero was unwilling to refuse any thing; but the real placability of Cicero's disposition disposed him to lay aside his animosities; and the consciousness of this feeling would make him less suspect the purity of his own motives, when he suffered himself to be won over by Cæsar to forget his enmity to Vatinius, and when he now was

Trials of A. Gabinius, on several charges.

He is defended by Cicero, but condemned, and goes into exile.

[70] Cicero, ad Q. Fratrem, III. epist. I.

[71] Cicero, ad Q. Fratrem, III. epist. IV.

[72] Valerius Maximus, IV. 2.

[73] Cicero, pro Rabirio Postumo, 8. 12.

CHAP. VIII.

From U.C. 695 to 710, A.C. 59 to 44.

persuaded by Pompey to defend Gabinius. His reconciliation, however, was of no benefit to the accused, who was condemned, and went into exile.

Violent competition for the consulship.

The competition for the consulship began as usual about midsummer, and was carried on with great vehemence. There were four candidates[74], Cn. Domitius Calvinus, who had been tribune in the consulship of Cæsar and Bibulus, and had distinguished himself by his steady support of the aristocracy; M. Valerius Messala, who was also attached to the same interest; C. Memmius, who had been formerly Pompey's quæstor in Spain, and who now rested his hopes, in a great measure, on the influence of Cæsar's friends in his behalf; and M. Æmilius Scaurus, the son of that Scaurus who was, during so many years, first on the rolls of the senate, and the son-in-law of L. Sylla, who had married his mother, Metella. He was at this very time brought to trial before M. Cato, as prætor[75], on a charge of corruption in the administration of his late province of Sardinia; but was defended by Cicero and Hortensius, and acquitted. All these candidates were guilty of bribery to such an amount as to produce a great effect on the money market; for they borrowed such large sums to carry on their canvass[76], that the rate of interest rose in one day from four to eight per cent. The senate, to repress these proceedings[77], wished to institute an inquiry into the con-

[74] Cicero, ad Atticum, IV. epist. XV. ad Q. Fratrem, II. epist. XV.

[75] Cicero, Orat. pro Scauro.

[76] Cicero, ad Atticum, IV. epist. XV.

[77] Cicero, ad Atticum, IV. epist. XVI.

duct of the candidates previously to the election; and this being prevented by one of the tribunes, Q. Scævola, another tribune in the interest of the senate, forbade the comitia to be held until this obstruction should be removed. In the mean time, C. Memmius, by the advice of Pompey [78], disclosed a singular scene of infamy in which he himself was a principal actor. He produced and read in the senate an agreement which had been entered into by himself and Cn. Domitius Calvinus with the present consuls; in which it was stipulated, that, if they were elected consuls, they would produce three augurs and two senators of the consular dignity, who should depose to the validity of a forged act of the comitia curiata, and a forged decree of the senate; that these false instruments were to confer the command of certain provinces on the consuls of the present year, in return for the support which they were to give to Memmius and Domitius in their present contest; and if the proper witnesses could not be procured to prove what was required, the two candidates agreed to forfeit to the consuls a certain sum of money. We may suppose that Memmius was prevailed upon by the party of the triumvirate to make this disclosure, in order to ruin the character of L. Domitius, one of the present consuls, who, as the friend of Cato, and as the opponent of Pompey and Crassus in the preceding year, was peculiarly obnoxious to them. He trusted

Infamous agreement between the consuls and two of the candidates.

[78] Cicero, ad Atticum, IV. epist. XVIII.

CHAP. VIII.

From U.C. 695 to 710, A.C. 59 to 44.

besides, that, in consequence of this transaction, the elections would be postponed till after the expiration of the present year; and Pompey's friends then thought it probable that he might be named dictator, in which case Memmius, as a partisan of the triumvirate, had every prospect of succeeding to the consulship. In fact, the year was suffered to pass away without any election taking place; L. Domitius and Appius Claudius went out of office; and the beginning of the seven hundredth year of Rome found the Commonwealth in a state of anarchy, without any promise of a speedy return to any thing more regular.

Death of Julia, the wife of Pompey, and daughter of Cæsar.

Amongst the events of the year 699 should be mentioned, however, the death of Julia, the daughter of Cæsar, and wife of Pompey. She died immediately after having given birth to a daughter[79], and the child survived her only a few days. Her amiable character and constant affection to her husband had gained her the general regard of the people; and this they testified by insisting on celebrating her funeral in the Campus Martius, a compliment scarcely ever paid to any woman before. It is said that Pompey had always loved her tenderly, and the purity and happiness of his domestic life is one of the most delightful points in his character. Now the tie that had bound him so closely to Cæsar was broken, and no private considerations any longer existed to allay the jealousies and animosities which political disputes might enkindle between them.

[79] Plutarch, in Pompeio, 53.

From U.C. 695 to 710, A.C. 59 to 44.

The Commonwealth remained without consuls for some months[80], the elections being continually obstructed, as it appears, by some of the tribunes who were in the interest of Pompey, and who wished to drive the aristocracy into the necessity of appointing him dictator. Pompey, however, always professed his unwillingness to accept such a trust; and whether he was sincere or not, he was obliged, at last, to act agreeably to his professions; and, uniting his influence to that of the senate, the comitia were at last suffered to be held, and Cn. Domitius Calvinus and M. Valerius Messala were elected consuls. But the same difficulties threatened to arise, with regard to the appointment of their successors. T. Annius Milo[81], who had borne so great a part in effecting Cicero's recall from banishment, P. Plautius Hypsæus, a partisan of Pompey, and who had served as his quæstor in the war with Mithridates, and Q. Metellus Scipio, who, being by birth a member of the family of the Scipios, had been adopted into that of the Metelli by Q. Metellus Pius, and who had been accused of bribery seven years before[82], were now candidates for the consulship; and at the same time, P. Clodius was aiming at being elected prætor. The old enmity that had subsisted between Clodius and Milo now broke out afresh with increased violence; and they opposed one another, as

Interregnum for several months.

Consulship of Cn. Domitius and M. Messala. U.C. 700.

Milo, Scipio, and Hypsæus candidates for the consulship.

Clodius a candidate for the prætorship.

[80] Cicero, ad Famil. VII. epist. XI. ad Q. Fratrem, III. epist. VIII.

[81] Asconius, in Ciceron. Orat. pro Milone.

[82] Cicero, ad Atticum. II. epist. I.

CHAP. VIII.

From U.C. 695 to 710, A.C. 59 to 44.

before, with parties of armed men, who frequently met and fought in the streets, while all the candidates were equally guilty of the most scandalous corruption. Milo had the support of the aristocratical party, and had won, moreover, a large share of popular favour, by the extreme magnificence of the games which he had lately exhibited for the entertainment of the multitude. He was thus not unlikely to gain his election, if the comitia were peaceably held; and Clodius, to prevent this, occasionally interrupted the assemblies of the people by acts of violence; on one of which occasions the two consuls were assailed with stones and wounded [83]. Three of the tribunes also, Q. Pompeius Rufus, T. Munatius Plancus Bursa, and C. Sallustius Crispus, the historian, were determined enemies of Milo; and their negatives were probably used, as had been done in the preceding year, to stop the election in a manner more agreeable to law. Cn. Domitius and M. Messala thus resigned the consulship at the end of the year, before any persons were named to succeed them; and a period of anarchy was likely again to continue for some months, till one party or the other could gain a more decided ascendancy.

Interregnum.

But an event soon occurred which totally changed the face of affairs. On the twentieth of January Milo set out from Rome to go to Lanuvium, a town of which he was the chief magistrate, or dictator, and where, by virtue of his office, he was on the

[83] Cicero, Fragm. de Ære alieno Milonis, ab Angel. Maio edit.

following day to appoint a flamen for the performance of some of the religious ceremonies of the municipality. He travelled in a carriage, accompanied by his wife Fausta, and by one of his friends, and attended by a strong body of his slaves, and also by some of those gladiators whose services he had occasionally employed in his contests with Clodius. It was late in the afternoon, and he had just passed the little town of Bovillæ, ascending the Alban hills, when he fell in with Clodius, who was on his way to Rome, mounted on horseback, and followed by about thirty of his slaves. Clodius, it appears, had been to Aricia on business, and thence had returned to a villa of his own on the Alban hills, where he intended to pass the night; but receiving intelligence of the death of one Cyrus, an architect at Rome, whose property he expected to inherit, he left his villa at a late hour, purposing to travel on with all speed to the capital. He and Milo passed one another without disturbance; but the gladiators, who were among the last of Milo's party, provoked a quarrel with the slaves of Clodius; and Clodius turning back, and interposing in an authoritative manner, Birria, one of the gladiators, ran him through the shoulder with his sword. Upon this the fray became more general. Milo's slaves hastened back in greater numbers to take part in it, while Clodius was carried into an inn at Bovillæ. Meanwhile, Milo himself was informed of what had passed, and, resolving to avail himself of the opportunity which was before him, he ordered his slaves

CHAP. VIII.

From U.C. 695 to 710, A.C. 59 to 44.

Clodius is murdered by Milo at Bovillæ. U.C. 701.

The body of Clodius is carried to Rome, and burnt by the populace in the senate-house.

to attack the inn and destroy his enemy. Clodius was dragged out into the road, and there murdered; his slaves shared his fate, or saved their lives by flying to places of concealment; and his body, covered with wounds, was left on the ground in the middle of the highway [84].

After the perpetration of this act, Milo continued his journey towards Lanuvium. The body of Clodius was taken up soon after by a senator who happened to be returning to Rome from the country, and was sent on by him to the capital in his own litter; he himself (suspecting, probably, what was likely to follow) going back to the place which he had just left, in order to be out of the way of all disturbance. It was about an hour after nightfall that the body was brought to the house of Clodius in Rome, and there deposited in the court of the building. A crowd, consisting of the lowest class of the populace and of slaves, presently gathered round it; and Fulvia, the widow of the deceased, inflamed their passions by a display of the wildest sorrow, as she pointed out the wounds with which her husband was covered. By daybreak, on the following morning, the crowd was greatly increased, and the tribunes T. Munatius and Q. Pompeius, who were attached to the popular party, hastening to the spot, recom-

[84] Asconius, in Ciceron. Orat. pro Milone. This account of the death of Clodius is taken from the argument prefixed by Asconius to Cicero's speech in defence of Milo. In the whole of the detail Asconius has shown great diligence, clearness, and impartiality; and his authority, on this occasion, may be followed with entire reliance on its excellence.

mended to the people to take up the body in its present state, to bear it into the forum, and there exhibit it on the rostra. The multitude readily followed their directions; and the two tribunes began to expatiate on the atrocity of the murder, and to inflame the public indignation against its author. As the passions of the populace were excited, they were more disposed to listen to the most violent suggestions; and presently they carried the body from the rostra into the senate-house, and there set fire to it on a pile made at the moment out of the benches, tables, and other furniture which they found at hand. The consequence was, as might have been expected, that the senate-house itself was involved in the conflagration, and burnt to the ground; many of the populace, no doubt, delighting in the accident, and pleased to see Clodius, even after his death becoming the cause of mischief to that assembly, which, during his lifetime, he had regarded with such unceasing enmity.

These and several other disorders committed by the multitude somewhat turned the tide of public opinion, which had at first run strongly against Milo. He now was encouraged to return to Rome, to renew his canvass for the consulship, and to make a large distribution of money among the several tribes. The other candidates continued their intrigues in the same manner[85], and parties of armed men were employed successively on all sides to prevent the

[85] Asconius, in Ciceron. Orat. pro Milone.

CHAP. VIII.

From U.C. 695 to 710, A.C. 59 to 44.

comitia from being peaceably held, insomuch that the senate at last gave the usual solemn charge to the interrex, the tribunes of the people, and Pompey as a proconsul holding a military command, "that they should provide for the safety of the Commonwealth," and that Pompey should be commissioned to levy soldiers in every part of Italy to assist him in maintaining the public peace. But as it seemed desirable at once to remove the want of a supreme magistrate, and as the appointment of a dictator was a measure generally obnoxious, it was proposed in the senate by M. Bibulus, with the concurrence of M. Cato, that Pompey should forthwith be declared consul without any colleague. This seemed a complete overture on the part of the aristocracy towards a reconciliation with Pompey, and he received it as such, and is said to have expressed particularly to Cato, his thanks for the confidence which he had thus reposed in him [86]. He entered on his office immediately without opposition: whether it was admitted that the senate might by its own authority create a consul as well as a dictator on extraordinary occasions, or whether the interrex was enabled to hold the comitia, and the resolution of the senate was confirmed by the votes of the people. No sooner was he declared consul than he brought forward two laws with the sanction of the senate [87]; one enacting that an inquiry should be instituted into the late acts of violence, and specifying particu-

Pompey appointed sole consul.

Laws of Pompey.

[86] Plutarch, in Catone, 47, 48. [87] Asconius, ubi supra.

larly the murder of Clodius, and the burning of the senate-house; the other providing severer penalties for the crime of bribery. In both a material improvement was introduced in the regulation of trials: the witnesses on each side were to be previously examined during three days, and on the following day both the accuser and the accused were to finish their pleadings, two hours being allowed to the former, and three to the latter. It was further enacted, that a judge should be chosen by the people from among the citizens of consular rank, to preside in the proposed inquiry. When these laws were first brought forward, M. Cælius, one of the tribunes, a man of doubtful character and closely connected with Milo, endeavoured to obstruct their progress, but was deterred by a threatening expression of Pompey, "that he would protect the Commonwealth, if necessary, by force of arms." Pompey, indeed, appeared personally to apprehend the violence of Milo. A man who had so long been accustomed to employ a band of gladiators in his political contests, and who had lately used their swords with so little scruple against his enemy, might well be suspected of venturing on some desperate measure to escape the judgment of the laws; and Pompey, therefore, surrounded his residence with a strong military guard, and on one occasion assembled the senate in one of the galleries of his own house, that they might be under the safeguard of his soldiers.

Trial of Milo.

Meantime L. Domitius Ænobarbus, who had been consul two years before, was appointed chief judge

CHAP. VIII.

From U.C. 695 to 710, A.C. 59 to 44.

for the approaching trials; and the other members of the court were nominated by Pompey with such care, that Rome had never seen a tribunal composed of citizens more distinguished or of greater integrity. M. Cato is mentioned as having been one of their number. Before these judges Milo was accused by two of the nephews of Clodius; and the examination of witnesses, according to Pompey's new law, commenced on the fourth of April, and continued during that and the two following days. The proceedings were carried on in the forum; and on the first day when M. Marcellus, one of Milo's advocates, was beginning to question one of the witnesses for the prosecution, the rabble, which filled the forum, and which consisted of the partisans of Clodius, raised so alarming a clamour that Marcellus, dreading some personal violence, was received within the place set apart for the judges, and Pompey was applied to for a guard to enable the accused to conduct his defence with freedom. Accordingly, on the following days, the court was protected by the presence of so strong a military force, that the examination of the witnesses was concluded without a second interruption. On the afternoon of the third day, after the court had adjourned till its final sitting, T. Munatius Plancus addressed the multitude, and advised them to attend on the last day of the trial with a full display of their strength, to testify to the judges their own opinion of Milo's guilt, and not to suffer him to escape the punishment which he deserved. At length, on the morning of the eighth of April, the

court again assembled; the shops were shut throughout the city; the forum was crowded by multitudes of the populace, and surrounded by Pompey's soldiers; Pompey himself was present, attended by a select guard; the judges, eighty-one in number, were taken by lot out of the larger list of persons nominated by Pompey, and the commencement of the pleadings was awaited in a silence of the deepest interest by the immense concourse of people that thronged the forum. The accusers were three in number, Appius Claudius, one of Clodius's nephews, M. Antonius, who was afterwards so distinguished, and P. Valerius Nepos; and their speeches, according to Pompey's law, were limited to two hours altogether. Cicero arose to reply in defence of Milo, but it is said that he was so confused by the clamours and outcries of the populace devoted to the party of Clodius, that he did not speak with his usual force and eloquence. Before the sentence of the court was to be pronounced, fifteen judges were challenged by the accusers, and as many by Milo, so that there were left only fifty-one persons who actually decided the cause, and out of these there were found thirteen who voted in favour of the accused, and thirty-eight who condemned him. When the event of the trial was known he went into exile, and fixed his abode at Massilia, or Marseilles, in Gaul: he was also tried after his departure for three other distinct offences; for bribery, for illegal caballing and combinations, and for acts of violence, and was successively found guilty on all.

He is condemned, and goes into exile.

CHAP. VIII.

From U.C. 695 to 710, A.C. 59 to 44.

But the triumph of his enemies was limited to the ruin of Milo alone, for when, shortly afterwards, M. Saufeius was accused for having headed the assault on the inn at Bovillæ, he was acquitted, although the charge was notoriously true; and this decision was owing to the universal abhorrence in which the memory of Clodius was held. On the other hand, Sex. Clodius and T. Munatius Plancus[88] were brought to trial as the instigators of that riot in which the senate-house had been burnt; and they, together with several others of the same party, were found guilty. Thus justice seemed to be administered with unusual impartiality; and Pompey's behaviour fully justified the confidence which his countrymen had shown in conferring on him an authority so extensive and so unprecedented.

After he had held the consulship alone for some months, he chose for his colleague L. Scipio. The new consul had been one of the candidates for that office at the beginning of the year, and his daughter Cornelia had lately become the wife of Pompey. Several prosecutions for bribery were going on at this time, under the new law of Pompey; and another measure was either proposed by him, or was now for the first time carried into effect, in order still further to check that immoderate competition for public offices which had of late been so injurious to the Commonwealth. It was enacted[89] that no magistrate should be appointed to the government

[88] Cicero, ad Familiar. VII. epist. II.

[89] Dion Cassius, XL. 147.

CHAP. VIII.

From U.C. 695 to 710. A.C. 59 to 44.

of a province till five years had elapsed from the expiration of his magistracy; but at the same time we are told, that Pompey did not hesitate to procure for himself a continuation of his command in Spain for five additional years. This act of most ill-judged ambition was attended with consequences more disastrous to his country than Pompey could be expected to foresee. His conduct since the beginning of his consulship had greatly reconciled him to the aristocratical party; and the severe laws which he had brought forward to correct the public disorders, combined with the desire which he still manifested to maintain his own supremacy in reputation and dignity, gave no small alarm to all those who hoped to rise in the Commonwealth by corruption or tumults, as if Pompey, having himself gained the height which he coveted, was resolved to employ his power in barring up the path against all others. Above all, Cæsar and his immediate partisans regarded the present course of Pompey's administration with the utmost jealousy. Cæsar's own command in Gaul had now lasted for more than six years, and in less than four years more it would naturally expire; he had then the prospect of returning to Rome as a private citizen, while Pompey would still retain the command of an army, and, from his late conduct, was likely to enjoy, at least in a far greater degree than himself, the confidence and support of the aristocracy. Before his connexion then with Pompey was disturbed by a more decided separation of their interests, and while the

CHAP. VIII.

From U.C. 695 to 710, A.C. 59 to 44.

remembrance of his daughter Julia was still alive in the heart of her husband, notwithstanding his recent marriage with another, he resolved to avail himself of Pompey's influence to secure a point most essential to his future designs. He might represent with some plausibility, that while Pompey was combining the possession of civil and military authority in his own person, he ought not himself to be debarred from pursuing his career of honours at home, because the service of the state was still detaining him in Gaul; and he proposed, accordingly, that he might be allowed to become a candidate for the consulship in his absence, without resigning the command of his army, or leaving the important duties of his province. To this Pompey not only assented, but even himself[90] applied to Cicero to obtain his concurrence in the measure, and accordingly a law, such as Cæsar desired, was brought forward by some of the tribunes, and was passed in spite of the most vehement opposition on the part of Cato[91]. But when Cæsar's friends expressed a desire to obtain a still further extension of the term of his command in Gaul, Pompey was unwilling to support them, and, according to Plutarch[92], he asserted that he had letters from Cæsar in his possession, in which Cæsar himself professed that he was tired of the labours of a military life, and that he would gladly be relieved by the appointment of a successor.

Law allowing Cæsar to become a candidate for the consulship in his absence.

Proceedings of Cæsar in order to gain popularity.

While, however, Cæsar was thus affecting to be

[90] *Cicero, ad Atticum, VII. epist. I.*

[91] Livy, Epitome, CVII.

[92] In Pompeio, 56.

disgusted with his actual situation, he was in reality making it subservient in many ways to the designs which he entertained against the liberties of his country. During the present summer he had, in fact, completed the conquest of Gaul by the defeat of the formidable confederacy organized by Vercingetorix, and by the capture of Alesia. By his successive victories he had amassed a treasure which, if we judge by the effects ascribed to it, must have been enormous. He is said to have spared no expense in gaining over every person whose support at Rome might be valuable. He lent Cicero [93] a large sum of money to enable him to rebuild his houses after his return from banishment; he won the favour of the populace by commencing several public works in the city [94], by giving splendid exhibitions of gladiators, and by offering entertainments to the multitude in honour of his daughter Julia's memory. To his own army his liberalities were almost unbounded; while his camp presented a place of refuge to the needy, the profligate, the debtors, and even the criminals [95], who found it convenient to retreat from the capital. When it is remembered that the object of all this profusion was the enslaving of his country, and that the means which enabled him to practise it were derived from the unprovoked pillage of the towns and temples of Gaul, and the sale of those unfortunate barbarians who, in the course of his unjust

[93] Cicero, ad Atticum, V. epist. V. VI.; VII. epist. III. VIII. Ad Familiar. I. epist. IX.

[94] Suetonius, in Cæsare, 26.

[95] Cicero, Philippic. II. 20. Suetonius, 27.

CHAP. VIII.

From U.C. 695 to 710, A.C. 59 to 44.

wars, became his prisoners, it may be justly doubted whether the life of any individual recorded in history was ever productive of a greater amount of human misery, or has been marked with a deeper stain of wickedness.

Consulship of Ser. Sulpicius and M. Marcellus.

Meantime the year drew near its close, and the consular elections were again approaching. The candidates were Servius Sulpicius, a man eminent for his great knowledge as a lawyer, M. Claudius Marcellus, and M. Cato; and as Cato was generally unpopular with the multitude, from his exertions to stop that traffic in votes by which they were benefited, Sulpicius and Marcellus were elected. Marcellus was a partisan of Pompey, and as such was disposed to act against Cæsar; for although the two leaders still professed a friendship for each other, yet their respective adherents already conducted themselves as if an open quarrel had taken place between them. From this point it becomes necessary to trace minutely the progress of those disputes which so soon terminated in the civil war; and to these, indeed, our attention for the present will be chiefly confined.

Cæsar supports the claims of the people north of the Po to the rights of Roman citizenship. U.C. 702.

It may be remembered that the party of Marius and Cinna, during the former civil dissensions, derived its main strength from the support of the Italian allies, whose claim to the rights of Roman citizenship had been always opposed by the aristocracy, and favoured by the popular leaders. The event of what is called the Italian war, had procured for the Italians all that they desired; and the vic-

CHAP. VIII.

From U.C. 695 to 710, A.C. 59 to 44.

tory of Sylla had, as we have seen, deprived them only in a few instances of the advantages which they had gained. But the inhabitants of the country between the Po and the Alps had not yet been raised to an equality with the other people of the peninsula; and their cause accordingly was espoused by those who wished to gain popularity, in the same manner as the privileges of the other Italians had been contended for on former occasions. We have already seen that when M. Crassus was censor, in the year 688, he had wished to extend the rights of citizenship to the people beyond the Po, but was prevented by the opposition of his colleague, Q. Catulus; and it is said, that Cæsar[96] had even then exerted himself on the popular side of the question, and had secretly instigated the Transpadani to assert their claims by an open insurrection. The command which he had since enjoyed in the north of Italy, was likely to make him more desirous of ingratiating himself with its inhabitants; and whilst he was disposed on the first favourable opportunity to procure for them in general the freedom of Rome, he had, in the mean time, availed himself of a power conferred on him by the Vatinian law[97], under which he held his command, and had bestowed on some of the towns north of the Po the rank and title of Roman colonies; so that any of their inhabitants, who had held any public office in their own city, became, in consequence, *ipso facto* citizens of Rome.

[96] Suetonius, in Cæsare, 8.
[97] Suetonius, 28. Appian, de Bell. Civil. II. 26.

CHAP. VIII. From U.C. 695 to 710, A.C. 59 to 44.

Among the towns thus favoured, was Comum, situated at the foot of the Lake Laris, or, as it is now called, the Lake of Como; a place which had first received an accession of inhabitants from Cn. Pompeius, the father of Pompey[98], and secondly from C. Scipio, who appears to have been exiled under the dictatorship of Sylla[99], and whose misfortune may possibly have communicated itself in part to the town which he had patronized. Cæsar had added five thousand names to the list of its citizens, amongst whom were five hundred Greeks of distinction, who did not reside at Comum, but enjoyed the privileges of the new establishment, and reflected some honour on its name. One of the citizens of Comum[100], who had held a magistracy there, happened to go to Rome in the present year, and claimed the rights of a Roman citizen, on the ground of having filled a public office in a Roman colony. The consul, M. Marcellus, one of whose ancestors, by a curious coincidence, had first recovered Comum[101] to the Roman dominion after the second Punic war, desirous to express his animosity against Cæsar, insisted that the man's claim was ill-grounded, and, in mockery of his pretensions, ordered him to be publicly scourged, desiring him, it is said, to go and show his stripes to Cæsar. This act of unmanly cruelty was probably of considerable service to the cause of him whom it was meant to insult; and

[98] Strabo, V. 236, edit. Xyland. 26. Plutarch, in Cæsare, 29.
[99] Cicero, pro Sextio, 3.
[100] Appian, de Bell. Civil. II.
[101] Livy, XXXIII. 36.

Cicero, in a letter to Atticus [102], expressed his opinion, that it would give as great offence to Pompey as to Cæsar; for Pompey, it seems, with his usual true liberality [103], had taken the case of the people beyond the Po into his consideration, and was disposed to grant them the rights of citizenship as an act of justice, and as one of those honourable means by which a government may most wisely and most effectually defeat the designs of the disaffected.

The conduct of the consul Marcellus in this affair was a bad omen of his temper and judgment in the management of the main dispute between the government and Cæsar. As the war in Gaul drew more evidently towards its close, men seemed on a sudden to be awakened to a sense of their error in having allowed an officer of Cæsar's character to form and discipline a formidable army in the very position that was most dangerous to the safety of the Commonwealth; and the wish was generally entertained of removing him by any means whatever from a station so threatening. But while Marcellus was anxious to effect this object at any risk, his colleague, Ser. Sulpicius [104], endeavoured to moderate the vehemence of the senate by representing the inevitable evils of all civil wars, and by bidding them remember the natural tendency of such contests to increase in havoc and atrocity, each improving on the precedent of that which had gone before it. His moderation, and the unwillingness of Pompey

[102] Ad Atticum, V. epist. XI.
[103] Ad Atticum, V. epist. II.
[104] Cicero, ad Familiar. IV. epist. III.

CHAP. VIII.

From U.C. 695 to 710. A.C. 95 to 44.

to give Cæsar any just cause of offence, prevented all violent proceedings for the present. It was only resolved by the senate [105], that the disposal of Cisalpine and Transalpine Gaul, and of the other provinces, should be discussed early in the following year; that if any person should endeavour to stop the jurisdiction of the senate in this affair, he should be considered as acting against the good of the Commonwealth; and that further, the cases of all soldiers in Cæsar's army claiming their discharge, should then be considered and determined by the senate. Several of the tribunes, who had been gained by Cæsar, interposed their negatives upon this resolution; so that it could not have the force of a decree, but was registered in the journals, under the title of the "authority" of the senate.

Consulship of C. Marcellus and L. Paullus. U.C. 703. Tribuneship of C. Curio.

Meantime, C. Claudius Marcellus, a cousin of the present consul, and L. Æmilius Paullus, were elected consuls for the following year; and C. Scribonius Curio was at the same time elected one of the tribunes [106]. Curio was a man of talents, of eloquence, of a restless thirst for distinction, and impatient of slight or neglect. In the year of Cæsar's consulship, when the power of the triumvirate was at its height, he had courted and obtained popular applause by the boldness with which he had on some occasions attacked their conduct [107]. When candidate for the tribuneship, he professed himself warmly devoted to

[105] Cicero, ad Familiar. VIII. epist. VII.
[106] Cicero, ad Familiar. II. epist. VIII.
[107] Cicero, ad Atticum, II. epist. XVIII.

the party of the senate, being irritated, as it is said [108], by some appearances of indifference or contempt which were manifested towards him by Cæsar. But, in the very first month of his tribuneship, he was again disgusted with the aristocracy [109], because he could not obtain the insertion of several additional days in the calendar to lengthen the term of his office; the intercalary month, which was inserted every year to make up the deficiency in the ordinary computation, being made longer or shorter at the discretion of the pontifices, according as the interest or wishes of their friends or their party might require. On this ground, Curio began to espouse the cause of Cæsar; and a man so jealous of affront, so ambitious, and with so little steadiness of character, may be as naturally supposed to have acted from this motive, as from that still baser one which rumour imputed to him [110], namely, that he was bribed, by Cæsar, with a sum amounting to about 80,000*l.* of our money.

Yet the year 703 passed on to its close without witnessing any thing more decisive than the year which had preceded it. We are told that Curio professed to follow a course of perfect impartiality [111], and proposed that both Cæsar and Pompey should alike resign their military commands, that so the republic might have nothing to fear from the ambi-

[108] Cicero, ad Familiar. VIII. epist. IV.
[109] Cicero, ad Familiar. VIII. epist. VI.
[110] Velleius Paterculus, II. 48.
[111] Plutarch, in Pompeio, 58. Dion Cassius, XL. 150.

CHAP. VIII. From U.C. 695 to 710, A.C. 59 to 44.

tion of either. When he found that the senate was disinclined to this measure, he began to attack Pompey with great freedom [112], and to charge him with aspiring to the exercise of an absolute power over his country. Pompey's influence in Rome had long been so predominant, that language of this sort was considered a proof of extraordinary boldness; and the multitude, who always delight to hear invectives against the powerful, testified their admiration of Curio by the liveliest acclamations. He threatened, it seems [113], to negative any decision to which the senate might come respecting Cæsar's recall; and thus the question concerning the provinces was not brought forward on the first of March, as the senate had before resolved, but was suffered to remain undetermined. It was understood to be Pompey's wish that Cæsar should now be recalled on the thirteenth of November, and that he should on no account be permitted to enjoy the consulship till he had resigned the command of his army. Two years before, it will be remembered, Pompey had interested himself in obtaining for Cæsar the very privilege which he now wished to take away; but in that interval Cæsar had shown a disposition to resist the senate's authority, which might give just suspicion of his real designs. Pompey justly considered the successive interference of the tribunes to deprive the senate of their lawful

[112] Cicero, ad Familiar. VIII. epist. XI. Appian, de Bell. Civil. II. 28.

[113] Cicero, ad Familiar. VIII. epist. XI.

control over the provinces, as equivalent to an actual disobedience on the part of Cæsar [114], in whose behalf and at whose instigation this interference was exerted; and the general attachment of all profligate and desperate citizens to the cause of Cæsar, and the resort of many persons of that description to his camp, where they were received with the utmost cordiality, seemed to warn the Commonwealth of the danger of allowing the head of such a party to unite the command of an army with the highest post in the civil government. It is the opinion of Cicero [115], that if the senate had consented, according to many former precedents, to apply officially to Curio, and request that he would not interpose his negative on their decrees, he would have yielded to their wishes. But this, though proposed by M. Marcellus [116], was not adopted; and Curio, still further incensed at this apparent contempt of his power, persisted in his threats of preventing the execution of every thing which the senate might resolve. In this manner nothing was determined; and the final decision of the question, with its important results, a civil war on the one hand, or on the other the removal of all apprehensions of violence from Cæsar, was to be reserved for the following year, when C. Claudius Marcellus and L. Cornelius Lentulus were appointed consuls; the

[114] Cicero, ad Familiar. VIII. epist. VIII.

[115] Ad Atticum, VII. epist. VII.

[116] Cicero, ad Familiar. VIII. epist. XIII.

CHAP. VIII.

From U.C. 695 to 710, A.C. 59 to 44.

Illness of Pompey.

last individuals who ever held that office by the unforced votes of the Roman people.

It was about the autumn of the year 702 that Pompey was seized with a dangerous fever [117], while at his villa in the neighbourhood of Naples. No sooner was his illness known, than public prayers for his safety were offered up throughout Italy; and when he recovered, sacrifices of thanksgiving were equally general: every town celebrated the event by a spontaneous festival; and when he was able to travel to Rome, multitudes of people thronged the road with garlands on their heads and torches in their hands, scattering flowers around him as he passed. These signs of the attachment of his countrymen were received by Pompey with peculiar pleasure, for he had ever been more ambitious of popularity than of power; but it is said that they misled him fatally on the present occasion, by inducing him to estimate from them the real strength of his cause. So confident, indeed, did he feel in the support of the Italians, that he is said to have declared that he could raise armies in Italy by the stamp of his foot [118]. But he was for a long time also lulled into security from a belief that Cæsar would not dare to make war upon his country for his own private quarrel; perhaps, also, from a persuasion that he would be restrained by his personal friendship to himself. This last hope, however, vanished towards

[117] Plutarch, in Pompeio, 57.

[118] Plutarch, in Pompeio, 57. Velleius Paterculus, II. 48.

the close of the year 703, when Hirtius [119], one of Cæsar's most confidential officers, arrived at Rome from the army, and departed again without visiting Pompey, or holding any communication with him; and still more, when M. Antonius, who had been Cæsar's quæstor in Gaul, and who had been just elected tribune to support his interests, delivered a speech full of violent invectives against Pompey [120], and attacking the whole of his public life from its first commencement. From that time he looked forward to a war as inevitable, and professed that he dreaded such an issue less than the prospect of allowing Cæsar to enjoy any political power at Rome. His own great name, the large army held by his lieutenants in Spain, the attachment of the Italians, and the authority of the senate, seemed to ensure him an easy victory over a single rebel general and his army, however great might be the talents of the one and the discipline of the other.

Of the supporters and resources of Pompey.

But, in fact, the mass of the people of Italy were not disposed to risk their lives and properties in the maintenance of a contest which seemed little to affect their individual interests. The landed proprietors and the monied men were anxious for peace [121], and indifferent whether Pompey or Cæsar administered the affairs of the Commonwealth; the citizens of the different towns, who had been so

[119] Cicero, ad Atticum, VII. epist. VIII.

[120] Cicero, ad Atticum, VII. epist. XIII.

[121] Cicero, ad Atticum, VIII. epist. IV.

CHAP. VIII. From U.C. 695 to 710, A.C. 59 to 44.

earnest in their prayers for Pompey's safety, were not equally ready to endure for his sake the evils of a civil war, and the devastation of their homes and families; while the men of desperate fortunes, the debtor, the profligate, and the robber, were eager in every part of Italy to embrace the cause of Cæsar, as that of revolution, and impunity, and plunder. If from Italy we extend our view to the provinces, we shall find them influenced by particular causes to favour one leader or the other, according as their principal inhabitants had received favours from either, or as either happened to be better known amongst them, or to possess the strongest military force in their immediate neighbourhood. But, degraded and oppressed as they had been under the Roman government, it mattered little to them by what party the system under which they suffered was administered; unless there were some among them who, looking upon Cæsar as the advocate of popular and liberal principles, indulged the hope that he would extend more generally that envied privilege of Roman citizenship, which he had already wished to impart far wider than his aristocratical opponents were willing to allow.

The authority of the senate, and the reputation of upholding the cause of law and good principles, might have conferred a greater strength on Pompey, had it not been for the selfish, and narrow, and profligate views and characters which marked so many of his adherents. His own private morals

CHAP. VIII.

From U.C. 695 to 710, A.C. 59 to 44.

were remarkably pure and amiable; but his father-in-law Metellus Scipio had, even when consul [122], been present at an entertainment where such a scene of debauchery was exhibited, as no honest man, and far less a magistrate, should have sanctioned by his presence; and Appius Claudius, with whom he was also become connected by the marriage of his son Cnæus with Appius's daughter, after having committed many acts of oppression and extortion in his province of Cilicia, after having been detected during his consulship, in the grossest corruption, and having obtained a general character of prodigality and voluptuousness, was now invested with the office of the censor [123], and was exerting his power with the utmost severity. He expelled a number of persons from the senate, and amongst the rest C. Sallustius Crispus, the historian; he also degraded many individuals of the equestrian order; and although we are not told that any of his censures were undeserved, yet they seemed inconsistent with the character of the censor himself, and served to alienate from the cause of the aristocracy those who had become obnoxious to them. L. Lentulus, one of the consuls for the present year, was overwhelmed with debts [124], and is said to have eagerly anticipated a civil war, as the means of restoring his broken fortunes. To these might be added that large proportion of selfish and narrow-minded individuals who are the incum-

[122] Valerius Maximus, IX. 1. 150.
[123] Cicero, ad Familiar. VIII. epist. XIV. Dion Cassius, XL.
[124] Velleius Paterculus, II. 49. Cæsar, de Bell. Civili, I. 4.

CHAP. VIII. From U.C. 695 to 710, A.C. 59 to 44.

brance and disgrace of every aristocracy; men who abhor all reform, because they think it may interfere with their comforts and privileges, and who consider their own ascendancy rather as the ultimate object of government than as one of the means by which the general welfare of the state is promoted; men, in short, who burden a noble cause with all the weight of their pride and ignorance, who render its success a doubtful blessing, and lessen the regret with which the good regard its overthrow. This was the party which had persecuted the patriotic tribune C. Cornelius, which had largely shared in the oppression and plunder of the provinces, and which had constantly opposed the extension of the right of Roman citizenship to the allied or subject states of Italy.

Of the supporters and resources of Cæsar.

On the other hand, the strength of Cæsar's cause was of a nature most likely to ensure victory in such a state of society as the Roman empire exhibited. He was at the head of an army of nine legions[125], consisting of such veteran soldiers, that one of the legions was considered inferior to the rest in tried courage and experience because it had not served more than eight campaigns. The people of the north of Italy were attached to him as the supporter of their claims for a participation in the freedom of Rome; and Gaul, however ill-affected towards the man who had been at once her spoiler and enslaver, was yet forced to assist his views by the wealth

[125] Cæsar, de Bell. Gallico, VIII. 46. 54.

which her plunder put at his disposal, and which enabled him to purchase partisans at Rome, and to bind his soldiers to his interests by the liberality of his donations. Thus amply provided with means to strike the first blow with effect, he trusted on his approach to Rome to find a numerous party ready to co-operate with him. The profligate young nobility [126], who had conspired with Catiline in his plans of rapine and murder, and who had since abetted the vices and the riots of P. Clodius, were eager to support this new leader, who would accomplish, as they trusted, what their former chiefs had attempted in vain; and the rabble of the capital, constantly at enmity with the existing government, was a certain ally to any one who should head a rebellion. All these were likely to be active assistants in promoting the cause which they espoused; while a large proportion of those who wished well to the constitution would confine their zeal to words or feelings, and would make no practical exertions in its behalf.

Of the situation of several eminent individuals at the beginning of the civil war.

It may not be uninteresting to the reader here to mention the dispositions and the situation of some of the most eminent citizens of the Commonwealth, when the civil war was now on the very eve of its commencement. We have spoken of the departure of M. Crassus from Rome in the year 698, to take possession of his province of Syria, and to attempt the conquest of Parthia; and we have shown how, in the year 700, his ambition, unaccompanied by

[126] Cicero, ad Atticum, VII. epist. V. VII.

CHAP. VIII.

From U.C. 695 to 710, A.C. 59 to 44.

corresponding ability, had been finally checked by his defeat and death in Mesopotamia. The wreck of his army had been led back into Syria with considerable difficulty by C. Cassius [127], afterwards one of the assassins of Cæsar, and at this time acting as quæstor under Crassus. Cassius covered the province of Syria against the attacks of the Parthians, and maintained his ground till, in the year 702, M. Cicero was appointed to succeed Appius Claudius in the government of Cilicia, and M. Bibulus arrived in Syria to take the command in the room of Cassius. Neither of these officers, however, had much to do in their military capacity, for the Parthians were unequal to make any serious impression on the Roman empire: but Cicero [128] carried with him into his province the virtues of his private life, and preserved both himself and all his subordinate officers pure from every act of oppression or extortion; nor would he even accept from the provincials those sums for the maintenance of his personal establishment, which, as the governors received no salary from the treasury at home, were considered as the ordinary allowances of their office. He resigned his command and returned to Italy about the close of the year 703, but remained at his different villas for some time; and when he moved towards Rome early in January [129], he did not enter the city, or take any part in the debates of the senate, as he in-

[127] Velleius Paterculus, II. 46.

[128] Ad Atticum, V. and VI. passim. Ad Familiar. XV. epist. V.

[129] Cicero, ad Familiar. XVI. epist. XI.

tended to prefer his claim to a triumph, on account of some successes which he had gained over the plundering tribes of the mountain districts of Cilicia; and under these circumstances he was obliged by law to remain without the walls of Rome. M. Cato was constantly attending the senate, and, as might be supposed, gave his warm support to every resolution hostile to Cæsar. L. Lucullus and his brother Marcus had been some time dead; and Q. Hortensius, another of the oldest and most eloquent members of the aristocratical party, had died more recently, in the summer of the year 703 [130]. P. Lentulus Spinther, to whose exertions, when consul, Cicero professed himself greatly indebted for his restoration from exile, and L. Domitius, the colleague of Appius Claudius in the consulship, and implicated together with him in the corrupt agreement which they entered into with two of the candidates for the succession to their office, were both in Rome, and disposed to co-operate zealously with Pompey. L. Piso, the father-in-law of Cæsar, who had been consul with A. Gabinius in the year of Cicero's banishment, was now censor, and although wishing to restrain the vehement proceedings of his colleague Appius Claudius [131], was yet by no means inclined to go all lengths with Cæsar. Of the persons who afterwards acted a principal part in the civil wars, M. Antonius was now just elected one of the tribunes, in order to further Cæsar's designs; M. Brutus

[130] Cicero, ad Familiar. VIII. epist. XIII.

[131] Dion Cassius, XL. 150.

CHAP. VIII.

From U.C. 695 to 710, A.C. 59 to 44.

was in Rome, but although known as the nephew of Cato, and as the son-in-law of Appius Claudius, and considered as a young man of promising talents[132], he had as yet taken no conspicuous share in public affairs. C. Cassius was one of the tribunes for this year[133]; and C. Octavius, now a boy of about thirteen years of age, was living at Rome under the care of his mother Atia, and of his father-in-law L. Philippus.

Cæsar dictates terms to the senate.

On the first of January, 704[134], when the new consuls, L. Lentulus and C. Marcellus, entered on their office, C. Curio, the late tribune, arrived in Rome from Cæsar's quarters, whither he had lately betaken himself, and presented a letter from Cæsar, addressed to the senate. It was read at the earnest desire of the tribunes, Q. Cassius and M. Antonius; and contained a statement of Cæsar's services to the Commonwealth, and professions of his willingness to resign his province and the command of his army, if Pompey would do the same; but otherwise, he said, it was unjust to desire him to expose himself without defence to the attempts of his enemies. This language was in itself rebellious, inasmuch as it dictated the terms on which alone he would obey the senate's orders; the consuls, therefore, refused to take the sense of the senate on the contents of the letter, but called upon the assembly to consider generally the state of the republic. A vehement

[132] Cicero, ad Familiar. III. epist. XXI. epist. X.
[133] Cicero, ad Atticum, VII. 32. Dion Cassius, XLI. 152.
[134] Appian, de Bell. Civili, II.

debate ensued [135], and one or two members urged that Cæsar's proposals should be accepted; but a great majority resolved, on the motion of Scipio, Pompey's father-in-law, that Cæsar should resign the command of his army by a certain day, and that if he refused to comply with this order, his conduct should be regarded as treasonable. The account of these transactions, which goes under Cæsar's name, whether it be really the work of himself or of one of his partisans, naturally represents this decision as being almost extorted from the fears of the senate by the violence of Pompey's friends, and the apprehension of the military force which he commanded in the neighbourhood of the capital; but it appears from Cicero's more impartial testimony, that although many of the more moderate senators [136] were probably hurried into resolutions more violent than they thought expedient, yet that Cæsar's pretensions were generally regarded with abhorrence; and that they doubted not of the justice, but of the policy of requiring him to give up his army. However, the decree of the senate was negatived by the tribunes Antonius and Cassius [137]; upon which the consuls submitted to the assembly the consideration of this negative; and it was debated in what manner they should counteract it. Nothing was determined on that day; but for some days afterwards the more violent party amongst the aristocracy exerted their

He is ordered by the senate to give up his army. U.C. 704, Oct. 22.

The senate's decree is negatived by two of the tribunes.

[135] Cæsar, de Bell. Civili, I. 2.

[136] Cicero ad Familiares, XVI. epist. XI. XII.; ad Atticum, VII. epist. VII. IX.

[137] Cæsar, de Bell. Civili, I. 2, 3.

CHAP. VIII.

From U.C. 695 to 710, A.C. 59 to 44.

utmost endeavours to bring the question of Cæsar's obedience at once to an issue. The senators, as had often been practised on similar occasions, put on mourning [138], to express their feeling that the interests of the Commonwealth were obstructed by the behaviour of the tribunes; and when this step failed to produce any effect, they had recourse to their highest prerogative, and gave their charge to the consuls, prætors, tribunes, and proconsuls, "to provide for the safety of the republic." This resolution was entered on the journals of the senate on the seventh of January; and no sooner was it passed, than Antonius and Cassius, together with Curio [139], professing to believe their lives in danger, fled in disguise from Rome, and hastened to escape to Cæsar, who was at that time at Ravenna, waiting for the result of his application to the senate.

Charge given to the consuls to provide for the safety of the Commonwealth.

The tribunes fly to Cæsar.

U.C. 705.

It appears from one of Cicero's letters [140], written a few days before the first of January, that he had calculated on such an event as the flight of the tribunes, and on its affording Cæsar a pretext for commencing his rebellion. When it had actually taken place, the senate were well aware of the consequences to which it would lead, and began to make preparations for their defence. Italy was divided into several districts [141], each of which was to be placed under the command of a separate

The senate prepares for war.

[138] Dion Cassius, XLI. 153.

[139] Cicero, ad Familiares, XVI. epist. XI. Plutarch, in Cæsare, 31.

[140] Ad Atticum, VII. epist. IX.

[141] Cicero, ad Familiar. XVI. epist. XI. XII. Cæsar, de Bello Civili, I. 6.

officer; soldiers were ordered to be every where levied; money was voted from the treasury to be placed at Pompey's disposal; and the provinces were assigned to their respective governors, as proconsuls or prætors. Among these appointments, Syria was given to P. Scipio, and the two Gauls, which Cæsar had been just summoned to resign, were bestowed on L. Domitius and M. Considius Nonianus. The whole direction of the forces of the Commonwealth was conferred on Pompey, whose reputation as a general was still so high, that none contemplated the probability of his meeting with an equal antagonist.

Cæsar commences his rebellion.

We have said that, when Curio, Antonius, and Cassius fled from Rome, Cæsar was at Ravenna. He had with him at this time no other troops than the thirteenth legion, which had been ordered to winter in Cisalpine Gaul[142]; the remainder of his army, amounting to eight legions, was avowedly quartered beyond the Alps; but, by the celerity with which one of these legions afterwards joined him, it may be conjectured that it had already received orders to march into Italy, and was on the Italian side of the Alps at the moment when Cæsar commenced hostilities. No sooner was he informed of the flight of the tribunes, and of the subsequent resolutions of the senate, than he assembled his soldiers, and expatiated on the violence offered to the tribunitian character, and on the attempts of his

[142] Cæsar, I. 7.

CHAP. VIII.

From U.C. 695 to 710, A.C. 59 to 44.

enemies to despoil him of his dignity, by forcing him to resign his province before the term of his command was expired. Thus much of his speech is avowed by his own party historian: the promises which he made to his followers, and the prospect of spoil and settlements of lands which he held out as the price of their rebellion, it was not equally to his purpose to record, although such temptations were not likely to be omitted. He found his troops perfectly disposed to follow him; and, accordingly, having sent out some men in small parties, with orders to enter unobserved into Ariminum [143] and secure the town, he himself left his quarters at Ravenna late in the evening, and, on the following morning, on his arrival at Ariminum, found that his enterprize had succeeded, and that the place was already in his power. This was the first town of importance without the limits of his province on the road to Rome; and by thus seizing it he declared himself in open rebellion, and that from this time forward he was to follow, without reserve, that path of lawless usurpation on which he had for so many years been preparing himself to enter.

He seizes Ariminum.

At Ariminum he met the fugitive tribunes [144], whom he introduced, without delay, to his army, in the disguise in which they had fled from Rome, desiring them, at the same time, to relate the violence which they had suffered. Cæsar himself then began

[143] Appian, de Bello Civili, II. 35.

[144] Cæsar, I. 8. Suetonius, in Cæsare, 33. Dion Cassius, XLI. 154.

to speak, imploring the troops, with the most passionate expressions of grief and indignation, to revenge at once the injuries of their general, and the outrage offered to the tribunes of the people. In the vehemence of his words and gestures he frequently held up his left hand, and, pointing to the ring which he wore as the well-known badge of patrician or equestrian rank, he declared, that he would sooner part with that ring, than fail to satisfy the amplest wishes of those who were now offering their aid to maintain his dignity. The action being seen at a greater distance than the words could be heard, many of the soldiers imagined that he was promising to advance all his followers to the rank and fortune of the equestrian order; and this impression tended not a little to inflame their zeal in his behalf. At Ariminum[145], also, Cæsar found L. Roscius, one of the prætors, and L. Cæsar, a distant relation of his own, who had both left Rome in the hopes of preventing an open rupture, and had both consented to be the bearers of a private communication from Pompey to Cæsar. Its substance was an exculpation of his own conduct in the part he had lately taken; in which, he said, he had been actuated by no unkindly feelings towards Cæsar, but from a sense of his paramount duty to the Commonwealth; and he urged Cæsar, in like manner, to wave his personal animosities in consideration of his country, and not to seek to punish his enemies at

Fruitless negotiation for peace.

[145] Cæsar, I. 8, 9. Cicero, ad Familiares, XVI. epist. XII.

CHAP. VIII.

From U.C. 695 to 710, A.C. 59 to 44.

the price of involving the republic in a civil war. Cæsar professed to be equally desirous of avoiding bloodshed; and requested L. Cæsar and Roscius to carry back his answer to Pompey, in which, after studiously dwelling on his supposed injuries, he proposed that both Pompey and himself should give up their armies; that Pompey should go into Spain; and that all the forces in Italy should be disbanded on both sides, that the senate and people of Rome might deliberate and decide on all public questions with perfect freedom; that he himself should resign his provinces of Cisalpine and Transalpine Gaul to the officers appointed by the senate to succeed him; and that he should go to Rome to offer himself as a candidate for the consulship. Finally, he requested a personal conference with Pompey, that all things might be fully adjusted, and that both parties might pledge themselves by oath to fulfil the conditions of the treaty.

With these terms, L. Cæsar and L. Roscius set out on their return to Pompey. But Cæsar [146], not waiting to see the result of the negotiation, despatched M. Antonius, who already had taken a command under him, with five cohorts, to occupy Arretium, and, at the same time, he secured, with other detachments, the towns of Ancona, Fanum, and Pisaurum. These movements excited a general consternation [147]; many of the inhabitants fled from

[146] Cicero, ad Atticum, VII. epist. XI.; ad Familiar. XVI. epist. XII. Cæsar, I. 11.

[147] Appian, II. 35. Cicero, ad Atticum, VII. epist. XI.

their homes at the approach of Cæsar's troops; while men of broken fortunes, and those who had been obliged to go into exile for their crimes, welcomed his arrival as the sure forerunner of a total revolution. The alarm reached Rome, and produced there such an effect, that Pompey judged it expedient to abandon the capital, as he had not yet organized a force sufficient to withstand the sudden advance of the rebel army. Accordingly, before the nineteenth of January [148], he withdrew from Rome towards Capua, accompanied by both the consuls, the great majority of the inferior magistrates, and most of the members of the senate. The treasury was left closely locked, from the precipitation with which the capital was abandoned, or from a reluctance to carry off treasures, some of which were looked upon as almost too sacred to be invaded, and from the hope that Cæsar would in this point imitate the forbearance of his adversaries. It is said that the sight of every thing most noble in the Commonwealth being now obliged to fly from their country, produced a strong effect on the public mind [149]; and that compassion for Pompey, and indignation against Cæsar, were for a time the prevailing feelings of the inhabitants of the country towns of Italy. So general was the abhorrence of Cæsar's rebellion, that his own father-in-law, L. Piso [150], did not hesitate to accompany the senate in their retreat from Rome;

The senate and consuls withdraw from Rome.

[148] Cicero, ad Atticum, VII. epist. XI. epist. X. XI. XII. Appian, 37.

[149] Cicero, ad Atticum, VII. epist. XIII.

[150] Cicero, ad Atticum, VII.

CHAP. VIII.

From U.C. 695 to 710, A.C. 59 to 44.

and T. Labienus[151], who had been one of his most favoured lieutenants in Gaul, left him immediately on the open disclosure of his designs against his country, and joined Pompey and the consuls at Theanum in Campania, on the twenty-fourth of January.

Pompey is unable to meet the enemy.

It appears certain that Pompey was taken by surprise through the suddenness with which Cæsar commenced hostilities. Trusting probably to the season of the year, he had imagined that he should have two or three months before him; in the course of which he might organize a sufficient force in Italy to prevent Cæsar from advancing, and might thus detain him in Cisalpine Gaul, till the Spanish army, under Afranius and Petreius, could cross the Pyrenees and the Alps to complete his destruction by assailing him in the rear. But when Cæsar opened the campaign just as the winter was setting in, (for, owing to the defective state of the Roman calendar, the nominal time was nearly two months in advance of the real season of the year,) Pompey's preparations for defence were paralysed. His actual force consisted chiefly of two legions[152], which had been withdrawn from Cæsar's army by a decree of the senate in the preceding year, as a reinforcement for the troops of the republic in Syria, but which had been detained in Italy, when it became apparent that the Commonwealth had more to fear on the

[151] Ad Atticum, VII. epist. XII. XIII.

[152] Cicero, ad Atticum, VII. epist. XIII. Cæsar, de Bell. Gallico, VIII. 54.

side of Gaul than of Parthia. These legions had shared in Cæsar's victories for several years, and when he at last parted from them, one, or both of them, had received from him a liberal donation in money [153], so that Pompey dared not risk a battle while these troops composed the whole or the greater part of his army [154]. His officers, it is true, were busy in levying soldiers in different parts of Italy, and particularly in Picenum, that district in which his father had acquired such great influence, and from which he had himself raised an army of three legions by his personal exertions, when he first took part in public affairs, and though then a youth, without rank or public authority, marched at the head of 15,000 men to support the cause of L. Sylla. But these levies were carried on to great disadvantage under the constant alarm of the approach of the enemy [155]. Under such circumstances, men are unwilling to come forward; and those who might have rallied round any regular force which was already organized, had no inclination to take upon themselves all the dangers of an unequal resistance. Moreover, Pompey might have remembered, from the experience of the last civil war, that soldiers were easily induced to desert officers with whom they were little acquainted, and whose names bore no commanding authority; and that it was, there-

[153] Appian, de Bell. Civil. II. 29. Plutarch, in Cæsare, 29.

[154] Epist. Pompeii ad Domitium, apud Ciceron. ad Atticum, VIII. epist. XII.

[155] Cicero, ad Atticum, VII. epist. XIII.

CHAP. VIII.

From U.C. 695 to 710, A.C. 59 to 44.

His plan of operations.

fore, most unsafe to trust generals of no reputation with untried soldiers in the presence of such an enemy as Cæsar, whose liberality was hardly less notorious than his victories. His fixed determination, accordingly, was, to avoid all engagements with the rebels, and to concentrate all the troops that his lieutenants could collect in the south of Italy; after which he would be guided by circumstances, whether still to make a stand in Italy, or to cross over into Greece, and there organize the resources of that part of the empire in which his past exploits had gained for him so many connexions, and such an universal popularity.

Pompey was still with the consuls at Theanum [156], when L. Cæsar arrived there on the twenty-fifth of January, with Cæsar's proposed conditions of peace. They were immediately discussed in a council composed of the principal senators; and it was agreed to accept them, provided that Cæsar would withdraw his troops from all the towns which he had occupied beyond the limits of his province. L. Cæsar was sent back with this answer; and Cicero seems for a time to have flattered himself that the war would thus be brought to a conclusion. But Cæsar had no intention of resting contented with the permission of standing for the consulship when the sovereignty of Rome seemed within his grasp. He complained that Pompey still continued his levies of soldiers [157]; that his making no mention of a personal conference

[156] Cicero, ad Atticum, VII. epist. XIV. XV.

[157] Cæsar, de Bello Civili, I. 11.

betrayed an unwillingness to terminate the quarrel; and that he had fixed no particular day for his departure into Spain. He meantime [158], on his own part, was raising troops, and awaiting the arrival of the other legions of his own army; he had occupied the towns of Iguvium and Auximum [159], which Pompey's officers had in vain attempted to defend; and Curio [160], in his private correspondence, ridiculed the mission of L. Cæsar, as a measure from which the invader had never really anticipated any result. Pompey, still pursuing his plan of retreating, was at Luceria in Apulia, in the beginning of February; and on the seventh of that month [161], encouraged by Cæsar's protracted absence, he sent orders to the consuls at Capua, that they should return with all haste to Rome and carry off the sacred treasures from the treasury, which he now regretted that he had left behind. But the consuls, judging the attempt too hazardous, declined to put it in execution. The disobedience of one of his officers soon afterwards brought upon Pompey a far severer loss. P. Lentulus Spinther and L. Vibullius Rufus [162] had been employed in levying soldiers in Picenum, and although, as Cæsar advanced, many of their men deserted and went over to him, yet Vibullius was able to reach Corfinium with fourteen cohorts, amounting to about

[158] Cicero, ad Atticum, VII. epist. XVIII.

[159] Cæsar, I. 12, 13.

[160] Cicero, ad Atticum, VII. epist. XIX.

[161] Ad Atticum, VII. epist. XXI.

[162] Cæsar, Bell. Civili, I. 15. Cicero, ad Atticum, VII. epist. XXIII.; VIII. epist. II. XI.

CHAP. VIII.

From U.C. 695 to 710, A.C. 59 to 44.

L. Domitius attempts to defend Corfinium.

eight thousand four hundred men. At Corfinium he found L. Domitius Ænobarbus with a force of twelve cohorts, and C. Hirrus with five more, which he had collected from the neighbourhood of Camerinum. In this manner an army was assembled of nearly nineteen thousand men; and Vibullius [163] wrote to Pompey to tell him that Domitius would put the whole in motion to join him on the ninth of February. But instead of executing this plan, Domitius began to flatter himself that he was strong enough to arrest Cæsar's progress, or at any rate to threaten his rear with serious annoyance, if he should venture to pass beyond him, and advance in pursuit of Pompey. It appears, too, that private interests were allowed to influence his decision [164]; and that some individuals who possessed property in the neighbourhood induced him to remain, that he might protect their villas, or enable them to remove their effects with greater security. He even divided his forces, and attempted to hold the towns of Sulmo and Alba; and instead of setting out to join Pompey on the ninth of February, he remained at Corfinium in spite of repeated orders to the contrary, till Cæsar arrived before the town, about the fifteenth or sixteenth [165], with a force which cannot be exactly computed, as he was every day receiving reinforcements either by desertion from the enemy, or by the success of his levies, or by the arrival of detachments from

[163] Epist. Pompeii ad L. Domitium, apud Ciceron. ad Atticum, VIII. epist. XII.

[164] Ibid. antea citata.

[165] Ibid. apud Ciceron. ad Atticum, VIII. 12.

the legions of his own army which he had left in Gaul. Sulmo was soon surrendered to his lieutenant M. Antonius[165]; and the event of the siege of Corfinium was awaited with the most lively interest in every quarter. There were many persons, and Cicero himself was among the number, who expected that Pompey would march to the relief of Domitius, and considered that it would be most disgraceful if he tamely abandoned him. But Domitius had exposed himself to danger in defiance of the express orders of the commander of the armies of the Commonwealth; and he had detained with him the levies from Picenum, on whose fidelity to his person Pompey relied with particular confidence, and whose presence he anxiously looked for to overawe the wavering inclinations of the two legions which he had received from Cæsar. It is possible, indeed, that a more enterprising general might have risked the attempt, and might have thought it wise to run all hazards in the hope of putting himself at the head of the solders of Picenum; but Pompey, misled perhaps by the example of Sylla, seems to have attached too little value to the possession of Italy, and to have contemplated without regret the prospect of abandoning it for the present, while he was preparing in Greece sufficient resources to enable him, as he trusted, speedily to recover it. Accordingly, having written to Domitius to warn him that he must look for no relief, he continued his retreat

[166] Cæsar, de Bell. Civil. I. 18. Cicero, ad Atticum, VIII. epist. IV.

CHAP. VIII.

From U.C. 695 to 710, A.C. 59 to 44.

towards Brundisium, and reached that place about the twenty-fifth of February [167]. Domitius, thus left to his own resources, soon found how unequal he was to the task of opposing Cæsar; his soldiers began to perceive his distrust of his own situation, and thought that they were now authorized to consult their own safety [168]. They immediately mutinied against their generals, secured the persons of Domitius and the principal officers who were with him, and sent to inform Cæsar that they were ready to open the gates to him, and to put his chief enemies into his power. Upon this offer he took possession of the town, and ordered Domitius, with the other leaders, to be brought before him, when having reproached some of the number with personal ingratitude to himself, from whom they had received many favours, he dismissed them all unhurt, and even allowed Domitius to carry off with him a considerable treasure which he had brought to Corfinium for the payment of his troops. The soldiers he enlisted in his own army; and immediately set out from Corfinium, about the twenty-second of February, to prosecute his march to Brundisium. In this manner Cæsar, like Sylla, owed his first great success to the faithlessness or weakness of his enemy's adherents; and the betrayal of Scipio by his own soldiers in Campania was now imitated by the troops at Corfinium, who surrendered their post and their general, and themselves joined the standard of the conqueror.

His troops mutiny, and surrender the town to Cæsar.

[167] Cicero, ad Atticum, VIII. epist. IX. XI.

[168] Cæsar, de Bell. Civil. I. 19. 23.

It now appeared certain that Pompey intended to abandon Italy; and when this determination became known, it necessarily drove the Italians to throw themselves into the arms of Cæsar, since they were left wholly at his mercy. His moderation at Corfinium was every where eagerly reported; and those who had at first dreaded the worst evils from the approach of his army [169], were now grateful to him in proportion to their former fears, when they saw that he abstained, as yet, from confiscations and proscriptions. There were many senators also, and men of rank and fortune [170], who, considering the Roman government inseparable from the possession of Rome, did not think themselves bound to follow Pompey into a foreign country, and looked upon his resignation of the seat of government as a virtual acknowledgment that Cæsar might now dispose of the Commonwealth with some shadow of lawful authority. P. Lentulus, having been freely spared by Cæsar at Corfinium, was unwilling to take any further part in the quarrel; and even Cicero hesitated whether he should follow Pompey into Greece or not, he having been left at Capua with the care of that part of Italy, and having afterwards been prevented from reaching Brundisium by the rapid advance of Cæsar's army into Apulia. Meanwhile the consuls, with all the troops which they had been able to raise, had effected their junction with Pompey; but some of his officers, endeavouring to join him

[169] Cicero, ad Atticum, VIII. epist. XIII.

[170] Cicero, ad Atticum, VIII. epist. XVI.; IX. epist. I.

CHAP. VIII.

From U.C. 695 to 710, A.C. 59 to 44.

from more distant parts of the country, found that Cæsar had intercepted them. Among these P. Rutilius Lupus, one of the prætors, whilst trying to retreat from Taracina with about eighteen hundred men, fell in with Cæsar's cavalry, upon which his soldiers immediately deserted to the enemy, and he himself, relinquishing the cause of Pompey as desperate, returned to Rome, and there began to perform the ordinary duties of his office in administering justice. Cæsar arrived before Brundisium on the ninth of March, with a force amounting now to six legions, three of which belonged to his own veteran army, and the other three consisted of the troops which he had levied since he entered Italy. He found that the consuls, with the greater part of the army [171], and with a large number of senators, accompanied by their wives and children, had embarked for the opposite coast of Greece on the fourth of March; and that Pompey, with about twenty cohorts, or twelve thousand men, was apparently resolved to maintain Brundisium against him. He had, a short time before, taken prisoner one of Pompey's officers [172], whom he had sent back to Pompey, hoping, according to his own professions, that he would use his influence with his general to agree to a reconciliation. But when Pompey sent this officer to Cæsar [173] with proposals of peace,

Cæsar besieges Pompey in Brundisium.

[171] Cæsar, I. 25. Cicero, ad Atticum, IX. epist. VI.

[172] Epist. Cæsaris ad Oppium et Balbum, apud Ciceron. ad Atticum, IX. epist. VII.

[173] Epist. Cæsaris ad Oppium et Balbum, apud Ciceron. ad Atticum, IX. epist. XIII.

CHAP. VIII.

From U.C. 695 to 710, A.C. 59 to 44.

Cæsar, pretending to consider the terms unsatisfactory, prosecuted the siege of Brundisium with the utmost vigour; and, on the other hand, Pompey is said to have declined another offer on the part of Cæsar to negotiate [174], alleging that he could enter into no treaty in the absence of the consuls. At the same time, however, that Cæsar was expressing his wish for peace, his followers, in their private reports [175], gave a very different representation of his intentions, and declared that he talked of revenging the fates of Carbo and Brutus, and those other members of the party of Marius, whom Pompey had formerly put to death; nay, so eager was he to find grounds of complaint against his antagonist, that he pretended to consider T. Milo as the victim of Pompey's unjust persecution, and thus to espouse the cause of a man whose only claim on his support was a turbulence and factiousness of spirit resembling his own. Meanwhile the siege of Brundisium was pressed with vigour; and Cæsar attempted to carry out two moles from the opposite sides of the harbour's mouth, with the view of blocking up the passage, and thus depriving the enemy of his means of retreat by sea. But before this work was completed, the ships which had transported the consuls [176] and the first division of the army into Greece, returned to Brundisium, and Pompey was finally enabled to embark the remainder of his troops, and

Pompey crosses the sea to Greece with his army.

[174] Cæsar, I. 26.

[175] Cicero, ad Atticum, IX. epist. XIV.

[176] Cæsar, de Bell. Civil. I. 27. Cicero, ad Atticum, IX. epist. XIV.

CHAP. VIII.

From U.C. 695 to 710, A.C. 59 to 44.

to put to sea, on the seventeenth of March, with the loss of only two transports, which ran aground at the contracted entrance of the harbour, and were in this manner taken. The citizens of Brundisium immediately opened their gates to Cæsar; and on the eighteenth he entered the town and made a public address to the inhabitants. Thence he resolved at once to move towards Rome, for he was unable to follow Pompey from the want of shipping; and he was anxious to take possession of the seat of government, and then to carry his army into Spain, and destroy, if possible, the formidable force which was under the command of Pompey in that province.

It appears that Pompey[177], justly regarding Cæsar and his partisans as rebels, had in all his proclamations denounced severe punishments against every one who should abet or countenance them; and by this language he had alarmed and alienated the minds of that large portion of the Italian people who were disposed, above all things, to consult their own private ease and safety. This feeling towards the opposite party, combined with the fame of his antagonist's moderation, had disposed the inhabitants of the different towns to favour Cæsar's interests, and on some occasions to afford him active assistance; but, now that Pompey was retired from Italy, the evils occasioned by his rival were more keenly felt, and rendered men in turn dissatisfied with him. Cæsar, although the mere leader of a rebellious

[177] Cicero, ad Atticum, IX. epist. X.

CHAP. VIII.

From U.C. 695 to 710, A.C. 59 to 44.

army, began to act as if he were the lawful sovereign of Italy. He sent orders to the chief magistrates of all the corporate towns to provide a certain number of ships [178], and cause them to be sent to Brundisium, there to be in readiness to transport his army into Greece; he quartered his legions in different places, to the great vexation of the inhabitants, who were unused to such a burden in Italy; and he continued to levy soldiers as he had done from the beginning of his rebellion, while his officers conducted themselves in the execution of a task odious in itself, with much superfluous insolence and offensiveness. The character of his partisans was, indeed, such as would have disgraced the most honourable cause. His own personal profligacy was faithfully imitated by his lieutenants Antonius and Curio; and the reputation of the leaders, together with the revolutionary views which they were supposed to entertain, had attracted to their standard a crowd of desperate and atrocious men [179], whose appearance filled all respectable citizens with terror. Thus attended, Cæsar moved from Brundisium towards Rome, wishing to assemble and address the senate, or rather the small minority of senators who had not left the capital on the first of April [180]. As he was anxious to gain the sanction of every person of credit whom he could at all hope to influence, he wrote to Cicero, earnestly requesting him to meet him at

Cæsar moves towards Rome.

[178] Cæsar, de Bell. Civil. I. 30. Cicero, ad Atticum, IX. epist. XIX.

[179] Cicero, ad Atticum, IX. epist. XVIII. XIX.

[180] Ad Atticum, IX. epist. XVII.

CHAP. VIII.

From U.C. 695 to 710, A.C. 59 to 44.

His interview with Cicero.

Rome: Cicero, however, having no intention of complying with his wishes, had a personal interview with him on his road, about the twenty-eighth of March, at Formiæ, hoping to persuade him not to press his request any further. But Cæsar told him [181] that his absence from the senate would naturally influence others, and would be looked upon as a condemnation of his conduct. He then urged him to appear in the senate, and endeavour to bring about a negotiation; but when Cicero replied, that if he did so he should recommend the senate to forbid the march of troops into Spain, or their transport into Greece, and should lament the condition to which Pompey had been reduced, Cæsar told him "that he would have nothing of that sort said;" and in conclusion, finding Cicero resolute in his refusal, he observed, "that if he were denied the benefit of Cicero's advice, he must follow such as he could procure, and should have recourse to extreme measures." On these terms they parted, and Cæsar proceeded on his way to Rome.

Description of the persons who remained in Rome to receive Cæsar.

We have already stated that there were many senators who, after Pompey's departure from Italy, resolved to take no further share in the civil war. Amongst these were L. Volcatius Tullus and Manius Æmilius Lepidus, who had been consuls in the year 687 [182]; Ser. Sulpicius, who had been consul in the year 702; and C. Sosius and P. Rutilius Lupus, who

[181] Ad Atticum, IX. epist. XVIII.

epist. XII.; VIII. epist. I. IX. XV.; IX. epist. I.

[182] Cicero, ad Atticum, VII.

were two of the prætors for the present year. But of this number all were by no means agreed as to the propriety of countenancing Cæsar's usurpation. The two prætors, by continuing to act in their judicial character at Rome, seemed to acknowledge that the capital was still the seat of a lawful government; but L. Tullus and Ser. Sulpicius wished to remain in perfect retirement [183], and declined to attend the meeting of senators which Cæsar called together on his arrival. Another prætor, M. Æmilius Lepidus, afterwards the associate of Octavius and Antonius in the second triumvirate, had remained at Rome when the consuls and the majority of the senate had left it, and was considered to be a decided partisan of Cæsar. M. Cælius Rufus, at this time curule ædile, who had been tribune in the year 701, and had then taken an active part in behalf of Milo, was now also engaged on the side of Cæsar, and appears to have been at this period in Rome [184]. L. Cæcilius Metellus, one of the tribunes, was in Rome also [185], but with very different intentions, it being his purpose to force Cæsar to display his real contempt for the laws of his country, and to prove how little he himself respected the sacredness of the tribunitian character, when it was in the way of his own ambition. Cæsar appears to have reached the capital about the time that he proposed to arrive there, that is, on the first of April, and having assembled as many of the

Cæsar addresses the senate.

[183] Ad Atticum, X. epist. III.
[184] Cicero, ad Familiares, VIII. epist. XVI.
[185] Cicero, ad Atticum, X. epist. IV. Cæsar, de Bell. Civili, l. 33.

CHAP. VIII. From U.C. 695 to 710, A.C. 59 to 44.

senators as could be prevailed on to obey his summons, he held to them a language in which he scarcely attempted to disguise the lawlessness of his usurpation [186]. He again repeated the story of his pretended injuries in not having been allowed to dictate to the government the terms on which he would obey their orders; and he inveighed against the cruelty shown to the tribunes Antonius and Q. Cassius, a cruelty which had existed at most only in intention, and probably only in the counterfeited fears of those who were its imaginary objects. On such provocations he thought himself entitled to be guilty of rebellion and usurpation; and he entreated the senate to assist him in the administration of the republic, telling them plainly, at the same time, that if they were averse to the task he would not burden them with it, but would govern the Commonwealth by himself. Meanwhile he recommended that deputies should be sent to Pompey to endeavour to effect a peace.

This last proposal the senate, according to Cæsar's own account [187], was not unwilling to embrace; but no one could be found to accept the office of ambassador, because they were all afraid to put themselves in Pompey's power after the threats which he had denounced against those who did not follow him out of Italy. This is probably a mere calumny of Cæsar's: and a more natural cause of the general reluctance is assigned by Plutarch [188], and implied by

[186] Cæsar, I. 32.
[187] I. 33.
[188] In Cæsare, 35.

Cicero[189], that no one thought Cæsar sincere in his offer to negotiate. He attempted to carry several other measures through the concurrence of the senate, but he found even the shadow of that body, which now alone remained, decidedly averse to his interests; and L. Metellus, the tribune, interposed his negative on several occasions to defeat Cæsar's objects. All the opposition was nearly indifferent to him, for he was little anxious to have his power supported by law; and, as if he were already the despot of his country, he refused to let his lieutenant, C. Curio, derive his title to his command in Sicily from a decree of the senate, but told him that all commissions should proceed from himself. But when L. Metellus endeavoured, by his negative, to prevent him from breaking open the treasury, and from converting the public money to his own use, he was highly irritated, insomuch that when Metellus[190], as a last resource, placed himself before the door of the treasury, Cæsar threatened him with immediate death, and was disposed to have made this murder, had Metellus persisted in his resistance, the prelude to a general massacre. Thus, within the space of three months, the man who had attacked his country under pretence of revenging the insults offered to the tribunitian power, was himself guilty of a most violent outrage upon that power, when exercised in as just a cause as could on any occasion have required its protection. But by this act of violence

Cæsar robs the treasury, and violates the sacredness of the tribunitian office.

[189] Ad Atticum, X. epist. I. Plutarch, in Cæsare, 35.
[190] Cicero, ad Atticum, X. epist. IV.

CHAP. VIII.

From U.C. 695 to 710, A.C. 59 to 44.

Cæsar lost much of his popularity, even with the lowest of the people [191]; and finding that he was doing himself nothing but mischief by his stay in Rome, he set out before the middle of April on his way to Spain, without venturing to deliver a speech to the people as he had before designed. He intrusted the command of the capital itself to M. Lepidus [192]; that of the rest of Italy to M. Antonius; C. Curio, as has been before mentioned, was to occupy Sicily; Q. Valerius Orca, Sardinia; and C. Antonius, Illyricum.

He gains possession of Sicily and Sardinia.

Sicily and Sardinia were won with little difficulty. The first of these provinces had been assigned by the senate to M. Cato on the first commencement of the rebellion; but he, judging himself more fitted for civil than for military employments, had declined to accept the command [193], so long as there was any prospect of the speedy re-establishment of the government at Rome. When this became desperate, he went over to Sicily, and exerted himself with great vigour in building ships, in refitting such as he found in the island, and in levying soldiers, not only from among the Sicilians, but from the inhabitants of the opposite coast of Italy. These preparations, however, were in a very imperfect state, when he received the tidings of Curio's approach with an army of three legions; the troops being, indeed, actually

[191] Cicero, ad Atticum, X. epist. IV. Ad Familiares, VIII. epist. XVI.

[192] Plutarch, in Antonio, 6. Appian, de Bell. Civili, II. 41.

[193] Cicero, ad Atticum, VII. epist. XV. Cæsar, I. 30.

carried over into Sicily by C. Asinius Pollio, before Curio had joined them to assume the command [194]. Cato appears to have entered into the war with the same feelings that are ascribed to our own Lord Falkland, under circumstances partly similar: he deeply regretted the bloodshed which must attend the victory of either party, and he justly estimated the wickedness of bringing the miseries of war on the peaceable inhabitants of a country without any reasonable prospect of success. Accordingly, finding himself unable to maintain possession of the island [195], he quitted Syracuse on the twenty-fourth of April, and went to join Pompey and the army of the Commonwealth in Greece. Curio thus became master of Sicily without opposition, and Q. Valerius Orca was equally fortunate in Sardinia; for M. Cotta [196], to whom the senate had intrusted the care of that province, finding the inhabitants strongly disposed to submit to Cæsar, and being driven out of Caralis, one of the chief towns in the island, by the unassisted efforts of the citizens themselves, despaired of resisting Cæsar's officer, and, abandoning Sardinia, withdrew into Africa, where the cause of the Commonwealth seemed to wear a more promising appearance.

He marches into Spain. The city of Massilia refuses to acknowledge his authority.

We must now follow the steps of Cæsar towards Spain. On his arrival in Transalpine Gaul, he found

[194] Plutarch, in Catone, 53. Appian, II. 40.

[195] Cicero, ad Atticum, X. epist. XVI. Cæsar, I. 30. Plutarch, in Catone, 53.

[196] Cæsar, I. 30. Cicero, ad Atticum, X. epist. XVI.

CHAP. VIII.

From U.C. 695 to 710, A.C. 59 to 44.

that the citizens of Massilia refused to admit him within their walls [197], and were making preparations to stand a siege. Massilia, a Greek colony, founded by the Ionians of Phocæa, when Ionia was first conquered by the Persians in the reign of the elder Cyrus, had been for many years the ally of Rome, and had attained to a considerable height of power and prosperity. Its government deemed it inconsistent with their relations with Rome to support a rebel general, whatever might have been the success of his rebellion; and L. Domitius, whom Cæsar had taken prisoner and dismissed at Corfinium, having been since busily employed in collecting a squadron of light vessels and manning them with his slaves and dependents from his estates near Cosa in Etruria, was expected soon in Transalpine Gaul, the command of which had been conferred on him by the senate, as we have before mentioned. According to Cæsar's account, the Massilians, after making professions of perfect neutrality, received Domitius into their city as soon as his squadron arrived, and placed all their resources at his disposal: but it seems more likely that Cæsar had insisted on their acknowledging his authority, and from the moment they had refused to do so had already regarded them as enemies, so that their reception of Domitius was rendered unavoidable. Be this as it may, their hostility to Cæsar soon assumed a decided shape, and he laid siege to their city with three legions. About

Siege of Massilia commenced.

[197] Cæsar, I. 34, et seq.

a month was employed in the construction of a fleet of twelve ships of war by his orders in the neighbouring port of Arelate, and in preparing towers and other works for the attack of the walls, after which he gave the command of the army to C. Trebonius, and of the fleet to Decimus Brutus (both of them afterwards in the number of his assassins), and pursued his own course, according to his original intention, into Spain.

State of the army of the Commonwealth in Spain.

Spain was at this time held by three of Pompey's lieutenants: L. Afranius, who had been consul with Q. Metellus Celer in the year 693; M. Petreius, a veteran officer, who, as lieutenant of the consul C. Antonius, had commanded the forces of the Commonwealth in the battle in which L. Catiline was defeated and killed in the year 691; and M. Terentius Varro, a man more distinguished as a writer and philosopher than as a general. Their united force is stated by Cæsar to have amounted to seven legions[198]; two of which, under M. Varro, were occupying the southern part of Spain, while Afranius and Petreius, with the remaining five, and a numerous body of Spanish auxiliaries, had stationed themselves on the north of the Ebro, and had fixed their head-quarters at Ilerda on the Sicoris. Cæsar had already sent C. Fabius, his lieutenant, with four legions across the Pyrenees, and others were ordered to follow without delay. A considerable auxiliary force of Gauls also accompanied the army, and the

[198] Cæsar, I. 38.

CHAP. VIII.

From U.C. 695 to 710, A.C. 59 to 44.

Gaulish cavalry in particular is said to have been both numerous and excellent. Meantime, a report was current that Pompey, with all his own army, was on his way to Spain to join his lieutenants; and the apprehension of so formidable an accession to the strength of the enemy, induced Cæsar to attempt to bind most closely the attachment of his own soldiers to himself. For this purpose he borrowed money of the military tribunes and centurions, and with this fund he was enabled to make a donation to the troops; a step by which he not only conciliated the soldiers, but secured the fidelity of the officers, whose only hope of being repaid rested in the victory of their general.

Cæsar arrives in Spain.

It is not easy to ascertain the precise amount of the numbers of Cæsar's army, when he himself arrived to take the command. They were at least equal to those of the enemy in regular infantry, and Cæsar was expecting additional reinforcements of Gauls, which might place his auxiliary force on a level with that of his opponents. However, Afranius and Petreius were unwilling to risk a general action with the veteran soldiers of Cæsar's legions; and they resolved rather to protract the contest, being abundantly provided with resources, and being in a position which they had themselves chosen as the seat of war. The town of Ilerda was situated on the right bank of the Sicoris, and their army was encamped before it; so that Cæsar had pitched his camp on the same side of the river, preserving also his communications with the left bank by means of

two bridges [199], distant nearly four miles from each other, which had been constructed at points higher up the Sicoris. The country which he could command on the right bank was confined within narrow limits by the river Cinga, which flows into the Sicoris just above its confluence with the Ebro, and whose course was distant from Ilerda something less than thirty miles. This district was soon exhausted; as Afranius had already conveyed the greatest part of the corn which he could find in it into Ilerda, and Cæsar's troops had quickly consumed whatever had not been thus pre-occupied. But, as large convoys of provisions were on their way from Gaul and Italy, as some of the more distant Spanish tribes had also engaged to send supplies, and as Cæsar's own plundering parties made frequent excursions on the left bank of the Sicoris, the support of the army seemed likely to be well secured [200]. It happened, however, that for some days there fell an unusual quantity of rain, which combined with the melting of the snow on the mountains to produce a great and sudden flood, insomuch, that both Cæsar's bridges were blown up in the course of the same day. Nor did the waters soon abate; but continued so high as to baffle all attempts at repairing the bridges, and effectually to cut off all intercourse with the opposite bank of the river. Under these circumstances, Cæsar's foraging parties on the left bank were unable to rejoin the army, and several large convoys of pro-

Campaign on the Sicoris.

Distress of Cæsar owing to the destruction of his bridges by a flood.

[199] Cæsar, I. 40.

[200] Cæsar, I. 48.

CHAP. VIII.

From U.C. 695 to 710, A C. 59 to 44.

visions, which had reached the Sicoris, found themselves suddenly intercepted. The army of the Commonwealth, meantime, still preserved its communications uninterrupted, by means of the bridge at Ilerda; and in this manner Afranius, hearing of the detention of Cæsar's convoys, crossed the river with three legions and all his cavalry, and set out by night in the hope of surprising them. According to Cæsar's account [201], the gallant resistance of some Gaulish horse enabled the greater part of the convoys to effect their escape to the higher grounds; some baggage, however, was taken, and the prospect of the safe arrival of the rest was rendered extremely doubtful. Great distress began to be felt in Cæsar's army; the price of corn rose to an extravagant height; the strength and spirits of the soldiers were affected by the necessary reduction in their allowance of food; whilst the legions of Afranius were abundantly supplied with every thing, and the generals themselves, full of confidence in their final success, transmitted to Rome the most favourable reports of the state of their affairs, and represented, perhaps with some exaggeration, the distress of the enemy.

His army is carried over the river in light boats.

Under these circumstances, Cæsar ordered his men to make a great number of boats, of a construction which, he tells us, he had learnt in Britain; and which may still be seen in the coracles used by the descendants of the Britons in the rivers and

[201]. Cæsar, I. 51.

mountain lakes of Wales. A light frame or skeleton of wood was filled up with wicker work, and then covered over on the outside with hides[202]. The boats thus formed were transported in waggons about twenty miles up the river by night, and, being then put into the water, carried over a detachment of troops immediately, who occupied a hill close to the bank. One entire legion was then ferried across in the same manner; and, the work being carried on at once from both banks, a new bridge was completed in two days. The dispersed convoys and the foraging parties, which had been detained on the left bank, now joined the army; and a large proportion of Cæsar's cavalry, crossing the river as soon as the bridge was finished, attacked some of the foragers of the enemy with great success, defeated their covering party of light troops, and returned to their camp on the right bank, bringing with them a very considerable booty. Indeed, Cæsar's cavalry was so decidedly superior to that of Afranius, that, as soon as he had re-established his communication with the opposite bank of the Sicoris, he was enabled to retaliate on his antagonists the evils which had lately pressed upon himself. He commanded the country so as to prevent them from getting any provisions by foraging; and several of the Spanish tribes now thought it expedient to espouse his cause, and brought him abundant supplies of corn. The distance of his new bridge from his camp was still

The army of the Commonwealth annoyed by Cæsar's superior cavalry.

[202] Cæsar, I. 54.

CHAP. VIII.

From U.C. 695 to 710, A.C. 59 to 44.

The generals of the Commonwealth's army propose to retire behind the Ebro.

an inconvenience; to remedy which he proposed to render the Sicoris fordable at a point nearer to his present station, by drawing off a part of its waters into several small cuts, as the floods had, probably, by this time considerably abated. When he had made some progress in this work, the enemy's generals thought it expedient to change entirely their plan of operations. They resolved to retire behind the Ebro [203]; and, relying on the affection of those Celtiberian tribes, which had received signal favours from Pompey in return for their assistance in his contest with Sertorius, they expected to draw from them such reinforcements of cavalry as might enable them to oppose Cæsar on equal terms, and to protract the war with advantage in a friendly country, till the return of winter. On the other hand, delay would be to Cæsar hardly less fatal than defeat. Neither the character nor the resources of his lieutenant, M. Antonius, were calculated to ensure his possession of Italy, if Cæsar should be long detained in Spain; and the aristocracy might rally a sufficient force in Rome and in Italy to shake off the military usurpation by which it was enslaved, even without the aid of that formidable fleet and army which the generals of the Commonwealth had already assembled in Epirus.

We must suppose that Afranius and Petreius had not calculated on Cæsar's bringing with him into Spain a cavalry so decidedly superior to their own;

[203] Cæsar, I. 61.

as otherwise, their choice of Ilerda, as the base of their operations, seems to have been originally unwise. The country, for some miles on every side of that town, is a plain, on which cavalry can act with advantage; and, accordingly, we find that, as soon as Cæsar had remedied the accidental inconvenience produced by the loss of his bridges, the enemy were unable to cope with him, and were driven to abandon the ground on which they had at first proposed to carry on the campaign. Measures were taken by Afranius and Petreius to secure their retreat. A bridge of boats was begun to be thrown across the Ebro, near the point of its confluence with the Sicoris, and at the distance of something less than twenty miles from their present camp[201]; all the small craft on the river were secured and brought together on this spot; and two legions of their army crossed at once from Ilerda to the left bank of the Sicoris, and there formed a camp. At length, when they were informed that Cæsar's artificial cuts had nearly rendered the river fordable for infantry, they put their whole force in motion, and leaving only a small garrison in Ilerda, they transported all their troops to the opposite bank, and effected their junction with the two legions which, as we have mentioned, they had sent across before. From this point their course was through the plain of Ilerda, descending the left bank of the Sicoris for several miles; after which they would meet with a tract of

They retreat from Ilerda towards the Ebro.

[201] Cæsar, I. 61.

CHAP. VIII.

From U.C. 695 to 710, A.C. 59 to 44.

wild and mountainous country extending as far as the Ebro. If then they could once reach the mountains, their retreat was accomplished, for the passes might be easily secured so as to check the pursuit of an enemy; and whilst they had only to march on in a straight line, Cæsar's infantry was still detained on the right bank of the river; and if he should attempt to go round by his own bridge, the circuit, which he would be thus obliged to perform, would render his chance of overtaking them before they had passed the plain utterly desperate. With these prospects, Afranius and Petreius commenced their march a little before day-break.

They are pursued by Cæsar.

It appears, however, that Cæsar had anticipated their purpose, and had already sent his whole cavalry across the river[205], to be prepared to harass and impede their progress from the instant that they should quit their camp. This service was performed very effectually; the army of the Commonwealth having no horse or light troops of any description that could at all repel the annoyance. Meantime, as soon as it was day, Cæsar's infantry, seeing what was passing on the opposite side of the river, were impatient to join in the pursuit; and their general, availing himself of their ardour, ventured to ford the Sicoris with his whole army, leaving behind only one legion to guard his camp, together with those soldiers from the other legions whose bodily strength or courage seemed unequal to the enterprise. When

[205] Cæsar, I. 63.

he had gained the left bank, he pressed his march with such rapidity, that, although he had crossed the river some distance above Ilerda, and some delay had taken place in effecting the passage, he yet came up with the enemy three or four hours before sunset [206]. Afranius halted on a rising ground and offered battle; Cæsar halted too, not to fight, but to give his soldiers some refreshment; and when Afranius again attempted to continue his retreat, he experienced a renewal of the same annoyance as before from Cæsar's irresistible cavalry. Wearied with a long day of marching in retreat, and of fighting at continual disadvantage, the army of the Commonwealth halted, and formed their camp for the night, when they were now within five miles of those friendly mountains, to reach which was certain safety.

About midnight Afranius and Petreius prepared in silence to recommence their march [207]; but some of their men, having ventured too far to get water, were taken by Cæsar's cavalry, and their intention was thus discovered. Cæsar ordered the alarm to be instantly sounded, and the call to be given to his soldiers to commence the pursuit. The camps were so near to one another, that this note of preparation was clearly heard by the enemy's army, and the generals, dreading the confusion of a night engagement, while encumbered with their baggage on the march, changed their purpose, and kept their troops

[206] Cæsar, I. 64.

[207] Cæsar, I. 66.

CHAP. VIII. From U.C. 695 to 710, A.C. 59 to 44.

in their quarters. On the following day parties were sent out on both sides to reconnoitre the nature of the ground over which the retreat was to be continued; and when the report was received, Afranius and Petreius resolved to set out on the following morning, not doubting but that they should be able to gain the mountains, even if it were at the price of some partial losses. Cæsar also formed his plan; and in pursuance of it he put his army in motion at the very earliest dawn of the succeeding day, and, leaving his heavy baggage in his camp, set out apparently in the opposite direction from that which led to the mountains, following no road, but making the best of his way across the country. By a fatal and incomprehensible infatuation, Afranius and Petreius lost some irretrievable moments in congratulating themselves on the defeat of their enemy's plans, imagining that, having advanced beyond his resources, he was obliged to abandon the pursuit from want of provisions. They lingered in their camp[208] till they saw the direction of this fancied retreat suddenly changed, and perceived Cæsar's army wheel round to the right, and push forward with the utmost speed to reach the mountains, and intercept their escape. Then perceiving their danger, every man at once ran to arms, and the army resumed its march with redoubled rapidity, striving to disappoint Cæsar's designs, and to gain their place of safety before they were for ever precluded from attaining it.

[208] Cæsar, I. 69.

Their efforts, however, were fruitless[209]. They were harassed by Cæsar's cavalry, and this impediment more than counterbalanced the natural difficulties of ground with which Cæsar himself had to struggle. He reached the mountains first, and there drew out his army on a commanding ridge, in front of his baffled enemy. Afranius halted with his troops on a hill which rose in the outskirts of the mountain region, and made one last effort to secure, with his light troops, the highest point in the chain before him, hoping, if the attempt succeeded, to carry his whole army thither, and still to retreat over the high grounds, though by a somewhat different course from that which he had originally designed. But he saw the whole detachment which he had sent on this service cut to pieces before his eyes by Cæsar's cavalry, and his troops, dispirited by repeated disappointments, seemed hardly able to resist an attack, if Cæsar should now try to finish the campaign by a single battle. Cæsar, however, preferred a surer and more bloodless victory; and purposely so altered the disposition of his troops as to allow Afranius to fall back to his camp without fear of interruption. The hill on which the army of the Commonwealth was now posted, was untenable from its want of water; and no better prospect presented itself than to return to the camp which they had left in the morning. Accordingly they did so; while Cæsar, having carefully occupied every pass in

Their retreat cut off.

[209] Cæsar, I. 70. 72.

CHAP. VIII.

From U.C. 695 to 710. A.C. 59 to 44.

They endeavour to return to Ilerda, but are obliged to surrender, and are disbanded.

the mountains which led to the Ebro, again moved towards his enemy, and pitched his camp for the night as near to theirs as possible.

The issue of the campaign was now clearly decided, and the remaining faint struggles made by Afranius and Petreius to protract their fate do not require a very minute detail. They attempted to retreat to Ilerda, where they had left some supplies of corn [210], but being harassed, as before, by Cæsar's cavalry, their progress was continually impeded, their parties sent out to get water were cut off, and at last, when they remained in their camp, as if wearied with the unceasing annoyance to which they were exposed on their march, Cæsar prepared to surround them with a line of circumvallation, and thus force them to surrender at discretion from mere famine. Before matters had come to this extremity, the soldiers on both sides had, on one occasion, begun to communicate with each other; and those of Afranius, availing themselves of the temporary absence of their generals from the camp, proposed to submit to Cæsar, if he would engage to spare the lives of their commanders. So far had this unauthorized negotiation proceeded, that several officers and soldiers from either army passed without fear into the opposite camp; and the Spanish chiefs, in particular, whom Afranius kept with him as hostages for the fidelity of their tribes, were eager to commend themselves to the protection of the conqueror. But Afranius

[210] Cæsar, I. 73—84.

and Petreius, being informed of the subject in agitation, hastened back to their camp; and Petreius, attended by some troops especially attached to his person, appeared suddenly on the rampart, broke off the conferences between the soldiers, drove away Cæsar's men, and seized and put to the sword all of them whom he could find within his own lines. No doubt every superior officer in Cæsar's army might justly have been executed as a traitor and a rebel; but justice itself, when not supported by adequate power, becomes useless cruelty; and the conduct of Petreius on this occasion, besides the barbarity of such an indiscriminate slaughter of defenceless men, was merely likely to provoke a victorious enemy to a severe retaliation. When, therefore, the army of the Commonwealth was reduced to the last extremity, and the generals, if we may believe Cæsar, threw themselves entirely on his mercy[211], he reproached them bitterly for their cruelty to his soldiers, and represented this conduct as perfectly agreeable to the general treatment which he had received from the partisans of Pompey; but he was too politic to follow their example, and agreed to spare them and their troops on condition of their quitting Spain and disbanding their army. This last stipulation was most welcome to the vanquished soldiers, who thus unexpectedly obtained their release from service at the hands of their enemy. The natives of Spain were dismissed immediately; the

[211] Cæsar, I. 84—87.

CHAP. VIII.

From U.C. 695 to 710, A.C. 59 to 44.

rest of the troops were marched through Gaul to the frontiers of Italy, receiving rations from Cæsar on their way, and when they arrived at the river Var, they also were all disbanded. Afranius and Petreius repaired to Greece, and joined the army of Pompey.

Surrender of M. Varro, the last general of the Commonwealth in Spain.

M. Varro still remained in arms in the south of Spain [212], and on receiving tidings of the issue of the campaign on the Sicoris, he intended to shut himself up with his army of two legions in the island of Gades, more familiar to our ears under its present appellation of the Isle of Leon. Here he had collected a fleet and considerable magazines of corn, and had also raised a large sum of money, partly by forced contributions from the Roman citizens resident in the province, and partly by seizing the treasures and sacred ornaments from the famous temple of Hercules, in the neighbourhood of the town. Cæsar, with his usual activity, hastened to extinguish these last remains of hostility in Spain [213], and having sent before him two legions, under the command of Q. Cassius, he followed himself with six hundred horse, issuing at the same time a proclamation, by which the magistrates and chief men of all the towns of the province were required to meet him on a certain day at Corduba. The fame of his victory over Afranius and Petreius had produced so general an impression in his favour, that his proclamation was every where obeyed, and every town took an active part in his cause. The people

[212] Cæsar, II. 17.

[213] Cæsar, II. 19—21.

of Gades declared for Cæsar, and expelled from their city the officer to whom Varro had intrusted the command; and one of the two Roman legions that composed Varro's army deserted him openly, and marched away to Hispalis. Upon this Varro offered to surrender his remaining legion, together with the fleet, corn, and money that he had collected for the war. Cæsar received his submission at Corduba, where he found the principal individuals of the province, both Romans and Spaniards, assembled according to his orders. He thanked them for the zeal which they had shown in his cause, and remitted to the Roman citizens among them the contributions which Varro had demanded. He thence proceeded to Gades, where he ordered the treasures taken from the temple of Hercules to be restored; and having left Q. Cassius, with four legions, to command the province, he embarked on board the fleet which Varro had just surrendered to him, and arrived after a short passage at Tarraco. Here he received a number of deputations from the different towns of the north of Spain, and having bestowed some honours on such states and individuals as had most assisted him in his late campaign, he set out from Tarraco by land, and returned to that part of his army which he had left under C. Trebonius, employed in the siege of Massilia. It is said that the complete conquest of Spain was effected in forty days from the period of his first opening the campaign on the Sicoris[214].

All Spain submits to Cæsar.

He returns to Massilia.

[214] Cæsar, II. 32.

CHAP. VIII.

From U.C. 695 to 710, A.C. 59 to 44.

Surrender of Massilia.

The citizens of Massilia were by this time reduced to the last extremity[215], their naval force having been totally defeated by Decimus Brutus, a considerable breach having been made in their walls, and they themselves suffering the combined evils of scanty sustenance and disease. Accordingly, on Cæsar's arrival before the town, they offered to surrender to him, L. Domitius having already effected his escape by sea; and their submission was so far accepted, that their city was preserved from plunder, and was even allowed to retain its liberty; but they were obliged to surrender all the arms and military engines in their arsenals, to give up all their ships, to pay to Cæsar all the money in their treasury, and at a subsequent period to forfeit most of the dominion which they possessed beyond their own walls. Before the end of the siege, Cæsar received intelligence from Rome that he had been appointed dictator by M. Lepidus the prætor, in pursuance of a decree of the people. Nothing could be more illegal than such an appointment, made as it was without the authority of the senate, or the nomination of either of the consuls[216]; but it appears that the absence of the chief magistrates of the Commonwealth had somewhat embarrassed Cæsar's party, and that they did not know how to procure his election as consul for the year following, without this previous measure of conferring on him the dictatorship, that he might be enabled to preside at the

Cæsar is appointed dictator.

[215] Cæsar, II. 22. Dion Cassius, XLI. 165.

[216] Appian, de Bello Civili, II. 48.

comitia. This could not be done by Lepidus[217], who was only prætor, and far less by any inferior officer; there was no alternative, therefore, but to appoint Cæsar dictator, or to allow the year to expire without proceeding to any election; and then, when the present consuls should have resigned their power, to let the comitia be held, as was usual in such cases, by an interrex. But Cæsar now being invested with the title, at least, of a lawful magistrate, set out for Rome, as soon as Massilia had surrendered, in order to exercise his power in the civil government with more effect than during his late visit to the capital on his way from Brundisium to Spain. He was unexpectedly detained, however, at Placentia, by a mutiny which broke out in a part of his army[218], owing, as it is said, to the disappointment of the soldiers in not being gratified, as they had hoped, with the plunder of Italy. Cæsar's ability displayed itself on this occasion to great advantage. He addressed the mutinous troops in the firmest tone; and as they professed to wish to gain their discharge, he instantly dismissed from his service one entire legion, and punished with death the principal authors of the mutiny; after which, finding the legion most anxious to be again received into favour, he consented to revoke its punishment, and to continue it in his service. In this manner, like Cromwell on a similar occasion, he quelled the most formidable danger that could threaten him, by appearing un-

Mutiny of Cæsar's troops at Placentia.

[217] Cicero, ad Atticum, IX. epist. IX.

[218] Dion Cassius, XLI. 165. Suetonius, in Cæsare, 69.

CHAP. VIII.

From U.C. 695 to 710, A.C. 59 to 44.

moved by it; and whilst he was trampling on all laws himself, gave a lesson to his followers that they were not to be indulged with an equal license. From Placentia he then proceeded to Rome, and entered on the dictatorship; but not choosing at present to hold this unpopular title longer than was necessary, he held the comitia for the election of consuls, and having procured his own nomination, together with that of P. Servilius Isauricus, he laid down his office of dictator in eleven days after he had begun to exercise it[219].

State of Italy during the first year of the civil war.

But within this short space of time there were not a few important subjects which claimed his attention. When he had set out for Spain some months before, he left the command of Italy, as has been already mentioned, to M. Antonius. A rebel general in this manner subjected the first country in the empire to the absolute control of one of the vilest of his rebel officers. Antonius acted on no other authority than Cæsar's commission; but this empowered him to prevent any one from leaving Italy[220], and to conduct himself as the master of a conquered province. He travelled about, accompanied at once by his mistress, who was carried in an open litter, by his wife, and by his mother, and attended by a train of men and women of the most abandoned description. He obliged the several towns through which he passed to send out deputations to meet him, and to offer complimentary addresses, in which his mistress,

[219] Cæsar, III. 2.

[220] Cicero, ad Atticum, X. epist. X. XVI. Philippic. II. 23.

CHAP. VIII.

From U.C. 695 to 710. A.C. 59 to 44.

who was by profession an inferior actress, was saluted with the name of Volumnia, a name consecrated in the traditions of Rome as having been that of the wife or mother of Coriolanus. On other occasions, when the magistrates of some of the most considerable cities were summoned to attend him[221], he treated them with studied insult, because their towns had incurred Cæsar's displeasure from their disinclination to his cause. This behaviour tended greatly to alienate the affections of the people of Italy, and to make them anticipate the evils likely to follow from the final victory of a party whose adherents already so boldly defied and insulted public opinion. Even the dispositions of the army began to waver; and as far as we can learn from some hints in Cicero's letters to Atticus[222], there were some of Cæsar's officers who were already disgusted with the party which they had chosen, and who secretly fomented the discontent of the soldiers. The centurions of three cohorts, posted at Pompeii, came to Cicero[223] while he was residing at his villa in that neighbourhood, and offered to place themselves, their soldiers, and the town which they occupied, at his disposal. He was not disposed to commit himself by accepting their offer; but it shows how fair a prospect Pompey would have had of regaining Italy, if he had availed himself of Cæsar's absence to make a descent upon it. Meanwhile the minds of men in general were

[221] Cicero, ad Atticum, X. epist. XII. XIV. XV. XVI. XIII.

[222] Cicero, ad Atticum, X. epist. XVI.

[223] Cicero, ad Atticum, X. epist.

CHAP. VIII.

From U.C. 695 to 710, A.C. 59 to 44.

kept in a continual ferment. We have seen, on former occasions, that the number of debtors at Rome, unable or unwilling to satisfy their creditors, was usually very considerable; and as the habits of the times became more expensive, it was likely to be perpetually increasing. The present distracted state of Italy contributed to aggravate the difficulties of persons of this description. Money, it appears, had risen greatly in value[224], partly perhaps from the sums taken out of circulation by the many wealthy individuals who followed Pompey into Greece; partly from the great demand for it to maintain such large armies as were now on foot in different parts of the empire; and partly, we may suppose, from the practice of hoarding, which is always common amongst a large proportion of the community, in times of apprehended distress and danger. On the other hand, landed property was as naturally depreciated, for no one liked to purchase that which might soon be wrested from him to furnish settlements for the veteran soldiers of the party which might finally prove victorious. In this manner a debtor could neither readily raise money by the sale of his estates to discharge the principal of his debt, nor could he easily find means to pay the interest, which in itself was a great and now a permanent burden. Many, therefore, were looking forward with hope to a total revolution, by which all debts would at once be cancelled; many derived en-

[224] Cæsar, III. 1. Dion Cassius, XLI. 170, 171.

couragement from the assurance of Antonius[225], that all exiles would soon be allowed to return to their country; while others again were anticipating with horror a regular system of proscription and massacre whenever Cæsar should return from Spain. His arrival, invested as he was with the power of dictator, was thus viewed on all sides with eagerness and anxiety; and men watched to see the first measures of his government, by which they might judge whether he intended to imitate Sylla or Catiline; whether he felt himself strong enough to disclaim, as a tyrant, the principles which he had favoured as a demagogue; or whether he still proposed to tread consistently in the steps of his early life, and to uphold the needy, the extravagant, and the licentious, in their several courses of fraud, and dissipation, and profligacy.

Cæsar's regulations in his dictatorship.

But Cæsar knew that no government can sport with the rights of property without sinking into weakness and contempt. He was obliged, therefore, to uphold the cause of the creditor, and to give no countenance to those who called for an entire abolition of all debts; but yet, wishing to relieve the debtor, he ordered that certain commissioners should be appointed to estimate the property of an insolvent[226], and to oblige the creditor to receive it in payment at the price which it would have borne before the war. It is added, by Suetonius[227], that he caused all sums, previously paid as interest, to be

[225] Cicero, ad Atticum, X. epist. XIII.

[226] Cæsar, III. 1.

[227] In Cæsare, 42.

From U.C. 695 to 710, A.C. 59 to 44.

deducted from the principal of the debt; by which regulation, together with the preceding one, the creditor sustained, on the whole, a loss of twenty-five per cent. In his next measure, the dictator was enabled to indulge his inclinations with less restraint. We have already mentioned the improvements introduced in the laws against bribery and other offences during Pompey's last consulship; and that several individuals were tried and banished under the provisions of his acts. Cæsar now procured a decree of the people, reversing all the sentences passed at that time[228], and allowing all who had been sufferers from them to return to their country; alleging, that an undue influence had been exercised against them by the presence of Pompey's military force in the city during their trials. But, to show the real motives by which he was actuated, he excepted Milo from the benefit of this decree[229], because he was well known to be an enemy to the popular party; although no one had been condemned at the same period against whom Pompey had testified a stronger feeling of dislike. It should be observed, too, that the language of Cicero, on several occasions, implies a far more general restoration of exiles on this occasion, than Cæsar or his partisans have thought proper to acknowledge[230]; that Dion Cassius, Appian, and Suetonius agree in asserting, distinctly, the same thing; and that Suetonius adds

[228] Cæsar, III. 1.
[229] Dion Cassius, XLI. 170. Appian, II. 48.
[230] Ad Atticum, VII. epist. XI.; X. epist. XIII. XIV.

further[231], that all those who had been degraded by the censors, were in like manner restored to their former rank. The object of this last step was probably to gratify those individuals whom Appius Claudius had lately disgraced in his censorship, and who at that very time threw themselves into the arms of Cæsar, in the hope of obtaining, through him, the recovery of their dignity. When he had thus rewarded his followers, and endeavoured to gratify that class of persons who were most disposed to support him, without greatly offending the possessors of property, he resigned the dictatorship, as has been already mentioned, and set out for Brundisium. Here his army had been ordered to assemble; and the troops which had returned from Gaul and Spain, together with those which he had raised in Italy, formed, on the whole, a force of no fewer than twelve legions[232]. Some of these, however, were hardly more than skeletons, owing to their losses in former campaigns, which had not been yet made up, and to the effects of sickness, produced by the sudden change which many of the men had experienced from the climate of Spain and Gaul, to the influence of an autumn in Apulia; nor had he ships to enable him at once to transport into Greece so considerable an army. According to his own statement, the seven legions, which he at first proposed to embark, amounted to no more than 20,000 infantry, and 600 cavalry, implying a diminution of

He leaves Rome and proceeds to Brundisium, from which he crosses over to Greece. U.C. 705.

[231] In Cæsare, 41.

[232] Cæsar, III. 2, 6.

CHAP. VIII.

From U.C. 695 to 710, A.C. 59 to 44.

their original numbers, for which his accounts of his former campaigns by no means would have prepared us; and with this force he put to sea on the fourth of January, and on the following day effected his landing in safety on the coast of Epirus.

Campaign of Curio in Africa. U.C. 704.

The advantages which Cæsar had gained in Spain and Italy in the first year of the war, were somewhat checkered by the ill success of his officers in Africa and in Illyricum. We have already seen that C. Curio had occupied Sicily without opposition, M. Cato having thought his forces insufficient to defend the island, and having accordingly abandoned it before the arrival of the enemy. Curio's original instructions from Cæsar[233], directed him to cross over into Africa so soon as he should have secured Sicily; and this first object being already effected, he set sail with two legions, about the middle of the summer, and reached the African coast in safety after a passage of two days and three nights. The Roman province of Africa was at this time held by P. Atius Varus, an officer attached to the cause of Pompey, but little scrupulous, as it appears, of disregarding the forms of the Commonwealth. He had been opposed to Cæsar in Italy, at the beginning of the rebellion; and being then deserted by his soldiers, he left Italy, and hastened to Africa[234], a province which had formerly fallen to his lot to govern in the year that followed his prætorship. His old authority in that country was still favourably

State of that province.

[233] Cæsar, de Bello Civili, I. 30; II. 23.

[234] Cæsar, de Bello Civili, I. 31. Cicero, pro Ligario, 2.

remembered; and the late prætor, C. Considius, having returned to Rome [235], and left the province under the care of his lieutenant, Q. Ligarius, till the appointment and arrival of a successor, P. Varus thought proper to take the chief command upon himself, in order to secure so valuable a portion of the empire from the usurpation of Cæsar. Ligarius was a quiet man, and was glad to be released from a situation of much difficulty and danger, so that he willingly allowed Varus to supersede him. But, soon after, L. Tubero [236] arrived off the coast, as the lawful successor of C. Considius, having received Africa as his province, amongst the various appointments made by the authority of the senate just before they were compelled by Cæsar to abandon the capital. It seems, however, that Tubero had no inclination to accept the office, and had only been persuaded to do so by the strong remonstrances of some of his friends, who represented his compliance as a duty which he owed to his country in these times of peril. A man thus reluctantly engaged in the cause, appeared to Varus unfit to be trusted with a post of such importance as the command of Africa; and thus, availing himself of the license of civil wars, Varus forcibly excluded the lawful officer of the Commonwealth from taking possession of his province, and would not even suffer him to set his foot upon the shore. Tubero, thus repelled, showed the injustice of the suspicions entertained against him, by repairing im-

[235] Cicero, pro Ligario, 2.
[236] Cicero, pro Ligario, 7. Cæsar, I. 31.

CHAP. VIII.

From U.C. 695 to 710, A.C. 59 to 44.

mediately to the standard of the Commonwealth in Macedonia [237]; while the possession of Africa was to be disputed between two parties, both of whom were equally destitute of a legal title to it.

Juba, king of Mauritania, assists the party of the Commonwealth in Africa.

Varus, however, professed to act as an officer of the Commonwealth, and a partisan of Pompey; and as such was strongly supported by Juba, king of Mauritania. That prince was the son of Hiempsal [238], who, in the civil wars between Marius and Sylla, had supported the party of the aristocracy, and had been rewarded for his services with the kingdom of Mauritania, when Pompey overthrew the united forces of Domitius and Hiarbas, and established the authority of Sylla in Africa. Juba, therefore, was disposed, naturally, to assist Pompey as the benefactor of his family; and his assistance was given with double readiness, when he found that the army against which it was required was commanded by Curio; for it seems that Curio [239], during his tribuneship, had proposed a law to declare the kingdom of Mauritania forfeited to the Roman people. The succour which Juba afforded was prompt and decisive [240]. Curio obtained at first some advantages over the Roman forces under Varus; but, being too much elated by his success, he neglected the necessary precautions; and attacking the army which Juba brought up to the relief of Varus, without duly

Defeat and death of Curio.

[237] Cicero, pro Ligario, 8.

[238] Dion Cassius, XLI. 172, edit. Leunclav. Plutarch, in Pompeio, 12. Auctor de Bello Africano, 56.

[239] Cæsar, II. 25.

[240] Cæsar, II. 36, et seq.

acquainting himself with its strength, he and the entire force under his command were cut to pieces. By this victory the province of Africa remained under the authority of the Commonwealth, and became afterwards the favourite refuge of the constitutional party, when the defeat of Pharsalia had ruined their cause in Greece and Asia.

Defeat of Cæsar's lieutenants in Illyricum.

With regard to the operations in Illyricum, our information is exceedingly defective. It appears that Cæsar, before his departure for Spain[241], had left C. Antonius, the brother of Marcus, with a certain naval and military force in Illyricum, which country was comprised, together with the Cisalpine and Transalpine Gaul, within the limits of his original province. Its occupation at the present moment was of considerable importance to Cæsar's interests, because it might otherwise, during his absence in Spain, have afforded to Pompey a passage to the north of Italy, and thus have enabled him to cut off the resources which Cæsar drew in abundance from the attachment of the people of that country. Reports, indeed, were prevalent at Rome as early as the month of April, that Pompey was actually making this attempt[242]; but his plans were of another kind, and his armaments were not yet in such a state of forwardness as to encourage him to act on the offensive. To the southward of Illyricum, the mouth of the Adriatic[243] was guarded with a small squadron

[241] Appian, de Bello Civili, II. 41.

[242] Cicero, ad Atticum, X. epist. VII.

[243] Cicero, ad Atticum. X. epist. VI. Appian, II. 41.

CHAP. VIII.

From U.C. 695 to 710, A.C. 59 to 44.

by P. Cornelius Dolabella, the son-in-law of Cicero; but like most others of the young nobility of bad character, engaged in the cause of Cæsar. Inferior as Cæsar was to his adversaries in naval means, he could only expect Dolabella to keep the sea for a time, till the fleets of the enemy should be brought together; after which it became his business to preserve his ships with the utmost care, as Cæsar was ill able to replace them, if they should be taken or destroyed. But whether from want of caution on the part of Dolabella, or from any other cause, he was attacked on the eastern shore of the Adriatic by the ships of the Commonwealth, under M. Octavius and L. Scribonius Libo [244], and was defeated with the loss of his entire fleet. His disaster was only the prelude to another of greater magnitude; for C. Antonius [245] coming up in the hope of relieving him, was surrounded by the victorious forces of the enemy, who putting on shore a portion of their sea-

[244] Florus, IV. 2. Dion Cassius, XLI. 171. Suetonius, in Cæsare, 36. Cæsar, III. 5.

[245] Florus, Dion Cassius, ubi supra. Livy, Epitome, CX.—Cæsar asserts that Antonius was betrayed by one of his officers, T. Pulcio, who afterwards served in Pompey's army; Cæsar, III. 67. It has been a favourite resource with others besides Cæsar to attribute their disasters to treason; but such statements, when resting merely on the assertion of the vanquished party, should be received with great suspicion. An officer in Antonius's army might very possibly have deserted to the enemy on this occasion, and might have carried to them some useful information, the importance of which Cæsar would gladly exaggerate, so as to ascribe the loss of the army chiefly, or entirely, to this cause. The treason of T. Pulcio, whatever it was, is not even hinted at by Florus, Suetonius, the epitomiser of Livy, Appian, nor Dion Cassius; writers, none of whom can be called unfavourable to Cæsar, and the two latter of whom have rather a bias in his favour.

men, blockaded him by land and sea, till he was obliged to surrender himself prisoner with all the troops under his command. The soldiers were incorporated with Pompey's army; and these successes tended, probably, to facilitate the levies which were now going on, in the name of the Commonwealth, in Greece, and in the eastern provinces of the empire.

CHAP. VIII. From U.C. 695 to 710, A.C. 59 to 44.

It is now proper to notice more particularly the proceedings of Pompey since his arrival in Greece in the early part of the year 704. He found himself attended by both the consuls, and about two hundred senators[246], so that he might fairly consider himself as being supported by the authority of the Commonwealth. For the present, indeed, almost all the magistrates of the republic were at his quarters; but as their power would expire at the end of the year, and as it was impossible to observe the proper forms of election in any other place than at Rome, it was resolved that the present officers should be continued in their commands, with the titles of proconsuls, proprætors, &c., by a decree of the senate. This appears to have been perfectly consistent with the constitutional power of that order; and a place was accordingly marked out at Thessalonica, and duly consecrated by the augurs, that the auspices might be taken with the usual solemnities, and that the senate might not assemble on profane ground; a circumstance which would have violated all its acts.

Preparations of Pompey for war.

The senate assembles at Thessalonica.

[246] Dion Cassius, XLI. 173.

CHAP. VIII.

From U.C. 695 to 710, A.C. 59 to 44.

Meanwhile Pompey was busily employed in collecting troops and ships, and supplies of provisions from all quarters. Many of the petty princes and states of Asia Minor and the eastern coast of the Mediterranean, were indebted to him for their crowns or their dominions during his long commands in that part of the empire, so that his private influence came powerfully in aid of the name of the Roman republic, in procuring their support. He had under his immediate standard an army of nine legions of Roman citizens[247], five of which he had brought with him from Italy, two had been raised by order of Lentulus in the Roman province of Asia, one was composed of the veteran soldiers who had settled in Crete and Macedonia after their term of service had expired, and one had been formed out of the soldiers of two veteran legions which had been quartered in Sicily. With these was joined an auxiliary force of infantry which Pompey had lately raised in Greece; and a reinforcement of two legions more was expected ere long to be added to the army, which Scipio, Pompey's father-in-law, was to bring with him from his province in Syria. The cavalry is said to have amounted to seven thousand, but it seems to have consisted of the troops of so many different nations, that much time and a careful discipline must have been needed before such various elements could coalesce into one body. The light infantry were also numerous, but they, like the cavalry, were

Strength of Pompey's army.

[247] Cæsar, III. 4.

CHAP. VIII.

From U.C. 695 to 710, A.C. 59 to 44.

a motley force of Greeks, Cretans, Syrians, and natives of Pontus, whose steadiness was little to be trusted in the hour of difficulty. It is difficult to ascertain the real numbers of the whole army, because we know not whether the legions contained their full complement of men, or whether some of them were not mere skeletons, which it was intended to fill up from time to time with new levies. But, whatever was the numerical strength of Pompey's troops, they were so decidedly inferior in quality to those of the enemy, that their general, under present circumstances, could not venture to oppose them to Cæsar's veterans in the open field. He was fully sensible, indeed, of their inferiority, and exerted himself to the utmost, during the interval of leisure that was afforded him, in improving their discipline, and training them incessantly in those military exercises which the nature of ancient warfare rendered so important [218]. Pompey himself took part in these exercises with all the spirit and activity of youth, and added at once to his own popularity and to the confidence of his soldiers by his skill and strength in throwing the javelin, and the perfect address with which he managed his horse, while he was directing the manœuvres of the cavalry. He hoped to keep the enemy at a distance by the aid of his numerous fleet, till he had sufficiently organized and disciplined his army, to return to Italy with every prospect of final success.

His fleet.

[218] Plutarch, in Pompeio, 64. Appian, II. 49.

CHAP. VIII.

From U.C. 695 to 710, A.C. 59 to 44.

All the maritime countries of the eastern part of the Mediterranean had contributed their quotas of ships [249], and the whole naval force was placed under the command of M. Bibulus, the colleague of Cæsar in his first consulship, who felt a strong personal enmity against him in consequence of their differences at that period. Finally, ample magazines of corn had been collected from Thessaly, Asia Minor, Egypt, and Cyrene, that the army might be enabled to wait patiently the issue of their general's plans, and might not be driven to risk any desperate measures from the want of provisions. Meantime the language held by Pompey was in the highest degree lofty and uncompromising. Not only were Cæsar's partisans deservedly spoken of as rebels, and threatened with the vengeance of the laws, but all who had remained in Italy, and had taken no share in the defence of the Commonwealth, were considered as guilty of an abandonment of their duty, and it was proposed to confiscate their property, in order that the faithful soldiers, by whose aid the constitution should be preserved and restored to its independence, might be rewarded by its distribution. Cicero several times speaks in the strongest terms of the severities which would have followed the victory of the constitutionalists [250], and declares that they would have ordered a general proscription, as unsparing as that of Sylla. We are told, indeed, by

Language held by his party.

[249] Cæsar, III. 3. 5.

[250] Ad Atticum, IX. epist. VII. X. XI.; X. epist. VII.; XI. epist. VI. Ad Familiares, IV. epist. IX.; VII. epist. III.

Plutarch [251], that a resolution was passed, at Cato's suggestion, by the senate assembled at Thessalonica, declaring that no Roman citizen should be put to death out of the field of battle, nor any city subject to the Roman government given up to plunder. If this be true, we must suppose that the declaration was meant to apply only to the period of actual hostilities; nor is it unlikely that the humanity of Pompey and Cato might have been able thus far to mitigate the horrors of warfare, while the violence of some of their associates would have defied any such restraint in the event of the final triumph of their party. The character of Pompey himself is most remote from cruelty, although he may have been unable to check the excesses of his partisans, or may have threatened to punish, perhaps with an excessive severity, the treasons from which he himself, as well as the Commonwealth, had suffered so heavily. But it is also consistent with other parts of his life to believe, that whatever irritation he might now feel, while witnessing the present success of the rebellion, yet, when the supreme power was placed in his hands, he would have used it with the utmost moderation and fairness, and would himself have been sincerely desirous of restoring peace and liberty to his country. On the other hand, it must be confessed that the members of the high aristocratical party, who had regarded him with jealousy from his earliest youth, might have overruled his

[251] In Pompeio, 65; in Catone, 53.

CHAP. VIII. From U.C. 695 to 710, A.C. 59 to 44.

own dispositions, and have either forced him to become the instrument of their rapacious and cruel designs, or have sacrificed him to secure their own exclusive ascendancy. And doubtless the happiness of mankind was ultimately far better secured by the victory of Cæsar, and the establishment even of his successor's despotism, than it would have been by the unchecked dominion of the most profligate members of a corrupt aristocracy.

Operations of Cæsar after his landing.

Such was the state of Pompey's party, when the negligence or over-confidence of his naval officers allowed Cæsar, as we have already mentioned, to transport without opposition from Italy the first division of his army, and to effect a landing on the coast of Greece. On the very day of the disembarkation, Cæsar advanced to summon the town of Oricum [252], which was held by an enemy's garrison under the command of L. Torquatus. But already the cause of the Commonwealth felt the disadvantage of having abandoned the seat of government, and having allowed Cæsar to receive at Rome, from the people assembled in the ordinary place of election, the title of Roman consul. The garrison, consisting of Illyrian soldiers, and the citizens of Oricum, alike refused to resist an officer bearing the rank of the chief magistrate of the Roman people; and Torquatus, thus deserted, was obliged to surrender himself and the town to Cæsar. This example was followed by the people of Apollonia [253], and by a

[252] Cæsar, III. 11.

[253] Cæsar, III. 12.

great many other places in the neighbourhood; so that Cæsar immediately acquired a firm footing in the country, and by his possession of the towns on the coast, was enabled, in a great measure, to neutralize the naval superiority of the enemy.

Proceedings of Pompey's fleet.

It is probable that the lateness of the season, which though nominally the month of January was in reality the beginning of November, together with Cæsar's known want of shipping, had impressed Bibulus with the belief that no attempt to invade Greece would be made at present; and that Cæsar would require the winter months to complete his preparations, before he thought of commencing hostilities. Surprised, therefore, by the tidings that the enemy were actually arrived on the coast of Greece[254], Bibulus put to sea in haste from Corcyra, in the hope of intercepting a part, at least, of the transports employed in the passage; but Cæsar had already landed in safety, and Bibulus only succeeded in cutting off about thirty of the empty vessels, which Cæsar had ordered instantly to return to Brundisium. His vexation at his own want of vigilance, combined with his general hatred against Cæsar, led him to commit an atrocious act of cruelty upon the masters and crews of the vessels which thus fell into his hands; for having set the ships on fire, he burnt the men in the same flames. He then lined the coast with detachments of his fleet from Salone to Oricum, a distance of about two hundred

[254] Cæsar, III. 8.

CHAP. VIII.

From U.C. 695 to 710, A.C. 59 to 44.

miles; and as a mark of his resolution to use every possible exertion, it is said that he lived entirely on board his ship, even at that inclement season. The ancient ships of war, it should be remembered, being calculated chiefly for coasting voyages, and accustomed to send their crews ashore on every occasion to take their meals and to sleep, were very ill provided with accommodations in themselves, and could neither hold a large supply of provisions, nor afford tolerable quarters on board for the officers and men. To remain, therefore, continually at sea, was attended with great inconvenience, and considerable distress; and thus, when Cæsar's occupation of the landing-places on the coast prevented the enemy from coming on shore, or from getting supplies of wood and water, he retaliated upon them to the full the annoyance which he suffered from their blockade. But Bibulus, and the officers and men under his command, bore their privations with the utmost patience and resolution; transports were employed in bringing them regular supplies of wood, water, and provisions from Corcyra[255]; and when the badness of the weather on one occasion interrupted this communication, they are said to have wrung the dew from the skins with which the holds of their ships were covered, and thus to have allayed the intensity of their thirst. They enjoyed, however, the satisfaction of feeling that they were effectually stopping the passage of the second division of Cæsar's

[255] Cæsar, III. 15.

army, which it had been intended to transport without loss of time on board the vessels which had returned to Brundisium, after carrying over the first division. The troops were actually embarked, and had just left the harbour, when a despatch arrived from Cæsar, announcing the strict blockade maintained on the opposite shore by the enemy's cruisers. Immediately the ships returned to Brundisium; and one single private vessel, which had no troops on board, resolving still to attempt the passage, was taken by Bibulus off Oricum, and, according to Cæsar[256], the whole ship's company, both freemen and slaves, were, by his orders, put to death. Cæsar thus seemed left to his fate in an enemy's country with only half his army, cut off from all relief, and obliged to depend for subsistence only on the narrow district immediately subject to his control.

Cæsar attempts in vain to surprise Dyrrhachium.

But his system of always acting on the offensive, tended at once to keep up the confidence of his own soldiers, and to make public opinion think favourably of his situation. After having gained possession of Oricum and Apollonia, he hastened forward in the hope of surprising Dyrrhachium, one of Pompey's principal magazines, and the place in which he had designed to fix his winter-quarters, in order to be at hand to counteract Cæsar's expected invasion in the spring. At the moment of Cæsar's landing, Pompey was in the interior of Macedonia[257], proceeding slowly towards his intended winter-quarters, by the

[256] Cæsar, III. 14.
[257] Cæsar, III. 11. Strabo, VII. 374, edit. Xyland.

CHAP. VIII.

From U.C. 695 to 710, A.C. 59 to 44.

great road which crossed the whole country from Thessalonica, on the Ægean, to Dyrrhachium and Apollonia on the Ionian gulf. He was already advanced as far as Candavia, which lies at nearly equal distances between the two seas, when he was met with the news of Cæsar's invasion. He immediately hastened his march towards Apollonia; but, finding that this town had already fallen, he turned off to the right, and pressed on with a rapidity, almost resembling the flight of a beaten army, in order to save his magazines at Dyrrhachium. As the troops marched by day and night without halting, many of the soldiers, unable to bear the fatigue, dropped behind[258], threw away their arms, and deserted; and this produced so much disorder and consequent dejection, that although Pompey accomplished his object, and, having outstripped his antagonist, encamped his army in front of Dyrrhachium to cover the town, yet T. Labienus, and the other principal officers, thought it expedient to renew, in a public and solemn manner, their oath of fidelity to their general, swearing that they would abide by him in every extremity of fortune. The troops all followed this example; and soon afterwards their spirits were revived by an order to make a movement somewhat in advance; for Cæsar, finding himself cut off from Dyrrhachium, had halted on the river Apsus, intending to winter there under canvass, in order to protect the country in his rear which had

The two armies are opposed to one another on the Apsus.

[258] Cæsar, III. 13.

espoused his cause, and proposing there to await the arrival of the rest of his army from Italy. Cæsar thus having fixed himself on the left bank of the Apsus[259], Pompey advanced with his army from Dyrrhachium, and occupied a line on the right bank of the same river, to which he brought together his entire force, both Roman and auxiliary. A pause of some length then ensued in the operations on both sides, partly on account of the season of the year, and partly because neither general wished to risk an action at present; the one being desirous of improving still further the discipline of his soldiers, and the other being anxious to gain an accession to his numbers.

Ineffectual overtures for peace.

During this interval some proposals of peace were exchanged between the two parties, but without producing any effect. Indeed, the officer from whom Pompey had received the first tidings of Cæsar's landing in Greece, was himself the bearer of a message from Cæsar[260], conjuring Pompey to consider the evils which a protracted contest would certainly bring upon their country; proposing that each commander should take an oath, in the presence of his army, to disband his forces within three days; and that the terms of a permanent peace might be settled at Rome by the senate and people; offering, meantime, as a pledge of his sincerity, to disband at once all his own soldiers, whether they were in the field or in garrison. There was no time for replying

[259] Cæsar, III. 13. Appian, II. 56. [260] Cæsar, III. 10, 11.

CHAP. VIII.

From U.C. 695 to 710, A.C. 59 to 44.

to these propositions, till Pompey's army was settled on the Apsus; then, when L. Vibullius Rufus, the bearer of them, was proceeding to state them in detail, Pompey is said to have interrupted him[261], and to have declared, "that he valued neither his life nor the enjoyment of his country, if he must receive them as a favour from Cæsar." A little before this, Bibulus and L. Scribonius Libo[262], who were maintaining their blockade off the harbour of Oricum, proposed to Cæsar's officers, commanding in the town, that a truce should be concluded between the fleet and Cæsar's troops stationed along the coast, in order to allow time for entering upon a negotiation for peace. Cæsar himself had just left his lines on the Apsus, and had marched southward with a single legion, to secure some of the towns that were situated at a greater distance in his rear, and to procure some supplies of corn. In pursuit of these objects, he was now at Buthrotum, a town on the main land of Epirus, immediately opposite to Corcyra, when he received intelligence from his officers at Oricum, of the proposals made by Bibulus and Libo. He at once hastened in person to the spot, and Libo came on shore alone to meet him; Bibulus, it seems, thinking that an interview between himself and Cæsar was more likely to inflame the existing quarrel than to allay it. Libo assured Cæsar that nothing could be concluded without Pompey's authority; and only requested that a truce

[261] Cæsar, III. 18.

[262] Cæsar, III. 15, 16, 17.

might be arranged till proposals of peace should be presented to Pompey, and till his answer to them could be known. He asserted, that Pompey was most anxious to terminate the contest; and that for himself, his advice, and that of the other officers, would all lead to the same conclusion. Cæsar, in return, pressed Libo to guarantee the safety of the officers whom he might send to Pompey's camp; and with regard to the naval armistice, he said that he was willing to grant it, if the enemy's fleet would renounce their blockade, and allow the free passage of his troops from Italy. Libo replied, that he could guarantee nothing, but referred every thing to Pompey; at the same time he again urged the conclusion of the naval armistice. But Cæsar perceiving, as he says, that nothing more was designed by the enemy than to procure some relief for their ships, by obtaining leave to get supplies from the shore, broke off the conference, and turned his thoughts to the active prosecution of the war.

CHAP. VIII. From U.C. 695 to 710, A.C. 59 to 44.

Such is the representation of these transactions which Cæsar or his partisans have given to the world. We may repeat it, in the absence of all other testimony; but we should remember, that it is the statement of the chief of a victorious party, and that it relates to matters of which he himself, when his account was published, was the only witness who dared to deliver his evidence. In the narrative, also, of this very transaction, there is one remarkable expression, which seems to imply that the writer was anxious to record nothing that would not re-

Cæsar's account of these matters is to be regarded with suspicion.

CHAP. VIII. From U.C 695 to 710, A.C. 59 to 44.

dound to Cæsar's honour. Libo, it seems, during his conference with Cæsar, entered into some representation of the merits of the cause which he espoused, and of the amount of Pompey's forces; "but on these points," says the historian [263], "Cæsar thought proper to make no reply at the time, nor do we see any sufficient reason for dwelling on the subject now." The writer of this sentence, whether it was Cæsar himself, or one of his officers writing under his authority, was well aware that the merits of his cause could not bear any minute detail, and that the manner in which the friends of the Commonwealth represented them was too forcible, and in the main too just, to admit of any satisfactory reply. He acted wisely, therefore, as a party writer, in passing by the subject altogether; but he has by so doing left us, at the same time, a sufficient proof how little he deserves the title of a historian.

Yet the narrative of this writer, such as it is, and rendered in parts still more defective from the corrupt state of the text in our present copies, is our sole authority for any particular account of the operations of this important campaign. The English reader will, perhaps, have a more lively sense of its incompetence, if he considers what sort of a history could be drawn up of the events of more modern wars, if we had no other materials than the gazettes or bulletins of one party only. We must request

[263] "Huc addit pauca (Libo) de causâ, et de copiis auxiliisque suis. Quibus rebus neque tum respondendum Cæsar existimavit; neque nunc, ut memoriæ prodatur, satis causæ putamus," III. 16, 17.

those, therefore, who may follow us through our narrative of the ensuing transactions, to remember, once for all, that we are fully aware of the unsatisfactory foundation on which it rests; and that, if we do not repeat our sense of its uncertainty in every page, it is only to avoid unpleasant and needless interruptions to the course of our relation. Besides, in ordinary cases, we are willing to leave the reader to the exercise of his own judgment, whenever the story becomes justly suspicious, rather than attempt on every occasion to dictate to him ourselves. Unquestionably, the writer of Cæsar's "Commentaries" had the best opportunities of knowing the truth; and he is perfectly free from those blunders in indifferent matters which are the result of mere ignorance. His misrepresentations and misstatements are for the most part wilful; and it becomes a matter of great difficulty and uncertainty, to say how often the temptation was sufficiently strong to induce him to write against that better knowledge, which makes him, where no such temptation has interfered, so respectable a witness.

Irregular communication between the soldiers of the two armies.

Whilst the two armies were encamped on the Apsus[264], several attempts were made, on Cæsar's part, to keep up a correspondence between the soldiers of either party, and to impress on the minds of Pompey's followers his own eagerness to terminate the contest. The generals of the Commonwealth, remembering the issue of a similar corre-

[264] Cæsar, III. 19.

CHAP. VIII.

From U.C. 695 to 710, A.C. 59 to 44.

spondence between the troops of Sylla and Scipio in the last civil war, were no way inclined to expose their newly-raised and ill-assorted soldiers to the seductions of Cæsar's veterans; it being sufficiently obvious which side was most likely to entice the other from its duty. The meetings between the men and the inferior officers of the two parties, which had gone on to a considerable extent, were at last forcibly broken off, on one occasion, by Pompey's generals, and some of the centurions and soldiers of Cæsar's army were wounded. This was in the same spirit with the conduct of Petreius in Spain, and was dictated by a similar sense of danger. It was a proceeding of great severity, but yet not inconsistent with the laws of war, as the meetings were not authorized by the commander-in-chief of the Commonwealth's army, who alone, as Cæsar had been on a late occasion particularly informed, had power to guarantee the safety of any negotiator from the enemy. The assertion of Cæsar that Labienus himself appeared at the conference, and was actually in conversation with P. Vatinius, Cæsar's officer, when the meeting was broken off by acts of hostility on the part of Pompey, is intended to convey a charge of wilful treachery, of which we cannot, in fairness, convict Labienus on the sole testimony of his personal as well as political adversary.

It is suddenly broken off by Pompey's generals.

While the war was thus pausing in its course, and M. Antonius, with the second division of Cæsar's army, was still detained at Brundisium, unable to

Tumults excited at Rome by M. Cælius Rufus.

join his commander, a wild attempt was made to effect a counter-revolution in Italy[265]. The name of M. Cælius Rufus has already been mentioned in our account of the turbulent period of Pompey's third consulship. He was then one of the tribunes, and exerted himself warmly in behalf of Milo, amidst the agitations which followed the murder of P. Clodius; he also made himself particularly notorious by his opposition to the laws then proposed by Pompey with a view to the regulation of Milo's trial; and he so provoked Pompey as to draw from him the threat, "that if he met with any more obstructions, he would protect the interests of the Commonwealth by force of arms." Like Curio, he was eloquent, unprincipled, and ambitious of distinction; and therefore, during the height of Pompey's power at Rome, he delighted, like Curio, in appearing to defy him, as the readiest means of gaining favour with the multitude, who are ever ready to admire a spirit of resistance to authority. He thus was led to favour the pretensions of Cæsar, to which he was further induced by his friendship for Curio[266], and his enmity to Appius Claudius, who was now closely connected with Pompey. Yet his intimacy with Cicero, to whose notice he had been early recommended by his father[267], and who had defended him some years before under a criminal prosecution, might have restrained him from openly taking part against the Commonwealth, had he not been led to accompany

[265] Cæsar, III. 20, 21, 22.
[266] Cicero, ad Familiar. VIII. epist. XVII.
[267] Cicero, pro Cælio, 3.

CHAP. VIII.

From U.C. 695 to 710, A.C. 59 to 44.

Curio to Ariminum at the beginning of the war[268], and been brought to a personal meeting with Cæsar, by consenting to be the bearer of a message to him from Cicero, urging him to lay aside his designs of hostility. It seems that Cæsar's winning address and behaviour, together with a nearer view of the resources by which he was supported, decided him in remaining with the rebel army, and accepting employment in Cæsar's service. He accordingly attended him on his way towards Spain[269], and on his return thence, at the end of the year, he was elected prætor, as a reward for his attachment to his cause[270]. But the death of Curio had removed the principal link between him and his present associates; and although he was one of the prætors, yet he held only the less dignified rank of *Prætor Peregrinus;* the office of *Prætor Urbanus*, which possessed exclusive jurisdiction in all causes between citizens and citizens, was conferred on C. Trebonius, who had conducted the operations by land at the late siege of Massilia. His love of distinction, therefore, was ill gratified by his present situation; he felt himself slighted, and was desirous of at once revenging his

[268] Cicero, ad Familiar. VIII. epist. XVII.

[269] Cicero, ad Familiar. VIII. epist. XV.

[270] It appears, from some brief intimations in Cicero's letters to Atticus, that Cælius was already disgusted with Cæsar's party before the end of the campaign in Spain; and that he was engaged in some attempts to excite disturbances among the legions left for the protection of Italy. Possibly, therefore, Cæsar did not take him with him into Spain, but left him with those troops, in Cisalpine Gaul, which did, in fact, break out into mutiny, as already related, about the time of Cæsar's return from Spain. Vide Cicero, ad Atticum, X. epist. XII. XV. XVI.

CHAP. VIII.

From U.C. 695 to 710, A.C. 59 to 44.

fancied affronts upon Cæsar's party, and of regaining the friendship of the aristocrats, who were his old and natural connexions, and whom his late behaviour had alienated.

Violent measures of Cælius in his prætorship.

Under the influence of these motives, Cælius began to tread in the steps of the old popular tribunes[271], and, complaining of Cæsar's late regulations with regard to the payment of debts, he declared that he would support any debtor who should appeal against a sentence of the *Prætor Urbanus*, adjudging payment according to the terms fixed by Cæsar. Finding, if we may believe Cæsar, that no appeals were brought to him, he proceeded to propose a law of his own, directing that debts were to be paid at six instalments, without any interest. It is very probable that many of the timid and indolent part of the aristocracy, who preferred remaining at Rome under Cæsar's government, rather than submitting to the labours and perils of a civil war, were delighted to find their new circumstances suddenly reconciled, by these innovations of Cælius, with the line they would naturally take in politics. P. Servilius, Cæsar's colleague in the consulship, whose father had in like manner been the colleague of Sylla, and who himself, a few years before, had been remarked as affecting to imitate Cato[272], was now called upon, while supporting the government of Cæsar, to act like the high aristocratical consuls

[271] Cæsar, III. 20. Livy, Epitome, CXI. Dion Cassius, XLII. 195.

[272] Cicero, ad Atticum, II. epist. I.

CHAP. VIII.

From U.C. 695 to 710, A C. 59 to 44.

of former times, L. Opimius, or Cn. Octavius, or Q. Catulus. Supported by the other magistrates, he resisted the measures of Cælius, who, finding his present law not sufficiently stimulating, proposed two others of a tendency still more revolutionary; one releasing all tenants of houses in Rome from their liability to be sued for rent during one year; and the other proclaiming a general release to all insolvent debtors from the claims of their creditors. Cælius had now degraded himself low enough to become the head of the most worthless portion of the community: mobs assembled as in the days of L. Saturninus, P. Sulpicius, and P. Clodius; and Trebonius was driven by violence from his seat of judgment. Servilius laid the consideration of these disturbances before the senate, and that body passed a resolution, the very same which had formerly been passed against Cæsar himself in his prætorship, that Cælius should be suspended from the duties and privileges of his office. He still attempted to harangue the people, but was forcibly pulled down from the rostra; and the support of the mere rabble being, as usual, utterly powerless in the time of need, he resolved to quit Rome, professing that he was going over to Macedonia, to offer to Cæsar an explanation and apology for his conduct.

He is obliged to leave Rome.

There is still extant a letter from Cælius to Cicero[273], written apparently when he was just entered on this career of fruitless opposition to Cæsar's

[273] Cicero, ad Familiar. VIII. epist. XVII.

government. He flatters himself that he had alienated the general feeling at Rome from the cause of Cæsar; and that the poorer citizens, who had hitherto regarded it as the popular side, now thought that it had abandoned their interests, and were ready to receive the friends of Pompey with open arms. He assures Cicero that it was Pompey's own fault that he had not recovered possession of Rome, for that every body there, with the exception of a few usurers, was now become his partisan. He promises to ensure the triumph of the aristocracy, even against their will, and laments the blindness of Pompey in neglecting the fair field that was open to him in Italy, and persisting to combat Cæsar's veteran army in direct and open warfare. But a short time proved how greatly he had overrated the effect of his measures and of his abilities. On leaving Rome he had entered into a correspondence with his old associate, T. Milo [274], who was ready to join in any attempt against Cæsar, as he had been alone excepted by him from the general pardon granted to all who had been banished by the sentence of the tribunals in Pompey's third consulship. Milo still retained [275], either in his service or under his influence, some of those numerous gladiators whom he had formerly employed in his contests with Clodius. At the head of a party of these he appeared in arms in the neighbourhood of Capua; and professing that he had received, through Bibulus, a commission to

He invites Milo to join him in an attempt to revive the interests of Pompey in Italy

[274] Cæsar, III. 21.

[275] Cæsar, III. 21, 22.

CHAP. VIII.

From U.C. 695 to 710. A.C. 59 to 44.

levy troops in Pompey's name, he began to solicit the inhabitants of the different towns to join him. His character and resources, however, held out little encouragement; but having collected a certain number of runaway slaves, and of those who were kept at work in fetters in some of the workhouses, he made an attempt upon the town of Compsa[276], and there lost his life by a stone discharged from one of the engines on the walls. Cælius, meantime, had not entirely thrown off the mask. He had secretly endeavoured to surprise Capua by the help of some gladiators who were then kept at Naples, and of some partisans in the town itself; but the plot being discovered in time to prevent its execution, he continued his journey southward, as if still pursuing his original design of going to Cæsar in Greece. But, when he reached Thurii, he conceived hopes of gaining that important place for Pompey, and accordingly he began to tamper with some of the inhabitants, and also with some Gaulish and German horse whom Cæsar had left there as a garrison. To have secured a harbour for Pompey's ships on the coast of Italy, would have been one of the most signal services that could have been rendered at this period to the cause of the Commonwealth; but the attempt was unsuccessful, and, according to Cæsar, Cælius was killed by some of those soldiers whose fidelity he was endeavouring to corrupt. Like most other fruitless insurrections, the disturbance excited by

Cælius and Milo are killed.

[276] Velleius Paterculus, II. 68.

Cælius and Milo being thus quickly suppressed, rather tended, we may suppose, to strengthen Cæsar's authority; and persons possessed of property were more reconciled to his government when they found it ready to protect them against the violence of the needy and the desperate.

Death of M. Bibulus.

About this time Pompey sustained a severe loss in the death of M. Calpurnius Bibulus, the commander-in-chief of his fleet [277]. The vigilance which this officer had lately exerted, in order to atone for his previous neglect in suffering Cæsar to cross the Ionian gulf, had thus far been completely successful in preventing the passage of the troops under M. Antonius, but it proved in the end fatal to himself. Fatigue, anxiety, and insufficient accommodations, severely affected his health; he refused, however, to quit his post, and persisted in struggling against his complaints till he sank under them. On his death, his place as commander-in-chief was left vacant, possibly from some intrigues at Pompey's head-quarters, which made it difficult for the general to fix upon a successor. But the bad effects of this omission were soon notorious, for each separate commander of a squadron began to act for himself; and L. Scribonius Libo [278], departing from the defensive system of Bibulus, crossed the Ionian gulf with the fifty ships which formed his own division, and proposed to blockade the port of Brundisium itself, by occupying a small island which was opposite to the

[277] Cæsar, III. 18.

[278] Cæsar, 23, 24.

CHAP. VIII.

From U.C. 695 to 710, A.C. 59 to 44.

mouth of the harbour. His sudden appearance enabled him to surprise some vessels laden with corn, which he burnt or captured; he disembarked also a party of troops, with which he dislodged a body of Cæsar's cavalry from one of their posts near the shore; and, elated with these exploits, he wrote to Pompey to assure him that he might safely venture to bring the rest of the fleet into port to refit, for that he himself, with his single squadron, would engage to prevent the passage of Cæsar's reinforcements. A short time, however, proved the emptiness of these promises, for the island which Libo occupied was unable to furnish the ships with a sufficient supply of fresh water; and after the first surprise was over, Antonius stationed his parties of cavalry along the shore in such numbers, that they could not be dislodged, and thus effectually cut off the enemy from all communication with the land. The inability of an ancient fleet to act with success without military co-operation was thus again proved; and Libo was obliged to abandon the blockade of Brundisium, and resume his original station on the coast of Greece.

Cæsar becomes impatient at the delay of his expected reinforcements.

At length the winter was at an end[279], and Pompey's naval force had kept the sea through the most unfavourable season of the year with unabated resolution. Their task would now become much easier, and the difficulty of effecting a passage would be proportionably increased to Cæsar's second division.

[279] Cæsar, III. 25.

He himself complains that his officers at Brundisium had neglected some opportunities of which they might have availed themselves; and being impatient of their long delay, he wrote to them in very strong terms, enjoining them to put to sea with the first fair wind, and recommending them to steer for the coast of Apollonia, if possible, which, from its want of harbours, was less guarded by the enemy's fleet; adding, that they might there run their ships aground, and that the loss of the vessels was comparatively of no importance. But trusting, above all things, in the effect of his own presence, he made a bold attempt to cross over in person to Brundisium; and having left his army secretly by night, he embarked in disguise on board of a small vessel, and although the weather was very tempestuous, and the wind against him, he endeavoured at the utmost hazard to effect the passage of the Ionian gulf; nor was he induced to desist till he found it utterly impossible to accomplish his purpose [280]. His letters, however, had produced a sufficient effect; the soldiers themselves, he tells us, pressed their officers to risk the voyage; and M. Antonius and Q. Fufius Calenus, with four legions and about eight hundred cavalry,

M. Antonius embarks his troops at Brundisium.

[280] Valerius Maximus, IX. 8. The story, as given in the text, is copied from Valerius Maximus, the earliest writer in whom we have found any mention of it. The famous additions to it, which are given by Florus, Dion Cassius, Appian, and Plutarch, that Cæsar encouraged the terrified master of the vessel, by discovering himself to him in the midst of the storm, and telling him not to be afraid, for that he carried with him *Cæsar and his fortune*, resemble those embellishments of some simple expression or occurrence which anecdotes of great men are apt to gain in proportion to the number of persons who successively report them.

CHAP. VIII.

From U.C. 695 to 710, A.C. 59 to 44.

at length set sail with a south wind from Brundisium. But, with the wind in such a quarter, they not only failed in reaching Apollonia, but could not even make any land southward of Dyrrhachium. They were thus seen from Dyrrhachium by C. Coponius [281], one of the proprætors, who commanded the Rhodian squadron at that port, and he instantly put to sea in pursuit of them. Flight was their only resource, and they ran before the wind northward, towards the harbour of Nymphæum, which, though open to the south, and threatening the loss of their ships, still held out a chance of their effecting a landing. But, by one of those remarkable instances of good fortune which have occurred in our own naval history on some memorable occasions, the wind suddenly shifted to the south-west, as soon as the transports had reached Nymphæum; and thus, owing to the position of the harbour, they were now in perfect safety, whilst sixteen of the enemy's ships, that were most forward in the chase, were all driven on shore and wrecked. Of the crews a considerable number perished, and many were taken by Cæsar's soldiers; but these last, he tells us, he treated with humanity, and dismissed them unhurt to their own homes.

Two of Antonius's transports, being heavier sailers than the rest [282], were overtaken by the night, and, not knowing what was become of their companions, came to an anchor off Lissus. Otacilius Crassus,

[281] Cæsar, III. 26, 27.

[282] Cæsar, III. 28, 29.

who commanded Pompey's garrison in the town, sent off a number of armed boats and vessels to attack them, and summoned them both to surrender. One of them, which had on board 220 men of a newly-raised legion, submitted immediately[283]; but the other contained about 200 veterans, who, although weakened and wretched from the confinement and sickness of a stormy voyage, preserved their courage, and compelled the master of the transport to run the ship on shore. They found a position favourable for their defence; and, after repulsing an attack that was made upon them on the following morning, they reached the main body of the army, which had landed at Nymphæum without loss. Immediately afterwards, Lissus, which was within the limits of Cæsar's province of Illyricum, and had received some favours from him during his government as proconsul, opened its gates to Antonius; and that officer, having sent back most of the transports to Italy, to bring over some reinforcements that were yet expected, sent word to Cæsar of his landing, informing him of the numbers that he had brought with him, and of the part of the country at which he had effected his descent.

He lands at Nymphæum, on the coast of Illyricum, and occupies the town of Lissus.

As the transports had been seen from the shore

[283] Cæsar adds, that they were all massacred, although their lives had been solemnly promised to them. We can only regret that we have not the report of Otacilius Crassus on this affair; but, as it is, we cannot admit into the body of our narrative a statement of this nature, which is utterly improbable in its present form, although it be very likely founded on something which did actually happen under different circumstances.

CHAP. VIII.

From U.C. 695 to 710, A.C. 59 to 44.

passing by Apollonia and Dyrrhachium[284], their arrival in the neighbourhood was known both to Cæsar and Pompey; but neither was at first aware of the precise point at which they might have come to shore. Both generals immediately broke up from their positions on the Apsus; Pompey, with the hope of surprising and cutting off the troops under Antonius, and Cæsar with the view of effecting his junction with them. But, as Cæsar was delayed by being obliged to march up the left bank of the Apsus for some distance, in order to find a ford, Pompey might possibly have succeeded in his object, had not his approach been communicated to Antonius by some of the people of the country. Thus aware of his danger, Antonius suspended his march, (for it seems that he had set out from Lissus to meet Cæsar,) and kept his troops during one whole day within the protection of their camp; till, on the next day, Cæsar, having recovered the ground which he had lost, came up with the main body of his army. It was now Pompey's turn to be apprehensive for his safety; and, accordingly, he fell back to avoid being surrounded, allowed the enemy's two divisions to effect their junction, and marching with his whole force to Asparagium, a small town subject to the people of Dyrrhachium, but whose exact situation is not known, he there encamped his army again in a favourable position. Cæsar, on the other hand, now found himself enabled to extend the

He effects his junction with Cæsar.

[284] Cæsar, III. 30.

scene of his operations[285]. To maintain a large force on the coast was become less important; he diminished, therefore, the number of his troops in that quarter, and sent three considerable detachments into Ætolia, Thessaly, and Macedonia, as he had reason to expect that the inhabitants of those countries would declare in his favour, as soon as they could do so with safety; and as his supplies by sea were rendered worse than precarious, by the superiority of the enemy's navy, it was highly expedient that he should command the resources of a more extensive district than that narrow strip of coast to which he had hitherto been confined. He himself, as soon as he learned the new position in which Pompey had placed his army[286], followed him thither, and offered him battle. The challenge was declined; for if Pompey had not thought proper to meet his enemy in the field before the arrival of Antonius, he was much less likely to risk a general action now. But an army which feels itself superior to its antagonists, enjoys a great advantage in the freedom of its movements; for, as it is its interest to bring on a general engagement, it may attempt any enterprise it pleases, with the twofold chance either of winning that particular object, or of forcing the enemy to a battle if he endeavours to offer any opposition. In this manner, Cæsar, finding that his adversary was resolved to avoid an

Cæsar follows Pompey to Asparagium.

[285] Cæsar, III. 34, 35, et seq. [286] Cæsar, III. 41, 42.

CHAP. VIII.

From U.C. 695 to 710, A.C. 59 to 44.

action, conceived the plan of marching upon Dyrrhachium, which, as we have already stated, was one of the principal magazines of Pompey. To mislead his enemy, he set out at first from his camp in a different direction; and it was not till the following morning that Pompey, having discovered in the mean time his real intention, commenced his own march towards Dyrrhachium, in order to counteract it. Cæsar, however, had gained in time more than he had lost in distance by the circuitous route which he had taken; he pressed his march, moreover, with the utmost activity, allowing his men to rest only during a short portion of the night, and thus he appeared in front of Dyrrhachium early in the morning, and formed his camp before the town, so as to cut off all approach to it. Pompey, finding himself shut out from Dyrrhachium, took up a position on some high ground near the sea, known by the name of Petra, or Cliff, and which commanded a small harbour or bay, where vessels with some winds might ride at anchor, or be drawn on the beach with safety. Hither, accordingly, he collected a part of his fleet, and hither he ordered his supplies to be brought by sea from all the parts of the empire which acknowledged his authority.

He marches upon Dyrrhachium, and encamps before the town.

Pompey encamps at Petra, near Dyrrhachium.

Thus were the two contending parties opposed to one another at Dyrrhachium; and notwithstanding Cæsar's good fortune in seeing his whole army united on the eastern side of the Ionian gulf, he had as yet no prospect of bringing the war to a speedy termi-

nation. The naval force of the enemy preserved and even improved its ascendancy[287]; and not only cut off all chance of supplies from Italy, but had lately made one or two successful attacks on some of the ports of Epirus, which were in the possession of his troops, and had burnt or captured most of the ships which he had detained there out of the fleets used in transporting his army from Brundisium. Nor had Pompey been obliged to divide his own forces in order to oppose the detachments which Cæsar had recently sent into Thessaly and Macedonia; for his father-in-law, Scipio[288], had just arrived from Asia with the legions which he had raised in his province of Syria, and was able to occupy the attention of Cæsar's lieutenants, without requiring any assistance from the commander-in-chief. Under these circumstances, Cæsar formed the plan of blockading Pompey's army in its position at Petra, by constructing lines of circumvallation extensive enough to intercept all the enemy's communications with the interior of the country; a measure to which, as he tells us, he was led by several considerations[289]; for he hoped, in the first place, to render useless the fine and numerous cavalry of Pompey, and to secure his own foraging parties from its attacks; and he wished, besides, to preserve the reputation of his arms, and to gain the credit of blockading Pompey the Great in his camp, and forcing him thus practically to confess his own

Cæsar proposes to blockade Pompey in his position.

[287] Cæsar, III. 40. 42.
[288] Cæsar, III. 31—38.
[289] Cæsar, III. 43.

CHAP. VIII.

From U.C. 695 to 710, A.C. 59 to 44.

inferiority. Above all, it was necessary for him to employ his army in some active operations; in the course of which, he flattered himself, circumstances might arise which might bring his troops into contact with the enemy, in spite of Pompey's determination to avoid every engagement, and to trust to time and his naval superiority for a successful termination of the war.

Description of the lines and operations in the neighbourhood of Dyrrhachium.

An attempt to detail minutely all the operations that followed, would scarcely be of any value, without a more intelligible guide than our present copies of Cæsar's "Commentaries" can supply, and without a more perfect knowledge of the ground, than it is now, perhaps, possible to obtain. We shall content ourselves, therefore, with a general view of the object pursued by each party, and of the manner in which this first act of the campaign, if we may use the expression, was brought to a conclusion. No sooner did Pompey perceive his adversary's design of hemming him in on the sea-coast [290], than he began to construct lines on his side, which he continually carried out to a greater distance, that he might command a larger space for the quarters of his own army, and might multiply the labour and difficulty of the operations of the enemy. The fortifications of each party consisted of forts placed on the most commanding points of the country, and connected with one another by a rampart and ditch. Frequent contests took place between the troops employed in

[290] Cæsar, III. 44.

these works; as the possession of any important height, if gained by Cæsar, enabled him to draw his lines more closely around the enemy; or, if secured by Pompey, threw back his adversaries to a greater distance, and gave a greater freedom of movement to his own army. The result was, that Pompey raised no fewer than twenty-four forts, all connected with each other by continuous works, and thus gained a space of fifteen miles in circuit for the accommodation and subsistence of his soldiers; while Cæsar, persevering in his original design, completed a blockading line of the extraordinary length of eighteen miles[291], following the whole extent of the works of the enemy. Nor was this all; for, where his line came down to the sea, he constructed a second line parallel to it at the distance of about two hundred yards, and facing towards the opposite direction, to prevent his main line from being attacked in the rear, if Pompey should embark troops on board his ships, and direct them to cause a diversion, by landing on the outside of the blockading line, and attacking it on that quarter. For further security, these two lines were to be connected by a transverse line parallel to the sea, and closing up the opening between them; but this third work was not completed, owing to the immense magnitude of the labour which the army had to perform in other quarters; and the omission was afterwards attended, as we shall see, by some important consequences.

[291] Cæsar, III. 63.

CHAP. VIII.

From U.C. 695 to 710, A.C. 59 to 44.

Inconveniences suffered by both armies.

Both armies suffered some privations in this extraordinary kind of warfare[292]. Cæsar's soldiers were most pressed by the scarcity of wheat, an article which they seem to have considered so indispensably necessary, that their general praises their fortitude in high terms for enduring the want of it; although their condition does not seem to have been very deplorable, if, as Cæsar admits, they were plentifully supplied with meat, vegetables, barley, and root, which he calls chara, and which, he tells us, they used to prepare with milk, and make cakes of it. On the other side, Pompey's troops had wheat in abundance; but their situation in other respects was much worse than that of the enemy. As their position was near the sea, the streams naturally flowed down through it from the higher ground occupied by Cæsar's lines; and Cæsar was thus enabled either to turn their course, or to pond up the water with great labour in those narrow valleys or gorges into which the springs of the hills first discharged themselves, before they reached the lower and more open country. Deprived thus of the natural supply of running water, Pompey's soldiers were obliged to dig basins or reservoirs in the marshy grounds near the sea; and the water thus gained was not only bad in itself, but quickly dried up under the heat of the sun, as the season was now advanced to the middle of summer. In addition to this most severe suffering, they were reduced to the

[292] Cæsar, III. 47, 48, 49. 58.

greatest want of forage for their horses, insomuch that they were obliged to give them leaves from the trees, and the roots of reeds, to eke out the supplies which they received by sea; and thus most of the draught animals of the army, being less considered than the cavalry horses, died, and the stench of their carcases in the hot summer weather, and in the low and comparatively confined space occupied by the troops, produced a considerable effect, we are told, on the health of the men. How far Cæsar may have exaggerated the distress which his blockade occasioned to his adversaries, it is not easy to decide; but it is probable that in one respect his views were answered, and that Pompey suffered in general estimation, by allowing himself, with an unbroken and numerous army, to be hemmed in by his antagonist. "He cannot escape with honour," says Dolabella in a letter to Cicero [293], written about this time from Rome, "driven as he has been from Italy; deprived of Spain with the loss of a veteran army; and now even blockaded in his camp; a disgrace which scarcely any other of our commanders has ever endured." Yet Pompey, it is likely, was daily improving the quality of his troops, by exercising them in those partial conflicts to which the nature of the operations on both sides constantly gave occasion; and it may be conjectured that Cæsar had better reasons for praising the patience and fortitude of his soldiers than he chooses to confess; for every account of

[293] Cicero, ad Familiar. IX. epist. IX.

CHAP. VIII.

From U.C. 695 to 710, A.C. 59 to 44.

Pompey resolves to release himself from his blockade.

these transactions dwells upon the distress which they suffered from the want of provisions, in a manner not very consistent with Cæsar's statement, that they had every thing in abundance except wheaten bread. At length Pompey thought that the time was come at which he might act on a more vigorous system. Whether he was urged, as Cæsar says, by the distress which he suffered in his present position, or whether he wished at last to make some trial of the fitness of his soldiers to oppose the enemy in the field, he resolved to break out from his confinement, and force a passage through Cæsar's lines. Having been accurately informed by some deserters of the disposition of the enemy's troops[294], and of all the defects of their works, particularly of the opening left between their first and second line near the sea, owing to the unfinished state of the transverse line which was intended to connect them together, Pompey prepared his plan of attack accordingly. Directing his main effort against the weak point of Cæsar's works, he assaulted the first line in front with his legionary soldiers, whilst he embarked on board his small craft a large force of his light infantry, and caused them to be landed, some on the outside of the second line to attack it in front, and some in the opening between the two lines, where they could distract the defenders of both by assailing them in the rear. These combined movements were crowned with complete success. The attack

[294] Cæsar, 59, et seq.

He forces Cæsar's lines.

was made at daybreak, the lines were forced with great slaughter, and Pompey had taken up a new position beyond the works which had been constructed with so much labour to confine him, before Cæsar could come up to the support of his men from the remote part of his lines in which he had fixed his usual quarters. When he did arrive on the spot, and saw that all his plans must at once be changed, he gave orders to form a new camp near that of Pompey. But scarcely was the work completed [295], when some of his reconnoitering parties brought him word that a portion of the enemy's army, apparently amounting to an entire legion, was stationed by itself at some distance from its main body, and might possibly be cut off by a sudden attack. Eager to retrieve the loss which he had sustained in the early part of the day, Cæsar caught at the chance of success thus held out to him, and advanced with about three legions to assail the single legion of the enemy. But the ground, it seems, was intersected with walls and ditches which had been made in some of the multiplied operations of the last few weeks, and these impediments delayed and disarranged the order of the advancing troops, and gave Pompey time to come up with a strong reinforcement. Cæsar's soldiers, confused amidst the difficulties of the ground, and now themselves attacked both in front and rear, were seized with a panic and fled. In vain did Cæsar attempt

Affair of Dyrrhachium, in which Cæsar is defeated.

[295] Cæsar, III. 66, et seq.

CHAP. VIII. From U.C. 695 to 710, A.C. 59 to 44.

to stop the rout; when he caught hold of the colours which the terrified bearers were carrying off in their flight, they were thrown away, or left in his grasp; when he stopped the horses of any of his fugitive cavalry, the riders leaped off, and ran away on foot. But the same impediments which had first thrown the vanquished party into disorder, obstructed in their turn the pursuit of the conquerors; and Pompey himself, it is said, surprised at his easy victory, suspected that the flight of the enemy was counterfeited, in order to draw him into some ambuscade, and accordingly did not press upon them so closely as he might have done. Still he had gained a great and decisive advantage, for Cæsar at once felt that he could not continue the campaign on his present ground; and having brought together all his scattered detachments, and abandoned all his lines, he determined to retreat from the neighbourhood of Dyrrhachium with the greatest expedition, and began to concert measures to preserve his army during its retreat from the annoyance likely to be offered by the victorious enemy.

Cæsar retreats from Dyrrhachium.

For this purpose he sent off all his baggage with the sick and wounded in the early part of the night under the escort of a single legion[296]. The main body of the army commenced its march a little before daybreak, but Cæsar remained in the camp, with two legions, for some little time longer; and then, after the usual order had been given for the soldiers to

[296] Cæsar, III. 75.

prepare to march, he set out with the utmost expedition and soon overtook the other legions, which had already made some progress. The order for marching was generally, it appears, conveyed through the camp with considerable noise[297], being notified by repeated calls to get the baggage together, and thus it might easily be heard by an enemy, when posted at the little distance which was customary in Roman warfare. Pompey, accordingly, no sooner heard this signal, than he put his own army in motion, supposing that the enemy were only then beginning their retreat; but Cæsar, through the precautions which he had employed, was so much in advance that he could not be overtaken till he came to the Genusus, a river which falls into the sea a little to the south of Dyrrhachium, and whose steep and rocky banks necessarily occasioned some delay ere the passage of it could be effected. Here Pompey's cavalry came up with the rear of the retreating army; but Cæsar ordered his own cavalry up to the scene of action, and by supporting them with a detachment of his light-armed legionary infantry, enabled them, according to his own account, though greatly inferior in numbers, to repulse the enemy with some loss. Having thus crossed the Genusus in safety, he led his troops into a camp which they had formerly occupied, described before as being close to Asparagium[298], and which was distant about eight miles from the position which they had quitted

[297] Cæsar, de Bell. Civili, I. 66. [298] Cæsar, III. 76.

CHAP. VIII.

From U.C. 695, to 710, A.C. 59 to 44.

in the morning [299]. The cavalry were immediately sent out to forage, as if Cæsar intended to halt here for the night; but they were ordered to return quickly to the camp, by the gate furthest removed from the enemy, and about noon the order was given to resume the march, and the army continued its retreat for eight miles more without the least disturbance. Pompey, on his part, had occupied his old camp near Asparagium, and concluding that Cæsar would move no further during that day, had not only sent out his cavalry as usual to collect wood and forage, but had allowed many of the soldiers to return to their position of the morning, in order to collect various articles of their baggage which they had been forced to leave behind when summoned so suddenly to move in pursuit of Cæsar. It was thus impossible for him to follow his adversary, and the advance which Cæsar had gained was so important, that no subsequent exertions of Pompey could make up for it. Accordingly, on the fourth day he discontinued the pursuit, and Cæsar arrived at Apol-

He is pursued by Pompey without effect.

[299] This is spoken of as a day's march, although it was completed some time before noon, and the distance seems very inconsiderable. It should be remembered, however, that it was now midsummer, a season at which it would be desirable, in the climate of Greece, to avoid marching in the heat of the day; and, besides, the circumstance of finding a camp ready formed, would be a reason why the army should halt a little sooner than usual, rather than advance a few miles at the price of having to undergo the whole labour of raising the customary works for itself. The passage of the Genusus, moreover, was probably more fatiguing than a march of some length over a plain country; and the armies had both moved at an unusual pace during the whole day; so that altogether it was not unnatural to suppose that Cæsar might really intend to halt in his camp at Asparagium.

lonia without interruption. This town, it seems, was one of his most valuable posts [300], and he had placed there his military chest, which he now required for the payment of his soldiers; he judged it also to be the place where he could most securely leave behind his wounded; and for both these reasons he had fixed upon it as his first point of retreat. He had no intention, however, to remain there long, as he had decided to move at once into Thessaly. Accordingly, having sent orders to Cn. Domitius Calvinus, the commander of that part of his army which was in Lower Macedonia, to join him as soon as possible, and having left garrisons at Apollonia, Lissus, and Oricum, to facilitate his communications with Italy, he set out once more to commence what may be called a new campaign; and turning aside from the coast, he commenced his march towards the interior of the country, through Epirus and Athamania [301].

[300] Cæsar, III. 78.

[301] The reading in the only two editions of Cæsar which we have consulted, (neither of them, it must be confessed, of any great value, or of recent date,) is "Acarnania;" "per Epirum atque Acarnaniam iter facere cœpit," 78. It is evident that Cæsar could not march through *Acarnania;* but *Athamania* is the name of that wild mountain region which lies between Epirus and Thessaly, and which immediately overhangs the valley in which Gomphi stands. Vid. Livy, XXXI. 41. "Imminent Althamania huic urbi;" sc. Gomphis. It should be remembered, that in the part of his history from which these words are quoted, Livy has so generally copied Polybius, that his geography is unusually clear and correct. See also Strabo, VII. 378, and IX. 491. Plutarch also says, expressly, ἐβάδιζε δι' Ἀθαμάνων εἰς Θετταλίαν. in Pompeio, 66. Another blunder occurs in the very next chapter in the same editions of Cæsar, where the Heraclea, through which Pompey passed, is called Heraclea Sentica. Heraclea Sentica, or Sintica, was near the eastern frontier of Macedonia, between the Strymon and the Axius; Vid. Livy, XLV. 29; but the Heraclea,

CHAP. VIII.

From U.C. 695 to 710, A.C. 59 to 44.

He resolves to march into Thessaly.

The final success of Cæsar at Pharsalia, ought not so far to impose upon us as to prevent us from seeing that his plans, up to the moment of his retreat from Dyrrhachium, had entirely failed, and that Pompey's confidence in the wisdom of his own system had hitherto been fully justified. By exposing his soldiers gradually in partial encounters, and under favourable circumstances, he had enabled them to meet and to vanquish Cæsar's veterans; while Cæsar, after undergoing a series of labours for the purpose of tempting his adversary to fight, and having seen the patience of his troops tried to the utmost from the want of provisions arising from the enemy's naval superiority, had imposed all this suffering upon them without deriving the least benefit from it; and when at last he did meet Pompey in battle, he was beaten and obliged to change his whole plan of the campaign. But, although he had thus been baffled, he allowed no signs of dejection, nor of a sense of difficulty to appear in his conduct. He had so artfully soothed the vanity of his soldiers by extenuating their defeat[302], and imputing it to any cause rather than to a want of courage or zeal on their part, that the men were less dismayed than irritated by their disaster; and feeling grateful to their general for the kindness of his behaviour towards them, they were impatient for an opportunity of retrieving their

through which Pompey passed, was on the western frontier, and was, in fact, situated on the Ignatian way, at the eastern foot of the Candavian mountains. Vid. Strabo, VII. 374.

[302] Cæsar, III. 73, 74.

CHAP. VIII.

From U.C. 695 to 710, A.C. 59 to 44.

His reasons for so doing.

disgrace, and of proving to him that his confidence in them had not been bestowed unworthily. The success with which the retreat to Apollonia had been conducted, was likely to lessen their impression of the events at Dyrrhachium; and they now had the prospect of resuming at once the offensive, of drawing away the enemy from the neighbourhood of the sea, which had hitherto given him so great an advantage, and of enjoying the supplies which the approaching harvest promised them in the rich and comparatively unwasted plains of Thessaly. Still, however, the utmost expedition was necessary; for it was not to be doubted that Pompey, after having ceased to pursue Cæsar, would at once march into Macedonia by that great and direct communication called the Ignatian way[303], which, as we have already mentioned, crossed the whole country from Dyrrhachium on the Ionian gulf, to Thessalonica on the Ægean sea. Whichever general should first arrive to support his officer who commanded in Lower Macedonia, was likely to gain an important advantage by overwhelming the detachment of the enemy; and thus, whilst Pompey was hastening to join Scipio, Cæsar was equally anxious to unite his army with that of Cn. Domitius.

Cn. Domitius Calvinus had been consul with M. Messala during the latter part of the year 700, after the long interregnum which lasted through all the earlier months of it. He was then reputed a par-

[303] Strabo, VII. 374, edit. Xyland.

CHAP. VIII.

From U.C. 695 to 710, A.C. 59 to 44.

tisan of the aristocracy, but was implicated, while a candidate, in that corrupt agreement with the consuls of the preceding year which forms so remarkable an instance of audacious profligacy [304]. Such a man had probably little to guide him, except his interest or his passions; and accordingly he was now an officer under Cæsar, and had been sent into Macedonia some time before with two legions, to gain, if possible, that important province [305]. Here he had been opposed to Scipio, who had just brought with him from Asia an army of nearly equal force; and as Scipio imitated the policy of Pompey, and declined an action, the two armies lay opposite to one another for some time on the banks of the Haliacmon, without engaging in any affair of importance. It seems, however, that this system of warfare was as annoying to Cæsar's lieutenants as to himself, for we find that Cn. Domitius, having exhausted the resources of the country immediately around him, was obliged to change his position, and had moved towards Heraclea [306], a town situated on the Ignatian way, and at the eastern foot of the Candavian mountains, which are the central chain from whence the streams flow eastward to the Ægean, and westward to the Ionian gulf. This movement took place exactly at the time that Pompey was marching to join Scipio; and as Heraclea was one of the towns through which his road lay, he would have cut off Domitius and his troops without

[304] Vide p. 389.
[305] Cæsar, III. 34.
[306] Cæsar, 79. Strabo, VII. 374.

difficulty, had they not escaped in the utmost haste only four hours before his arrival. The news of Cæsar's defeat at Dyrrhachium, exaggerated as usual by report, had produced every where a strong sensation; and the people of the country, considering his cause desperate, hoped to recommend themselves to the conqueror, by cutting off his communications, and practising against him all those desultory modes of annoyance which a retreating or beaten army is so apt to suffer from such hands. For a long time, therefore, neither Cæsar nor Domitius could receive any intelligence from each other; but at last Domitius, having learnt at once the march of Cæsar towards Thessaly, and his own danger from the advance of Pompey, fell back southwards with all his haste, and met Cæsar at Æginium [307], a town of considerable natural strength, standing amongst the mountains of Athamania, which immediately overhang the plains of Thessaly. Scipio, who had, perhaps, been earlier informed of the approaching change of the seat of war, left the banks of the Haliacmon, and stationed himself at Larissa, on the Peneus, one of the principal cities of Thessaly, and which it was of importance to lose no time in securing. As for the detachment which had been sent by Cæsar into Thessaly while he was himself opposed to Pompey near Dyrrhachium [308], it had been driven out of the country by Scipio, just before Cn. Domitius began to engage the whole attention of that officer in Mace-

He joins Cn. Domitius, his lieutenant, on the frontiers of Thessaly.

[307] Cæsar, 79. Livy, XXXI. 41; XXXII. 15.

[308] Cæsar, 36.

CHAP. VIII.

From U.C. 695 to 710, A.C. 59 to 44.

donia; so that Cæsar, when he arrived at Æginium, had nothing else to trust to for a favourable reception except the affections of the Thessalians themselves, and those, he tells us, had been greatly alienated by the exaggerated reports which prevailed of the desperate situation of his affairs.

He takes Gomphi, and wins over most of the Thessalian towns, and encamps in the plains of Pharsalia.

On descending from Æginium into the plain of Thessaly, the first town of importance on the line of Cæsar's march was Gomphi [309]. He found the gates shut against him, although he tells us that the citizens had sent to him some time before to offer him their services, and to invite him to garrison their city. But when he represented to his soldiers the importance of striking terror into the Thessalians by vigorously chastising this first act of hostility, and encouraged them by promises of the plunder of a wealthy town, they were animated with such a spirit that they scaled the walls within three or four hours after their arrival before the place, and sacked the town with all the eagerness of men who had been long unused to every indulgence. The example, however, produced the desired effect. Metropolis, the next place on the army's route, submitted at once; and here, as a contrast to the fate of Gomphi, the soldiers were forced to observe the greatest forbearance. With such a lesson before their eyes, the other towns of Thessaly followed generally the behaviour of the people of Metropolis, so that Cæsar rapidly advanced, till he found himself in the midst

[309] Cæsar, 80.

of a country covered with crops of corn almost ready for harvest[310], where he determined to await the approach of Pompey, and again, if possible, try the fortune of a battle. His camp was pitched a few miles to the south of Larissa, at no great distance from the right bank of the river Enipeus, in the ever-memorable plains of Pharsalus or Pharsalia.

Confidence of Pompey's army.

Meanwhile the victory of Dyrrhachium and the retreat of Cæsar had produced a fatal effect on the mind of Pompey, and made him less firm in resisting the rash and violent counsels of his officers. His soldiers had saluted him with the title of imperator on the field of battle, a name usually given in this manner by an army to its victorious general, and expressive of the sense entertained by his troops of the greatness of his success. But it is mentioned, that although Pompey adopted the title thus conferred on him[311], he abstained from the general custom of wreathing his fasces, or surrounding his letters with laurel; implying that he intended to claim no triumph for a victory gained over his own countrymen. His generals immediately began to propose various plans for the future operations of the army. L. Afranius (who had brought with him from Spain a part of the troops which he had formerly commanded there[312], having enlisted, perhaps afresh, some of those soldiers who had been discharged according to the capitulation granted them by Cæsar) strongly urged that Pompey should avail

[310] Cæsar, 81.
[311] Cæsar, 71.
[312] Cæsar, 86.

CHAP. VIII.

From U.C. 695 to 710, A.C. 59 to 44.

himself of the first renown of his victory[313], and should transport his army at once into Italy, that he might thus easily recover the seat of government, and might deprive his adversary of the resources which he now drew from Sicily, Sardinia, Gaul, and Spain. But Pompey replied, that he would never consent to expose Italy and Rome itself to the miseries of war; that besides, by leaving Greece at this moment he abandoned Scipio and his two legions to certain destruction; whereas, by effecting a junction with him, he might reasonably hope to complete the work which they had so well begun, and might return to Rome within a short period, without leaving behind them any cause for apprehension or future anxiety. It is said that some of the members of the high aristocratical party were in the habit of reproaching Pompey for his procrastinating system of warfare[314], and accused him of wishing to protract the contest, that he might the longer enjoy the distinction of seeing the flower of the nobility of Rome obeying him as their commander-in-chief. But his policy was so evidently wise, that, inclined as he was to defer too much to public opinion, he yet persevered in his own plans till after the battle of Dyrrhachium. The unexpected panic which he had on that occasion witnessed among Cæsar's veterans, inclined him, perhaps, to think that he had judged too highly of their superiority; while his confidence in his own soldiers would be proportionably raised.

[313] Plutarch, in Pompeio, 66. Appian, II. 65.

[314] Plutarch, in Pompeio, 67. Appian, II. 67. Cæsar, 82.

He thought that his long course of cautious training had at last been brought to perfection; and that with a more numerous army, now flushed with victory, and a very superior cavalry, he need not fear to face his enemy in the field. This feeling was heightened when he found that the plains of Thessaly were to become the scene of the contest; for on no ground could his cavalry act with more advantage; and we are told that he placed his main reliance on that part of his forces[315]. But, be this as it may, he set out with the bulk of his army to follow Cæsar, as we have already related, having left fifteen cohorts at Dyrrhachium, under the command of M. Cato, to secure his magazines in that town[316]. Two other distinguished individuals remained also at Dyrrhachium, and thus were not present at the battle of Pharsalia; M. Varro, who had been lately one of Pompey's lieutenants in Spain, and who was accounted the most learned Roman of his time; and M. Cicero, who, though warmly attached to Pompey himself, was disgusted at the language and conduct of some of his principal officers, and was, probably, not sorry for the indisposition which, according to Plutarch[317], prevented him from taking a more active part in the contest. He had always been anxious for peace, and had left Italy in the preceding summer, and joined Pompey in Greece, more out of personal friendship to him, and a regard to his own character, than from any ardent zeal in the quarrel,

[315] Cæsar, 86.
[316] Cicero, de Divinatione, I. 31.
[317] In Cicerone, 39. Plutarch, in Catone, 55.

CHAP. VIII.

From U.C. 695 to 710, A.C. 59 to 44.

or still less from an approbation of the manner in which it was conducted.

Pompey, on his arrival in Thessaly, formed a junction with Scipio's army, and then advanced and pitched his camp at no great distance from that of Cæsar. He was abundantly supplied with provisions from the sea, and from the country in his rear, while Cæsar could command only the resources of that part of Thessaly which was in his own immediate occupation; and these, though plentiful at present, must of necessity be soon exhausted. Cæsar, therefore, lost no time in offering battle to his antagonist; but this was for some days declined; and Pompey, though he drew his troops out in order, yet kept them so near to the protection of their camp, that Cæsar could not venture to attack him [318]. There was still, perhaps, a struggle in Pompey's mind between his own better judgment and his deference to the wishes, or rather the clamours of his generals, combined with that confidence in his strength with which his late victory had inspired him. At length Cæsar resolved to change his ground, calculating, he tells us, that by moving often from place to place, he should be able to subsist his troops more readily [319], and, if he was pursued, might have some opportunity of forcing the enemy to an engagement during the march. Besides, he still looked upon Pompey's soldiers as raw levies in comparison with his own practised veterans, and hoped to weary out

[318] Cæsar, de Bello Civili, III. 85.

[319] Cæsar, 85.

CHAP. VIII.

From U.C. 695 to 710, A.C. 59 to 44.

their spirits and patience by harassing them incessantly, and keeping them in continual motion. But when the order for marching had been actually given, when the tents were already struck, and the troops were moving out of the gates of the camp, word was brought that the enemy was formed in line of battle at a greater distance from his intrenchments than usual, as if disposed to venture an action on equal terms. Immediately the march was stopped, the red ensign, or signal of battle, was displayed at the general's quarters [320], and the soldiers, freed from the load which they were accustomed to carry when marching, were instantly led out into the plain equipped merely for battle, and were drawn up in front of the enemy.

Pompey is persuaded to hazard a battle.

Disposition of the two armies.

The engagements of modern warfare cannot be understood without an exact knowledge not only of the grander features of the scene of action, but even of the minutest details of its hills, valleys, streams, woods, roads, villages, and insulated houses. A space of several miles is occupied by the contending armies, and a battle is for the most part a game of positions, in which the carrying one important point renders the retreat of the enemy a matter of necessity. Generals, therefore, are obliged to calculate time and distance with the utmost exactness, as success will depend on the combined movements of different bodies of men acting out of sight of one another, and over a wide extent of country; and meeting

[320] Plutarch, in Pompeio, 68.

CHAP. VIII.

From U.C. 695 to 710, A.C. 59 to 44.

with obstacles of a very unequal nature in their respective operations. But in ancient times, the great battles, which decided the fate of a campaign or a war, were conducted on a much more simple system. The two parties descended, as by agreement, into a wide field for action; both were drawn up in parallel lines, and there decided the contest by hard fighting, man to man, with seldom any other attempts at manœuvring, than those made by either army to turn the flank of its antagonist. In this manner, Cæsar and Pompey met in the plains of Pharsalia. Their lines fronted one another in the usual order of battle: the right flank of Pompey's army, and the left of Cæsar's, were covered by the river Enipeus, whose banks were steep and broken [321]; while Pompey had stationed his whole cavalry on his left, at once to cover that extremity of his own line, and to turn the wing of the enemy. To obviate this, Cæsar formed a reserve of six cohorts, which he had drafted from the legions of his third line, and placed them on his right, behind his own cavalry, ready to present a front and to charge the cavalry of the enemy so soon as they should prepare to execute their intended manœuvre. He, himself, besides, took his station on the right of his line, at the head of the tenth legion, the most distinguished body of troops in his army; while Pompey, equally aware that this would be the most important point in the field, placed himself on his own left wing, at

[321] Cæsar, III. 88.

CHAP. VIII.

From U.C. 695 to 710, A.C. 59 to 44.

the head of the two legions which had formerly belonged to Cæsar, and which had been recalled from his army in Gaul, as we have already seen, a little before the beginning of the war. The numbers on each side are, as usual, uncertain; the writer of the "Commentaries" (for the more we read them the less can we persuade ourselves to consider Cæsar as their author, although, to avoid circumlocution, we often speak of them as his work,) states the amount of Pompey's infantry at 45,000, and that of Cæsar's at 22,000 [322]. In cavalry, Pompey's superiority is made out to be still greater; he had 7000 men, and Cæsar only 1000 [323]. Appian, also, without referring directly to the "Commentaries," gives exactly the same numbers, following, he says, the most credible authorities on the subject [324]; but he mentions several other statements, some representing the disparity between the two armies to have been greater, and others to have been less than he has recorded. The auxiliary troops on both sides were very numerous, but their exact amount, says Appian, is not known; because the Romans considered the foreign part of their forces as of little importance. Almost every province of the empire had given assistance to one or other of the two antagonists; and it was on the foreign troops in Pompey's army that Cæsar ordered his soldiers to glut their fury, while he commanded them to spare all who were Romans, as soon as they should cease

Their numbers.

[322] Cæsar, III. 88, 89.
[323] Cæsar, 84.
[324] Appian, II. 70.

CHAP. VIII. From U.C. 695 to 710, A.C. 59 to 44.

to resist. Yet it was the most beneficial result of Cæsar's final victory, that the distinction between the Italians and the inhabitants of other parts of the empire was gradually lessened, till it was at last removed altogether. And although, to effect this equality, Rome was somewhat degraded, as well as the provinces raised, yet the general interests of mankind were promoted by the change, inasmuch as a larger portion of it became admitted to that rank and that civil condition which were the highest and most desirable existing at the time in the world.

Battle of Pharsalia.

The signal for attack was first given by Cæsar [325]; and his soldiers rushed forward to the onset. But finding that the enemy did not advance to meet them, and fearing to exhaust their strength before they closed, they halted, of their own accord, for a few minutes, in the middle of their course, to recover their breath; and then, renewing their charge, they launched their javelins against the adverse ranks, and instantly drawing their swords engaged the enemy hand to hand. The soldiers of the Commonwealth received the attack with coolness, and the action soon became general; when the cavalry [326], which was stationed on the left of Pompey's line, moved forward to charge Cæsar's right, accompanied by all the light troops, which formed a numerous body. Cæsar's cavalry, unable to stand the attack, was presently beaten; and the victorious cavalry of

[325] Cæsar, 90. 92. Florus, IV. 2. [326] Cæsar, III. 93, 94.

Pompey were beginning to fall on the defenceless flank of the line of infantry, when the reserve of six cohorts, or about 3000 men, which Cæsar had formed for this very purpose, suddenly advanced; and, without waiting to receive the charge of the cavalry, itself charged them with great impetuosity. Pompey's cavalry, as we have seen, consisted mainly of foreigners, and those of many different nations[327]. Startled, therefore, at this unexpected attack, afraid of the high courage and discipline of Cæsar's regular infantry, galled by the terrible discharge of the javelins, and, perhaps, in some disorder at the moment from not having completed the manœuvre in which they were engaged, the soldiers, on whom Pompey had placed his chief dependence, were seized with a shameful panic, and fled[328]. The light troops, abandoned to their fate, were instantly cut to pieces; and the reserve, still pushing its success, fell upon the flank and rear of the line of Pompey's infantry, which was at that moment warmly engaged in front with the best troops in Cæsar's army, the famous tenth legion. At the same instant Cæsar brought up the third line of his army, which had not hitherto been engaged[329]; and the arrival of a

[327] Cæsar, III. 4. Confer. Lucan, Pharsalia, VII. 521, et seq.

[328] The reader will recollect the similar circumstances which occasioned the disgraceful rout of Preston Pans in the rebellion of 1745. The dragoons, who were ordered to charge the Highlanders as they advanced, were beaten off and fled, leaving the artillery and infantry to their fate. And it is remarkable, that, till then, the cavalry had been regarded as the particular kind of force which was likely to be most efficacious against the Highlanders.

[329] Cæsar, 94.

CHAP. VIII.

From U.C. 695 to 710, A.C. 59 to 44.

fresh force at once overpowered the resistance of the enemy; who, wearied with a long contest already, and attacked at once in front and in rear, were unable to withstand this third attack, and broke and fled. The impression communicated itself rapidly, and the whole line of Pompey's infantry began to give ground. Still, however, they disputed the approach towards their camp; when Cæsar issued the order to give quarter to all Roman citizens, and only to kill the foreign auxiliaries [330]. Many of the legionary soldiers instantly embraced the safety thus offered to them, while the auxiliaries, deserted by the most effective part of the army, were slaughtered without difficulty and without mercy. In this manner the conquerors soon arrived at Pompey's camp, which they proceeded to storm, and carried it after a brief but sharp resistance from some Thracians and other auxiliaries who had been stationed to defend the rampart [331]. From the camp the fugitives fled in a body to some very high ground, which rose immediately behind it [332]; and Cæsar, having authority enough to call off his soldiers from the spoil that was lying before them, instantly followed to complete his victory [333]. But the enemy, finding

Defeat of Pompey.

[330] Appian, II. 80.

[331] Cæsar, 95.

[332] Cæsar, 95. 97.

[333] It was on this occasion that Cæsar exclaimed, in the hearing of Asinius Pollio, upon witnessing the total defeat of the Commonwealth's army, "Hoc voluerunt; tantis rebus gestis C. Cæsar condemnatus essem, nisi ab exercitu auxilium petiissem." The words of Napoleon Buonaparte were in the same spirit when he was exciting the indignation of his soldiers against the Jacobin members of the Council of Five Hundred, on the memorable 19th Brumaire, (10th November, 1799.) "J'allais, leur faire connaître les moyens de sauver la république, et de nous

that their position was destitute of water, abandoned it, and continued their retreat towards Larissa. Cæsar still pursued them with a part of his forces, having left the other part to secure his own camp, and that which he had just taken from the enemy. The fugitives, finding that he was gaining ground upon them by moving on a more practicable road, halted again on another height, which had a stream flowing at its foot. Night was coming on, and the exertions of the day had almost exhausted both parties; but Cæsar encouraged his men to make one effort more, and to raise works between the hill and the stream, that the enemy might not supply themselves with water during the night. His wish was accomplished; and the unfortunate fugitives, exposed to all the horrors of thirst after a day of intense fatigue, and at the hottest season of the year, sent some of their number to offer an immediate surrender[334]. Some senators, it is said, who were on the hill, not choosing to submit to Cæsar, escaped during the night; but the rest of the fugitives, as

Surrender of a large portion of his army.

rendre notre gloire. Ils m'ont répondu à coups de poignard. Ils voulaient ainsi réaliser le désir des rois coalisés. Qu'aurait pu faire de plus l'Angleterre? Soldats, puis-je compter sur vous?"—Mémoires de Napoléon, I. 91.

[331] Pompey was murdered the day before his birthday; that is, according to Pliny, Histor. Natural. XXXVII. 2, on the 29th of September, which, allowing for the disordered state of the Roman calendar at this time, was really about one of the latter days of July. Consequently the battle of Pharsalia must have been fought about the beginning or middle of July; but we have found no record of the precise day, and indeed one might imagine, from some words of Lucan, that it was not exactly known even in his time. He says—

"Tempora signavit leviorum Roma malorum,
Hunc voluit nescire diem."
Phars. VII. 410.

CHAP. VIII.

From U.C. 695 to 710, A.C. 59 to 44.

soon as morning came, were ordered to come down into the plain and give up their arms; after which their lives were granted them; and in the cruelty of ancient warfare they had reason to congratulate themselves on their fortune, in being preserved alike from massacre and from slavery. The indefatigable conqueror, having thus completed the destruction of the enemy's army, ordered the legions which he had with him to be relieved by those which, on the preceding afternoon, he had sent back to the camp, and then, continuing his advance, he reached Larissa on that day, and entered it without resistance.

Such was the battle of Pharsalia. It is needless to inquire what was the number of the slain on the part of the vanquished, or of the conqueror; for a victory so complete is to be estimated rather by its results, than by the immediate slaughter in the field; and where the empire of the world was lost and won, no subordinate considerations could aggravate the defeat, nor materially lessen the joy of the victory. L. Domitius, who had been named by the senate at the beginning of the war as Cæsar's successor in Gaul, was killed in the pursuit [335]; T. Labienus and L. Afranius had escaped to Dyrrhachium; whilst P. Lentulus, L. Lentulus, the late consul, Scipio, and Pompey the Great himself, were seeking shelter and protection from foreigners. But the fortunes of Pompey deserve to be traced more particularly. When he saw his cavalry defeated [336],

Personal adventures of Pompey.

[335] Cæsar, III. 99. Cicero, de Divinatione, I. 31. Dion Cassius, XLII. 190.

[336] Cæsar, III. 94. 96.

and the reserve of Cæsar's six cohorts threatening to surround that part of his line in which he had taken his place, it is agreed that he instantly left the field, and rode back to his camp. As he entered the gates, he addressed himself to the centurions, who were stationed there on guard, charging them to do their duty in defending the camp, if it should be needful, and adding, "that he was going to visit the other gates, and to increase the guards at every point." Yet we are told that he went directly to his own tent, and there remained as if stupified, till he found that the enemy had already forced their way into his intrenchments. We find, indeed, that when he saw his cavalry routed, he suspected that he was betrayed; and this feeling, working vaguely in his mind, was likely, above all others, to make him helpless and irresolute. Yet, if he were afraid of treason in the field, it was, perhaps, his wisest plan to retire to his camp, and endeavour to secure that at least from the enemy; and his subsequent flight did not take place till all hope of resistance had clearly vanished. Then he changed his dress, and withdrawing from the camp by the back gate, he rode off, attended by about thirty horsemen, amongst whom were Publius and Lucius Lentulus, and M. Favonius[337], the friend and professed imitator of Cato. He fled first to Larissa, but did not halt there; and thence continuing his flight during the whole night, he reached the sea at the mouth of the Peneus,

[337] Velleius Paterculus, II. 53.

CHAP. VIII.

From U.C. 695 to 710, A.C. 59 to 44.

and was there taken on board a small trading vessel, which happened to be passing by the coast. At first he bent his course towards the mouth of the Strymon [338], and lay there at anchor for one night, in order to learn the state of his affairs; but finding them desperate, and having procured a supply of money from his friends at Amphipolis, he crossed over to Mitylene in Lesbos, where he had left his wife, Cornelia, and his younger son, Sextus [339]. The purity and tenderness of Pompey's private character, rendered his meeting with his family particularly affectionate. Cornelia had heard no tidings of the war since the exaggerated reports which she had received of her husband's success at Dyrrhachium; his arrival, therefore, as a fugitive, was a shock for which she was wholly unprepared. She joined him on board his vessel immediately; for he would not go on shore, although warmly invited by the Mitylenæans to do so, and although he was detained by contrary winds for two days off the harbour. He would not, he said, expose his friends to the resentment of the conqueror, by availing himself of their kindness; but recommended them to submit to Cæsar, adding, that they would find him disposed to be merciful. But being here joined by some other small vessels, he sailed to the southward, hoping to make a stand in the southern part of Asia Minor, or in Syria; and trusting that at that distance he might rally his navy, and with the assistance of the eastern pro-

[338] Cæsar, III. 102.

[339] Plutarch, in Pompeio, 74.

vinces again renew the contest. The effect of the battle of Pharsalia, however, was rapidly felt in every quarter. Rhodes[340], which still retained some part of its old naval renown, and which had contributed a squadron to Pompey's fleet, now refused to admit the fugitives within its ports; and Pompey, mortified at this first check to his hopes, continued his voyage along the coast as far as Cilicia, without meeting any where with any decided encouragement or support. His views were now turned, it is said, towards Syria. That province was still, by law, subject to the government of his father-in-law, Scipio, and its own resources might be powerfully supported by the arms of Parthia; a power to which Pompey was inclined to look for assistance in this extremity of fortune. But when he arrived at Paphos, in Cyprus, he learnt that Antioch, the capital of Syria, had declared against him[341]; that the citadel of that place had been secured for the very purpose of excluding him; and that the citizens had given notice that none of the fugitives of Pompey's party should be allowed to enter their territories. There was no hope then of renewing the war in Syria; and Pompey was strongly advised not to take refuge at the court of Parthia[342]; a place the least calculated to offer an honourable protection to a Roman lady, who was now the wife of Pompey, and whose first husband had been the son of Crassus. It was then suggested

[340] Cicero, ad Familiares, XII. epist. XIV. Cæsar, III. 102.
[341] Cicero, Philippic. II. 15. Cæsar, 102.
[342] Plutarch, in Pompeio, 76.

CHAP. VIII.

From U.C. 695 to 710, A.C. 59 to 44.

He resolves to seek an asylum in Egypt.

that he should retire to Africa, where the friendship of Juba and the triumphant state of his party seemed naturally to invite him. But this plan he declined, and, in an evil hour, resolved to throw himself on the gratitude of the king of Egypt. The present sovereign was a mere boy; but his father had owed the recovery of his kingdom, as we have seen, to Pompey's influence; and this, it was hoped, would now ensure a hospitable reception from the son. Pompey, accordingly, sailed to Pelusium[343]; and, before he landed, he sent a message to the young king, to request an asylum at Alexandria, and assistance for himself and his friends in their distress. It happened that Ptolemy then lay with an army on the most eastern boundary of Egypt, in order to repel an expected invasion from his sister, the famous Cleopatra, who, having being left by her father's will joint heir of the kingdom with her brother, had been since expelled by him, and was now endeavouring, with some aid which she had procured in Syria, to effect her restoration. Pompey's messenger, accordingly, found the king near Mount Casius, some miles to the eastward of Pelusium; and, having discharged his commission, was sent back with a kind answer, and an invitation to Pompey to join the king immediately. But Ptolemy had at this time in his service a number of Roman soldiers, who, having belonged to that army with which Gabinius had restored the late king to his throne,

[343] Plutarch, 77. Cæsar, 103.

had since chosen to remain in Egypt, and to transfer their obedience to a new master. Gabinius had been raised entirely by Pompey's influence, and many of his soldiers had served against the pirates, or against Mithridates, and might thus be supposed to retain some respect and affection for Pompey, their old and most illustrious commander. As a Roman proconsul, Pompey would little hesitate to recall these men to his own standard; and as the Roman people had been named by the late king as his executors, their officer might interfere, more than Ptolemy wished, in the quarrels of the royal family, and might even attempt to dispose of all the resources of Egypt by his own authority. The king's council, therefore, resolved to tempt Pompey into their power, and to murder him; an act by which they hoped to merit the favour of Cæsar, while they freed themselves from a guest who might, if once admitted, become too powerful to be dismissed or to be resisted.

He is murdered.

At Cyprus [344] Pompey had supplied himself with money from the funds of the farmers of the revenue, and from the contributions of some private individuals; he had also raised, as we are told, about 2000, men, chiefly from the large slave establishments belonging to different persons in the island; and with this force, having been joined besides by several senators from different quarters, he had crossed over to the coast of Egypt. The whole of his little

[344] Cæsar, 103. Plutarch, 78, 79.

CHAP. VIII.

From U.C. 695 to 710, A.C. 59 to 44.

squadron followed him from Pelusium, when he went to meet the king; and on board of his own ship, as we have already mentioned, were his wife Cornelia, and his son Sextus. As he came near Mount Casius, the Egyptian army was seen on the shore, and their fleet lying off at some distance, when presently a boat was observed approaching the ship from the land; and it was soon found to contain one of the king's chief officers, a man of the name of Achillas, attended by two or three other persons of inferior rank. Among these was a Roman, named L. Septimius, who had served as a centurion under Pompey in the war with the pirates, and who, when the boat came near the ship, addressed his old general in Latin, by the title of Imperator, while Achillas saluting him courteously in Greek, invited him to enter the boat, informing him that there was not water enough near the shore for a vessel of any burden. The king himself[345], and a group of his principal officers, were at this time seen on the shore, as if waiting to bid their illustrious guest welcome; and Pompey accordingly descended into the boat, accompanied by two centurions, by one of his freedmen, and by a single slave. As the party were borne towards the land, Pompey is said to have recognised L. Septimius, and to have observed to him, "that he thought they must have formerly served together;" to which Septimius answered by a mere movement of assent. No one seemed willing to break the silence, upon which

[345] Appian, Bell. Civili, II. 84. Plutarch, ubi supra. Cæsar, 104.

Pompey took out an outline of a Greek address which he had intended to deliver on his introduction to the king, and amused himself with reading it. At last the boat touched the shore, and several of Ptolemy's officers crowded down to the water's edge as if to receive Pompey immediately on his landing. He rose from his seat, and, leaning on his freedman's arm, was in the act of stepping on shore, when L. Septimius stabbed him in the back, and instantly, on this signal, Achillas and his Egyptian soldiers drew their swords to complete the work. It is said that Pompey did not utter a single cry, but, folding his gown over his face, received the blows of his assassins without attempting to resist or to escape. As soon as the murder was finished, his head was cut off and embalmed, in order to be presented to Cæsar, and his body was cast out carelessly and left upon the beach. His freedman lingered near it, till the crowd was dispersed, and then burnt it on a rude funeral pile of such broken pieces of wood as he found scattered along the shore, assisted, as it is said, by an old Roman soldier, now in the Egyptian service, and who remembered that Pompey the Great had once been his general. Cornelia and her friends, who saw the murder committed, instantly put to sea and escaped the pursuit of the Egyptian fleet, which at first threatened to intercept them. Their feelings, as is natural, were for the moment so engrossed by their own danger, that they could scarcely comprehend the full extent of their loss[346], nor was it

[346] Cicero, Tusculan. Disputat. III. 27.

CHAP. VIII.

From U.C. 695 to 710, A.C. 59 to 44.

till they reached the port of Tyre in safety, that grief succeeded to apprehension, and they began to understand what cause they had for sorrow.

Character of Pompey.

But the tears that were shed for Pompey were not only those of domestic affliction; his fate called forth a more general and honourable mourning. No man had ever gained, at so early an age, the affections of his countrymen; none had enjoyed them so largely, or preserved them so long with so little interruption; and at the distance of eighteen centuries the feeling of his contemporaries may be sanctioned by the sober judgment of history. He entered upon public life as a distinguished member of an oppressed party which was just arriving at its hour of triumph and retaliation; he saw his associates plunged in rapine and massacre, but he preserved himself pure from the contagion of their crimes; and when the death of Sylla left him almost at the head of the aristocratical party, he served them ably and faithfully with his sword, while he endeavoured to mitigate the evils of their ascendancy by restoring to the commons of Rome, on the earliest opportunity, the most important of those privileges and liberties which they had lost under the tyranny of their late master. He received the due reward of his honest patriotism in the unusual honours and trusts that were conferred on him; but his greatness could not corrupt his virtue; and the boundless powers with which he was repeatedly invested he wielded with the highest ability and uprightness to the accomplishment of his task, and then, without

CHAP. VIII.

From U.C. 695 to 710, A.C. 59 to 44.

a undue attempts to prolong their duration, he honestly resigned them. At a period of general cruelty and extortion towards the enemies and subjects of the Commonwealth, the character of Pompey in foreign commands was marked by its humanity and spotless integrity; his conquest of the pirates was effected with wonderful rapidity, and cemented by a merciful policy, which, instead of taking vengeance for the past, accomplished the prevention of evil for the future: his presence in Asia, when he conducted the war with Mithridates, was no less a relief to the provinces from the tyranny of their governors, than it was their protection against the arms of the enemy. It is true that wounded vanity led him, after his return from Asia, to unite himself for a time with some unworthy associates; and this connexion, as it ultimately led to all the misfortunes, so did it immediately tempt him to the worst faults of his political life, and involved him in a career of difficulty, mortification, and shame. But, after this disgraceful fall, he again returned to his natural station, and was universally regarded as the fit protector of the laws and liberties of his country, when they were threatened by Cæsar's rebellion. In the conduct of the civil war he showed something of weakness and vacillation; but his abilities, though considerable, were far from equal to those of his adversary; and his inferiority was most seen in that want of steadiness in the pursuit of his own plans, which caused him to abandon a system already sanc-

CHAP. VIII. From U.C. 695 to 710, A.C. 59 to 44.

tioned by success, and to persuade himself that he might yield with propriety to the ill-judged impatience of his followers for battle. His death is one of the few tragical events of those times which may be regarded with unmixed compassion. It was not accompanied, like that of Cato and Brutus, with the rashness and despair of suicide; nor can it be regarded like that of Cæsar, as the punishment of crimes, unlawfully inflicted indeed, yet suffered deservedly. With a character of rare purity and tenderness in all his domestic relations, he was slaughtered before the eyes of his wife and son; whilst flying from the ruin of a most just cause, he was murdered by those whose kindness he was entitled to claim. His virtues have not been transmitted to posterity with their deserved fame; and while the violent republican writers have exalted the memory of Cato and Brutus; while the lovers of literature have extolled Cicero; and the admirers of successful ability have lavished their praises on Cæsar; Pompey's many and rare merits have been forgotten in the faults of his triumvirate, and in the weakness of temper which he displayed in the conduct of his last campaign. But *he* must have been in no ordinary degree good and amiable, for whom his countrymen professed their enthusiastic love, unrestrained by servility, and unimpelled by faction; and though the events of his life must now be gathered for the most part from unfriendly sources, yet we think that they who read them impartially will continually cherish

his memory with a warmer regard, and will feel that in themselves the prophecy of the poet has been fulfilled.

"Hæc et apud seras gentes, populosque nepotum
Spesque, metusque simul, perituraque vota movebunt.
Attonitique omnes, veluti venientia, fata,
Non transmissa, legent, et adhuc tibi, Magne, favebunt."
Lucan, Pharsalia, VII. 207.

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