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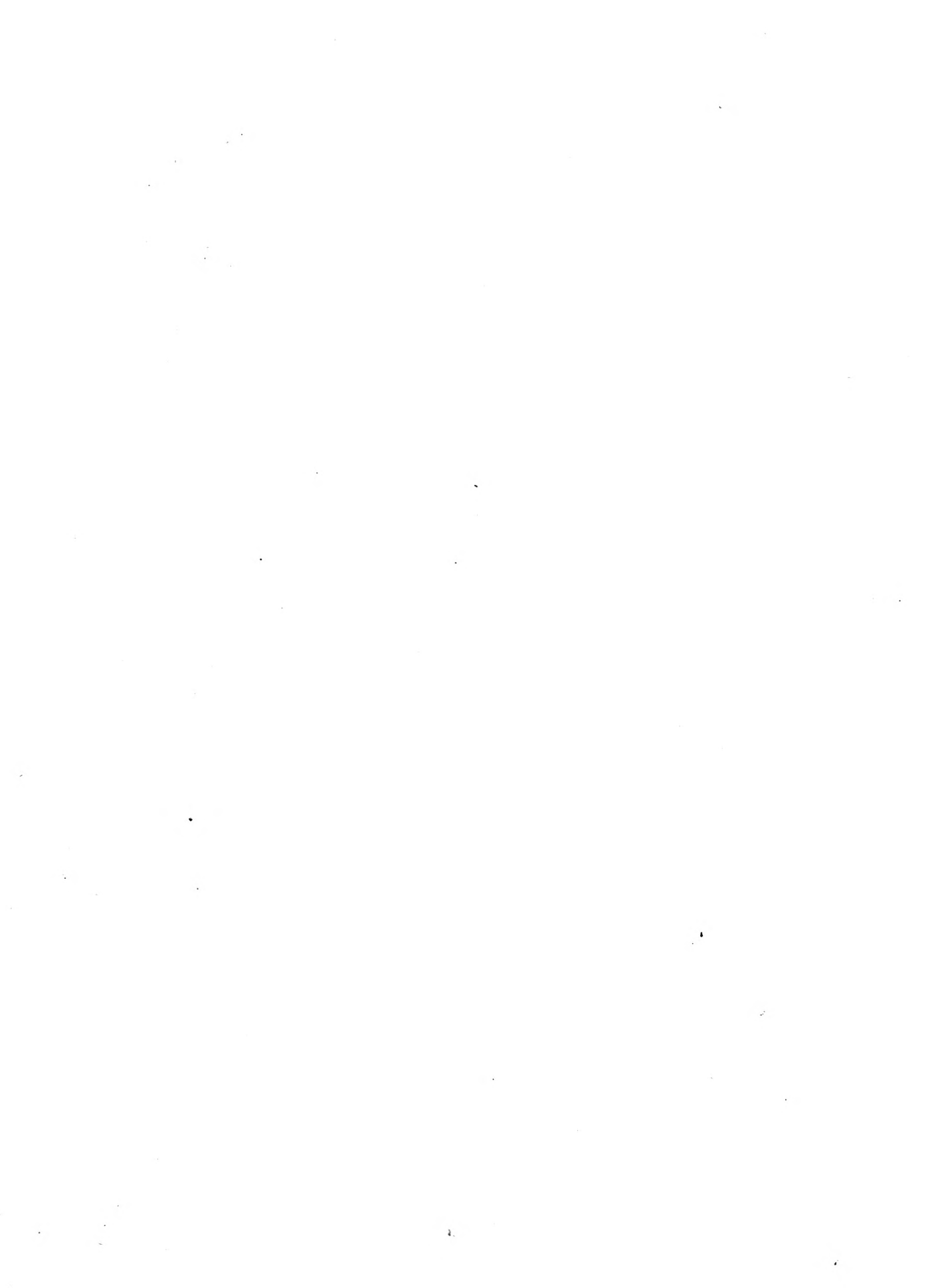
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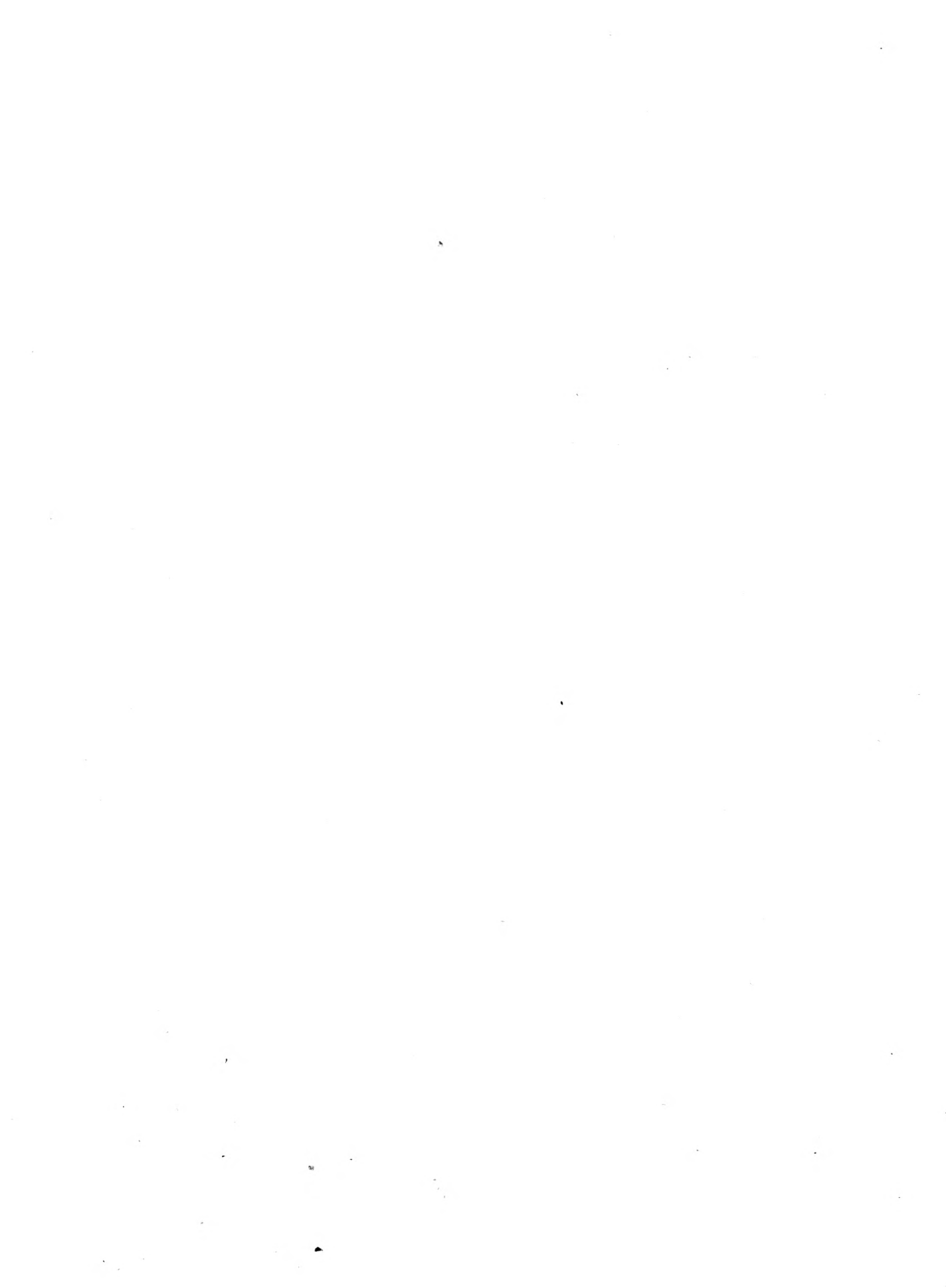
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T H E  
H I S T O R Y  
O F T H E  
P R O G R E S S A N D T E R M I N A T I O N  
O F T H E  
R O M A N R E P U B L I C.

By ADAM FERGUSON, LL. D.  
PROFESSOR OF MORAL PHILOSOPHY IN THE UNIVERSITY  
OF EDINBURGH.

IN THREE VOLUMES.  
ILLUSTRATED WITH MAPS.

V O L . I.

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L O N D O N :  
PRINTED FOR W. STRAHAN; T. CADELL, IN THE STRAND;  
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TO THE  
K I N G.

S I R,

**T**HE History of the Romans, collected from the remains of ancient Authors, has been often written in the different languages of Europe. But a relation worthy of the subject, simple and unambitious of ornament, containing in the parts an useful detail, and in the whole a just representation, of the military conduct and political experience of that people, appeared to me to be still wanting.

Having earnestly endeavoured to supply this defect, at least in what relates to the later times of the  
8 Republic,

D E D I C A T I O N .

Republic, the intention, I hope, joined to the importance of the matter, will justify my humble desire to inscribe this Performance to your MAJESTY.

I am, with the most profound Respect,

S I R,

YOUR MAJESTY'S

Most faithful Subject, and

Most obedient humble Servant,

EDINBURGH,  
February 1, 1783.

ADAM FERGUSON.

## A D V E R T I S E M E N T.

THE reader will be pleased to observe, with respect to the geographical names used in the following History, that the Author has endeavoured to conform himself to common practice. This is so various as not to admit of any general rule. *Rome, Athens, Italy, and Greece* are used for *Roma, Athenæ, Italia, et Grecia*; but *France, Hungary, and Savoy*, are not used for *Gaul, Panonia, or the Allobroges*. Cities and races of men have changed so much, that we cannot employ modern names in speaking of the antients, except where custom absolutely requires it. But the natural features of the earth, as rivers, seas, and mountains, being unchanged, are expressed by the modern name, except where they are better known by their antient appellations, as in the geography of Greece, Asia, and Africa. This mixture of antient and modern language may appear exceptionable, especially in the Maps; but it is hoped that the general intention, to render the subject as clear as possible, will be an excuse for any particular difference of opinion in the choice of names.

## ERRATA.

- Page 10, line 3, for *has* read *have*.  
15, note, bottom of the page, for *Policola* read *Poplicola*.  
48, line penult for *thei* read *their*.  
80, note 27, for *U. C. 325* read *U. C. 485*.  
*Ibid.* for *subjectos* read *subjectis*.  
131, line 25, for *their* read *his*.  
141, — ult. for *them* read *him*.  
191, — 17, for *Lampascus* read *Lampsacus*.  
215, — 8, for *Penæus* read *Peneus*.  
220, — 11, for *Enipæus* read *Enipeus*.  
272, — 6, for *were* read *was*.  
7, for *sacred rites* read *a sacred rite*.  
351, — 18, for *Thaspa* read *Thapsa*.  
354, — 24, for *or* read *of*.  
381, note 6, for *rhetorici* read *rhetoricorum*.  
458, line 19, for *mankind. A populous city* read *mankind, a populous city*.  
25, for *this* read *their*.  
26 for *others: where* read *others. Where*.



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# C O N T E N T S.

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## B O O K I.

### C H A P. I.

*T*HE Subject.—*Supposed Origin of the Roman State.*—*Its Government.*—*The King.*—*Senate.*—*People.*—*Curia.*—*Centuries.*—*Tribes.*—*Religion.*—*The Triumph.*—*Original Maxims.*—*Progress of the State under its Kings.*—*Change to a Republic.*

### C H A P. II. Page 17.

*Form of the Republic.*—*Dissent of Parties.*—*First Dictator.*—*Secession of Plebeians.*—*Tribunes of the People.*—*Their Objects.*—*Distribution of Corn.*—*Division of Lands.*—*Pretensions of the Plebeians.*—*Commission to compile Laws.*—*Decemvirs.*—*Twelve Tables.*—*Intermarriage of Ranks.*—*Claim of the Plebeians to the Consulate.*—*Military or Consular Tribunes.*—*Censors.*—*Ædiles.*—*Præfectus Annonæ.*—*Fortune of the Republic.*—*Reduction of Veia.*—*Destruction of Rome by the Gauls.*—*Rebuilding of the City.*

### C H A P. III. Page 58.

*Scene of foreign War and domestic Dispute opened with reviving Rome.*—*Faction or Conspiracy of Manlius.*—*Condemnation.*—*Plebeians*

## C O N T E N T S.

*beians elected into the Office of Consular Tribunes.—Aspire to the Consulate.—The first Plebeian Consul.—Establishment of the Prætor.—Patrician Ædiles.—The Plebeians qualified to hold all the Offices of State.—The Measure of Roman Magistracy complete.—Review of the Constitution.—Its seeming Defects.—But great Successes.—Policy of the State respecting foreign or vanquished Nations.—Formation of the Legion.—Series of Wars.—With the Samnites.—Campanians.—The Tarentines.—Pyrrhus.—Sovereignty of Italy.—Different Footing on which the Inhabitants stood.*

### C H A P. IV. Page 83.

*Limits of Italy.—Contiguous Nations.—Ligurians.—Gauls. Greek and Phœnician Colonies of Gaul and Spain.—Nations of Illyricum.—Of Greece.—Achæan League.—Thebans.—Athenians.—Asiatic Nations.—Pergamus.—Syria.—Egypt.—Carthage.—The Mamertines of Messine.—Occasion of the first War with Carthage.—Losses of the Parties.—Peace.—State of the Romans.—Political or civil Institutions.—Colonies.—Musters.—Operation on the Coin.—Increase of the Slaves.—Gladiators.—Different Results of the War at Rome and Carthage.—Mutiny and Invasion of the Mercenaries at Carthage.—End of this War.—Cession of Sardinia.—War with the Illyrians.—First Correspondence of Rome with Greece.*

### C H A P. V. Page 106.

*Progress of the Romans within the Alps.—Origin of the second Punic War.—March of Hannibal into Italy.—Progress.—Action on the Treccius.—On the Trebia.—On the Lake Trasymenes.—Battle of Cannæ.—Hannibal not supported from Carthage.—Sequel of the War.—In Italy.—And Africa.—Scipio's Operations.—Battle of Zama.—End of the War.*

## C O N T E N T S.

### C H A P. VI. Page 170.

*State of Rome at the Peace with Carthage.*—*Wars with the Gauls*—*With the Macedonians.*—*Battle of Cynocéphalæ.*—*Peace.*—*Freedom to Greece.*—*Preludes to the War with Antiochus.*—*Flight of Hannibal to that Prince.*—*Antiochus passes into Europe.*—*Dispositions made by the Romans.*—*Flight of Antiochus to Asia.*—*His Defeat at the Mountains of Sipulus.*—*Peace and Settlement of Asia.*—*Course of Roman Affairs at Home, &c.*

### C H A P. VII. Page 205.

*State of Italy.*—*Character of the Roman Policy.*—*Death of Scipio and of Hannibal.*—*Indulgence of the Romans to the King of Macedonia.*—*Complaints against Philip.*—*Succession of Perseus, and Origin of the War.*—*Action on the Peneus.*—*Overtures of Peace.*—*Progress of the War.*—*Defeat of Perseus at Pidna, by Paulus Æmilius.*—*His Flight and Captivity.*—*Settlement of Macedonia and Illyricum.*—*Manners of the Romans.*

## B O O K II.

### C H A P. I. Page 233.

*State, Manners, and Policy of the Times.*—*Repeated Complaints from Carthage.*—*Hostile Disposition of the Romans.*—*Resolution to remove Carthage from the Coast.*—*Measures taken for this Purpose.*—*Carthage besieged.*—*Taken and destroyed.*—*Revolt of the Macedonians.*—*Their Kingdom reduced to the Form of a Roman Province.*—*Fate of the Achæan League.*—*Operations in Spain.*—*Conduct of Viriathus.*—*State of Numantia.*—  
*Blockade*

## C O N T E N T S.

*Blockade of Numantia.—Its Reduction.—Revolt of the Slaves in Sicily.—Legal Establishments and Manners of the City.*

### C H A P. II. Page 274.

*Extent of the Roman Empire.—Political Character of its Head.—Facility with which it continued to advance.—Change of Character, political as well as moral.—Character of the People or Commons.—Dangerous Humours likely to break out.—Appearance of Tiberius Gracchus.—His Project to revive the Law of Licinius.—Intercession of the Tribune Octavius.—The Republic divided.—Disputes in the Comitia.—Deposition of the Tribune Octavius.—Commissioners appointed for the Division of Lands.—Tiberius Gracchus sues to be re-elected Tribune.—His Death.—Immediate Consequences.—Proceedings of Carbo.—Embassy of Scipio.—Foreign Affairs.—Violence of the Commissioners.—Domestic Affairs.*

### C H A P. III. Page 308.

*State of the Italian Allies, and the Views which now began to be conceived by them.—Appearance of Caius Gracchus.—Resolution to purge the City of Aliens.—Consulate and factious Motions of Fulvius Flaccus.—Conspiracy of Frigellæ suppressed.—Caius Gracchus returns to Rome.—Offers himself Candidate for the Tribunate.—Address of Cornelia.—Tribunate and Acts of Caius Gracchus.—Re-election.—Proposal to admit the Inhabitants of Italy on the Rolls of Roman Citizens.—Popular Acts of Gracchus and Livius.—The Senate begin to prevail.—Death of Caius Gracchus and Fulvius.*

C H A P.

# C O N T E N T S.

## C H A P. IV. Page 330.

*State of Order and Tranquillity which followed the Suppression of the late Tumults.—Appearance of Caius Marius.—Foreign Wars.—Complaints against Jugurtha.—Appearance of the Cimbri.—War with Jugurtha.—Campaign and Treaty of Piso.—Jugurtha came to Rome with a Safe-conduct.—Obliged to retire from thence.—Campaign of Metellus—Of Marius.—Jugurtha betrayed by Bocchus.—His Death, after the Triumph of Marius.—This General re-elected, in order to command against the Cimbri.*

## C H A P. V. Page 364.

*Review of the Circumstances which revived the popular Party.—Farther Account of Laws and Regulations under their Administration.—State of the Empire.—Fourth Consulship of Marius.—Continued Migrations of the barbarous Nations.—Defeated by Marius at Aquæ Sextiæ.—By Marius and Catulus in Italy.*

## C H A P. VI. Page 377.

*Character and immoderate Ambition of Marius.—Death of Nonius.—Re-election of the Tribune Saturninus.—His Sedition and seizing the Capitol.—Death of Saturninus.—Reverse in the State of Parties—Recall of Metellus.—Violent Death of the Tribune Furius.—Birth of Caius Julius Cæsar.—Lex Cecilia Didia.—Blank in the Roman History.—Sylla offers himself Candidate for the Office of Prætor.—Edict of the Censors against the Latin Rhetoricians.—Bullion in the Roman Treasury.—Present of a Groupe in golden Figures from the King of Mauritania.—Acts of Livius Drusus.—Revolt of the Italian Allies.—Policy of the Romans in yielding to the Necessity of their Affairs.—The Laws of Plautius.*

# C O N T E N T S.

C H A P. VII. Page 406.

*Triumph of Pompeius Strabo.—Progress of Sylla.—War with the King of Pontus.—Rise of that Kingdom.—Appointment of Sylla to Command.—Policy of the Tribune Sulpicius.—Sylla's Commission recalled in Favour of Marius.—His March from Campania to Rome.—Expels Marius and his Faction from the City.—His Operations in Greece.—Siege of Athens.—Battle of Chæronea.—Of Orchomenos.—Transactions at Rome.—Policy of Cinna.—Marius recalled.—Cinna flies, and is deprived.—Recovers the Possession of Rome.—Treaty of Sylla with Mithridates.—He passes into Italy.—Is opposed by numerous Armies.—Various Events of the War in Italy.—Sylla prevails.—His Proscription, or Massacre.—Named Dictator.—His Policy.—Resignation.—And Death.*

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T H E  
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B O O K I.

C H A P. I.

*The Subject.*—*Supposed Origin of the Roman State.*—*Its Government.*—*The King.*—*Senate.*—*People.*—*Curia.*—*Centuries.*—*Tribes.*—*Religion.*—*The Triumph.*—*Original Maxims.*—*Progress of the State under its Kings.*—*Change to a Republic.*

**T**HE Roman State was originally a small principality, and one of the many little cantons, which, under the denomination of Latins, occupied the left of the Tiber, from its confluence with the Anio to the Sea, and from Ostia to Circeii on the coast. Within this narrow tract, reaching in breadth inland no more than sixteen miles, and extending on the coast about fifty miles, the Latins are said to have formed no less than forty-

BOOK I.  
CHAP. I.

B O O K  
I.

seven independent states<sup>1</sup>; each of whom had a separate capital or strong hold, to which they occasionally retired for safety, with their cattle and other effects, and from which they made frequent wars on each other<sup>2</sup>. The country, divided into so many separate territories, we may consider as resembling some of the lately discovered islands in the Southern or Pacific Ocean<sup>3</sup>, where every height is represented as a fortress, and every little township, that can maintain its possessions, as a separate state. Among settlements of this description, the Romans, though they were originally no way distinguished in point of possessions or numbers, yet, in consequence of some superiority of institution or character, they came to have a decided ascendant.

Beyond the Tiber on the one hand, and the Liris on the other, the contiguous parts of Italy were possessed, in the same manner with Latium, by different races of men, who, under various denominations of Etrurians, Samnites, Campanians, and others, formed a multiplicity of little nations, united by leagues for common safety, and ranged under opposite interests, with a view to some balance of power which they endeavoured to maintain. The peninsula towards one extremity<sup>4</sup>, was from time immemorial peopled with Grecian colonies. Towards the other, it was, in the first ages of the Roman state, overrun by nations of Gaulish extraction<sup>5</sup>.

The land throughout, in respect to situation, climate, and soil, was highly favoured, diversified with mountain and plain, well wooded and watered, replenished with useful materials, fit to yield pasture for numerous herds, and to produce abundance of corn, wine, and oil. And, what is still of more importance, was already become the flourishing nursery of ingenious men, ardent and vigorous in their pursuits, though, in respect to many arts and inventions, yet in a state of great simplicity or ignorance.

<sup>1</sup> Dionys. Halicar. lib. iv.

<sup>2</sup> Liv. lib. i. c. 5, &c.

<sup>3</sup> See Cook's Voyage to New Zealand.

<sup>4</sup> Magna Græcia.

<sup>5</sup> Gallia Cisalpina.



The Romans, who made their first step to dominion by becoming heads of the Latian confederacy, continued their progress to the sovereignty of Italy; or, after many struggles with nations possessed of resources similar to their own, united the forces of that country under their own direction, became the conquerors of many kingdoms in Asia and Africa, as well as in Europe; and formed an empire, if not the most extensive, at least the most splendid of any that is known in the history of mankind. In possession of this seeming advantage, however, they were unable to preserve their own institutions; they became, together with the conquests they had made, a prey to military government, and a signal example of the vicissitudes to which prosperous nations are exposed.

This mighty state, remarkable for the smallness of its origin, as well as for the greatness to which it attained, has, by the splendor of its national exertions, by the extent of its dominion, by the wisdom of its councils, or by its internal revolutions and reverses of fortune, ever been a principal object of history to all the more enlightened nations of the western world. To know it well, is to know mankind; and to have seen our species under the fairest aspect of great ability, integrity, and courage. There is a merit in attempting to promote the study of this subject, even if the effect should not correspond with the design.

Under this impression the following narrative was undertaken, and chiefly with a view to the great revolution, by which the republican form of government was exchanged for despotism; and by which the Roman people, from being joint sovereigns of a great empire, became, together with their own provinces, the subjects, and often the prey, of a tyranny which was equally cruel to both.

As in this revolution men of the greatest abilities, possessed of every art, and furnished with the most ample resources, were acting

## THE PROGRESS AND TERMINATION

B O O K  
I.

in concert together, or in opposition to each other, the scene is likely to exhibit what may be thought the utmost range or extent of the human powers; and to furnish those who are engaged in transactions any way similar, with models by which they may profit, and from which they may form sound principles of conduct, derived from experience, and confirmed by examples of the highest authority.

The event which makes the principal object of this History, has been sometimes considered as a point of separation between two periods, which have been accordingly treated apart—the period of the republic, and that of the monarchy. During a considerable part of the first period, the Romans were highly distinguished by their genius, magnanimity, and national spirit, and made suitable attainments in what are the ordinary objects of pursuit—wealth and dominion. In the second period they continued for some time to profit by the attainments which were made in the former, and while they walked in the tract of the commonwealth, or practised the arts and retained the lessons which former ages had taught, still kept their possessions. But after the springs of political life, which were wound up in the republic, had some time ceased to act; when the state was become the concern of a single person, and the vestige of former movements were effaced, the national character declined, and the power of a great empire became unable to preserve what a small republic had acquired. The example, whether to be shunned or imitated, is certainly instructive in either period; but most so in the transition that was made from one to the other; and in the forfeiture of those public advantages, of which the Roman people, in some part of their course, availed themselves with so much distinction, and which, in the sequel, they abused with so much disorder at home, and oppression of their subjects abroad.

With this object before me, I hasten to enter on the scenes in which it begins to appear; and shall not dwell upon the history of  
the

the first ages of Rome; nor stop to collect particulars relating to the origin and progress of the commonwealth, longer than is necessary to aid the reader in recollecting the circumstances which formed the conjuncture in which this interesting change began to take place.

C H A P.  
1.

For this purpose, indeed, a general description of the state and its territory, such as they were in the beginning of this transaction, might have been sufficient; but as it is difficult to fix the precise point at which causes begin to operate, or at which effects are complete, I have indulged myself in looking back to the origin of this famous republic, whether real or fabulous, and shall leave the reader to determine, at what time he will suppose the period of authentic history to begin, or at what time he will suppose the causes of this revolution to operate, and to produce their effects.

As it is impossible to give, in mere description, a satisfactory account of a subject which is in its nature progressive and fluctuating, or to explain political establishments without some reference to the occasions from whence they arose, I have, upon these accounts, endeavoured to give, even to the first part of my labours, the form of narration; and, together with the progress of political institutions in the state, remarked its territorial acquisitions and conquests, in the order in which they were made. In proportion as the principal object of the history presents itself, I shall wish, as far as my talents and the materials before me allow, to fill up the narration, and give to every scene of the transaction its complete detail. When this is done, and the catastrophe is passed, I shall wish again to contract my narration; and as I open with a summary account of what preceded my period, close with a similar view of its sequel.

The Romans are said to have made their settlement in the end of the sixth, or beginning of the seventh Olympiad<sup>6</sup>, about two hundred.

<sup>6</sup> Dionys. Hal. lib. i.

B O O K  
I.

years before the accession of Cyrus to the throne of Persia, seven hundred years before the Christian Æra, and long before the date of any authentic profane history whatever. The detail of their story is minute and circumstantial; but on this account is the more to be suspected of fiction: And in many parts, besides that of the fable, with which it is confessedly mixed, may, without any blameable scepticism, be rejected as the conjecture of ingenious men, or the embellishments of a mere tradition, which partakes in the uncertainty of all other profane history of the same times, and labours under the obscurity which hangs over the origin of all other nations<sup>7</sup>.

That the Roman state was originally a small one, and came by degrees to its greatness, cannot be doubted. So much we may safely admit on the faith of tradition, or in this instance, infer, from the continuation and recent marks of a progress which the people were still making, after they became an object of observation to other nations<sup>8</sup>, and after they began to keep records of their own: That they had been an assemblage of herdsmen and warriors, ignorant of letters, of money, and of commercial arts, enured to depredation and violence, and subsisting chiefly by the produce of their herds, and the spoils of their enemies, may be safely admitted; because we find them, in the most authentic parts of their history, supplying these defects, and coming forward in the same direction, and consequently proceeding from the same origin, with other rude nations; being, in reality, a horde of ignorant barbarians, though likely to become an accomplished nation.

In the first accounts of their settlement, it is said that they mustered three thousand men on foot and three hundred on horseback<sup>9</sup>. Their establishment being effected by surprize or by force, and their

<sup>7</sup> Liv. lib. vi.

<sup>8</sup> Dionys. Hal. lib. i.

<sup>9</sup> Liv. lib. i. c. 4.

people consisting of armed men who had every acquisition to make at the expence of their neighbours, they were naturally in a state of war with the country around them. They took post on the Palatium, a small height on the Tiber, which, according to former traditions, had been previously occupied by five different races of men, who, in a country so precariously settled, were frequently changing their places<sup>10</sup>. Their city was the first model of a Roman camp, fortified with a square breast-work and ditch, to serve as an occasional retreat to themselves and their cattle. Their leader, or chief, was the sole magistrate or officer, either civil or military. The members of the commonwealth were distinguished into different classes or ranks, under the names of Patrician and Plebeian, Patron and Client. "The Patron," says Dionysius, "was to protect, to give counsel; and, whether present or absent, was to his clients what the father is to his family. The Clients, in return, were to contribute to the support of their Patron, to aid him in placing his children in marriage; and, in the case of his being taken by an enemy, were to pay his ransom; or of his being condemned in a fine, were to discharge it for him".

C H A P.  
I.

The limits of prerogative and privilege, as in other rude societies, were yet imperfectly marked. It was the prerogative of the king to lead in war, and to rule in peace; but it is probable that he no more wished to deliberate, than to fight alone; and, though he may have done either occasionally, yet numbers of his followers were ever ready to attend him in both. The people acknowledged him as their leader, or prince; but they themselves, as in other instances of the same kind, were accustomed, on remarkable occasions, to assemble; and, without any concerted form of democracy, became the sovereign power, as often as their passions engaged them to act in a body. The superior class of the people as naturally came to have their meetings

<sup>10</sup> Dionys. Hal. lib. i.<sup>11</sup> Ibid. lib. ii. c. 10.

B O O K  
I.

apart, and may have assembled frequently, when the occasion was not sufficient to require the attention of the whole<sup>12</sup>. Hence probably the establishments of the senate and of the popular assemblies, which were called the *Comitia*, and were both of so early a date as to be ascribed to the first of their kings<sup>13</sup>.

Even this founder of the state, we are told, was distinguished by his ushers or lictors carrying before him the axe and the rods, as the emblems of his power, and the instruments of his justice. The names of the senators were entered in a list, and they were separately called to their meetings. Assemblies of the People were intimated by the sound of a horn. The citizens were distinguished into *Curiaë*, Centuries, and Tribes; divisions under which they formed their several compartments, for military array, religious ceremonies, or political deliberations. When met to decide on any public question, each division apart collected the votes of its members, from thence formed a vote for the Curia or Century; and, by the majority of these, determined the whole. The *Curiaë* were fraternities, or divisions of the people, which met for the performance of religious rites: each had its separate priest, and place of assembly. When the *Curiaë* were called on matters of state, they retained part of their religious forms; opened their meeting with observing the auspices, or signs of futurity; and if these were unfavourable, could not proceed on business. The Augurs, therefore, in this mode of assembly, had a negative on the proceedings of the People.

The Centuries were formed on a more artful idea, to make power accompany wealth. The people were divided into classes, according to the rate of their fortunes: each class was divided into Centuries; but the number of Centuries in the different classes was so unequal, that those of the first or richest class made a majority of the whole; and when the Centuries of this class were unanimous, they decided

<sup>12</sup> De minoribus rebus Principes, de majoribus omnes consultant. Tacit. de Moribus Germ.

<sup>13</sup> Dionys. lib. i.

the question. By this institution, the rich were masters of the legislature, though not without some compensation to the poor, as the several classes were charged with taxes and public services, in the same proportion in which they were vested with power.

The people, when thus assembled, were distinguished in their classes by their ensigns and arms, and, though called together on political affairs, were termed the army<sup>13</sup>.

In the first ages of this principality or commonwealth, the meetings of the people were held first by Curia, and afterwards by Centuries. The practice of voting by Tribes was of a later date than either, and was the device of a popular party to exclude the auspices, to level the condition of ranks, and by these means to turn the channels of power in their own favour. The people were formed into their Classes and Centuries, to elect their officers, to enact laws, or to deliberate on other affairs of state; but they did not without struggle or contest always acquiesce in this mode of assembly. The poorer citizens often insisted to be called in the Curia, and afterwards in the Tribes, to decide on affairs which the rich would have referred to the Centuries alone. The question on these occasions went to the foundation of the constitution, and implied a doubt whether the state was to be governed by the balance of numbers, or the balance of property<sup>14</sup>.

<sup>13</sup> Dionys. Hal. lib. iv. c. 16, 17, 18. Liv. lib. i. c. 43.

<sup>14</sup> State of the Classes and Centuries at the establishment of the Census:

Class,	Valuation.		No of Cent.
	Roman.	Sterling.	
1.	100,000	322 18	98
2.	75,000	242 3	21
3.	50,000	161 9	21
4.	25,000	80 14	21
5.	11,000	35 10	31
6.			1
Total	-	-	193
First Class	-	-	98
			95
Majority of the first Class	-	-	3

A property of 100,000 asses or 100,000 copper intitled the owner to a place in the first Class, 75,000 to a place in the second, 50,000 to a place in the third, 25,000 to a place in the fourth, 11,000 to a place in the fifth, and the remainder of the people, having no valuation, or having a valuation less than the fifth Class, were thrown into the sixth or last Class. The whole were divided into 193 Centuries, of which the first Class contained 80 Centuries of 1000, and the second Class, in all 98; being a majority of the whole. The sixth Class formed but one Century, as appears from the next table of the preceding table.

B O O K  
I.

To these original springs of the political frame may be joined those of religion, which in all governments must have a considerable force ; and in this has always been supposed a principal power to regulate its movements. Here indeed, there being no distinction of clergy and laity, the authority of the statesman, augur, and priest, was united in the same persons, or in the same orders of men : and as, in the mind of every citizen, notwithstanding the high measure of his superstition, the sword of state was preferred to the altar, the politician and warrior availed himself of the respect which was paid to the priest, and made superstition itself subservient to the purposes of state. With presages and prodigies he encouraged or restrained the people in their desires and pursuits ; he bound them with vows and with oaths, to a degree that has not been equalled by mankind in any other instance ; and, with reference to this circumstance in particular, it has been observed, that the seeds of Roman greatness were laid in the implicit respect with which every citizen revered the first institutions of his country<sup>15</sup>.

The wants by which the Romans were impelled in the first state of their settlement, made it necessary for them to vanquish some of their neighbours, or to perish in the attempt. Valour, accordingly, in their estimation, was the principal quality of human nature, and the defeat of an enemy the chief of its fruits. Every leader who obtained a victory made his entry at Rome in procession ; and this gave rise to the triumph, which continued, from the first to the last age of the commonwealth, to be the highest object of ambition.

Historians, admiring the effect of this and of other practices of an early date among the Romans, have represented their founder, and his immediate successors, as philosophers, statesmen, and able tutors, who, with a perfect foresight of the consequences, suggested the maxims which gave so happy a turn to the minds of men in this infant

<sup>15</sup> See Machiavel's Discourses on Livy.



republic. They are said to have taught, that by frugality and valour the Romans were to conquer the world: that they ought not to lay waste the lands which they conquered, but to possess them with colonies of their own people: that they ought not to slay the vanquished, but transport their captives to Rome, as an accession to the number of their own citizens: that they ought not to make war without provocation, nor to commence hostilities until they had demanded and had been refused reparation of wrongs. In whatever degree we suppose these maxims to have been expressed or understood in the councils of Rome, it is certain that the successful conduct of the state in these particulars was sufficient to have suggested the idea that they were known.

To the other fortunate customs which may be traced up to those early times of the state, we may join that of the Census, by which the people, at every period of five years, took a regular account of the numbers and estates of their citizens, as the best measure they could have of their own progress or decline, and the surest test of their policy and conduct as a nation.

The Romans reckoned in the first period of their history a succession of seven kings<sup>16</sup>, to each of whom they ascribed the invention of their several institutions. To Romulus, the mixed form of their government, the establishment of the senate and assemblies of the people, the ranks of Patrician and Plebeian, the relations of patron and client. To Numa, the religion of the people, and their regard to oaths. To Servius Tullius, the Census, or periodical muster; and so on. But whether we suppose these institutions to have been the suggestion of particular occasions, or the invention of ingenious men, directed by a deep premeditation of all their effects, there is no doubt that such institutions existed in very early times, and served

<sup>16</sup> Romulus, Numa, Tullus Hostilius, Ancus Martius, Tarquinius Priscus, Servius Tullius, Tarquinius Superbus.

as the foundation of that policy which distinguished the Roman state.

The monarchy of Rome is said to have lasted two hundred and forty-four years, a period in which the numbers of the people, and the extent of their settlement, had greatly increased. During this period, they had drawn many of their neighbours to Rome, and sent many of their own people to occupy settlements abroad. By the enrolment of aliens, they procured a certain increase of people; and by spreading their colonies around, they made acquisitions of territory, and extended the nursery of Roman citizens. We find, nevertheless, that, by the last part of this policy, they incurred a danger of losing the people whom they thus established or bred up in new settlements, however little removed from the metropolis. Men had not yet learned to consider themselves as the citizens of one place, and inhabitants of another. In departing from Rome, the Colonists ceased to be enrolled in any tribe or ward of that city, or of its district; or to be ranked in any class of the people. They ceased, of course, to be called upon to vote in any of the assemblies, which they no longer attended. They formed notions of an interest separate from that of their original country, so much, that the colonies which had been planted by one prince, resisted the power of his successors; and conquests, where the Roman citizens were mixed with the natives, in order to keep them in subjection, were sometimes in danger of being lost. The colony itself took a part in the discontents of the people they were sent to restrain, and became parties with the vanquished in their quarrel with the victors<sup>17</sup>. But, notwithstanding frequent instances of this sort among the Roman colonies, the memory of their descent and the ties of consanguinity, the pride of their distinction as Romans, the capacity which every colonist retained of returning to Rome, and of being reinstated in the rolls of the people, for the most part pre-

<sup>17</sup> Liv. lib. iii. c. 4.

served their attachment to Rome, and made them still a part of her strength, and a principal source of her greatness.

During this period of the kingly government, the numbers that were enrolled in the city and its territory increased from three thousand and two hundred to eighty thousand men of an age fit to carry arms<sup>18</sup>. The number of Roman tribes or wards of the city was augmented from three to twenty-one. The kingdom itself extended over the greater part of Latium, and had an intimate alliance with the whole of it. The city of Rome was become the principal resort of all the Latin confederates, the place of their meetings for devotion or pleasure, and the seat of their political consultations<sup>19</sup>.

To accommodate and secure this populous and growing community, several of the heights contiguous to their original settlement were, during the same period, successively occupied, the marshes between them were drained by excavations and works of great magnificence, of which a considerable part is still entire. The city itself, instead of an earthen rampart, was surrounded with towers and battlements of hewn stone<sup>20</sup>.

So

<sup>18</sup> Liv. lib. i. c. 44.

<sup>19</sup> Dionys. Hal. lib. iv. p. 250.

<sup>20</sup> The stones employed in building the walls of Rome were said each to have been sufficient to load a cart.

The common sewers were executed at a great expense. It was proposed that they should be of sufficient dimensions to admit a waggon loaded with hay (Plin. lib. xxxvi. c. 15.). When these common sewers came to be obstructed, or out of repair, under the republic, the Censors contracted to pay a thousand talents, or about 103,000 l. for clearing and repairing them (Dionys. Hal. lib. iii. c. 67.). They were again in disrepair at the accession of Augustus Cæsar, and the reinstating them is mentioned among the great works of

Agrippa. He is said to have turned the course of seven rivers into these subterraneous passages, to have made them navigable, and to have actually passed in barges under the streets and buildings of Rome. These works are still supposed to remain; but, as they exceed the power and resources of the present city to keep them in repair, they are quite concealed, except at one or two places. They were, in the midst of the Roman greatness, and still are, reckoned among the wonders of the world (Liv. lib. i. c. 38); and yet they are said to have been works of the elder Tarquin, a prince whose territory did not extend, in any direction, above sixteen miles; and, on this supposition, they must have been made to accommodate a city that was calculated

B O O K  
I.  
Change to  
republic.

So far it appears, that while every successive prince gratified his own ambition by subduing some neighbouring district or village, and brought an accession of riches or territory to his country, the genius of monarchy was favourable to the growth of this rising empire. But when princes became fatiated with conquests abroad, or began to meditate schemes to increase their own importance at home, their ambition took a different direction, and led them to aim at making the kingdom hereditary, and the people more subservient to their pleasure. Under this direction of the monarch's ambition, the state, as Montefquieu observes, was likely to become stationary, or even to decline. A revolution became necessary, in order to preserve it in its former progressive state.

U. C. 244.

Such a revolution, we are told, took its rise from the resentments of the people, excited by abuses of power, and was hastened by a momentary indignation, roused by an insult offered by a son of the king to a Roman matron. As the political evils which this revolution was intended to remedy were, *the state of degradation and weakness to which the Senate had been reduced, the usurpation of hereditary succession to the crown, and the general abuses of government,* suitable remedies were sought for to these evils, by restoring the numbers

calculated chiefly for the reception of cattle, herdsmen, and banditti. Rude nations sometimes execute works of great magnificence, as fortresses and temples, for the purposes of war and superstition; but seldom palaces, and still more seldom works of mere convenience and cleanliness, in which, for the most part, they are long defective. It is not unreasonable, therefore, to question the authority of tradition in respect to this singular monument of antiquity, which so greatly exceeds what the best accommodated city of modern Europe could undertake for its own convenience. And as those works are still entire, and may continue so for thousands of years, it may be suspected that they were even prior to the settlement of Romulus,

and may have been the remains of a more ancient city, on the ruins of which the followers of Romulus settled, as the Arabs now hut or encamp on the ruins of Palmyra and Balbeck. Livy owns, that the common sewers were not accommodated to the plan of Rome, as it was laid out in his time; they were carried in directions across the streets, and passed under buildings of the greatest antiquity. This derangement indeed he imputes to the hasty rebuilding of the city after its destruction by the Gauls; but haste, it is probable, would have determined the people to build on their old foundations, or at least not to change them so much as to cross the direction of former streets.

and

and power of the Senate, by abolishing the royalty, and by substituting in its place an elective and temporary magistracy.

C H A P.  
I.

The principal part of the revolution consisted in substituting the Consuls, two annual magistrates, in place of the King. These officers were chosen in the assembly of the Centuries. The officer who was to preside at the election erected his standard, and pitched his tent in the field of Mars<sup>21</sup>, a meadow which lay on the banks of the Tiber, above the city. The people repaired to him in arms, and, distinguished by the ensigns and armour of their different classes, proceeded to make their election.

That the city might not be surpris'd while its defenders were thus abroad in the fields, a guard was posted, with its colours displayed, on the Janiculum, a hill on the right of the Tiber, which overlooked the river and contiguous plains. If an enemy appeared during the election, the guard had orders to strike their ensign; and on this signal every Century repaired to its post of alarm, and questions of state were suspended until the danger was removed. As it became an article of superstition, that the Centuries could not proceed in any business without having an ensign displayed on the Janiculum, it was in the power of any person, by striking the ensign, to break up an assembly of the people: and this expedient for stopping the progress of any business was accordingly made use of at different times to the end of the republic<sup>22</sup>.

It was meant that the Consuls should succeed to all the powers of the King; and in order to enforce their authority, a penalty of five oxen and two sheep was denounced against every person who refused to obey them<sup>23</sup>. Their joint and divided command, with the limited term of one year, which was to be the duration of their power, were thought sufficient securities against the abuse of it.

<sup>21</sup> Campus Martius.

<sup>22</sup> See Book III. Chap. III.

<sup>23</sup> Plutarch. in Vit. Poolecalæ.

B C O K  
I.

The government, by this revolution, devolved on the senate and nobles. The Plebeians, in the first formation of it, were favoured by the admission of a certain number of their order to fill up the senate, which had been reduced in its numbers by the tyranny of the late king; and they were declared, in case of any oppression, to have a right of appeal from any sentence or command of the magistrate to an assembly of the people at large. This was understood to be the great charter of every citizen. But the Patricians alone could be chosen into the newly established offices of state. They alone were to furnish the ordinary succession of members to the senate, and, by their enrolment in the first and second classes, to have a decided majority in all the meetings or *comitia* of the Centuries<sup>24</sup>; that is, in all assemblies of the people that were called to elect officers of state, to enact laws, or to judge of appeals. By these several provisions in their favour, they were in possession of a complete aristocracy, which they claimed as hereditary in their families, but which they were not likely to retain, without much discontent and animosity on the part of their subjects.

<sup>24</sup> Dionys. Hal. lib. v

## C H A P. II.

*Form of the Republic.*—*Diffention of Parties.*—*First Dictator.*  
 —*Seccession of Plebeians.*—*Tribunes of the People.*—*Their*  
*Objects.*—*Distribution of Corn.*—*Division of Lands.*—*Pre-*  
*tensions of the Plebeians.*—*Commission to compile Laws.*—*De-*  
*cemvirs.*—*Twelve Tables.*—*Intermarriage of Ranks.*—*Claim*  
*of the Plebeians to the Consulate.*—*Military or Consular Tribunes.*  
 —*Censors.*—*Aediles.*—*Præfectus Annona.*—*Fortune of*  
*the Republic.*—*Reduction of Veivæ*—*Destruction of Rome by the*  
*Gauls.*—*Rebuilding of the City.*

**T**HE government of Rome, as it is represented after the ex-  
 pulsion of the king, was become entirely aristocratical. The  
 nobles had the exclusive possession of office, without any third party  
 to hold the balance between themselves and the people. The Con-  
 suls were the sole executive magistrates, and the only ministers of  
 the senate; they were understood to come in place of the king; per-  
 formed all the functions of royalty; and, in the manner of the kings,  
 to whom they succeeded, united in their own persons all the dignities  
 of the state, those of *Judge, Magistrate, and Military Leader.*

Such, at the first institution of the commonwealth, was, both in  
 respect of government and manners, the simplicity or rudeness of this  
 community. The People, however, in their new situation, were gra-  
 dually and speedily led, by the accumulation of their affairs, by the  
 contest of their parties, and by the wants of the public, to a variety of  
 establishments, in which they separated the departments of state,  
 more equally distributed its powers, filled up the lists of office, and

B O O K  
I.

put themselves in a posture to wield with advantage their strength as it encreased, and to avail themselves of every circumstance that occurred in their favour.

While the exiled king was endeavouring, by continual invasions, to recover his power, disputes arose between the parties who had joined to expel him<sup>1</sup>; creditors, supported by the aristocracy, of which the nobles were now in full possession, became severe in the exaction of debts, or the patrons laid claim to more than the clients were willing to pay<sup>2</sup>. The state was distracted at once by its enemies from abroad, and by the dissention of parties at home. The authority of the new government not being sufficient to contend with these

<sup>1</sup> In these original disputes between the Patricians and Plebeians at Rome, it is implied that they frequently or commonly stood in the relation of creditor and debtor, as well as of patron and client. And we may account for this circumstance in either of two ways: First, by supposing that the client was, in some degree, tributary to his patron, as the vassal was tributary to his lord in the original state of modern nations. Dionysius of Halycarnassus has laid some foundation for this supposition, in the passage above cited. Or we may suppose, in the second place, that the debts in question were money or effects actually borrowed by the client and lent by the patron. The first supposition is most agreeable to the manners of modern times; but the last is more likely to have been the fact in the original state of the Romans, and of ancient republics in general. Among them the great distinction of persons was that between freemen and slaves. The rich freeman was supplied with every thing he wanted by the labour of his slaves. The necessitous freeman toiled with his own hands in labouring a small piece of ground, or in tending a few beasts. He had no trade by which to supply the luxuries of the rich, or by which, as

in modern times, to make them his debtors. When he wanted their aid he was obliged to borrow; and there was, perhaps, but one occasion on which he had credit for this purpose; when he was going to war, and when he both had a reasonable excuse for borrowing, and a probable prospect of being able to pay, perhaps with interest, from the spoils of an enemy. But when his hopes failed, he might become insolvent, and exposed to all the severities of which we read such complaints in the early part of the Roman History.

There is, throughout this History, sufficient evidence that the popular party were on the side of the debtor. The prejudices of this party operated against the exaction of debts. Their influence was employed in reducing the interest of money; in having it abolished, and in having it detested, under the invidious appellation of usury. They even strove, on occasion, to abolish debts: The result was far from being favourable to the necessitous borrower; he was obliged to pay for the risk, the penalties, and the obloquy to which the lender was exposed in transgressing the laws.

<sup>2</sup> Dionys. Hal. lib. 5.



difficulties, the senate resolved to place themselves and the commonwealth, for a limited time, under the power of a single person, who, with the title of Dictator, or Master of the People<sup>4</sup>, should at his pleasure dispose of the state, and of all its resources.

C H A P.  
II.  
U. C. 452 or  
455 \*

This officer was invested with power to punish the disorderly without trial and without appeal; to arm the people, and to employ their forces on any service; to name his own substitute, or second in command; and to act without being, even at the expiration of his office, accountable either to the senate or to the people. The circumstances that were probably accidental in the first nomination of this extraordinary officer, were afterwards repeated as unalterable forms in every successive appointment of the same kind. It became the prerogative of the senate to resolve that a Dictator should be named, and of the Consul to name him. The ceremony was performed in the dead of night<sup>5</sup>; and as soon as the nomination was known, the Lictors, or ministers of justice, armed with their axes and rods, withdrew from the ordinary magistrate, to attend this temporary lord of the commonwealth.

This was the first political expedient to which the state was directed by the exigency of its new government. The precedent came to be repeatedly followed in times of calamity or public alarm, and the whole powers of the state were occasionally entrusted to single men, on the sole security of their personal characters, or on that of the short duration of their trust, which was limited to six months. This institution was devised by the senate, to repress the disorders which broke out among the people, and to unite the forces of the commonwealth against its enemies. The next was of a different nature, and

<sup>4</sup> Magister Populi.

<sup>5</sup> Liv. lib. viii. c. 20. & lib. ix. c. 28.

\* The date of the nomination of the first Dictator is uncertain. Liv. lib. ii. Some place it nine years after the expulsion of the Kings; Dionys. 12 years.

B O O K  
J.

was meant to protect the Plebeians against the oppression of their lords.

The inferior class of the people, almost excluded from any share in the new government, soon found that under its influence they had more oppression to fear from their Patrons, than they had ever experienced from the prince they had banished. So long as the king and the senate shared in the powers of the state, the one took part with the people, when the other attempted to oppress them; and it was the ordinary interest and policy of the prince to weaken the nobles, by supporting the Plebeians against them. This effect of the monarchy still, in some measure, remained, so long as the exiled king was alive, maintained his pretensions, and made the united services of the people necessary to the senate. During this period the Patricians were still on their guard, and were cautious not to offend the people; but upon the death of the king, and the security which the new government derived from this event, the nobles availed themselves of their power, and enforced their claims on the people with extreme severity. In the capacity of creditors, they imprisoned, whipped, and enslaved those who were indebted to them, and held the liberties and the lives of their fellow-citizens at their mercy. The whole body of Plebeians was alarmed; they saw more formidable enemies in the persons of their own nobility, than in the armies of any nation whatever. When the republic was attacked, they accordingly refused to arm in its defence. Many who had already suffered under the rod of their creditors, when called upon to enlist, shewed their limbs galled with fetters, or torn with the stripes which they had received by command of their merciless patrons.

These distractions, joined to the actual presence of a foreign enemy, obliged the senate to have recourse to their former expedient, and to entrust the republic again in the hands of a Dictator. Having succeeded in their first nomination, and having driven the enemy from

from their territories, they recurred to the same expedient again, on the return of a like occasion; but, in order to mix insinuation with the terrors of this measure, they made choice of Valerius, a person whose name was already known to the sufferers by some popular laws which they owed to his family. This officer had credit enough with the people to prevail on them to take arms, and had the good fortune to repel the enemy, by whom the state was invaded: But, upon his return, not being able to prevail on the senate to fulfil the hopes which he had given to the people, he made a speech to exculpate himself, and laid down his power. The citizens who had fought under his banner being still in the field, and, without any orders to disband, suspecting that the senate, under pretence of some war on the frontier, meant to remove them from the city, ran to their arms; and, if they had not been restrained by their military oath, and the respect they paid to the government of their country, must have entered the gates by force. But, under the impression of these motives, they fled from the walls, instead of invading them, retired beyond the Anio, and took possession of a height about three miles from Rome<sup>6</sup>, afterwards known by the name of the Sacred Hill. Their officers followed, and endeavoured to persuade them to return to their duty; but were told, that no duty was owing to a government which had withdrawn its protection, and encouraged oppression; that free citizens own no country in which they are not permitted to enjoy their freedom. “To what purpose,” said Sicinius Bellutus, who was then at the head of this mutiny, “recall us to a city from which you have already forced us to fly by your extortion? By what new assurance can you persuade us to rely on a faith which you have repeatedly broken? By what charm can you engage us in support of a commonwealth, of which you will

<sup>6</sup> Cicero de Claris Oratoribus, c. 14.

Σ Ο Ο Κ  
I.

“ not allow us to be members? You mean to engross all the fruits  
“ which are to be reaped in your country, and it is well. We shall  
“ leave you to do so, and do not mean to interrupt your enjoy-  
“ ments.”

This secession of a great body of the people having continued for several months, and in this time received a constant accession of numbers from the city and from the contiguous fields, threw the republic into the greatest disorder; exposed its lands to be neglected or pillaged by its own inhabitants, and ravaged by numerous enemies, who took this opportunity to invade it without opposition.

The Patricians had sufficient force in their own body, and in that of their faithful retainers, to guard the avenues of the city, and to secure it from surprize: But being reduced to great difficulties for want of their usual supplies of provisions, and apprehending still greater from the interruption of labour and the suspension of government, they came to a resolution to negotiate with the leaders of the mutiny; and, for this purpose, raised Sp. Cassius, a person who, though of a patrician family, was in high favour with the people, to the office of Consul. They agreed to mitigate the severities which they had hitherto practised against insolvent debtors, and to release such of them as were actually in bonds, or had been destined to slavery.

With these concessions, a deputation was sent to the camp, and a negotiation was opened, in which the Plebeians obtained, not only a full acknowledgment of their privileges; but, what was of more consequence, a power of forming assemblies apart from the nobles<sup>7</sup>, and of electing annual magistrates to guard and watch over their own separate rights. “ Your Consuls,” they said, “ are not so much  
“ the officers of the commonwealth as the heads of a faction; and,  
“ in all questions that relate to the people, are parties rather than  
“ judges. It is reasonable that we too have a head or representation

<sup>7</sup> Dionys. Hal. lib. vii.

“ in the commonwealth, under which we may act, at least, in  
 “ our own defence.”

C H A P.  
 II.  
 U. C. 260.

In return to this well-advised and specious requisition, the tribunitian power was established, and with it the foundations of some good, and of much harm, laid in the commonwealth. Great part of the last might have been prevented, if the Plebeians, now in possession of a right to nominate Tribunes for the care of their interests, had from thenceforward been content with the power of election merely, had discontinued their own collective assemblies for any other purpose, and encreased the number of their Tribunes to a just representative of their whole body. The return, however, was more agreeable to the spirit of the times. The people were allowed to assemble; and, instead of a representation to support and preserve their rights with steadiness and with moderation, they proceeded to elect a few leaders, who, from thenceforward, were to head every popular tumult, and to raise up every wind of contention into a storm.

The Tribunes were authorised, at their first institution, to forbid, or to restrain, any measures which they thought hazardous, or injurious to the rights of their constituents, but not to propose any law, nor to move any positive resolution. They were not entitled to exercise their powers beyond the walls of the city, or to absent themselves from it for a whole day, except in their attendance on the festival of the Latin allies, where the presence of all the Roman magistrates was required. A single Tribune might stop the proceedings of his own body, and of the people themselves, as well as the proceedings of the senate and patrician magistrates. In the exercise of this last part of their trust, though not permitted in this age of aristocracy to mix with the senators, they had places assigned them at the doors of the senate-house, from which, as from a watch-tower, they

B O O K  
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they were to observe, and on occasion to stop, the proceedings of the lords.

As the Tribunes were destined to withstand the exertions of power, and were supposed, on the most dangerous occasions, to expose themselves to the axe and the sword of their adversaries, it was thought necessary to guard their persons with the most sacred fences of religion and law. For this purpose an inviolable rule was prescribed in the following terms: “ Let no one offer violence to the person  
“ of a Tribune; neither kill him, nor procure him to be killed;  
“ neither strike him, nor procure him to be struck. Let the per-  
“ son who offends against this law be accursed; let his effects  
“ be made sacred to pious uses, and let every one pursue him to  
“ death.”

To render this act irrevocable, a solemn oath for the perpetual observance of it was imposed, and dreadful imprecations were denounced against any person who should propose to repeal it<sup>3</sup>; and such was the effect of these precautions, taken for the safety of the Tribunes, that, under the republic, persons obnoxious to public justice could not be punished, while they continued to bear this sacred character. And the Emperors themselves, after they had abolished all the other rights of the republic, found, under this sacred title of Tribune, a refuge to their crimes and oppressions, and a protection against the designs of assassins, or the resentment of those they had offended by their tyranny.

The College of Tribunes, at its institution, was not limited to any precise number of members; it consisted at first of such persons as had been most active in procuring the establishment, and continued to be filled with the most zealous partisans of the people, the number being three or more, according as persons appeared to merit this honour. But in process of time

<sup>3</sup> Dionys. Halicar. lib. iv. p. 41c.

both the Plebeians who aspired to this distinction, and the Patricians who were jealous of it, conspired to augment the numbers.—The first, in order to make way for their own preferment; and the second, to the end that they might be the better enabled, on occasion, to disunite their enemies, and to procure the negative of a part, to arrest the proceedings of the whole. The College of Tribunes was accordingly augmented by degrees to ten; and a law was made to provide that the elections should not stop short of this number<sup>9</sup>.

Patricians could neither elect nor be elected into this office<sup>10</sup>, although in the midst of irregularities incident to all unformed, especially to all popular governments, some exceptions are mentioned, even to the last part of this rule. The Tribunes were at first elected in the assembly of the Curia, where the vote of the poorest citizen was equal to that of the most wealthy. But even here the Patricians, although not absolute masters, as they were in the assembly of the Centuries, having great influence, and, by holding the auspices, having even a negative on all proceedings, it was thought necessary to alter the form of the assembly in which the Tribunes were elected to that of the Tribes; and by this means to enable the people to make their election, without any controul from the nobles, either in virtue of the authority of the senate, or the interposition of the augurs<sup>11</sup>.

Such was the institution of the Plebeian Tribunes, while the state yet knew of no other magistrate besides the Consuls and the Quæstors, of whom the last, even under the kings, had been employed as a species of commissaries, or providers for the army. The expedient was adopted by the senate, to quiet the animosity of parties; but tended, in fact, only to render the contest between them more equal, and to multiply the subjects of dispute. The Tribunes being vested

<sup>9</sup> Lex Trebonia. Liv. lib. iii. c. 65.

<sup>10</sup> Dionys. Hal. lib. vii.

<sup>11</sup> Dionys. Hal. lib. ix. p. 65.

B O O K  
I.

with power to assemble the people, could not long be confined to the mere negative with which they were at first entrusted ; nor was it easy, on every occasion, to distinguish the measures of attack from those of defence ; and the party of the Plebeians, with these officers at their head, were then in a posture, not only to preserve their rights, but likewise to gain to their order continual accessions of privilege and power. Happily for the state, there was yet much ground of this sort to be gained, without transgressing the bounds of good order, or encroaching on the authority of equitable government.

The popular leaders in this career had to break through the bar of hereditary distinction, which, it was pretended, contrary to the genius of the republic, that no personal merit and no measure of ability could remove. One of the first steps they made in pursuit of this object, was to preclude every other power in the state from a negative on their own proceedings. For this purpose it was enacted, by the authority of the Tribes, that no one, under pain of death, or of an arbitrary fine, should interrupt a Tribune while he was speaking to the people<sup>13</sup>. Being thus provided against interruption, as they were by a former law against violence to their persons, they not only took up the complaints of their constituents, they suggested new claims to be made by them, and, at every succession to office, endeavoured to signalize their term by some additional establishment for the benefit of the people : They even interrupted the state in its councils and military operations, and almost in every instance hung upon the wheels of government, until the grievances they complained of were redressed, or the demands they made were complied with.

In order to encrease the number of Plebeian officers, whose aid the Tribunes alleged were necessary to themselves, they, soon after their own institution, procured that of the Ædiles, who were to inspect

<sup>13</sup> Dionys. Hal. lib. vii.



the markets, and have charge of the public buildings and public shows. Being subordinate to the Tribunes, as well as to the Consuls, they acted, upon occasion, in what related to the policy of the town, as assistants to both <sup>14</sup>.

C H A P.  
II.

As Rome was a place of arms, and subsisted in some measure by public magazines; as settlements won from the enemy were often to be disposed of to citizens; as its institutions were yet new and incomplete; and as the Patricians still claimed an exclusive right to all the offices of state, there was much to occupy the cares of the Public—the distribution of corn from the granaries, the division of conquered lands, the defects of the laws, and the arbitrary proceedings of the magistrates. The qualifications of candidates for the office of Consul furnished, during some ages, the subject of continual debates, and frequently exposed the parties concerned in them, if they escaped the swords of their enemies, to perish by their own dissensions. Their civil and military transactions were constantly blended together. The senate frequently involved the state in war, in order to suspend its intestine divisions, and the people as often took occasion, from the difficulties in which the community was involved by its enemies, to extort a compliance with their own demands.

The first subject of contention that arose after the institution of the Tribunes was a sequel of the troubles which had preceded that establishment. The secession of the people took place in Autumn, the usual seed-time in Italy; and the labours of that season having been accordingly interrupted, the city was threatened with famine; and the senate exerted all its industry in guarding against this evil <sup>15</sup>. After the public granaries were filled for this purpose, it became a question, upon what terms, and at what price, the poorer citizens

<sup>14</sup> Dionys. Hal. lib. vi.

<sup>15</sup> Ibid. lib. vii.

B O O K  
I.

should be supplied from thence. Their insolence in the late mutiny, and the part which they themselves, by suspending the labours of the field, had taken, in bringing on the distress with which they were now threatened, were fully stated against them in this deliberation. The opportunity was thought to be fair, to recal the several concessions which had been extorted from the senate, and, in particular, to oblige the people to part with their Tribunes, and to return within the former bounds of their duty.

Such was the substance of a contumelious speech, delivered in the senate by the celebrated Caius Marcius Coriolanus. The younger nobility applauded his sentiments; but the greater part of the senate, having recently escaped from a popular storm, were unwilling to engage themselves anew in the same dangerous situation. In order, therefore, to appease the people, who were greatly incensed at the proposal which had been made to subdue them, they agreed to deliver corn from the public granaries, at a price below that of the most plentiful season. And, by this proceeding, for the present pacified the Tribunes, but flattered their presumption, and encouraged them to meditate still further demands. The distress with which their constituents had been threatened was prevented, but the insult they had received from Caius Marcius was not avenged; and they cited him to appear before the tribunal of the People, to answer for his conduct to the party he had offended. The Senate and Patricians were disposed to protect him; but, trusting that by the majority of their votes they might be able to acquit him in the *comitia* of the Centuries, the only assembly before which, from the time of its first institution, any capital charge had been hitherto laid against a citizen, they suffered the trial to proceed. In this, however, they were disappointed. The Tribunes insisted, that the people should assemble in their Tribes; and having prevailed in this previous question, the accused

cused, as being already condemned by this determination relating to the form of his trial, withdrew from his sentence<sup>16</sup>.

C H A P.  
II.

U. C. 262.

Coriolanus, in resentment of this prosecution, which forced him into exile, joined the enemies of his country, and by encreasing the alarm of war from abroad, helped to suspend for a while the animosities of which he himself had furnished the occasion at home. The contest in which he had engaged the parties ended with his own exile, and was not attended with any other political effects; but it merits a place in these observations, as a proof of the great influence which the Plebeian party, under its new leaders, had acquired; and as an evidence of the singular state of the Roman policy, by which, in the uncertain choice of different modes of assembly, the very form of the government was left undetermined, until the occasion occurred on which this government was to act.

The assembly of the Centuries formed an aristocracy, that of the tribes a democracy. They did not partake in the sovereignty by any determinate rule, but each of them occasionally seized upon the whole of it; and, instead of balancing each other by regular checks and interruptions, threatened to render the administration of the Republic a continual scene of contradictions and inconsistencies. Such at least is the judgment which we are tempted, in speculation, to pass on this singular constitution, although, in the sequel of its history, it will appear to possess, at least, one of the highest political advantages, in being the most excellent nursery of statesmen and warriors, and in forming the most conspicuous example of national ability and success.

The calm which the approach of Coriolanus, at the head of an army of Volsci, produced within the city, was of no longer duration than the alarm which produced it. As soon as the external enemy

<sup>16</sup> Dionys. Hal. lib. i. p. 469.

withdrew,

B O O K  
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withdrew, the parties within resumed their disputes; but on a subject which was still more important than that which had recently employed them; and which, continuing to be moved at intervals, served to the last hour of the Republic as an object of popular zeal, or furnished a specious pretence, which ambitious and designing men continually employed, to captivate the ears of the populace. This was the most popular of all propositions—an equal division of land property, known by the name of the Agrarian Law.

While the Romans were making their first acquisitions of territory, their conquests were understood to be made for the people, and were accordingly divided among them, or given to those who had not a sufficient provision for the subsistence of their families<sup>17</sup>. But of late, during a considerable period, while the Republic barely withstood the attacks of the exiled king, or recovered the losses sustained in the wars with the numerous enemies that supported him, she had either made few acquisitions of this sort, or, suitably to the growing disparity of ranks, which, though not necessary in very small republics, becomes so in proportion as nations extend, suffered the conquered lands to pass by connivance, occupancy, or purchase, into the hands of powerful citizens, who made use of these opportunities to appropriate estates to themselves.

U. C. 267.

The Tribunes had not yet begun to make their complaints on this subject, when they were anticipated by the Consul Sp. Cassius, who, being already in high favour with the popular party, continued to flatter the passions of the inferior class, and is said to have aimed at an improper and dangerous influence in the state. He affected great zeal for the rights of the people, and proportional indignation against their oppressors. He complained, in particular, of the improper use which had been recently made of the conquered lands, by suffering

<sup>17</sup> Dionys. Hal. lib. ii.

them to become the property of persons who were already too rich. Having himself made some conquests, he showed how the lands of the Republic ought to have been disposed of, by making an equal division of his own acquisitions among the more indigent citizens<sup>18</sup>. He obtained an act of the people to appoint three commissioners to enquire into the abuses which had been committed in the disposal of lands acquired from the enemy, and to consider of the proper corrections.

C H A P.  
II.

The senate, and the Patricians in general, were greatly alarmed; most of them had possessions that seemed to fall within the object of this inquiry. The popular party alleged, that conquered lands being acquired by the joint labours, and at the common hazard, of all the people, should be equally divided among them. The Patricians contended, that these levelling principles led to confusion and anarchy; that, in a state of which all the territory was actually, and within a few centuries, acquired by conquest, these maxims could not be applied without the subversion of government, as well as of property.

In this contest Cassius appeared to have the advantage of numbers on his side; and if he had confined his views to the division of lands, under which he was said to disguise a more dangerous intention, the senate and nobles must have at least devised considerable settlements for the people, in order to elude his demands. But while Cassius alarmed the rich with danger to their property, he at the same time alarmed every citizen with danger to his personal consequence, by offering the freedom of the city to every alien, who, at his summons, crowded from all the cantons of Latium to vote in the assemblies of the Roman people. His colleague opposed this measure, and the city, for the present, was saved from the intrusion of strangers. The attempt, however, gave offence to the people, as well as to the senate; and the unhappy author of it, in order to regain the favour

<sup>18</sup> Liv. lib. ii. c. 41.

E O O K  
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of his party, proposed a resolution, not only to make a gratuitous distribution of corn, but even to refund what had been formerly paid by any citizen at the public granaries. This proposal too was interpreted to his prejudice, and raised a suspicion that he meant, with the aid of aliens and of indigent citizens, to usurp the government. On this supposition all parties in the state combined against him, and he was condemned to suffer the punishment of treason.

This appears to have been the first project after the state began to have its demesne lands, and after private estates began to be accumulated, that was made to divide all territorial acquisitions in equal shares to the people. And though the author of it perished in the attempt, the project itself was entailed on the commonwealth, as a subject of dissention, and became the source of repeated demands on the part of the people.

The Tribunes had no sooner accomplished the ruin of Cassius, in which they concurred with the senate, than they insisted for the execution of the law he had framed, and for the nomination of three commissioners already resolved on, for the division of conquered lands. They protected the people in refusing to serve the state in its wars, until this demand should be granted. And having absolute and irresistible power to stop all proceedings in the city, they prevented all military levies within the walls, obliged the Consuls, during a certain period, to erect their standard in the country, and there to force the herdsman and labourer to enlist, by driving away the cattle, and distraining the effects of those who were unwilling to obey them<sup>o</sup>.

In these exertions of political strength, the parties at Rome learned by degrees to form their different plans, whether of administration or of opposition.

<sup>o</sup> Dionys. Hal, lib. viii. Ibid. N<sup>o</sup> 273 and N<sup>o</sup> 278.

The senate endeavoured to furnish the people with employment abroad, to amuse them with triumphal processions, to gratify them with partial settlements and allotments of land; and, in order to stop the violence of their leaders, by the negative of some one of their own order, continually endeavoured to divide the College of Tribunes.

C H A P  
II.

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The Tribunes, in their turn, endeavoured, by oaths and private engagements, to secure the unanimity of their own body, or to bind the minority to follow the decision of the greater number. They taught the people to despise the partial settlements, which, to pacify or to suspend their importunities, were offered to them at a distance from Rome. They taught them to aim at a higher object, the political consequence of their order, and an equal share in the government of their country. The Tribunes were honoured in proportion to the part which they took in support of this popular cause; and Plebeians were successively raised to this office, in reward of the animosity they had occasionally shewn to the senate, and from respect to the courage with which they had, in any case, withstood the authority of the magistrate.

At every succession, accordingly, the new Tribunes endeavoured to signalize their year by suggesting some advantage to the people; and, in the course of their struggles, obtained many regulations favourable to their interest as an order in the State.

One law which has been already mentioned, and which is of uncertain date, they obtained, to substitute the assembly of the Tribes for that of the Curia in the election of Tribunes<sup>20</sup>.

Another, to exclude the Patricians entirely from the Assembly of U. C. 282, the Tribes<sup>21</sup>.

The Agrarian Law itself they frequently moved, in the interval of other claims and pretensions, or brought it forward along with such

<sup>20</sup> Dionys. Hal. lib. ix.

Liv. lib. ii. c. 56.

<sup>21</sup> Liv. lib. ii. c. 60.

B O O L  
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claims, in order to alarm the Patricians, and to force them, under apprehension of this principal object of their fears, to a compromise, or to a compliance in some other demand.

To the other circumstances, which tended frequently to revive these political flames, may be joined the arbitrary proceedings of the magistrate, and the defect of judicial forms in the commonwealth. The Consuls had succeeded to the Kings, as sole Officers of State, both civil and military; they had not sufficient forms or limitations prescribed to them in the exercise of their power<sup>22</sup>. This defect, which is common in the administration of rude governments, is for the most part supplied by degrees. Evils are corrected in proportion as they are felt, and the rational proceedings of one age are adopted as precedents to regulate the next. But, in the present instance, at Rome, the popular party, it is said, demanded at once a system of jurisprudence and a complete body of laws. Being opposed by the Patricians, they came to consider the measure as an object of party; and they pressed the acceptance of it, as much from animosity to the magistrates, as from a desire to secure public justice, or to regulate the forms of judicial procedure. The Patricians considered the project as an attack on their power; and, however innocent or reasonable it may have been, endeavoured to elude the execution of it with all the arts of evasion and delay, which they had employed to prevent the division of the conquered lands, or to frustrate any other the most factious purpose of their adversaries.

In this contest the powers and artifices of both parties were fully exerted. To the great authority and address of the nobles, the people opposed an ardour that was not to be cooled by delays, to be discouraged by partial defeats, or restrained by scruples in the choice

<sup>22</sup> Liv. lib. iii. c. 9. Dionys. Halycar. lib. x.



of means for the attainment of their end. From this, as from many other instances, it may be inferred, that the popular party, in the contest with their superiors, are apt to think, that the rules of veracity and candour may be dispensed with, and that the means of deceit and violence may, without any scruple, be employed in their own favour. With less honour and dignity to maintain than their adversaries, they are less afraid of imputations that detract from either; and their leaders, supported by the voice of the more numerous party, are less apprehensive of evil fame. In this contest, accordingly, fictitious plots and conspiracies were fabricated by the popular side, and fictitious designs against the liberties of the people were imputed to the Patricians, in order to render them odious, and to deter them from appearing in support of their real pretensions <sup>23</sup>.

In the issue of these contests, the senate, despairing of being able to divert the people from their purpose, agreed to the nomination of three commissioners, who should be sent into Greece to make a collection of such laws as, being found salutary in that country, might be transferred to Rome. Soon after the return of the commissioners, the Senate approved their report, and concurred in the nomination of the famous Decemvirs to compile a body of laws for the commonwealth.

The Decemvirs were appointed merely to make the draft of a new code, and to propose matter for the consideration of the Senate and People, from whom alone the propositions could receive the authority of laws; yet the persons named for this purpose, as the History bears, had credit enough with the people to be vested with a temporary sovereignty, in which they superseded the authority of the Senate, as well as that of the Consuls, and had unlimited power over the lives and fortunes of their fellow-citizens <sup>24</sup>.

<sup>23</sup> Dionys. Hal. lib. x.

<sup>24</sup> Ibid. N<sup>o</sup> 303.

B O O K  
I.

Before their commission expired, they presented a number of laws, engraven on ten tables or plates, and containing a summary of the privileges to be enjoyed by the People, of the crimes to be punished by the Magistrate, and of the forms to be observed in all judicial proceedings. They, at the same time, informed the people, that their plan was still incomplete, that many useful additions were yet to be made; and, upon the faith of these declarations, obtained for another year the renewal of their powers, with a change of some of the persons who were named in the commission.

In this second year of the Decemvirs appointment, two more tables or plates were added to the former ten; a circumstance from which this part of the Roman law has derived its name. This supplement, as well as the former body of laws, was received with great avidity, and the twelve tables continued to be respected at Rome, as the antient titles by which men are supposed to hold any valuable rights are revered in all nations<sup>25</sup>. No complete copy of them being transmitted to modern times, we cannot fully judge of their value; but, from the fragments remaining in Authors that occasionally cite them<sup>26</sup>, this Code appears, in some clauses, to have been a first draft of the regulations which are necessary in the establishment of property, and in making private parties answerable to public judicatures in all their disputes.—The property of land was established by a fair prescription of two years, and that of other effects by a prescription of one year.—Any controversy concerning the boundaries of land-property was to be determined by arbiters or jurymen appointed by the Magistrate.—Parties cited to a court of justice were not at liberty to decline attendance.—Judgment in capital cases was com-

<sup>25</sup> Livy calls the Twelve Tables *Fons omnis publici privateque juris*. Tacitus calls them *Finis equi juris*. And Crassus, in the Dialogue of Cic. de Orat. is made to say, Bibliothecas omnium philosophorum, unus mi-

hi videtur tabularum libellus superare. De Orat. lib. i. c. 44.

<sup>26</sup> Vid. Gravini de Origine Juris Civilis. Pighii Anal.

petent only to the Assembly of the People in their Centuries; but this supreme Tribunal might delegate its powers by a special commission.

In considering this Code as a record of ancient manners, the following particulars are worthy of notice :

The distinction of Patrician and Plebeian was so great, that persons of these different orders were not permitted to intermarry.

The father being considered as the absolute master of his child, had a right even to kill, or expose him to sale<sup>27</sup>.

The interest of money was limited to one *per cent.*<sup>28</sup>; but bankruptcy was treated as a crime, and, without any distinction of fraud

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<sup>27</sup> The clause in the Twelve Tables relating to the father's power of sale, contains a singular limitation. *Vendendi filium patri potestas esto. Si pater filium ter venundavit, filius a patre liber esto.* The father may sell his child, but if he has sold him three times, the child shall be free. (Dionys. lib. ii. c. 27. p. 97.) This law, in its first appearance, carries an implication that, until this restriction was applied, fathers practised selling their children times without limit. No law, it may be said, is made against crimes altogether unknown; and, in general, what people do, may be inferred from what they are forbid to do; and yet the clause, considered in this light, is full of absurdity. The child, to be repeatedly sold, must have repeatedly disengaged himself from slavery. After being twice sold, he must have put himself a third time in the father's power; and to render such cases the object of law in any age or country whatever, the great law of parental affection must have been strangely suspended. The question therefore may be submitted to Civilians and Antiquaries, whether it be not easier to suppose a mistake in the tradition or in the record, or an unnecessary precaution in the compilers of this Code, than such a frequency of the circumstances presumed in this clause, as

would make the offence a proper object of legislation in any age or nation whatever; and whether this law may not have been, in its original intention, what it became in the subsequent applications of it, a mere precaution in favour of the parent, that he should not be deprived of his child by surprize, and that unless he had sold him three times, he was not supposed to have sold him at all. The form by which a Roman father emancipated his son, consisted of a sale three times repeated. The father sold him and received his price. The buyer once and again redelivered the child, and had his price returned. After the third purchase, the buyer manumitted him by a singular ceremony prescribed in the laws.

<sup>28</sup> *Nam primo duodecim tabulis sancitum, ne quis unciario ( $\frac{1}{2}$  per mon. or 1 per cent. per ann.), fœnore amplius exerceat, cum antea ex libidine locupletium agitaretur; dein rogatione tribunitia ad fœnuncias redacta; postremo vetite usuræ; multique plebiscitis obviam itum fraudibus, quæ toties repressæ miras per artes rursus oriebantur.* Tacit. An. lib. vi.

Montesquieu ventures to reject the authority of Tacitus in this instance, and supposes that the law which he ascribes to the Decemvirs had no existence until the year U. C. 398;

when,

B O O K  
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or misfortune, exposed the insolvent debtor to the mercy of his creditors, who might put him to death, dissect or quarter him, and distribute his members among them<sup>29</sup>.

Mixed with laws that arose from superstition, there were others containing proofs of great national wisdom. In private, every family were free to worship the gods in their own way. And in public, though certain forms were required, yet there was not any penalty annexed to the omission of them, as the punishment of offences in this matter was left to the offended god.

The people were required to build their houses two feet asunder, to leave eight feet for the ordinary breadth of streets and highways, and double this breadth at the turnings.

They were forbid to dress or to polish the wood employed in funeral piles, or to express their sorrow for the dead by wounding their flesh, tearing their hair, or by uttering indecent or lamentable cries.

Such are a few of the more singular and characteristic clauses which are mentioned among the fragments of the Twelve Tables.

when, according to Livy, lib. vi. it was obtained by the Tribunes M. Duellius and L. Menenius, in favour of the people. *Haud aequè patribus læta, insequente anno C. Martio & Cn. Manlio Coss. de unciario fenore a M. Duellio, L. Menenio, tribunis plebis, rogatio perlatà.* It is indeed probable that many antiquated laws were referred to this Legendary Code of the Twelve Tables on no better authority than that of their antiquity. And so great a reduction of interest was more likely to come from Tribunes acting in favour of the people, who were generally the debtors, and who soon after procured the entire abolition of the interest of money, than from the Decemvirs, who, being of the aristocratical faction, took part with the creditors.

<sup>29</sup> The clause in this Code respecting in-

solvent debtors, is equally strange with that which respects the power of the father, and shews no less upon what atrocious ideas of what they were to permit, as well as of what they were to prohibit, the compilers of this Code proceeded. Their ideas in either, it is probable, were never realized. Livy says, that debtors were *nexi & traditi creditoribus* (Liv. lib. ii. c. 23 & 27.). But it is affirmed with great probability of truth, that no creditor ever took the full benefit of this law against his insolvent debtor (Aul. Gell. lib. 20. c. 1.). Laws that result from custom, and are suggested by real occasions, are genuine proofs of the reigning manners; but laws enacted by special lawgivers, or commissioners, only indicate what occurs to the fancy of the compiler, and what are the prohibitions he is pleased to suppose may be necessary.

The ardour of the people to obtain this Code, and the unlimited powers which they entrusted to the commissioners appointed to frame it, had nearly cost them their liberty; and thus ended the progress of their commonwealth. The Two additional Tables, as well as the first Ten, having been posted up for public inspection, and having been formally enacted by the Senate and People, the object of the Decemvirs commission was obtained, and it was expected that they were to abdicate their power; but the principal persons vested with this trust, having procured it with a view to usurp the government, or being debauched by two years uncontrouled dominion in the possession of it, refused to withdraw from their station, and boldly ventured to persist in the exercise of their power after the time for which it was given had elapsed. At Rome, the power of the magistrate was supposed to determine by his own resignation, and the republic might suffer a peculiar inconveniency from the obstinacy of particular persons, who continued to exercise the functions of office after the period assigned them by law was expired.

The Decemvirs took advantage of this defect in the constitution, continued the exercise of their power beyond the period for which it was given, took measures to prevent the restoration of the Senate and the Assemblies of the People, or the election of ordinary magistrates, and, even without employing much artifice, got the People to acquiesce in their usurpation, as an evil which could not be remedied; and the usurpers, in this as in other instances, seemed to meet with a submission that was proportioned to the confidence with which they assumed their power. The wrongs of the State appeared to make little impression on parties who had an equal concern to prevent them; but a barbarous insult offered to a private family rekindled or gave occasion to the breaking out of a flame, which injuries of a more public nature only seemed to have smothered.

Appius

B O O K  
I.

Appius Claudius, one of the usurpers, being captivated with the beauty of Virginia, the child of an honourable family, and already betrothed to a person of her own condition, endeavoured to make himself master of her person, by depriving her at once of her parentage and of her liberty. For this purpose, under pretence that she had been born in servitude, and that she had been stolen away in her infancy, he suborned a person to claim her as his slave. The Decemvir himself being judge in this iniquitous suit, gave judgment against the helpless party, and ordered her to be removed to the house of the person by whom she was claimed. In this affecting scene, the father, under pretence of bidding a last farewell to his child, came forward to embrace her; and, in the presence of the multitude, having then no other means to preserve her honour, he availed himself of the prerogative of a Roman father, and stabbed her to the heart with a knife. A general indignation instantly arose from this unjust fight, and all parties concurred, as at the expulsion of the Decemvirs, to deliver the republic from so hateful a tyranny<sup>31</sup>.

U. C. 304.

The Plebeian and Patrician administration being re-established by the concurrence of the Plebeians, and the former government restored with the consent of all parties, a tide of mutual confidence ensued, which led to the choice of the most popular persons into the office of Consul, and procured a ready assent from the nobles to every measure which tended to gratify the people.

The danger which had been recently experienced from the exercise of uncommon discretionary powers, produced a resolution to forbid, under the severest penalties of confiscation and death, any person ever to propose the granting of any such powers. The consecration of the persons of the Tribunes, which, under the late usurpation, had almost lost its effect, was now renewed, and extended, though in a

<sup>31</sup> Liv. lib. iii. c. 37. Dionys. Hal. sine.

meaner degree, to the Ediles and inferior officers, who were sup-  
posed to act under the Tribunes in preserving the rights of the  
people.

C. H. A. P.  
II  
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The Patricians likewise consented to have the acts of the Senate formally recorded, placed in the temple of Ceres, and committed to the care of the Ediles<sup>32</sup>. This was in fact a considerable diminution of the power of the Consuls, who had been hitherto considered as the keepers and interpreters of the Senate's decrees, and who had often suppressed or carried into execution the acts of this body at pleasure.

But the most striking effect, ascribed to the present unanimity of the citizens, was the ease with which the Plebeian assemblies were permitted to extend the authority of their acts to all the different orders of the commonwealth.

C. C. 324.

The *Comitia*, or assemblies of the Roman people, as may be collected from the past observations, were now of three denominations; that of the *Curia*, the Centuries, and the Tribes. In assemblies of the first and second denomination, all citizens were supposed to be present; and laws were enacted relating to the policy of the state in general, as well as to particular departments, and separate bodies of men. The Centuries disposed of civil offices, and the *Curia* of military commands<sup>33</sup>. In the assembly of the Tribes, composed of Plebeians alone, the Tribunes were elected; and acts were passed to regulate the proceedings of their own order, beyond which, in the antient times of the republic, their authority did not extend. But as the Senate denied the right of the Tribes to enact laws that should bind the community, the Plebeians, in their turn, disputed the legislative authority of the Senate. The Centuries alone were supposed to enjoy the right of enacting laws for the commonwealth<sup>34</sup>.

<sup>32</sup> Liv. lib. iii.

<sup>33</sup> Lib. v. c. 52. Lib. ix. c. 38. Cic. ad Famil. lib. i. ep. 9. Liv. lib. vi. c. 21.

<sup>34</sup> These were termed *Leges*; the resolutions of the Senate were termed *Senatus Consulta*, and those of the Tribes, *Plebiscita*.

I O O K  
 I.

This distribution, however, was partial, and tended to lodge the sovereignty of the State in the hands of the Patricians, who, though no more than a part of the people, were enabled, by their undoubted majority in the assemblies of the Centuries as well as in the Senate, to give law to the whole.

Equity and sound policy required that the Plebeians should have a voice in the legislature of a commonwealth of which they made so considerable a part. This privilege appeared to be necessary, in order to secure them against the partial influence of a separate order of men. They accordingly obtained it; but in a manner that tended to disjoin, rather than to unite into one body, the collateral members of the State. Instead of a deliberative voice, by which they might concur with the Senate, and *Comitia* of the Centuries, or by which they might controul and amend their decrees, they obtained for themselves a separate and independent power of legislation, by which, as a counterpoise to the Patrician acts, which might pass in the Centuries without their concurrence, they could, on their part, and without the presence or consent of the nobles, make Plebeian acts that could equally bind the whole community<sup>35</sup>.

U. C. 304.

This rude and artless manner of communicating a share of the legislature to the inferior order of the people, tended greatly to increase the intricacy of this singular constitution, which now opened, in fact, three distinct sources of legislation, and produced laws of three different denominations; decrees of the Senate<sup>36</sup>, which had a temporary authority; acts of the Centuries<sup>37</sup>; and resolutions of the Tribes<sup>38</sup>; and by these means undoubtedly made way for much intestine division, distraction, and tumult.

So far animosity to the late usurpation had united all orders of men in the measures that followed the expulsion of the Decemvirs;

<sup>35</sup> Dionys. Hal. p. 306. Liv. lib. iii. c. 55.

<sup>36</sup> *Senatus Consulta*.

<sup>37</sup> *Leges*.

<sup>38</sup> *Plebiscita*.

but



but the spirit of cordiality did not long survive the sense of those injuries, and that resentment to a common enemy from which this transient unanimity arose. The Plebeians had removed some part of the establishment, in which the Patricians were unequally favoured; but they bore with the greater impatience the inequalities which remained, and by which they were still condemned to act a subordinate part in the commonwealth. They were still excluded from the office of Consul, and from that of the priesthood. They were debarred from intermarriage with the nobles by an express law, which had been enacted, lest the sexes, from passion, forgetting distinctions, should in this manner unite their different ranks; but being now, in some measure, by the late act in favour of the *Comitia* of the Tribes, become joint or rival sovereigns of the State, they could not long acquiesce in these unequal conditions.

A few years after the restoration of the commonwealth, Canuleius, a Plebeian, being one of the Tribunes, moved the celebrated act which bears his name<sup>39</sup>, to repeal the clause of the Twelve Tables which prohibited the intermarriage of Patricians and Plebeians. The other nine Tribunes joined at the same time in a claim of more importance—that the office of Consul should be laid open to all the different orders of the commonwealth, and might be held by Plebeians, as well as Patricians<sup>40</sup>. The Senate, and the whole order of nobles, having for some time, by delays, and by involving the State, as usual, in foreign wars, endeavoured to suspend the determination of these questions, were at length obliged to gratify the people in the less material part of their pretensions, respecting the intermarriage of different ranks, in order, if possible, to pacify them on the refusal of the more important claim, which related to their capacity of being elected into the office of Consul.

To elude their demands on this material point, it was observed, that of the sacrifices and other duties belonging to the priesthood,

<sup>39</sup> Lex Canuleia. Liv. lib. iv. c. 1.

<sup>40</sup> Dionys. Hal.

B O O K  
I.

U. C. 309.

which, by the sacred laws of religion, could be performed only by persons of noble birth, many were to be performed by the Consul, and could not, without profanation, be committed to any person of Plebeian extraction; and that, by this consideration alone, the Plebeians must be for ever excluded from the dignity of Consul. Superstition, for the most part, being founded on custom alone, no change can be made in the custom, without appearing to destroy the religion that is founded upon it. This difficulty accordingly put a stop, for a while, to the hasty pace with which the Plebeians advanced to the Consulate: but this obstruction was at length removed, as many difficulties are removed in human affairs, by a slight evasion, and by the mere change of a name. The title of Consul being changed for that of Military Tribune, and no sacerdotal function being included in the duties of this office, Plebeians, though not qualified to be Consuls, were allowed to offer themselves as candidates, and to be elected Military Tribunes with consular power. In this manner the supposed profanation was avoided, and Plebeians were allowed to be qualified for the highest office of the State. The mere privilege, however, did not, for a considerable time, enable any individual of that order to attain to the honour of first magistrate of the commonwealth. The Plebeians in a body had prevailed against the law which excluded them; but as separate candidates for office, still yielded the preference to the Patrician competitor; or, if a Plebeian were likely to prevail at any particular election of Military Tribunes, the Patricians had credit enough to have the nomination of Consuls revived in that instance, in order to disappoint their antagonists.

Together with the separation of the military and sacerdotal functions, which took place on this occasion, another change, more permanent and of greater moment, was effected. Ever since the institution of the Census, or muster, the enrolment of the people was  
become

become a principal object of the executive power. In the first ages it belonged to the King, together with all the other functions of state. In the sequel, it devolved on the Consuls; and they accordingly, at every period of five years, by the rules of this office, could dispose of every citizen's rank, assign him his class, place him in the rolls of the Senate, or on that of the Knights, or strike him off from either; and, by charging him with all the burdens of a subject, while they stript him of the privileges of a citizen, deprive him at once of his political consequence<sup>41</sup>, and of his state as a Roman<sup>42</sup>.

These regulations were accordingly enforced, not held up into public view merely to awe the people. The magistrate actually took an account of every citizen's estate, inquired into his character, and assigned him his place; promoted him to the Senate or to the Knight-hood; degraded or disfranchised, according as he judged the party worthy or unworthy of his freedom, of the rank which he held, or of that to which he aspired in the commonwealth<sup>43</sup>.

So important a trust committed to the discretion of an officer elected for a different purpose, took its rise in the simplicity of a rude age; but continued for a considerable period without any flagrant examples of abuse. It was, nevertheless, that branch of the consular magistracy which the Patricians were least willing to communicate or to share with the Plebeians. While they admitted them, therefore, to be elected Tribunes with consular power, they stipulated, that the charge of presiding in the Census, or musters, should be disjoined from it; and that, under the title of Censors, this charge should remain with persons of Patrician birth<sup>44</sup>. They contended for this separation, not with a professed intention to reserve the office of Cenfor to their own order, but under pretence that persons invested with the consular

C. H. A. P.  
II.

U. C. 310.

<sup>41</sup> Liv. lib. iv. c. 24.<sup>43</sup> Liv. lib. iv. c. 24.<sup>42</sup> The citizens who came under this predicament were termed *Ærarii*.<sup>44</sup> Liv. lib. iv. c. 2.

FOO  
I. power, being so frequently employed in the field against the enemies of the commonwealth, could not attend to the affairs of the city, or perform all the duties of Censor at their regular periods.

But whatever may have been the real motive for separating the department of Censor from that of Consul, the change appears to have been seasonably made; and may be considered as a striking example of that singular felicity with which the Romans, for some time, advanced in their policy, as well as in their fortunes. Hitherto the Roman Consul, being a warrior, was chiefly intent on the glory he was to reap in the field, and to gain at the expence of the enemies of the State. He disdained to seize the advantages which he had in his power, in the capacity of a clerk or accountant entrusted with the Census, or enrolment of his fellow-citizens; nor does it appear that any peculiar attention was given to the choice of Consuls on the year of the Census, as being then vested with any dangerous measures of power. But considering the height at which party disputes were then arrived, and the great consequence of a citizen's rank and place on the rolls, it was no longer safe to entrust in the same hands the civil rights of the People, and the executive powers of the State. The Consul, being frequently raised to his station by party intrigues, and coming into power with the ardour of private ambition and of party zeal, might have easily, in the manner of making up the rolls of the people, gratified his own resentments, or that of his faction. The office of Consul, in his capacity of military leader, was naturally the province of youth, or of vigorous manhood; but that of Censor, when disjoined from it, fell as naturally into the hands of persons of great authority and experienced age; to whom, in the satiety of brighter honours, the People might safely entrust the estimate of their fortunes, and the assignment of their rank. In such hands it continued, for a considerable period, to be very faithfully discharged; and by connecting the dignities of Citizen, and the hon-

nours of the State, with private as well as public virtue, had the happiest effects on the manners of the People.

C H A P.  
II.

The number of Censors, like that of the Consuls, was limited to two; but that of the Consular Tribunes was left undetermined, and at successive elections was augmented from three to eight. This has given occasion to some historians, who are quoted by Livy, to ascribe the institution of this office, not to the importunity of the Plebeian party, but to the exigencies of the State; which being assailed by numerous enemies, and not having as yet devised the method of multiplying commanders, under the titles of Proconsul, were led to substitute officers of a different denomination, whose numbers might be increased at discretion. It is indeed probable, that, in the progress of this government, new institutions, and the separation of departments, were suggested no less by the multiplicity of growing affairs, than by the pretensions of party, or by the ambition of separate pretenders to power. In the first of those ways, we are led to account for the institution of the Plebeian Ediles, already mentioned; for that of the Præfectus Annonæ, or Inspector of the Markets, together with the additions that were, in the course of these changes, continually made to the number of Quæstors.

The Quæstors had been long established at Rome; they had charge of the public funds, and followed the Kings and the Consuls as commissaries or provisors in the field. During the busy period which we have been now considering, their number was augmented from two to four; and the places were filled, for the most part, with Patricians, though not limited to persons of this rank.

U. C. 333.

The Præfectus Annonæ, or Inspector of the Markets, was an officer occasionally named, on a prospect of scarcity, to guard against famine, and to provide for the wants of the people. Rome was in fact a place of arms, or a military station, often depending as much for subsistence on the foresight and care of its officers, as on the course  
of

B O O K  
1.

U. C. 111.

of its ordinary markets. Without a proper attention to this particular on the part of the State, the People were exposed to suffer from scarcity. On the approaches of famine, they became mutinous and disorderly, and were ready to barter their freedom, and the constitution of their country, for bread. During the famine which first suggested the separation of this trust from that of the ordinary officers of State, Sp. Mælius, a Roman Knight, being possessed of great wealth, engrossed great quantities of corn; and having it in his power to supply the wants of the poor, endeavoured to form a dangerous party among them, and, by their means, to raise himself to the head of the commonwealth. The Senate took the alarm, and, as in the most dangerous crisis of the state, had recourse to the nomination of a Dictator. Mælius being cited to appear before him, and having refused to answer, was put to death.

The care of supplying the people with corn, which had been at this time committed to L. Minucius, was from thenceforward entrusted to citizens of the first rank, and the office itself became necessary in the political establishment of the commonwealth.

Hitherto we have considered the Roman Republic as a scene of mere political deliberations and councils, prepared for contention, and seemingly unable to exert any united strength. The State, however, presented itself to the nations around it under a very different aspect, as a horde of warriors, who had made and preserved their acquisitions by force, and who never betrayed any signs of weakness in the foreign wars they had to maintain.

In their transition from monarchy to republic, indeed, there seems to have been a temporary intermission of national exertions. Private citizens, annually raised to the head of the republic, did not with their elevation acquire the dignity of princes; they did not command the same respect from their fellow-citizens at home, nor had the same consideration from rival nations abroad.

The

The frequent dissensions of the people seemed to render them an easy prey to their enemies. During the life of Tarquin many powers united against them in behalf of the exiled king. They were stripped of their territory, confined to the walls of their city, and deserted by their allies <sup>44</sup>. The fortune of the State seemed to fall with its monarchy. The event, however, belied these appearances, and the power of the annual Magistracy soon became more formidable abroad, though less awful at home, than that of the Monarch. The republican government sought for respite from domestic trouble in the midst of foreign war, and the forces of the State, instead of being restrained, were impelled into action by intestine divisions. The ambition with which the lower ranks of the people endeavoured to watch their superiors, the solicitude with which the higher order endeavoured to preserve its distinction, the exercise of ability which, in this contest, was common to both, enabled them to act against foreign enemies with a spirit that was whetted, but not worn out, in their domestic quarrels.

The Consuls annually elected, brought to the helm of affairs a fresh vigour of mind and continual supplies of renewed ambition. Every officer, on his accession to the magistracy, was in haste to distinguish his administration, and to merit his triumph; and numerous as the enemies of the Republic appeared, they were not sufficient to furnish every Roman Consul, in his turn, with an opportunity to earn this envied distinction. It was given only to those who obtained actual victories, and who killed a certain number of their enemies <sup>45</sup>.

In this nursery of warriors, honours, tending to excite ambition or to reward military merit, were not confined to the leaders of armies alone: The victorious soldier partook in the triumph of his leader, and had subordinate rewards proportioned to the proofs he

<sup>44</sup> Dionys. Hal. lib. v.<sup>45</sup> Five thousand in one field.

B O O K  
I.

had given of his valour. "I bear the scars," said Dentatus (while he pleaded for a share in the conquered lands to himself and his fellow-soldiers), "of five and forty wounds, of which twelve were received in one day. I have carried many prizes of valour. Fourteen civic crowns bestowed upon me by those I had saved in battle. Three times the mural crown; having been so often the first to scale the enemies walls. Eight times the prize of distinction in battle. Many tokens of esteem and gratitude from the hands of generals. Eighty-three chains of gold, sixty bracelets, eighteen lances, and twenty-five sets of horse-furniture, from private persons, who were pleased to approve of my services."

Under the influence of councils so fertile in the invention of military distinctions, and in armies of which the soldier was roused by so many incentives to military ambition, the frequent change of commanders, which is commonly impolitic, proved a perpetual renovation of the ardour and spirit with which armies were led. In public deliberations on the subject of war, the vehement ambition of individuals proved a continual incentive to vigorous resolutions, by which the State not only soon recovered the consequence which it seemed to have lost in its transition from Monarchy, but was speedily enabled to improve upon all its former advantages, as head of the Latin confederacy; frequently to vanquish the Sabines, the Hernici, the Volsci, and Etruscans, and, in about a hundred years after the expulsion of Tarquin, to extend its dominion greatly beyond the territories which had been in the possession of that prince. In one direction, from Falerium to Anxur, about sixty miles; and in the other, from the summits of the Appenines to the sea: And Rome, the metropolis of this little empire, was become, with a few competitors, one of the principal states of Italy.

U. C. 344.

<sup>46</sup> Dionys. Hal. lib. x. c. 36. vel p. 362.



The first and nearest object of its emulation at this period was Veïæ, an Etruscan principality, of which the capital, situated about nine miles from Rome, was built on an eminence, and secured by precipices.

C H A P.  
II.

The Romans, even before the change of their government from the form of a principality to that of a republic, had been in possession of the Tiber and both its banks; but on the right of this river were still circumscribed by the Veïantes, with whom they had waged long and desperate wars; and, as may be supposed among rivals in so close a neighbourhood, with imminent danger to both. Veïæ, according to Dionysius, was equal in extent to Athens, and, like the other Etruscan cantons, was further advanced than Rome in the arts of peace, probably better provided with the resources of war, but inferior in the magnanimity of its councils and in the courage of its people. The Veïantes being, after a variety of struggles, beat from the field, they retired within their walls, suffered themselves to be invested, and underwent a siege or blockade of ten years. The Romans, in order to reduce them, continued during those ten years in the field, without any interruption or distinction of seasons; made secure approaches, fortifying themselves in the posts which they successively occupied, and in the end entered the place by storm.

U. C. 357.

In these operations, we are told, that they learned to make war with more regularity than they had formerly practised; and having, some little time before, appointed a military pay for such of their people as served on foot, they at this time extended the same establishment to their horsemen or knights; imposed taxes on the people in order to defray this expence, and made other arrangements, which soon after enabled them to carry their enterprizes to a greater distance, and to conduct them with more order and system: circumstances which, together with the accessions of territory and power, gained by the reduction of Veïæ, rendered this event a remarkable epocha in the history of Rome.

B O O K  
I.

The use which they proposed to make of their conquest was partly founded in the original policy of the State. The practice of incorporating vanquished enemies, indeed, with the Roman people, had been long discontinued: for even Tarquin, it is said, had introduced the custom of enslaving captives, and this fate the citizens of Veiaæ underwent<sup>47</sup>; but their lands, and the city itself, offered a tempting prize to the conquerors. And accordingly it was proposed to transplant into those vacant possessions and seats one half of the Roman Senate and people<sup>48</sup>.

This proposal was extremely acceptable to persons of inferior condition, who hoped to double their possessions, and flattered themselves that they might double the power of the State: but it was strenuously opposed by the Senate and Nobles, as tending to divide and weaken the commonwealth, and as more likely to restore a rival than to strengthen themselves. It was eluded by a partial division of the Veiaean territory, in which seven *jugera*, or about four English acres, were assigned as the lot of a family; and by these means the more indigent citizens were provided for, without any hazard of dismembering the state.

But while the Romans were thus availing themselves of the spoils of a fallen enemy, and probably enjoying, on the extinction of their rival, a more than common degree of imagined security, they became themselves an example of the instability of human affairs; being assailed by a new and unlooked-for enemy, who came like a stroke of lightning on their settlement, dispersed their people, and reduced their habitations to ashes.

The Gauls, who are said to have passed the Alps in three several migrations about two hundred years before this date, being now masters of all the plains on the Po, and of all the coasts of the Adriatic

<sup>47</sup> Liv. lib. v. c. 22.

<sup>48</sup> Ibid. lib. v. c. 24.

to the banks of the river Sena, where they had a settlement, which, from their name, was called Sena Gallia; and being still bent on extending their possessions, or shifting their habitations, had passed the Appennines, and laid siege to Clusium, the capital of a small nation in Tuscany<sup>48</sup>. The inhabitants of this place made application to the Romans for succour; but could obtain no more than a deputation to intercede with the Gauls in their behalf. The deputies who were sent on this business, and commissioned to act only as mediators, having appeared in arms on the side of the besieged, the Gauls complained of their conduct as a breach of faith, and as a departure from the neutrality which the Romans professed: And being denied satisfaction on this complaint, they dropped their design on Clusium, and turned their arms against these mediators, who had violated the laws of war. They advanced on the left of the Tiber, found the Romans posted to receive them on the Allia, a small river which was the limit of the Roman territory, in the country of the Sabines, about ten miles from Rome; and, with the same impetuosity which hitherto attended them, they passed the Allia on the right of the Roman army, drove them into the angle that is formed by the confluence of the two rivers, put all who withstood them to the sword, and forced the remainder into the Tiber, where numbers perished, or, being cut off from their retreat to Rome, were dispersed in the neighbouring country.

This calamity is said to have so much stunned or overwhelmed the Roman people, that they made no farther attempt to defend their city. All the youth that were fit to carry arms retired into the Capitol. The weak or infirm, whether from sex or age, fled as from a place condemned to destruction, or suffered themselves to be surpris'd and cut off in the streets. U. C. 363.

<sup>48</sup> Liv. lib. v. c. 35, &c.

B O O K  
I.

The Gauls, having employed three days in the pursuit and slaughter of those who fled from the field of battle, on the fourth day advanced towards the walls of Rome. But being alarmed at first by the general desertion of the battlements, which they mistook for an ambuscade or an artifice to draw them into a snare, they examined all the avenues with care before they ventured to enter the gates. The more effectually to dislodge every enemy, they set fire to the city, reduced it to ashes, and took post on the ruins, in order to besiege the Capitol, which alone held out <sup>49</sup>. In this state of affairs, the republic, already so formidable to all its neighbours, was supposed to be extinguished for ever. The fame of its ruin reached even to Greece, where Rome began to be considered at this time as a rising and prosperous commonwealth <sup>50</sup>.

The Gauls remained in possession of the ruins for six months; during which time they made a fruitless attempt to scale the rock on which the Capitol was built; and being repulsed by Manlius, who, for his vigilance and valour on this occasion, acquired the name of Capitolineus, they continued to invest and block up the fortrefs, in hopes of being able to reduce it by famine. The Romans, who were shut up in the Capitol, still preserved the forms of their commonwealth, and made acts in the name of the Senate and People. Sensible that Camillus, under whose auspices they had reduced the city of Veia, and triumphed over many other enemies, now in exile on the score of an invidious charge of embezzling the spoils he had won at that place, was the fittest person to retrieve their affairs; they absolved him of this accusation, reinstated him in the qualification to command their armies <sup>51</sup>; and, in order that he might assemble their allies and collect the remains of their late army, which was dispersed in the neighbouring country, vested him with the power of

<sup>49</sup> Plutarch, in vit. Camilli.

<sup>50</sup> Ibid.

<sup>51</sup> Liv. lib. v. c. 32.

.dictator.

dictator. In this extremity of their fortunes, he overlooked his wrongs, procured numbers to resort to his standard, and hastened to arm for the preservation of his country. He came to the relief of the Capitol at a critical moment, when the besieged, being greatly reduced by famine, had already capitulated, and were paying a ransom for themselves and their remaining effects. Before this transaction was completed, he surpris'd the besiegers, obliged them to relinquish their prize, and afterwards, in a decisive battle that was fought in the neighbourhood of Rome, revenged the disaster which his countrymen had suffered on the banks of the Allia<sup>52</sup>.

C H A P.  
II.

Whatever may have been the true account of this famous adventure, the Romans have given it a place in their history, retained a deep impression of their danger from the Gauls, and from thence dated the origin of some particulars in their policy, which seem to have arisen from such an impression. They set apart particular funds in the treasury, to be spared in all other possible exigencies of the State, and reserved for a resource in case of a Gaulish invasion. They subjected the magistrate to certain general restrictions, but allowed an exception in case of an invasion from the Gauls; and it is likely that, in the age in which they took these alarming impressions, they had not yet acquired those advantages of discipline and military skill, in which they were afterwards so much superior to the Gauls and other barbarous neighbours<sup>53</sup>.

Although historians have amply supplied the detail of history before this event, they nevertheless acknowledge, that all prior evidence of facts perished in the destruction of Rome; that all records

<sup>52</sup> Liv. lib. v. c. 43, &c.

<sup>53</sup> The establishment of the Legion, and the improvement made in the choice of its weapons and manner of array, are mentioned as subsequent to this date: And the Romans, it is confessed, made less progress in every other art than in that of war. Their general, Camillus, at his triumph for his victory ob-

tained over the Gauls, made his entry into Rome, having his visage painted with red; a practice, says Pliny, which is yet to be found among nations of Africa, who remain in a state of barbarity, and which this natural historian was inclined to consider as a characteristic of barbarous manners.

B O O K  
I.

and monuments of what the Romans had formerly been, were then to be gathered from the ruins of cottages, which had been for several months trodden under foot by a barbarous enemy; that the laws of the Twelve Tables, the People's Charters of Right, and the Forms of the Constitution, were to be collected in fragments of plates which were dug from the rubbish of their former habitations; and that nothing remaining to mark the former position of Rome, besides the Capitol, raised on its rock, and surrounded with ruins, the people deliberated whether they should attempt to renew their settlement on this ground, or transfer it to Veia. It had been formerly proposed to remove to that place one half of the Senate and people. It was then proposed, that they should chuse that as the proper ground on which to restore the name and the seat of their commonwealth. "Why," said the promoters of this design, "attempt, at a great expence, and with so much labour, to clear out the wretched ruins of a fallen city, while we have another, provided with private and public buildings of every sort, yet entire for our reception?" To this specious argument might have been opposed the consideration of many advantages in their former situation; its place on a navigable river, its command of the passage from Latium to Etruria, and of the navigation of the Tiber from the descents of the Appenines to the sea. But motives of superstition and national pride were supposed to be of greater weight. "Would you," said Camillus, "abandon the seats of your ancestors? Would you have Veia restored, and Rome to perish for ever? Would you relinquish the altars of the Gods, who have fixed their shrines in these sacred places; to whose aid you are indebted for so many triumphs, and to whom you owe the conquest of those habitations for which you now propose to forsake their temples?"

Convinced by this argument, the Romans determined to remain in their ancient situation, proceeded to restore their habitations, and, in the course of a year, accomplished the work of rebuilding their city. An Ara from which, as from a second foundation, may

be

be dated the rise of the commonwealth, and the beginning of a pe-  
 riod, in which its history, though still controverted in some particulars,  
 is less doubtful than before, or less disfigured with fable <sup>54</sup>.

C N A P.  
 II.

<sup>54</sup> Some parts, even of the history that follows, are doubtful. The names of Dictators and of Consuls, the reality of entire campaigns, as well as of single actions, are controverted (Liv. lib. i. c. 5. & 26. lib. v. c. 55. lib. viii. c. 28. lib. ix. c. 15.): But that which preceded this date rests almost on tradition

alone (Liv. lib. vi. c. i.). It serves, however, to inform us what the Romans themselves believed; and is therefore the best comment we can have on the genius and tendency, as well as the origin, of their political institutions.

## C H A P. III.

*Scene of foreign War and domestic Dispute opened with reviving Rome.—Faction or Conspiracy of Manlius.—Condemnation.—Plebeians elected into the Office of Consular Tribunes.—Aspire to the Consulate.—The first Plebeian Consul.—Establishment of the Prætor.—Patrician Ediles.—The Plebeians qualified to hold all the Offices of State.—The Measure of Roman Magistracy complete.—Review of the Constitution.—Its seeming Defects.—But great Successes.—Policy of the State respecting foreign or vanquished Nations.—Formation of the Legion.—Series of Wars.—With the Samnites, Campanians.—The Tarentines.—Pyrrhus.—Sovereignty of Italy.—Different Footing on which the Inhabitants stood.*

BOOK  
I.  
U. C. 365.

THE Romans were not allowed to restore their community, nor to rebuild their habitations, in peace. They were invaded by the Equi, the Volsci, the Hernici, the Etruscans, and some of their own Latin confederates<sup>1</sup>; who dreading the re-establishment of a commonwealth, from which they had already suffered so much, and whose power was so great an object of their jealousy, made every effort to prevent it. During a period of one hundred and seventeen years which followed, they accordingly had to encounter a succession of enemies, in subduing of whom they became the sovereigns of Italy; while they continued to undergo internal convulsions, which, as formerly, proved the birth of political institutions, and filled up the measure of their national establishment.

<sup>1</sup> Liv. lib. vi. c. 2. & 16.

During



During this period, the Plebeians, far from being satisfied with their past acquisitions, made continual efforts to extend their privileges. The Tribunes, by traducing the Senate, and by displaying, in their harangues, the severities of the Patrician creditor, and the sufferings of the Plebeian debtor, still enflamed the animosity of their party. The republic itself was so feebly established, that ambitious citizens were encouraged, by means of faction raised among persons of the lower class, to have thoughts of subverting the government. In this manner Manlius, the famous champion of the Capitol, who, as has been observed, by his vigilance and valour preserved that fortress from the Gauls, formed a design to usurp the sovereignty. Presuming on his merit in this and other services, he thought himself above the laws; and endeavouring, by his intrigues with the populace, to form a party against the State, he incurred, what was at Rome of all imputations the most detested, that of aspiring to be King. In opposition to this conspiracy, whether real or fictitious, the republic was committed to the care of a Dictator; and Manlius being brought before him, endeavoured to turn the suspicion of malice and envy against his accusers. He produced four hundred citizens, whom he had redeemed from their creditors and released from chains. He produced the spoils of thirty enemies slain by himself in battle; forty badges of honour conferred on him by generals under whom he had served; many citizens whom he had rescued from the enemy, and in the number of those he had saved, he pointed at Caius Servilius, second in command to the Dictator, who now carried the sword of the State against the life of a person who had saved his own. And in the conclusion of his defence, "Such were the treasons," he said, "for which the friends of the People were to be sacrificed to the Senate."

His merits in the public service were great, and intitled him to any reward from the people, except a surrender of their liberties.

B O O K  
I.

His liberality to the more indigent citizens, if it proceeded from humanity, was noble; but if it proceeded from a design to alienate their affections from the public, or transfer them to himself, was a crime; and the most splendid services, considered as the artifices of a dangerous ambition, were the objects of punishment, not of reward.

The People, it is said, while they had in their view the Capitol, which had been saved by the vigilance and bravery of this unfortunate criminal, hesitated in their judgment; but their meeting being adjourned to the following day, and to a different place, they condemned him to be thrown from the rock on which he had so lately signalized his valour<sup>2</sup>.

Such alarms to the general state of the commonwealth, had their temporary effect in suspending the animosity of parties; but could not reconcile their interests, nor prevent the periodical heats which continually arose on the return of disputes. The Plebeians had been now above forty years in possession of a title to hold the office of Consular Tribune, but had not been able to prevail at any election<sup>3</sup>. The majority of the Centuries were still composed of Patricians; and when candidates of Plebeian rank were likely, by their personal consideration, to carry a majority, the other party, in such particular instances, had influence enough, as has been observed, to revive the election of consuls, a title from which the Plebeians, by law, were still excluded.

The Plebeians, however, by the zeal of their party, by the assiduity and influence of individuals who aspired to office, by the increase of their numbers in the first and second classes, by their alliance with the Patrician families in consequence of marriage, at last surmounted these difficulties, obtained the dignity of Consular Tri-

<sup>2</sup> Liv. lib. vi. c. 27.

<sup>3</sup> Ibid. lib. vi. c. 37.

bunc for one of their own order, and from thenceforward began to divide the votes of the Centuries with the Patrician candidates. They were accordingly raised in their turn to what was then the first office of the State, and in which nothing was wanting but the title of Consul. To this too they were soon led to aspire; and were urged to make the concluding step in the rise of their order, by the ambition of a female Patrician; who, being married into a Plebeian family, bore with impatience the mortifications to which she was exposed in the condition of her new relations. She excited her husband, she engaged her own kindred among the Patricians, she roused the whole Plebeian party to remove the indignities which yet remained affixed to their race, in being supposed unworthy to hold the consular dignity.

C H A P.  
III.  
U. C. 353.

Licinius Stolo, the husband of this lady, and Publius Sextius, another active and ambitious Plebeian, were placed in the College of Tribunes, in order to urge this point. They began the exercise of their office by proposing three very important laws: The first intended for the relief of insolvent debtors; by which all payments made on the score of interest, should be deducted from the capital, and three years be allowed to pay off the remainder.

A second law to limit the extent of estates in land, by which no citizen should be allowed to engross above five hundred Jugera<sup>†</sup>, or to have in stock above one hundred bullocks, and five hundred goats and sheep.

A third law to restore the election of Consuls, in place of Consular Tribunes, with an express provision that, at least, one of the Consuls should be of Plebeian descent.

The Patricians, having gained some of the Tribunes to their party, prevailed upon them to dissent from their colleagues, and to suspend,

<sup>†</sup> About 300 English acres.

B O O K  
I.

by their negatives, all proceedings on the subject of these laws. The Tribunes, Licinius and Sextius, in their turn, suspended the usual election of magistrates, and put a stop to all the ordinary affairs of State.

An anarchy of five years ensued<sup>4</sup>; during which time the republic, bereft of all its officers, had no magistracy besides the Tribunes of the People, who were not legally vested with any degree of executive power<sup>5</sup>. Any alarm from abroad must have suspended the contest at home, and forced the parties to a treaty: but they are said to have enjoyed, in this state of domestic trouble, uninterrupted peace with their neighbours; a circumstance from which we may infer, that, in most of their wars, they were themselves the aggressors, and owed this interval of peace to the vacancy of the Consulate, and to their want of the prompters, by whom they were usually excited to quarrel with their neighbours.

In the several questions, on which the parties were now at variance, the Patricians contended chiefly for the exclusion of Plebeians from the office or title of Consul; and, as an insuperable bar to their admission, still insisted on the sacrilegious profanation that would be incurred, by suffering the rites usually performed by the Consuls to pass into Plebeian hands. This argument, instead of persuading the popular leaders to desist from their claim, only made them sensible that it was necessary to remove this impediment by a previous operation, before they attempted to pass through the way which it was meant to obstruct. They appeared then for a little to drop their pursuit of the Consulate; they affected to respect the claim of the Patricians, to retain the possessions of places which had always been assigned to their order. But they moved, that the number of ordinary attendants on the sacred rites should be augmented from two to ten; and that of these one half should be named of Plebeian extraction.

<sup>4</sup> From U. C. 377 to 382.

<sup>5</sup> Liv. lib. vi. c. 35.

While

While the Patricians continued to reject this proposal, on account of the effect it was likely to have on their pretensions in general, they gave way successively; and, at the interval of some years, first to the acts that were devised in favour of insolvent debtors; next, to the Agrarian law, or limitation of property in land; and last of all, to the new establishment relating to the priesthood, and to the communication of the Consulate itself to persons of Plebeian rank.

C H A P.  
III.

The authors of the new regulations, knowing that the majority of the Centuries was composed of Patricians, or was still under the influence of that order, were not satisfied with the mere privilege of being qualified to stand for the Consulate. They insisted, that at least one of the Consuls should be a Plebeian; and having prevailed in this, as in the other contested points, the Plebeian party entered immediately on the possession of their new privilege, and raised Publius Sextius, the Tribune, who had been so active in the cause of his constituents, to the office of Consul.

U. C. 387.

But while the Patricians thus incurred a repeated diminution of their exclusive prerogatives, they endeavoured, by separating the judicative from the executive power of the Consul, and by committing the first to a Patrician officer, under the title of Prætor, to save a part from the general wreck.

It was intended that the Prætor should be subordinate, but next in rank, to the Consul. He was attended by two Lictors, and had his commission in very general terms, to judge of all differences that should be brought before him, and to hear the suits of the people until the setting of the sun. This unlimited jurisdiction, as we shall have occasion to observe, came to be gradually circumscribed by its own precedents, and by the accumulating edicts of successive Prætors. One person at first was supposed able to discharge all the duties of this office; but the number, in order to keep pace with the growing multiplicity of civil affairs, was afterwards gradually increased.

B O O K  
I.

Another political change, by which the Patricians procured some compensation for what they had now surrendered, was made about the same time. The care of the public shows and entertainments had hitherto belonged to the Ediles of the People. The office of Edile being at its first institution expensive, was likely to become gradually more so by the frequent additions which were made to the festivals, and by the growing demands of the people for shows and amusements. The Plebeians complained of this charge as a burden on their order, and the opposite party offered to relieve them of it, provided that two officers for this purpose, under the title of Curile Ediles, should be annually elected from among the Patricians<sup>6</sup>.

By these institutions the Nobles, while they admitted the Plebeians to partake in the dignity of Consul, reserved to their own order the exclusive right to the offices of Prætor and Edile: By the last of which they had the direction of sports and public entertainments; a station which, in a state that was coming gradually under the government of popular assemblies, became, in process of time, a great object of ambition, and a principal access to power.

The design or the effect of this institution did not escape the notice of the Plebeian party. They complained, that while the Patricians affected to resign the exclusive title to one office, they had engrossed two others, inferior only in name, equal in consideration and influence. But no exclusive advantage could be long retained by one order, while the other was occasionally possessed of the legislative and supreme executive power. All the offices, whether of Prætor or Edile, of Dictator or Censor, were, in process of time, filled with persons of either rank; and the distinction of Patrician or Plebeian became merely nominal, or served as a monument of the aristocracy which had subsisted in former ages. The

<sup>6</sup> Liv. lib. vi. c. 42.

only effect which it now had was favourable to the Plebeians; as it limited the choice of Tribunes to their own order, while, in common with the Patricians, they had access to every other dignity in the State.

C H A P.  
III.

U. C. 417.

Such is the account which historians have given us of the origin and progress of the Roman constitution. This horde, in the earliest account of it, presented a distinction of ranks, under the titles of Patrician, Equestrian, and Plebeian; and the State, though governed by a prince, had occasional or ordinary assemblies, by which it approached to the form of a republic. Assemblies to which every citizen was admitted were termed the *Comitia*; those which were formed of the superior ranks, or of a select number, were termed the Senate. Among those who had attained the age of manhood, to be Noble and to be of the Senate were probably synonymous terms. But after the introduction of the Censur, separate rolls were kept for the Senate, the Equestrian Order, and the People. These rolls were composed by different officers in successive periods of the State. A Senate was composed of a hundred members by Romulus<sup>7</sup>. This number was augmented or diminished at pleasure by his successors. The Consuls succeeded in this matter to the prerogative of the Kings; and the Censors were appointed to exercise it, with the other duties of the Censur, as a principal part of their functions. It is remarkable, that, notwithstanding the great importance of the Senate in the government of their country, so little precaution was taken to ascertain who were to be its constituent members, or to fix their legal number. The body was accordingly fluctuating. Individuals were placed or displaced at the discretion of the

Review of the  
constitution.

<sup>7</sup> Liv. lib. i. c. 8. According to Livy the Senate consisted of no more than a hundred members at the death of Romulus; but, according to Dionysius, their numbers had been augmented by a popular election at the admission of the Sabines; some writers say to two hundred; others, only to one hundred and fifty. Dionys. lib. ii. c. 47.

B O O K  
I.

officer entrusted with the muster, and the numbers of the whole increased or diminished indefinitely. The officers of State, though not enrolled, had access to the Senate; but their continuing members, after their year in office expired, depended on the discretion of the Censors. It seemed to be sufficient for the purposes of this constitution, that the Senate should be a meeting of the superior class of the citizens.

Recapitulation.

As the noble and popular Assemblies had their existence under the Kings, the transition from monarchy to republic in so small a State, by substituting elective and temporary Magistrates in place of the King, was easy. A sufficient occasion was given to it in the abuses which were felt in the last reign of the monarchy. The disorders incident to the shock of parties, who were set free from a former controul, required, on occasion, the remedy of a discretionary authority vested in some person who might be entrusted with the public safety, and soon led to the occasional institution of a dictatorial power. The high prerogatives claimed and maintained by one party, obliged the other to assume a posture of defence, and to place themselves under the conduct of leaders properly authorized to vindicate their rights. These rights were understood by degrees to imply equality, and, in the successive institutions that followed, put every citizen in possession of equal pretensions to preferment and honours; pretensions which were to be limited only by the great distinction which Nature has made between the capacities, merits, and characters of men, and which are subject, in every community, to be warped by the effects of education and fortune.

New departments of State, or additions to the number of officers employed in them, were continually suggested by the increase of civil affairs; and while the territory of the republic was but a small part of Italy, the measure of her political government was full, and the list of her officers complete. Functions which, in the  
first



first or simplest ages, were either unknown or had been committed to the King alone, were now thrown into separate lots or departments, and furnished their several occupations to two Consuls, one Prætor, two Censors, four Ediles, and eight Quæstors, besides officers of these different ranks, who, with the titles of Proconsul, Proprætor, and Proquæstor, and without any limitation of number, were employed wherever the exigencies of the State required their service.

In this account of the Roman constitution we are come nearly to that state of its maturity<sup>s</sup> at which Polybius began to observe and to admire the felicity of its institutions, and the order of its administration. The Plebeians were now reconciled to a government to which they themselves had access, and citizens of every rank made great efforts of industry in a State in which men were allowed to arrive at eminence, not only by advantages of fortune, but likewise by personal qualities. The Senate and Assemblies of the People, the Magistrates and Select Commissioners, had each their departments, which they administered with an appearance of sovereign and absolute sway, and without any interfering of interests or jealousy of power.

The Consuls were destined to the command of armies; but, while at Rome, seemed to have the highest prerogatives in the administration of all civil and political affairs. They had under their command all the other officers of State, except the Tribunes of the People; they introduced all foreign ambassadors; and they alone could move the Senate on any subject of deliberation, and put their acts or determinations in writing. The Consuls, too, presided with a similar prerogative in the Assembly of the Centuries and in that of the Curiæ, proposed the question, collected the votes, declared the majority, and framed the act. In all military preparations, in making their levies as well as in the command of the army, they were vested with high

<sup>s</sup> As it stood in the fifth and sixth centuries of Rome.

B O O K  
I.

degrees of discretionary power<sup>9</sup> over all the troops of the commonwealth, composed of Roman citizens or allies. They commanded the treasury, as far as necessary to the service on which they were employed, and had one of its Commissioners, or Quæstors, appointed to attend their court, and to receive their orders.

The Senate, however, had the ordinary administration of the revenue, took account of its receipts and disbursements, and suffered no money to be issued without their own decree, or the warrant of the Consul in actual service. Even the money decreed by the Censors for the repair of public buildings, and the execution of public works, could not be issued by the Quæstors without an act of the Senate to authorize it. All crimes and disorders that were committed among the free inhabitants of Italy, or municipal allies of the State, all disputes of a private or public nature that arose among them, came under the jurisdiction and determination of the Senate. All foreign embassies were received or dispatched, and all negotiations were conducted, by this body. In such matters the People did no more than affirm or reverse what the Senate, after mature deliberation, had decreed, and for the most part gave their consent as a matter of form; inasmuch, that while persons, who observed the high executive powers of the Consul, considered the State as monarchical; foreigners, on the contrary, who resorted on public business to Rome, were apt to believe it an aristocracy vested in the Senate.

The People, notwithstanding, had reserved the sovereignty to themselves, and, in their several assemblies, exercised the powers of legislation, and conferred all the offices of State<sup>10</sup>. They likewise, in all criminal matters, held the supreme jurisdiction. In their capacity of sovereign, they were the sole arbiters of life and death; and, even in their capacity of subjects, did not submit to

<sup>9</sup> Vid. Zonar. N° 501. Frontini Stragemata, lib. iv. Val. Max. lib. ii. c. 7.

<sup>10</sup> In the Centuries they enacted laws, and

elected the officers of State. In the Curie they appointed officers to military command.

restraints which, in every other State, are found necessary to government.

C H A P.  
IH.

A citizen, while accused of any crime, continued at liberty until sentence was given against him, and might withdraw from his prosecutors at any stage of the trial, even while the last Century was delivering its votes. A voluntary banishment from the Forum, from the meetings of the Senate, and the assemblies of the People, was the highest punishment, which any citizen, unless he remained to expose himself to the effects of a formal sentence, was obliged to undergo; and it was expressly stipulated, that, even at Tibur or Præneste, a few miles from Rome, a convict who had withdrawn from judgment should be safe<sup>11</sup>.

Parts so detached were not likely to act as one body, nor to proceed with any regular concert; and the State seems to have carried, in all its establishments, the seeds of dissention and tumult. It was long supported, nevertheless, by the uncommon zeal of its members, in favour of a commonwealth in which they enjoyed so much freedom, and in which they were vested with so much personal consequence.

The several members of the constitution, while in appearance supreme, were in many respects dependent on each other.

The Consuls, while in office, had the meetings and determinations of the Senate and People, in a great measure, in their power; but they received this power from the People, and were accountable for the discharge of it at the expiration of their office.

The Senate could resolve, but they could not execute, until they had obtained from the People a confirmation of their acts, and were obliged to solicit the Tribunes for leave to proceed in any matter which these officers were inclined to oppose.

<sup>11</sup> The laws of Publilius, which gave the power of legislation to the Plebeian Assemblies, and that of Valerius, which secured every citizen in the right of appeal to the People at large, after being repeatedly re-enacted, were now in full force (Liv. lib. x. c. 8.).

The Senate was constituted, or formed, at regular periods, at the discretion of the Consuls or Censors, officers named by the People.

The city, nevertheless, was over-awed by the Senate and officers of State. On great and alarming occasions, the People themselves were no longer sovereigns than they were allowed by the Senate and Consuls to hold this character. The Senate and Consuls having it in their power to name a Dictator, could at once transfer the sovereignty of the State to a single person, and subject every citizen to his authority. Every individual held his place on the rolls at the will of the Censors, and his property at the disposal of courts that were composed of Senators; the servants of the Public in general, who aimed at lucrative commissions, depended on the Senate, as administrators of the treasury, and trustees in the collection or disbursements of the public money<sup>12</sup>; and every Roman youth, when embodied in the legions, entrusted his honours and his life in the hands of the Consul, or Commander in Chief<sup>13</sup>.

The mass, however, was far from being so well compacted, or the unity of power so well established, as speculative reasoners sometimes think necessary for the order of government. The Senate and the popular Assemblies, in their legislative capacities, counteracted one another. The numbers required to constitute a legal Assembly of the People, the qualification of

<sup>12</sup> The influence which the Senate possessed as administrators of the public treasury, according to Polybius, was very great. They had a number of commissions to give, in the collection of various duties levied on the navigators of rivers, the entry to sea-ports, the produce of mines, and demesne or public lands, chiefly let out for pasturage. They had likewise considerable disbursements on the repair of highways and public buildings, and in the execution of a variety of other works. In such transactions great numbers

of people were concerned, as contractors, as partners with those who contracted with the Senate, or as creditors who advanced money to enable the contractors to perform their articles. In all these several capacities the parties depended on the will of the Senate, and continually attended at the doors of that assembly, soliciting commissions, pleading for an abatement of some condition, for delay in the execution of some article or relief in the case of unforeseen hardship or loss.

<sup>13</sup> Polyb. lib. vi. c. 10, 11, 12, 13, 14.

a citizen which intitled him to be considered as a member of the commonwealth, were still undetermined. Aliens settling at Rome were admitted on the rolls of the People, and citizens removing to the colonies were omitted. Laws, therefore, might be obtained in a clandestine manner, when the People, not sufficiently aware of the consequence of such laws, did not attend; or the question might be determined by the voice of a single alien, as often as the division was nearly equal, and a designing magistrate chose to place any number of aliens on the rolls for this purpose<sup>44</sup>. The

State

C H A P.  
III.

<sup>44</sup> In the settlement of Romulus, recruits of every quality, whether outlaws, fugitives, or captives, were received without distinction.—In the first ages of the republic, aliens settling at Rome were admitted as citizens, and even placed on the rolls of the Senate.—The Tarquins, and the first of the Claudian family, were emigrants from the neighbouring cantons.—After the establishment of the Census, or periodical muster, the King, the Consuls, and, last of all, the Censors, made up the rolls of the Senate and People at pleasure. They admitted upon it very readily every inhabitant of the city who claimed to be enrolled; but when a right of voting in any of the popular assemblies at Rome came to be considered as a privilege of moment, the inhabitants of Latium crowded to Rome in order to obtain it. They were sometimes put upon the rolls by one Consul, and forbid the city by his colleague; and in every such case the negative, by a maxim of the Roman policy, prevailed.—Such as actually settled at Rome, sooner or later found means to be inserted in the Tribes; and the towns of Latium complained, that they were deserted by numbers of their people, who resorted to Rome for this purpose, and that they were likely to be depopulated. They obtained a law, by which Latin emigrants were excluded from the rolls of the Roman People, except they had left offspring to replace them in the country towns they had

left. And this seems to have been the first law enacted at Rome to regulate or restrain the naturalization of aliens. Some authors have affirmed, that, even while aliens were so easily admitted on the rolls of the People, Roman citizens, accepting of settlements in the colonies, forfeited their political rights. In this, however, it is probable, that the effects of mere absence have been mistaken for an express and formal exclusion. Whoever ceased to give in his name at the Census, or whoever left his ward or tribe in the city to reside at a distance, was not enrolled in the ward, nor placed in any class. It did not follow, however, that he had forfeited his right, or might not claim it as often as he attended the Census. In this case he was upon a foot of equality with every other citizen, and in the same manner received or rejected at the will of the Censor, or other officer who took the muster.

In this account of the Roman colonies, writers have followed the account of Sigonius, whose opinion, in every circumstance relating to the Roman history, is of great authority. In this particular, however, it happens, that the principal passage he has quoted in support of his opinion, is by some accident strangely perverted. Livy relates, lib. xxxiv. c. 42. that the people of Ferentinum, in the year of Rome five hundred and fifty-seven, started a new pretension, by which all Latins who gave their names to be inscribed

BOOK  
I.

State took its laws, not only from the Assemblies, which were held, however irregularly, within the capital, but from military detachments and armies, when abroad in the field<sup>16</sup>. Yet, under all these defects, as we have repeated occasions to observe, they enjoyed the

inscribed in any Roman colony should be considered as Roman citizens; but that the Senate rejected this claim when offered by persons who were annexed to the colonies of Puteoli, Salernum, and Buxentum. *Novum jus eo anno a Ferentinatibus tentatum, ut Latini, qui in coloniam Romanam nomina dedissent, cives Romani essent. Puteolos, Salernumque et Buxentum adscripti coloni, qui nomina dederunt quum ob id se pro civibus Romanis ferrent; Senatus judicavit non esse eos cives Romanos.* There was a distinction between Roman colonies and colonies of Roman citizens. The first might be Latins, or other allies, planted under the authority of the Roman State. The second were probably citizens. And the whole amount of this passage was to prove, that Latins were not to be considered as Roman citizens, merely because they resided in some colony of Roman citizens. But the quotation of Sigonius is as follows, and gives a wonderful perversion to the passage in question: *De antiquo Jure Italiae*, lib. ii. c. 3. "Quare adscripti coloni nomine quidem erant cives Romani, re vero coloni. Testem postulatis? non longe abiero. Presto est Livius qui scribit, lib. xxxiv. Puteolos, Salernum et Buxentum *civium Romanorum*. Adscripti coloni, qui nomina dederant cum ob id se pro civibus ferrent; Senatus judicasse non esse eos cives Romanos; et *alio loco* narrat Ferentinates novum jus tentasse, ut Latini, qui in coloniam Romanam nomina dedissent, cives Romani essent."

The perversion of this quotation is remarkable. Different clauses of the same sentence are quoted as separate passages in different parts of the author. The order of the clauses is so placed, that the use of the first in ex-

plaining the second is lost, and the words *civium Romanorum* are inserted. The passage in Livy, asserting that even Latins pleaded to be admitted as citizens, because they resided in some colony of citizens, proves the reverse of what Sigonius maintains, viz. that citizens removing to colonies were disfranchised.

The fact is, that, in the time of Livy and other historians, the distinction between Roman citizens, whether of the city or of the colonies, and the other inhabitants of Italy, was become a matter of antiquity and of mere curiosity; and therefore is not by them so fully and distinctly stated, as not to admit of dispute. The colonists ceasing to attend at elections, or in the Assemblies of the People, and not giving in their names at the musters, subjected themselves to all the effects of positive exclusion, although it is probable no such exclusion had taken place; for even aliens were not excluded by any positive law, and might be admitted on the rolls at the discretion of the officer who presided over the muster. Antiquarians, in search of ancient constitutions, sometimes suppose that rules must have existed, in order to have the pleasure of conjecturing what they were.

<sup>16</sup> The Consul C. Marcius, U. C. 398, being encamped at Sutrium in Etruria, assembled his army in their Tribes, and passed a law to raise the twentieth penny on the price of every slave that should be manumitted. The Senate, being pleased with the tax, confirmed the act; but the Tribunes, alarmed at the precedent, obtained a resolution, by which it was declared for the future to be capital for any person to propose any law in such detached or partial Assemblies of the People (Liv. lib. vii. c. 16.).

most

## OF THE ROMAN REPUBLIC

most envied distinction of nations, continual prosperity, and most uninterrupted succession of statesmen and warriors, had in the history of mankind. C. H. A. P.  
I.

In about one hundred years after they began to restore their city from the ruins in which it was laid by the Gauls, they extended their sovereignty from the farthest limits of Tuscany on the one side, to the sea of Tarentum and the straits of Messina on the other; and as the contest of parties at home led to a succession of political establishments, their frequent wars suggested the policy which they adopted respecting foreign nations, and the arrangement of their national force. U. C. 465.

They had for some time discontinued the practice of admitting captives into the number of their People; but continued that of extending and securing their acquisitions, by colonies of their own citizens, or of such allies as they could most securely trust. They exacted from the cantons of Italy which they vanquished, contributions of subsistence and clothing for the benefit of their armies; and they generally imposed some condition of this sort as a preliminary to every negotiation or treaty of peace<sup>17</sup>.

Their forces consisted of native Romans, and of their allies in Italy, nearly in equal parts. The legion, says Livy, had been formerly arrayed in a continued line, or compacted column<sup>18</sup>; but, in the course of the wars which led to the conquest of Italy, came to be formed in divisions, and had different orders of light and heavy-armed infantry, as well as cavalry. The light-armed infantry were called the Velites, and were supposed to ply in the front, on the flank, or in the rear of the army; and their service was, to keep the heavy-armed foot undisturbed by missiles till they came into close action with the enemy. U. C. 415.

<sup>17</sup> Liv. lib. viii. c. 1. & 2. Lib. ix. c. 43. Lib. x. c. 5. & 37.

<sup>18</sup> Liv. lib. viii. c. 8.

B O O K  
I.

The heavy-armed foot consisted of three orders, called the *Hastati*, *Principes*, and *Triarii*; of whom each had its separate divisions or manipules; and those of the different orders were placed in three different rows, and at distances from each other, equal to the front of the division. By this disposition the manipules of the first and second row could either act separately, or, by mutually filling up their intervals, could complete the line, leaving the *Triarii*, in time of action, as a body of reserve, to support the line, or fill up the place of any manipule that might be forced by the enemy. And, in order to facilitate occasionally this change of disposition, the divisions of one row faced the intervals of the other<sup>19</sup>. They were armed with the pilum,

<sup>19</sup> This account of the Roman legion is not without its difficulties. It appears irrational to break and disperse the strength of a body in this manner; and *Cæsar* makes no mention of any such distinction of orders, of the manipules, of the rows in which they were formed, or of the intervals at which they fought. His legion consisted of ten cohorts, formed from right to left on a continued front. *Polybius*, however, one of the best military historians, and himself an eye-witness of the disposition of the Roman legion in action, as well as on the parade, is very explicit in this account of it; refers to it in the description of the Roman march (*Polyb. lib. vi. c. 38.*), in the description of every battle (*Polyb. lib. iii. c. 1, 2, 3, 4.*), and (*Polyb. lib. xv. c. 10*) in stating the comparative advantages of the Roman legion and Macedonian phalanx (*Polyb. lib. xvii. c. 28.*). The phalanx being a column of indefinite depth, close ranks, and a continued front, with lances or spears, it was impregnable to the short sword and loose order of the Romans, so long as it preserved its front entire, and the spear-man made no opening for the Roman soldier to enter within the point of his weapon.

It is observed that the Romans made their

attack in separate divisions and at intervals, in order to bring on some irregularity in the front of the phalanx, and in order make some openings by which the Roman soldier could enter with his sword, and, once within the point of his enemy's spear, could perform great slaughter with little resistance (*Plutarch in vit. P. Emili. Liv. lib. xlv. c. 41. Neque ulla evidenter causa victoriæ fuit quam quod multa passim prælia erant quæ fluctuantes; turbarant primo, deinde disjecerunt phalanges*). From this account then it is probable, that the Romans did not divide their legion into orders and manipules, nor fight at intervals, until after they adopted the short stabbing sword, which is said to have been originally from Spain; and that they continued to make this disposition so long only as they had to do with enemies who used the spear and continued front; that after the social war in Italy and their own civil wars began, they discontinued the separate manipules, and fought to strengthen themselves against an army like their own, by presenting a continued front. *Livy* accordingly marks the time at which the formation of manipules, at intervals, was adopted. *Polybius* marks the continuance of it, and *Cæsar* evidently marks the discontinuance of it. It



pilum, which was a heavy javelin or spear to be cast at the enemy, and with a short and massy sword fitted to strike or to thrust. They bore an oblong shield, four feet high by two and a half feet broad, with a helmet, breastplate, and greaves.

In the structure of these weapons and this defensive armour, the Romans consulted at once both the principal causes of courage in a soldier, his consciousness of the means to annoy his enemy, and of a power to defend himself. And with these advantages they continued for ages to prevail in most of their conflicts, and were the model which other nations endeavoured to imitate<sup>20</sup> in the form of their armies and in the choice of their weapons.

It is understood in the antiquities of this People, that when they were assembled for any purpose, whether of state or of war, they were termed the Army. In their musters a Plebeian was a foot soldier, the Knight a horseman, and the Legion a mere detachment of the whole, draughted for the year, or embodied for a particular service. The men, as well as the officers, in the first period of the History of the Republic, were annually relieved or exchanged; and even after it ceased to be the practice thus annually to relieve the private men, and after the same legions were employed during a succession of some years, yet the People, to the latest period of the commonwealth, continued to form the armies of their country; and the officer of state was still understood to command in virtue of his civil magistracy, or in virtue of a military qualification which never failed to accompany it. No citizen could aspire to any of the higher offices in the com-

is extremely probable, that the last change was one of those made by Marius, and was introduced into the Roman armies in the social war.

The three orders of Hastati, Principes, and Triarii, were extremely proper to mark the distinction of classes subsisting among Roman citizens, who were, nevertheless, all of them

equally bound, on occasion, to serve in the condition of private soldiers: And this may be one reason to incline us to ascribe the discontinuance of this distribution to Marius, who was a great leveller of ranks.

<sup>20</sup> Polyb. lib. vi. c. 17, 18, 19, 20, 21, 22, 23, 24.

B O O K  
I.

monwealth, until he had been inrolled in the Legions, either ten years if on horseback, or sixteen years if on foot; and, notwithstanding the special commissions that were occasionally given for separate objects of state or of war, civil and military rank were never disjoined. Equal care was taken to furnish the rising statesman and warrior with the technical habits of either profession; or rather to instruct him, by his occasional application to both, not to mistake the forms of office in either for the business of state or of war, nor to rest his pretensions to command on any accomplishment short of that superior knowledge of mankind, and those excellent personal qualities of penetration, sagacity, and courage, which give the person possessed of them an ascendant, as a friend or as an enemy, in any scene or department of human affairs. It may be difficult to determine, whether we are to consider the Roman establishment as civil or military; it certainly united, in a very high degree, the advantages of both, and continued longer to blend the professions of state and of war together, than we are apt to think consistent with that propriety of character which we require in each: but to this very circumstance, probably, among others, we may safely ascribe, in this distinguished republic, the great ability of her councils, and the irresistible force with which they were executed<sup>21</sup>.

During a period of about one hundred and twenty years after the rebuilding of Rome, the Romans were engaged in a continual series of wars; first with the Latins and with their own colonies, who wished to disengage themselves from so unequal an alliance; afterwards with the Etruscans on the one hand, and with the Samnites, Campanians, and Tarentines on the other. They quarrelled with the Samnites first in behalf of the Campanians, who, in order to obtain their protection, made a surrender of themselves and of all their

<sup>21</sup> Polyb. lib. vi. c. 17.

possessions. This act of surrender they afterwards had occasion to enforce against the Campanians themselves, who endeavoured, when too late, to recover their liberties.

The Samnites were a fierce nation, inhabiting that tract of the Appenines which extends from the confines of Latium to those of Apulia; and who, to the advantages of their mountainous situation, joined some singular and even romantic institutions<sup>22</sup>, which enabled them, during above forty years, from the time at which their wars with the Romans began, to maintain the contest<sup>23</sup>, and to keep the balance of power in suspense.

During the dependence of this quarrel, the Roman armies frequently penetrated into Lucania and Apulia, and before they had reduced the Samnites, were known as protectors and allies, or had forced their passage as conquerors to the southern extremities of Italy. And the State itself, under a variety of titles, was in reality the head, or held a species of sovereignty over all the nations who occupied that part of the peninsula.

The city of Tarentum, the most powerful of the Greek settlements in this quarter, having neglected her military establishments in proportion as she advanced in the arts of peace, was alarmed at the near approach of the Romans, and applied for protection to Pyrrhus the king of Epirus, at that time greatly distinguished among the military adventurers of Macedonia and Greece. They wished to employ the military skill of this prince, without being exposed to fall a prey to his ambition; and invited him to come, without any army of his own, to take the command of their people, whose numbers they

U. C. 473.

<sup>22</sup> Of this sort it is mentioned, that ten of the fairest of one sex were annually selected as prizes to be won by the bravest and most deserving of the other. Strabo, lib. v. fin. The Samnites furnished Roman generals with the subject of twenty-four triumphs, but

mixed with checks and disgraces more remarkable than any they had received in the course of their wars with any other nation. Florus, lib. i. c. 16.

<sup>23</sup> Liv. lib. x. c. 31.

magnified,

B O O U  
I.

magnified, in order to induce him to accept of their offer. But, like most foreign military protectors, he appears to have had, together with many schemes of ambition against those on whom he made war, some designs likewise on the State he was brought to defend. With this double intention he did not rely on the forces of Tarentum, but passed into Italy at the head of a numerous army, formed on the model of the Macedonians, and accustomed to service in the wars of that country and of Greece.

This is the first enemy whose forces can be considered as a known measure, with which to compare, or by which we can estimate, the power and military attainments of the Romans. They had been victorious in Italy, but the character and prowess of the enemies they had vanquished are unknown. This prince knew the arts of war as they were practised in Macedonia and in Greece, and was reputed one of the first captains of that or any other age<sup>24</sup>. He accordingly prevailed over the Romans in some of their first encounters; but found that partial victories did not subdue this people, nor decide the contest. Having vast schemes of ambition in Sicily and Africa, as well as in Italy, he suddenly suspended his operations against the Romans, to comply with an invitation he received from Syracuse, to possess himself of that kingdom in behalf of his son, who had some pretensions to it in the right of Agathocles, from whom he was descended.

In order to pursue this object, he endeavoured to obtain a peace or cessation of arms in Italy; but was told, that, in order to treat with the Romans, he must evacuate their country and return to his own<sup>25</sup>.

<sup>24</sup> Pyrrhus, it is said, was struck with the military aspect of the Romans, and admired in particular the form of their encampments. The Greeks always endeavoured to avail themselves of natural strengths, and accommodated the disposition of their camp to the

ground; but the Romans, trusting only to their artificial works, pitched on the plain, and always encamped in the same form. Plutarch in vit. Pyrrhi.

<sup>25</sup> Liv. Epitome, lib. xiii. Plutarch in vit. Pyrrh.

With this answer he passed into Sicily; and after some operations which were successful, though not sufficiently supported by his partizans in that country to obtain the end of his expedition, he returned again into Italy for the defence of Tarentum; but found that during his absence the Romans had made a considerable progress, and were in condition to repay the defeats they had suffered in the beginning of the war. Having brought this matter to the proof in several encounters, he committed the defence of Tarentum to one of his officers; and after this fruitless attempt to make conquests beyond the Ionian Sea, in which he had employed six years, he returned to his own country.

C. H. A. P.  
III.

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The Romans continuing the war against Tarentum, in about two years after the departure of Pyrrhus from Italy, made themselves masters of the place. Here, it is mentioned, they found, for the first time, the plunder of an opulent city, containing the models of elegant workmanship in the fine arts, and the apparatus of an exquisite luxury. “In former times,” says Florus, “the victorious generals of Rome exhibited in their triumphs herds of cattle driven from the Sabines and the Volsci, the empty cars of the Gauls, and broken arms of the Samnites: but in that which was shewn for the conquest of Tarentum, the procession was led by Theffalian and Macedonian captives, followed with carriages loaded with precious furniture, with pictures, statues, plate, and other ornaments of silver and gold<sup>25</sup>.” Spoils which, we may guess, in the first exhibition of them, were valued at Rome more as the public trophies of victory, than felt as the basis of private avarice, or the objects of a mean admiration. The Roman citizen as yet lived content in his cottage, furnished in the rudest manner; and he subsisted on the simplest fare, the produce of his

U. C. 483.

<sup>25</sup> Florus, lib. i. c. 18.

B O O K  
I.  
— — — — —

own labour. Curius Dentatus, the Consul who obtained this triumph, having the offer of fifty *jugera* as a reward from the public for his services, would accept of no more than seven. This, he said, is the ordinary portion of a citizen, and that person must be an unworthy member of the commonwealth who can wish for more<sup>26</sup>.

U. C. 481.

From the reduction of Tarentum the Romans may be considered as the sovereigns of Italy, although their dominion was extremely ill defined, either in respect to its nature or to its extent. They but in a few instances laid claim to absolute sovereignty, and least of all over those who were most submissive to their power. It was their maxim to spare the obsequious, but to crush the proud<sup>27</sup>; an artful profession, by which, under the pretences of generosity and magnanimity, they flated themselves as the sovereign nation. Under this presumptuous maxim their friendship was to be obtained by submission alone; and was, no less than their enmity, fatal to those who embraced it. The title of ally was, for the most part, no more than a specious name, under which they disguised their dominion, and under which they availed themselves of the strength and resources of other nations, with the least possible alarm to their jealousy or pride.

With the Latins they had early formed an alliance offensive and defensive, in which the parties mutually stipulated the number of troops to be furnished by each; the respective shares which each was

<sup>26</sup> A Roman citizen in this period might, by the law of Licinius, have an estate of five hundred *jugera*, or about three hundred acres; but the ordinary patrimony of a noble family was probably far below this measure; and the lot of a citizen in the new colonies seldom exceeded seven *jugera*. The people were lodged in cottages and slept on straw (Plin. lib. xviii. c. 3. Cicer. pro Rosio, Val. Max. lib. iv. c. 7.). The Romans, till a little

before the siege of Tarentum, had no coin but copper, and estimated considerable sums more commonly by the head of cattle than by money. They coined silver for the first time U. C. 325. Gold was known as a precious material, and was sometimes joined with oxen in the reward of distinguished services. Liv. lib. iv. c. 30. Ibid. Epitome, lib. xv.

<sup>27</sup> *Parcere subjectos & debellare superbos.*

to have in the spoils of their common enemies, and the manner of adjusting any disputes that might arise between them. This was the league which the Latins were supposed to have so frequently broken, and of which the Romans so often exacted the observance by force <sup>28</sup>.

In the first struggles which they made to restore their settlement destroyed by the Gauls, and in the subsequent wars they had to maintain, during a hundred years, in support of their new establishment, different cantons of these original confederates, as well as many of their own colonies, had taken very different parts, and in the treaties which ensued, obtained, or were sentenced to, different conditions; some were admitted to the freedom of Rome, and partook in the prerogative of Roman citizens. A few were, by their own choice, in preference to the character of Roman citizens, permitted to retain the independency of their towns, and were treated as allies. Others, under pretence of being admitted to the freedom of Rome, though without the right of suffrage, were deprived of their corporation establishments, and with the title of Citizens, treated as subjects. A few were governed in form by a military power, and by a Præfect or Magistrate annually sent from Rome <sup>29</sup>.

<sup>28</sup> Dionys. Hal. lib. vi. p. 415. Liv. lib. vi. c. 10. lib. ix. c. 43.

<sup>29</sup> The city of Capua, together with its district of Campania, was the first example of a provincial government established by the Romans in any of their conquests. The Campanians, in order to be protected against the Samnites, had delivered themselves up to the Romans. But they soon after became sensible of their folly, in trusting their defence to any force but their own, or in resigning their power as a State, with a view to preserve any thing else. When they perceived this error, they endeavoured, in conjunction with some of their neighbours, to

form a party against their new masters; and being defeated in their attempts to recover their independence, were treated with the severity that is commonly employed against rebel subjects. Their Senate and popular assembly, under pretence of suppressing seminaries of faction, were abolished, and a Præfect or Governor annually appointed (Liv. lib. ix. c. 20.). A similar course, under the same pretence, was soon after taken with Antium (Liv. lib. ix. c. 21.). This had been the principal sea-port of the Volsci, and long the head of many formidable combinations against the Romans.

B O O K  
I.



From this unequal treatment arose the variety of conditions by which the natives of Italy were distinguished, as Colonies, Municipal Towns, Allies, Præfectures, or Provincial Governments, until about 181 years after this date, when, as will be mentioned in the sequel, the whole was put upon the same footing by the general admission of all the Italians upon the rolls of the Roman People.



## C H A P. IV.

*Limits of Italy.*—*Contiguous Nations.*—*Ligurians.*—*Gauls.*—*Greek and Phœnician Colonies of Gaul and Spain.*—*Nations of Illyricum.*—*Of Greece.*—*Achæan League.*—*Thebans.*—*Athenians.*—*Asiatic Nations.*—*Pergamus.*—*Syria.*—*Egypt.*—*Carthage.*—*The Mamertines of Messina.*—*Occasion of the first War with Carthage.*—*Losses of the Parties.*—*Peace.*—*State of the Romans.*—*Political or Civil Institutions.*—*Colonies.*—*Musters.*—*Operation on the Coin.*—*Increase of the Slaves.*—*Gladiators.*—*Different Results of the War at Rome and Carthage.*—*Mutiny and Invasion of the Mercenaries at Carthage.*—*End of this War.*—*Cession of Sardinia.*—*War with the Illyrians.*—*First Correspondence of Rome with Greece.*

**A**S the Romans, at the time to which our last observations refer, were become the sovereigns of Italy, or, by their ascendant in so powerful a country, were enabled to act a distinguished part among the nations around it; it is proper in this place to carry our observations beyond the boundaries of that Peninsula, and enumerate the powers that were then established on different sides of it, or beyond the narrow seas by which it was surrounded.

Italy was not then supposed to comprehend the whole of that tract which has in later times been known under this name. Being bounded, as at present, on the South and East by the seas of Sicily and the bay of Tarentum, it extended no further to the North-west than to the Arnus on the one hand, and to the Rubicon on the other. Beyond these limits the western coasts were inhabited by a number of tribes, which, under the name of Ligurians, occupied the descents

C H A P.  
IV.  
U. C. 481

B O O K  
I.

of the Appenines and the South of the Alps quite to the sea-shore. On the other side of the Appenines, from Senegallia to the Alps, the rich and extensive plains on both sides of the Po were in the possession of Gaulish nations, who were said, some centuries before, to have passed the mountains, and who were then actually spread over a fertile tract of more than twelve hundred miles in circumference. They consisted of nine different hordes, that were supposed to have passed the Alps at different times. Of these the Laulebecii, Insubres, Cenomani, and Veneti occupied the northern banks of the Po, including what are now the states of Milan, Venice, and other parts of Lombardy on that side of the river. The Anianes, Boii, Ægones, and Senones, were settled to the southward, from the Po to the descents of the Appenines, and on the coasts of the Adriatic to Senegallia, over what are now the states of Parma, Modena, Bologna, and Urbino. In this favourable situation they appear to have abated much of their native ferocity, though without acquiring, in any considerable degree, the arts that improve the conveniencies of life. They fed chiefly on the milk or the flesh of their cattle, and were occupied entirely in the care of their arms and of their herds. By these, and the ornaments of gold, of which they were extremely fond, they estimated their riches. They were divided into Tribes or Cantons, and lived in cottages huddled together, without any form of towns or of villages. The leader of every horde was distinguished by his retinue, and valued himself chiefly on the number of his followers. They had made frequent encroachments on the states of Etruria and Umbria, but were met at last, and stopped in their progress, by the Romans. Such of them as were settled within the Rubicon, and from thence to Senegallia, had, about three years before the arrival of Pyrrhus in Italy, been obliged to acknowledge the authority of the Roman State<sup>1</sup>.

<sup>1</sup> Polyb. lib. ii. c. 17. 19. 29.

The coasts of the Mediterranean, to the westward of Italy, had been known to the nations of Greece and of Asia, and had received many colonies from thence, which formed trading settlements, and remained altogether distinct from the natives. Such were the Greek colonies at Marseilles, Emporia, Saguntum, and the Tyrian colony at Gades on the coast of the ocean. On the other side of Italy, and round the Adriatic, were settled a number of small nations, the Istrians, Dalmatians, and Illyrians; of which, at the time when the Romans became acquainted with the navigation of this gulf, the Illyrians, being the chief or principal power, extended eastward to the confines of Macedonia.

Alexander the Great had finished the career of his victories about sixty years before this date. His hereditary dominions, as well as his personal conquests, were dismembered, and become the patrimony of officers, who had learned under him to affect the majesty and the power of kings. Macedonia was governed by Antigonus Dozon, who, together with the principality of Pella, held under his dependence Epirus, Thessaly, and Greece, to the isthmus of Corinth. He had contended with Pyrrhus, the late invader of Italy, for part of this territory; and, by the death of this adventurer, was now in possession of the whole.

On one part of the coast of the Ionian Sea, and on the Gulf of Corinth, were settled the Etolians, who, during the prosperity of Greece, had been an obscure and barbarous horde; but had now, by the confederacy of a number of cantons, laid many districts around them under contribution, and acted a distinguished part in the wars and transactions that followed.

On the other side of the Gulf of Corinth a similar confederacy was formed by the Achæan league. The name of Achæa, in the fabulous ages, was the most general denomination of Greeks. When other names, of Dorians and Ionians, of Athenians and Spartans, became

B O O K  
I.

became more distinguished, the name of Achæans was appropriated to the tribes who occupied the sea-coast, or the Gulf of Corinth, from Elis to Sicyon. On this tract twelve little cantons, Dymæ, Phara, Tritæa, Rhipes, Thafium, Patræ, Pellene, Ægium, Bura, Carynia, Olenos, and Hellice<sup>1</sup>, having changed their government from principalities to republics, formed themselves into a league for their common defence. Hellice had been, from time immemorial, the seat of their assembly; but this place having been overwhelmed by an inundation of the sea, their meetings were transferred to Ægium.

In the more famous times of Sparta, Athens, and Thebes, these little cantons being situated on a poor and rocky shore, without shipping and without harbours<sup>2</sup>, were of no consideration in the history of Greece; they took no part in the defence of that country from the invasions of Darius, or of Xerxes, or in the divisions that followed under the hostile banners of Sparta and of Athens. They began, however, to appear in support of the liberties of Greece against Philip the father of Alexander, and partook with the other Greeks in the defeat which they received from that prince at Chæronea, and in all its consequences. Their league was accordingly dissolved by the conqueror, and some of their cantons separately annexed to the Macedonian monarchy. But about the time that Pyrrhus invaded Italy, Dymæ, Patræ, Pharæ, and Tritæa found an opportunity to renew their ancient confederacy. They were joined in about five years afterwards by the canton of Ægium, and successively by those of Bura and Carynia. These, during a period of about twenty years, continued to be the only parties in this famous league. They had a general congress, at which they originally elected two annual officers of state, and a common secretary. They

<sup>1</sup> Pausanias, lib. vii. c. 6.

<sup>2</sup> Plutarch, in Vit. Arat. p. 321.

afterwards committed the executive power to one officer; and, under the famous Aratus of Sicyon, united that republic, together with Corinth and Megara, to their league<sup>3</sup>.

CHAPTER  
IV.

About the time when the Romans became masters of Tarentum, this combination was become the most considerable power of the Peloponnesus, and affected to unite the whole of it under their banners; but Sparta, though greatly fallen from the splendor of her ancient discipline and power, was still too proud, or too much under the direction of her ambitious leaders, to suffer herself to be absorbed in this upstart confederacy; she continued for some time its rival, and was at last the cause, or furnished the occasion, of its fall.

The Thebans and Athenians, though still pretending to the dignity of independent nations, were greatly reduced, and ready to become the prey of any party that was sufficiently powerful to reach them, by breaking through the other barriers that were still opposed to the conquest of Greece.

In Asia, a considerable principality was formed round the city of Pergamus, and bore its name. Syria was become a mighty kingdom, extending from the coasts of Ionia to Armenia and Persia. This kingdom had been formed by Seleucus Nicanor, a principal officer in the army of Alexander, and it was now in the possession of his son, Antiochus Soter.

Egypt, in the same manner, had passed from the first Ptolemy to his son Philadelphus, who, upon the expulsion of Pyrrhus from Italy, had entered into a correspondence with the Romans. This kingdom included the island of Cyprus; and, having some provinces on the continent of Asia, extended from Cælo-Syria, of which the dominion was still in contest with Antiochus, to the deserts of Ly-

<sup>3</sup> Polyb. lib. ii. c. 3. and Pausanias, lib. vii.

B O O K  
I

bia<sup>t</sup> on the west and on the south. Beyond these deserts, and almost opposite to the island of Sicily, lay the famous republic of Carthage, which was now possessed of a considerable territory, surrounded by the petty African monarchies, out of which the great kingdom of Numidia was afterwards formed.

The city of Carthage is said to have been founded about a hundred years earlier than Rome, and was now unquestionably farther advanced in the commercial and lucrative arts, and superior in every resource to Rome, besides that which is derived from the national character, and which is the consequence of public virtue.

In respect to mere form, the constitution of both nations was nearly alike. They had a senate and popular assemblies, and annually elected two officers of state for the supreme direction of their civil and military affairs<sup>4</sup>; and even at Carthage the departments of state were so fortunately balanced, as to have stood for ages the shock of corrupt factions, without having suffered any fatal revolution, or without falling into either extreme of anarchy or tyrannical usurpation. The frequent prospect indeed, which the Carthaginians had, of incurring these evils, joined to the influence of a barbarous superstition, which represented the gods as delighted with human sacrifices, probably rendered their government in so high a degree inhuman and cruel. Under the sanguinary policy of this state, officers were adjudged, for mistakes or want of capacity, as well as for crimes, to expire on the cross, or were condemned to some other horrible punishment equally odious and unjust<sup>5</sup>.

The Carthaginians being like Tyre, of which they were supposed to be a colony, settled on a peninsula, and at first without sufficient land or territory to maintain any considerable numbers of people, they applied themselves to such arts as might procure a subsistence

<sup>4</sup> Aristob. Polit. lib. ii. c. 11.

<sup>5</sup> Orosius, lib. iv. c. 6

from abroad; and became, upon the destruction of Tyre, the principal merchants and carriers to all the nations inhabiting the coasts of the Mediterranean Sea. Their situation, so convenient for shipping, was extremely favourable to this pursuit; and their success in it soon put them in possession of a territory by which they became a landed as well as a naval power. They visited Spain, under pretence of giving support and assistance to the city of Gades, which, like themselves, was a colony from Tyre. They became masters of Sardinia, and had considerable possessions in Sicily, of which they were extremely desirous to seize the whole. From every part of their acquisitions they endeavoured to derive the profit of merchants, as well as the revenue of sovereigns.

In this republic, individuals had amassed great fortunes, and estimated rank by their wealth. A certain estate was requisite to qualify any citizen for the higher offices of state; and, in the canvass for elections, every preferment, whether civil or military, was venal<sup>o</sup>. Ambition itself, therefore, became a principle of avarice, and every Carthaginian, in order to be great, was intent to be rich. Though the interests of commerce should have inculcated the desire of peace, yet the influence of a few leading men in the state, and even the spirit of rapacity which pervaded the people, the necessity to which they were often reduced of providing settlements abroad for a populace who could not be easily governed at home, led them frequently into foreign wars, and even engaged them in projects of conquest. But notwithstanding this circumstance, the community slighted or neglected the military character of their own citizens, and had perpetual recourse to foreigners, whom they trusted with their arms, and made the guardians of their wealth. Their armies, for the most part, were composed of Numidians, Mauritanians, Spaniards, Gauls,

<sup>o</sup> Polyb. lib. vi. c. 54.

B O O K  
I.

and fugitive slaves from every country around them. They were among the few nations of the world who had the ingenuity, or rather the misfortune, to make war without becoming military, and who could be victorious abroad, while they were exposed to be a prey to the meanest invader at home.

Under this wretched policy, however, the first offices of trust and command being reserved for the natives, though the character of the people in general was mean and illiberal, yet a few, being descended of those who had enjoyed the higher honours of the state, inherited the characters of statesmen and warriors; and, instead of suffering by the contagion of mercenary characters, they derived some additional elevation of mind from the contrast of manners they were taught to despise. And thus, though the State, in general, was degenerate, a few of its members were qualified for great affairs. War, and the other objects of state, naturally devolved on such men, and occasionally rendered them necessary to a sedentary or corrupted people, who, in ordinary times, were disposed to flight their abilities, or to distrust their power. They became unfortunately a party for war in the councils of their country, as those who were jealous of them became, with still less advantage to the public, a party for peace; or, when at war, a party who endeavoured to embarrass the conduct of it; and, under the effects of misfortune, were ever ready to purchase tranquillity by the most shameful and dangerous concessions.

Carthage being mistress of the sea, was already long known on the coasts of Italy: she had treaties subsisting with the Romans above two hundred years, in which they mutually settled the limits of their navigation, and the regulations of their trade. And the Romans, as parties in these treaties, appear to have had intercourse with foreign nations by sea, earlier than is stated in the other parts of their history.



In the first of those treaties, which is dated in the consulate of L. Junius Brutus and M. Horatius, the first year of the Commonwealth, the Romans engaged not to advance on the coast of Africa, unless they were forced by an enemy, or by stresses of weather, beyond the Fair Promontory, which lay about twenty leagues to the westward of the Bay of Carthage.

C H A P.  
IV.  
U. C. 241.

It was agreed, that, even in these circumstances, they should remain no longer than five days, and supply themselves only with what might be necessary to refit their vessels, or to furnish them with victims for the usual sacrifices performed at sea. But that in Sardinia, and even in Africa, to the west of this boundary, they should be at liberty to trade and to dispose of their merchandize without paying any duties besides the fees of the crier and clerk of sale; and that the public faith should be pledged for the payment of the price of all goods sold under the inspection of these officers.

That the ports of Sicily should be equally open to both nations.

That the Carthaginians, on their part, should not commit any hostilities on the coast of Latium, nor molest the inhabitants of Ardea, Antium, Laurentium, Circeii, Terracina, or of any other place in alliance with the Romans; that they should not attempt to erect any fortrefs on that coast; and that, if they should land at any time with an armed force, they should not, upon any account whatever, remain a night on shore.

By a subsequent treaty, in which the states of Utica and Tyre are comprehended as allies to both parties, the former articles are renewed with additional limitations to the navigation and trade of the Romans, and with some extension to that of the Carthaginians. The latter, for instance, are permitted to trade on the coast of Latium, and even to plunder the natives, provided they put the Romans in possession of any strong-holds they should seize on shore;

B O O K  
I.

U. C. 474.

and provided they should release, without ransom, such of the allies of the Romans as became their prisoners.

Upon the arrival of Pyrrhus in Italy, with an armament which equally alarmed both nations, the Romans and Carthaginians again renewed their treaties with an additional article, in which they agreed mutually to support each other against the designs of that prince, and not to enter into any separate treaty with him inconsistent with this defensive alliance: and further stipulated, that, in the wars which were expected with this enemy, the Carthaginians, whether as principals or auxiliaries, should furnish the whole shipping, both transports and armed galleys; but that the expence of every armament should be defrayed at the charge of that party in whose behalf it was employed<sup>7</sup>.

In observance probably of the last of these treaties, and by mutual concert, though with considerable jealousy and distrust of each other, the forces of these nations combined in reducing the garrison which Pyrrhus had left at Tarentum. Each had their separate designs on the place; and when its fate was determined, from thenceforward considered the other as their most dangerous rival for dominion and power. Pyrrhus, even when they were joined in alliance against himself, is said to have foreseen their quarrels, and to have pointed at the island of Sicily as the first scene of their contest.

The Carthaginians were already in possession of Lylibæum, and of other posts on this island, and had a design on the whole. The Romans were in sight of it; and, by their possession of Rhegium, commanded one side of the Straits. The other side was occupied by the Mamertines, a race of Italian extraction, who, being placed at Messina by the king of Syracuse to defend that station, barbarously murdered the citizens, and took possession of their habitations and effects.

<sup>7</sup> Polyb. lib. iii. c. 3.

This horrid action was afterwards imitated by a Roman legion posted at Rhegium during the late wars in Italy: these likewise murdered their hosts, and seized their possessions; but were punished by the Romans, for this act of cruelty and treachery, with the most exemplary rigour. They were conducted in chains to Rome, scourged, and beheaded by fifties at a time. The crime of the Mamertines was reſented by the Sicilians in general with a like indignation; and the authors of it were purſued, by Hiero king of Syracuſe in particular, with a generous and heroic revenge. They were, at length, reduced to ſuch diſtreſs, that they were reſolved to ſurrender themſelves to the firſt power that could afford them protection. But, being divided in their choice, one party made an offer of their ſubmiſſion to the Carthaginians, the other to the Romans. The latter ſcrupled to protect a crime of which they had ſo lately puniſhed an example in their own people\*. And, while they heſitated on the propoſal, the Carthaginians, favoured by the delay of their rivals, and by the neighbourhood of their military ſtations, got the ſtart of their competitors, and were received into the town of Meſſina.

This unexpected advantage gained by a power of which they were jealous, and the danger of ſuffering a rival to command the paſſage of the Straits, removed the ſcruples of the Romans; and the officer who commanded their forces in the contiguous parts of Italy, had orders to aſſemble all the ſhipping that could be found on the coaſt from Tarentum to Naples, to paſs with his army into Sicily, and endeavour to diſpoſſeſs the Carthaginians from the city of Meſſina.

As ſoon as this officer appeared in the road with a force ſo much ſuperior to that of his rivals, the party in the city, that favoured the admiſſion of the Romans, took arms, and forced the Carthaginians to evacuate the place<sup>†</sup>.

\* Polyb. lib. i. c. 10.

† Ibid. lib. i. c. 12.

B O O K  
 I.  
 U. C. 490.

Here commenced the first Punic war, about ten years after the departure of Pyrrhus from Italy, eight years after the surrender of Tarentum, and in the four hundred and ninetieth year of Rome. In this war, the first object of either party was no more than to secure the possession of Messina, and to command the passage of the Straits which separate Italy from Sicily; but their views were gradually extended to objects of more importance, to the sovereignty of that island, and the dominion of the seas.

The contest between them was likely to be extremely unequal. On the one side appeared the resources of a great nation, collected from extensive dominions, a great naval force, standing armies, and the experience of distant operations. On the other, the ferocity or valour of a small State, hitherto exerted only against their neighbours of Italy, who, though subdued, were averse to subjection, and in no condition to furnish the necessary supplies for a distant war; without commerce or revenue, without any army but what was annually formed by detachments from the people, and without any officers besides the ordinary magistrates of the city; in short, without any naval force, or experience of naval or distant operations.

Notwithstanding these unpromising appearances on the side of the Romans, the commanding aspect of their first descent upon Sicily procured them not only the possession of Messina, but soon after determined Hiero, the king of Syracuse, hitherto in alliance with the Carthaginians, to espouse their cause, to supply their army with provisions, and afterwards to join them with his own. Being thus reinforced by the natives of Sicily, they were enabled to recal part of the force with which they began the war; continued, though at a less expence, to act on the offensive; and drove the Carthaginians from many of their important stations in the island<sup>10</sup>.

<sup>10</sup> Polyb. lib. i.

While the arms of the Romans and of Hiero were victorious on shore, the Carthaginians continued to be masters of the sea, kept possession of all the harbours in Sicily, overawed the coasts, obstructed the military convoys from Italy, and alarmed that country itself with frequent descents. It was evident, that, under these disadvantages, the Romans could neither make nor preserve any maritime acquisitions; and it was necessary, either to drop the contest in yielding the sea, or to endeavour, on that element likewise, to cope with their rival. Though not altogether, as historians represent them, unacquainted with shipping, they were certainly inferior to the Carthaginians in the art of navigation, and altogether unprovided with ships of force. Fortunately for them, neither the art of sailing, nor that of constructing ships, was yet arrived at such a degree of perfection as not to be easily imitated by nations who had any experience or practice of the sea. Vessels of the best construction that was then known were fit to be navigated only with oars, or in a fair wind and on a smooth sea. They might be built of green timber; and, in case of a storm, could run ashore under any cover, or upon any beach that was clear of rocks. Such ships as these the Romans, without hesitation, undertook to provide. Having a Carthaginian galley accidentally stranded at Messina for a model, it is said, that, in sixty days from the time that the timber was cut down, they fitted out and manned for the sea one hundred gallees of five tier of oars, and twenty of three tier. Vessels of the first of these rates carried three hundred rowers, and two hundred fighting men.

The manner of applying their oars from so many tiers, and a much greater number which they sometimes employed, has justly appeared a great difficulty to the mechanics and antiquarians of modern times, and is confessedly not well understood.

The Romans, while their gallees were building, trained their rowers to the oar on benches that were erected on the beach, and placed.

B O O K  
I.

placed in the form of those of the real galley<sup>11</sup>. Being sensible that the enemy must be still greatly superior in the management of their ships and in the quickness of their motions, they endeavoured to deprive them of this advantage, by preparing to grapple, and to bind their vessels together. In this condition the men might engage on equal terms, fight from their stages or decks as on solid ground, and the Roman buckler and sword have the same effect as on shore.

With an armament so constructed, still inferior to the enemy, and even unfortunate in its first attempts, they learned, by perseverance, to vanquish the masters of the sea on their own element; and not only protected the coasts of Italy, and supported their operations in Sicily, but, with a powerful fleet of three hundred and thirty sail, overcame at sea a superior number of the enemy, and carried the war to the gates of Carthage<sup>12</sup>.

U. C. 498. On this occasion took place the famous adventure of Regulus; who being successful in his first operations, gave the Romans some hopes of conquest in Africa: but they were checked at once by the defeat of their army, and the captivity of their general. This event removed the seat of the war again into Sicily; and the Romans, still endeavouring to maintain a naval force, suffered so many losses, and incurred so many disasters by storms, that they were, during a certain period of the war, disgusted with the service at sea, and seemed to drop all pretensions to power on this element. The experience of a few years, however, while they endeavoured to continue their operations by land without any support from the sea, made them sensible of the necessity they were under of restoring their shipping; and they did so with a resolution and vigour which enabled them once more to prevail over the superior skill and experience of their enemy.

<sup>11</sup> Polyb. lib. i. c. 20, 21.

<sup>12</sup> Polyb. lib. i. c. 27.

In this ruinous contest both parties made the utmost efforts, and the most uninterrupted exertion of their forces. Taking the forces of both sides, in one naval engagement, five hundred gallees of five tier of oars, with two hundred and fifty thousand men, and in another, seven hundred gallees, with three hundred and fifty thousand men, were brought into action<sup>13</sup>; and in the course of these struggles the Romans lost, either by tempests or by the hands of the enemy, seven hundred gallees; their antagonists, about five hundred<sup>14</sup>. In the result of these destructive encounters, the Carthaginians, beginning to balance the inconveniencies which attended the continuance of war against the concessions that were necessary to obtain peace, came to a resolution to accept of the following terms:

U. C. 512.

That they should evacuate Sicily, and all the islands from thence to Africa:

That they should not for the future make war on Hiero king of Syracuse, nor on any of his allies:

That they should release all Roman captives without any ransom:

And within twenty years pay to the Romans a sum of three thousand Euboic talents<sup>15</sup>.

Thus the Romans, in the result of a war, which was the first they undertook beyond the limits of Italy, entered on the possession of all that the Carthaginians held in the islands for which they contended; and, by a continuation of the same policy which they had so successfully pursued in Italy, by applying to their new acquisitions, instead of the alarming denomination of *Subjeet*, the softer name of *Ally*, they brought Hiero, who was sovereign of the greater part of Sicily, into a state of dependence on themselves.

Their manners, as well as their fortunes, were a perfect contrast to those of the enemy they had vanquished. Among the Romans,

<sup>13</sup> Polyb. lib. i. c. 26.<sup>14</sup> Ibid. c. 63.<sup>15</sup> Ibid. c. 62, &c.

B O O K  
I.

riches were of no account in constituting rank. Men became eminent by rendering signal services to their country, not by accumulating wealth. Persons of the first distinction subsisted in the capacity of husbandmen by their own labour; and, with the fortunes of peasants, rose to the command of armies, and the first offices of State. One Consul, of the name of Regulus, was found, by the officer who came to announce his election, equipped with the sheath or the basket, and sowing the seed of his corn in the field. Another, better known, of the same name, while he commanded in Africa, desired to be recalled, in order to replace the instruments of husbandry, which, to the great distress of his family, and the hazard of their wanting food, a fugitive slave had carried off from his land. The Senate refused his request, but ordered the farm of their general to be tilled at the public expence<sup>16</sup>.

The association of pomp and equipage with rank and authority, it may be thought, is accidental, and only serves to distract the attention which mankind owe to personal qualities. It nevertheless appears to be in some measure unavoidable. Superiority is distinguished, even in the rudest nations, by some external mark. Duilius had his piper and his torch, in honour of the first naval victory obtained by his country<sup>17</sup>; and the Romans acknowledged the external ensigns of state, although they were still rude in the choice of them.

At this time, when the nation emerged with so much lustre beyond the boundaries of Italy, the parties which divided the State, and whose animosity sharpened so much the pangs which preceded the birth of many of its public establishments, had no longer any object of contest. The officers of State were taken promiscuously from either class of the people, and the distinction of Plebeian and Patrician had in a great

<sup>16</sup> Valer. Maxim. lib. iv. c. 4. Liv. Epitom. lib. xviii. Seneca ad Albinam. c. 12. Auctor de versibus illustribus.

<sup>17</sup> Liv. Epitom. lib. xvii, xviii.



measure lost its effect. A happier species of aristocracy began to arise from the lustre of personal qualities, and the honours of family, which devolved upon those who were descended from citizens who had borne the higher offices of State, and were distinguished in their country's service.

The different orders of men in the commonwealth having obtained the institutions for which they severally contended, the number of officers was increased, for the better administration of affairs, which were fast accumulating. Thus a second Prætor was added to the original establishment of this office; and, as the persons who held it were destined to act either in a civil or military capacity, to hear causes in the city, or to command armies in the field. They were assisted in the first of these functions by a new institution, that of the Centumvirs, or the Hundred, who were draughted from the Tribes, and appointed, during the year of their nomination, under the direction of the Prætors, to take cognizance of civil disputes. The number of Tribes being now completed to thirty-five, and three of the Centumvirs being draughted from each, made the whole amount to a hundred and five<sup>18</sup>.

The city, during the late destructive war, sent abroad two colonies, one to Castrum Innui, a village of the Latins, the other to Firmium in the Picenum, on the opposite side of the peninsula, intended rather to guard and protect the coast, than to provide for any superabundance of the people, whose numbers at this time underwent a considerable diminution<sup>19</sup>; the rolls having decreased in the course

<sup>18</sup> Liv. Epitom. lib. xx.

<sup>19</sup> Livy, in different places, mentions between thirty and forty Roman colonies subsisting in Italy in the time of the second Punic war (Liv. lib. xxvii. c. 9 & 38.). Velleius Paterculus reckons about forty planted in Italy after the recovery of Rome from its destruction by the Gauls (Lib. i. c. xv.). And Sigonius, collecting the names of all the colonies mentioned by any Roman writer as

planted in Italy, has made a list of about ninety. But this matter, which so much interests this very learned antiquarian and many others, was become, as we have mentioned, a subject of mere curiosity, even in the times of the writers from whom our accounts are collected; as all the Italians were by that time admitted on the roll of Roman citizens by the law of L. Julius Cæsar, and in consequence of the Maric war. U. C. 663.

B O O K  
I.

of five years, from two hundred and ninety-seven thousand two hundred and twenty-seven, to two hundred and fifty-one thousand two hundred and twenty-two<sup>20</sup>. The revenue, to which citizens who were accustomed to pay with their personal service, had little to spare from their effects, and which was at all times probably scanty, being often exhausted by the expences of the late war, brought the community under the necessity of acquitting itself of its debts, by diminishing the weight, or raising the current value of its coin. The *as*, which was the ordinary measure of valuation, being the *libra*, or pound of copper stamped, and hitherto containing twelve ounces, was reduced in its weight to two ounces<sup>21</sup>.

The contribution now exacted from Carthage amounting to about two hundred and seventy-nine thousand pounds, together with the rents to be collected in Sicily, were likely to be great accessions of wealth to such a State.

The spoils of their enemies, for the most part, consisted of prisoners who were detained by the captor as his slaves, or sent to market to be sold. They had made a prize of twenty thousand captives in their first descent upon Africa; and the number of slaves in Italy was already become so great as to endanger the State<sup>22</sup>.

The favourite entertainments of the People were combats of armed slaves, known by the name of gladiators, derived from the weapons with which they most frequently fought. Such exhibitions, it is said, were first introduced in the interval between the first and second Punic war, by a son of the family of Brutus, to solemnize the funeral of his father. Though calculated rather to move pity and cause horror, than to give pleasure; yet, like all other scenes which excite hopes and fears, and keep the mind in suspense, they were admired by the multitude, and became frequent on all solemn occasions or festivals.

<sup>20</sup> Liv. Epitom. lib. xix.  
lib. ii. Orosius, lib. ii. c. 7.

<sup>21</sup> Plin. Hist. Nat. lib. xxxiii. c. 8.

<sup>22</sup> Zonar.

In the circumstances or events which immediately followed the peace between Rome and Carthage, those nations shewed the different tendency of their institutions and manners. The Romans, in the very struggles of a seemingly destructive contest, had acquired strength and security, not only by the reputation of great victories, but still more by the military spirit and improved discipline and skill of their people by sea and by land. Although their subjects in Italy revolted, and their allies withdrew their support, yet both were soon reduced, at the first appearance of those veteran soldiers who had been formed in the service of the preceding war.

The Carthaginians, on the contrary, had made war above twenty years without becoming more warlike; had exhausted their resources, and consumed the bread of their own people in maintaining foreign mercenaries, who, instead of being an accession of strength, were ready to prey on their weakness, and to become the most formidable enemies to the state they had served. Their army, composed, as usual, of hirelings from Gaul, Spain, and the interior parts of Africa, estimated their services in the war which was then concluded at a higher value than the State was disposed to allow, and attempted to take by force what was refused to their representations and claims. Being assembled in the neighbourhood of Carthage to receive the arrears of their pay, the Senate wildly proposed, in consideration of the distressed condition of the public revenue, that they should make some abatement of the sums that were due to them. But the State, instead of obtaining the abatements which were thus proposed, only provoked men with arms in their hands to enter into altercations, and to multiply their claims and pretensions. The mercenaries took offence at the delays of payment, rose in their demands upon every concession, and marched at last to the capital, with all the appearances and threats of an open and victorious enemy. They issued a proclamation on  

their

B O O K  
I.

their march, involving all the provincial subjects of the commonwealth to assert their freedom, and, by the numbers that flocked to them from every quarter, became a mighty host, to which the city had nothing to oppose but its walls. To effectuate the reduction of Carthage, they invested Tunis and Utica, and submitted to all the discipline of war from the officers whom they themselves had appointed to command.

In this crisis, the republic of Carthage, cut off from all its resources and ordinary supplies, attacked with that very sword on which it relied for defence, and in a situation extremely deplorable and dangerous, having still some confidence in the ability of their Senators, and in the magnanimity of officers tried and experienced in arduous and perilous situations, was not altogether reduced to despair. Although the people had committed their arms into the hands of strangers, the command of armies had been still referred to their own citizens; and now, by the presence and abilities of a few great men, they were taught to assume a necessary courage, to put themselves in a military posture, and to maintain, during three years, and through a scene of mutual cruelties and retaliations, unheard of in the contests of nations at war, a struggle of the greatest difficulty. In this struggle they prevailed at last by the total extirpation of this vile and outrageous enemy <sup>24</sup>.

During the dependence of this odious revolt, in which a mercenary army endeavoured to subdue the State which employed them, the Romans preserved that character for generosity and magnanimity of which they knew so well how to avail themselves, without losing any opportunity that offered for the secure advancement of their power. They refrained from giving any countenance even against their

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<sup>24</sup> Polyb. lib. i. c. 67--fine.

rival to such unworthy antagonists. They affected to disdain taking any advantage of the present distresses of Carthage, and refused to enter into any correspondence with a part of the rebel mercenaries, who, being stationed in Sardinia, offered to surrender that island into their hands. They prohibited the traders of Italy to furnish the rebels with any supply of provisions or stores, and abandoned every vessel that presumed to transgress these orders, to the mercy of the Carthaginian cruizers which plied before the harbours of Tunis and Utica. Above five hundred Roman prisoners, seized by these cruizers, were detained in the jails of Carthage. At the termination, however, of this war, when the Carthaginians were far from being disposed to renew any quarrel whatever, the Romans fixed on this as a ground of dispute, complained of piracies committed against the traders of Italy, under pretence of intercepting supplies to the rebels; and, by threatening immediate war upon this account, obtained from the State itself a surrender of the island of Sardinia, which they had refused to accept from the rebels, and got an addition of two hundred talents to the sum stipulated in the late treaty of peace, to make up for their pretended losses by the supposed unwarrantable capture of their ships<sup>25</sup>.

Upon this surrender the Sardinians bore with some discontent the change of their sovereigns; and, on the first prohibition of their usual commerce with Carthage, to which they had been long accustomed, took arms, and endeavoured for some time to withstand the orders which they were required to obey.

Soon after the Romans had reconciled these new acquired subjects to their government, had quelled a revolt in Tuscany, and vanquished some cantons of Liguria, whom it is said they brought to submit as fast as the access to that country could be opened, they found them-

<sup>25</sup> Polyb. lib. i. c. 88. lib. ii. c. 10. Appian de Bell. Punic. p. 4.

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themselves at peace with all the world<sup>25</sup>; and, in token of this memorable circumstance, shut the gates of the temple of Janus; a ceremony which the continual succession of wars, from the reign of Numa to the present time, had prevented, during a period of four hundred and thirty years; a ceremony, which, when performed, marked a situation as transient as it was strange and uncommon.

Fresh disturbances in some of the possessions recently seized by the republic, and a quarrel of some importance that carried her arms for the first time beyond the Hadriatic, embroiled her anew in a succession of wars and military adventures.

The Illyrians had become of late a considerable nation, and were a party in the negotiations and quarrels of the Macedonians and the Greeks. Having convenient harbours and retreats for shipping, they carried on a piratical war with most of their neighbours, and, in particular, committed depredations on the traders of Italy, which it concerned the Romans, as the sovereigns of this country, to prevent. They accordingly sent deputies to complain of these practices, to demand a reparation of past injuries, and a security from any such attempts for the future. The Illyrians at this time were under the government of Teuta, the widow of a king lately deceased, who held the reins of government as guardian to her son. This princess, in answer to the complaints and representations of the Romans, declared, that in her kingdom no public commission had ever been granted to make war on the Italians; but she observed, that the seas being open, no one could answer for what was transacted there; and that it was not the custom of kings to debar their subjects from what they could seize by their valour. To this barbarous declaration one of the Roman deputies replied, that his country was ever governed by different maxims; that they endeavoured to restrain the

<sup>25</sup> Florus, lib. ii. c. 3. Eutrop. lib. ii.

crimes of private persons by the authority of the State, and should, in the present case, find a way to reform the practice of kings in this particular. The queen was incensed; and resenting these words, as an insult to herself, gave orders to waylay and assassinate the Roman deputy on his return to Rome <sup>27</sup>.

In revenge of this barbarous outrage, and of the former injuries received from that quarter, the Romans made war on the queen of Illyricum, obliged her to make reparation for the injuries she had done to the traders of Italy, to evacuate all the towns she had occupied on the coast, to restrain her subjects in the use of armed ships, and to forbid them to navigate the Ionian Sea with more than two vessels in company.

The Romans, being desirous of having their conduct in this matter approved of by the nations of that continent, sent a copy of this treaty, together with an exposition of the motives which had induced them to cross the Adriatic, to be read in the assembly of the Achæan league. They soon after made a like communication at Athens and at Corinth, where, in consideration of the signal service they had performed against the Illyrians, then reputed the common enemy of civilized nations, they had an honorary place assigned them at the Isthmian games; and in this manner made their first appearance in U. C. 545. the councils of Greece <sup>28</sup>.

<sup>27</sup> Polyb. lib. ii. c. 8.

<sup>28</sup> Ibid. c. 12. Appian in Illyr.

## C H A P. V.

*Progress of the Romans within the Alps.—Origin of the second Punic War.—March of Hannibal into Italy.—Progress.—Action on the Tescinus.—On the Trebia.—On the Lake Trasimenus.—Battle of Cannæ.—Hannibal not supported from Carthage.—Sequel of the War.—In Italy.—And Africa.—Scipio's Operations.—Battle of Zama.—End of the War.*

B O O K

I.

THE city of Rome, and most of the districts of Italy, during the dependence of the last enumerated wars which were waged at a distance and beyond the seas, began to experience that uninterrupted tranquillity in which the capital and interior divisions of every considerable nation remain, even during the wars in which the state is engaged. They had indeed one source of alarm on the side of Cisalpine Gaul, which they thought it necessary to remove, in order to obtain that entire security to which they aspired. The country of the Senones, from Sena Gallia to the Rubicon, they had already subdued, even before the arrival of Pyrrhus in Italy; but the richest and most fertile tracts on the Po were still in the possession of the Gaulish nations; and it had been proposed, about four years after the conclusion of the first Punic war, to erect a barrier against the invasions of this people, by occupying with Roman colonies the country of the Senones, from Sena Gallia to the Rubicon. Although the inhabitants to be removed to make room for these settlements had been subject to the Romans above forty years, yet their brethren on the Po considered this act of violence as an insult to the Gaulish name, resolved to avenge it, and invited their countrymen from beyond the Alps to take part in the quarrel.



In consequence of their negotiations and concerts, in about eight years after the Romans were settled on the Rubicon, a great army of Gauls appeared on the Roman frontier. These nations used to make war by impetuous assaults and invasions, and either at once subdued and occupied the countries which they over-ran, or, being repulsed, abandoned them without any farther intention to persist in the war. Their tumultuary operations, however, were subjects of the greatest alarm at Rome, and generally produced a suspension of all the ordinary forms of the commonwealth. On a prospect of the present alarm from that quarter, the Senate, apprehending the necessity of great and sudden exertions of all their strength, ordered a general account to be taken of all the men fit to carry arms, whether on foot or on horseback, that could be assembled for the defence of Italy; and they mustered, on this famous occasion, above seven hundred thousand foot and seventy thousand horse\*. From this numerous return of men in arms, the State was enabled to make great detachments, which they stationed under the Consuls and one of the Prætors separately, for the defence of the commonwealth. The Gauls, having penetrated into Etruria, where the Prætor was stationed, attacked and obliged him to retire. The Consuls, however, being arrived with their several armies in different directions to support the Prætor, renewed the conflict with united force, and put the greater part of the Gaulish invaders to the sword.

In the year following, the Romans carried the war into the enemy's country; and, in about three years more, passed the Po, and made themselves masters of all the plains on that river quite to the foot of the Alps. To secure this valuable acquisition they projected two colonies of six thousand men each, one at Cremona and the other at Placentia, on the opposite sides of the Po; but were disturbed in the

\* Polyb. lib. ii. c. 22-24, &c. Liv. Epitom. lib. xxi.

B O O K  
I.

execution of this project, first, by a revolt of the natives, who justly considered these settlements as military stations, intended to repress and keep themselves in subjection; and afterwards, by the arrival of a successful invader, who, by his conduct and implacable animosity, appeared to be the most formidable enemy that had ever attempted to shake the power, or to limit the progress, of the Roman State.

The republic had now enjoyed, during a period of twenty-one years from the end of the first Punic war, the fruits not only of that ascendant she had acquired among the nations of Italy, but those likewise of the high reputation she had gained, and of the great military power she had formed in the contest with Carthage. The wars that filled up the interval of peace with this principal antagonist, were either trivial or of short duration; and the city itself, though still rude in the form of its buildings and in the manners of its people, probably now began to pay a growing attention to the arts of peace. Laws are dated in this period which have a reference to manufacture and to trade. Clothiers are directed in the fabric of cloth<sup>2</sup>, and carriers by water are directed in the size of their vessels. Livius Andronicus and Nævius introduced some species of dramatic entertainment, and found a favourable reception from the people to their farcical productions<sup>3</sup>.

U. C. 513.

But whatever progress the people were now inclined to make in the useful or pleasurable arts of peace, they were effectually interrupted, and obliged to bend the force of their genius, as in former times, to the arts of war, and to the defence of their settlements in Italy.

The Carthaginians had been for some time employed in Spain, making trial of their strength, and forming their armies. In that Country Hamilcar, an officer of distinguished fame in the late war

<sup>2</sup> Lex Metilia de Fullonibus. Lex Claudia.  
lib. xvii. c. 21.

<sup>3</sup> Cicer. in Bruto, p. 35. A. Gall.

with the Romans, and in that which ensued with the rebel mercenaries, had sought refuge from that disgust and those mortifications which, in the late treaty of peace, he felt from the abject councils of his country. And having found a pretence to levy new armies, he made some acquisitions of territory, to compensate the losses which Carthage had sustained by the surrender of Sardinia and of Sicily.

Spain appears to have been to the trading nations of Greece, Asia, and Africa, what America has been, though upon a larger scale, to the modern nations of Europe, an open field for new settlements, plantations, and conquests. The natives were brave, but impolitic, and ignorant of the arts of peace, occupied entirely with the care of their horses and their arms. These, says an historian, they valued more than their blood<sup>4</sup>. They painted or stained their bodies, affected long hair with gaudy ornaments of silver and of gold. The men were averse to labour, and subsisted chiefly by the industry of their women. Their mountains abounded in mines of copper and of the precious metals; insomuch that, on some parts of the coast, it was reported that the natives had vessels and utensils of silver employed in the most common uses<sup>5</sup>. A fatal report! such as that which afterwards carried the posterity of this very people, with so much destructive avidity, to visit the new world; and is ever likely to tempt the dangerous visits of strangers, who are ready to gratify their avarice and their ambition, at the expence of nations to whose possessions they have no reasonable or just pretension. The Spaniards were at this time divided into many barbarous hordes or small principalities, which could neither form any effectual concert to prevent the intrusion and settlement of foreigners, nor possessed the necessary docility by which to profit by foreign examples, whether in the form of their policy or the invention of arts.

<sup>4</sup> Justin, lib. xlv. c. 2.

<sup>5</sup> Strabo, lib. iii.

B O O K  
I.

The Carthaginians had made their first visits to Spain under pretence of supporting the colony of Gades, which, like themselves, was sprung from Tyre. They made a settlement under the name of new Carthage, in a situation extremely favourable to the communication of Spain with Africa, and in the neighbourhood of the richest mines. Hamilcar, after a few successful campaigns, in extending the bounds of this settlement, being killed in battle, was succeeded by his son-law, Hasdrubal, who continued for some years to pursue the same designs.

The Romans, in the mean while, were occupied on the coast of Illyricum, or amused with alarms from Gaul. They were sensible of the progress made by their rivals in Spain; but imagining that any danger from that quarter was extremely remote, or while they had wars at once on both sides of the Adriatic, being unwilling to engage at the same time with so many enemies, were content with a negotiation and a treaty, in which they stipulated with the Carthaginians that they should not pass the Iberus to the eastward, nor molest the city of Saguntum. This they considered as a proper barrier on that side, and professed for the inhabitants of that place the concern of allies. Trusting to the effect of this treaty, as sufficient to limit the progress of the Carthaginians in Spain, they proceeded, in the manner that has been mentioned, to contend with the Gauls for the dominion of Italy, which hitherto, under the frequent alarms they received from this people, was still insecure<sup>6</sup>.

Hasdrubal, after nine years service, being assassinated by a Spanish slave, who committed this desperate action in revenge of an injury which had been done to his master, was succeeded in the command of the Carthaginian troops in Spain by Hannibal, the son of Hamilcar. This young man, then of five and twenty years of age, had,

<sup>6</sup> Polyb. lib. ii. c. 13.

when a child<sup>7</sup>, come into Spain with his father, seemed to inherit his genius, and preserved, probably with increasing animosity, his aversion to the Romans. Being reared and educated in camps, and from his earliest youth qualified to gain the confidence of soldiers, he, on the death of Hasdrubal, by the choice of the troops, was raised to the command of that army, and afterwards confirmed in it by the Senate of Carthage.

The Carthaginians had now for some time ceased to feel the defeats and the sufferings which had induced them to accept of the late disadvantageous conditions of peace, and were sensible only of the lasting inconveniencies to which that treaty exposed them. They had long felt, from the neighbourhood of the Romans, an insurmountable bar to their progress. They had felt, during above seventeen years from the date of their last treaty of peace, the loss of their maritime settlements, and the decline of their navigation. They had felt the load of a heavy contribution, which, though restricted to a particular sum, had the form of a tribute, in being exacted by annual payments; and they entertained sentiments of animosity and aversion to the Romans, which nothing but the memory of recent sufferings and the apprehension of danger could have so long suppressed.

Hamilcar, together with a considerable party of the Senate, were supposed to have borne with the late humiliating peace, only that they might have leisure to provide for a subsequent war. "I have four sons," this famous warrior had been heard to say, "whom I shall rear like so many lions whelps against the Romans." In this spirit he set armies on foot to be trained and accustomed to service in Spain, and had already projected the invasion of Italy from thence.

Whatever may have been the military services which the Carthaginians devised, the execution of them was secured by the coming

<sup>7</sup> At nine years of age.

B O O K  
I.  
—v—

of Hannibal to the head of their army. He was well formed for great enterprize, and professed an hereditary aversion to the Romans. In the first and second year of his command he continued the operations which had been begun by his predecessors in Spain; but during this time, although he made conquests beyond the Iberus, he did not molest the city of Saguntum, nor give any umbrage to the Romans. But, in the third year after his appointment, his progress alarmed the Saguntines, and induced them to send a deputation to Rome to impart their fears.

At the arrival of this deputation from Saguntum, the Romans had fitted out an armament under the command of the Consul L. Emilius Paulus, destined to make war on Demetrius, the prince of Pharos, a small island on the coast of Illyricum. This armament, if directed to Spain, might have secured the city of Saguntum against the designs of Hannibal; but the Romans still considered any danger from that quarter as remote, and continued to employ this force in its first destination. They paid so much regard, nevertheless, to the representations of the Saguntines, as to send deputies into Spain, with orders to observe the posture of affairs, and to inform the Carthaginian officer on that station, of the engagements which had been entered into by his predecessor, and of the concern which the Romans must undoubtedly take in the safety of Saguntum. The return which they had to this message gave sufficient intimation of an approaching war; and it appears that, before the Roman commissioners could have made their report, the siege of Saguntum was actually commenced by Hannibal. He had already formed his design for the invasion of Italy, and, that he might not leave to the Romans a place of arms and a powerful ally in the country from which he was about to depart, determined to occupy or destroy that place. He was impatient to reduce Saguntum before any succours could arrive from Italy, or before any force could be collected against him, so as to fix the theatre of the war in Spain. He pressed the siege, therefore,

therefore, with great impetuosity, exposing his person in every assault; and exciting, by his own example, with the pickaxe and spade, the parties at work in making his approaches<sup>7</sup>. Though abundantly cautious not to expose himself on slight occasions, or from a mere ostentation of courage, yet in this siege, which was the foundation of his hopes, and the necessary prelude to the farther progress of his enterprize, he declined no fatigue, and shunned no danger, that led to the attainment of his end. He was, nevertheless, by the valour of the besieged, which they exerted in hopes of relief from Rome, detained about eight months before this place, and deprived at last of great part of its spoils by the desperate resolution of the citizens, who chose to perish, with all their effects, rather than fall into the enemy's hands. The booty, however, which he saved from this wreck enabled him, by his liberalities, to gain the affection of his army, and to provide for the execution of his design against Italy. U. C. 534.

The siege of Saguntum, being an infraction of the late treaty with the Romans, was undoubtedly an act of hostility; and this people incurred a censure of remissness, uncommon in their councils, by suffering an ally, and a place of such importance, to remain so long in danger, and by suffering it at last to fall a prey to their enemy, without making any attempt to relieve it. It is probable, that the security they began to derive from a frontier, far removed from the seat of their councils, and covered on every side by the sea, or by impervious mountains, rendered them more negligent than they had formerly been of much slighter alarms. They expected to govern by the dread of their power, and proposed to punish, by exemplary vengeance, the insults which they had not taken care to prevent.

The attention of the Romans, during the dependence of this event, had been fixed on the settlements they were making at Cremona and

<sup>7</sup> Polyb. lib. iii. c. 17.

B O O K  
I.

Placentia, to keep in subjection the Gauls, and on the naval expedition which they had sent under the Consul *Æmilius* to the coast of Illyricum. This officer, about the time that Hannibal had accomplished his design on Saguntum, and was retired for the winter to his usual quarters at New Carthage, had succeeded in his attack on Demetrius prince of Pharos, had driven him from his territories, and obliged him to seek for refuge at the court of Macedonia, where his intrigues proved to be of some consequence in the sequel of these transactions.

The people at Rome being amused with these events, and with a triumphal procession, which, as usual, announced their victory, proceeded in the affairs of Spain according to the usual forms, and agreeably to the laws which they had, from time immemorial, prescribed to themselves in the case of injuries received, sent to demand satisfaction; complained at Carthage of the infraction of treaties; and required that Hannibal with his army should be delivered up to their messengers; or, if this were refused, gave orders to denounce immediate war. The Roman commissioner, who spoke to this effect in the senate of Carthage, having made his demands, held up the lappet of his gown, and said, "Here are both peace and war, choose ye."—He was answered, "We choose that which you like best."—"Then it is war," he said; and from this time both parties prepared for the contest.

U. C. 535.

Hannibal had been long devising the invasion of Italy, probably without communicating his design even to the councils of his own country. The war being now declared, he made his dispositions for the safety of Africa and Spain; gave intimation to the army under his command, that the Romans had required them to be delivered up, as a beast which commits a trespass is demanded in reparation for the damage he has done<sup>2</sup>. If they felt a proper resentment of this

<sup>2</sup> Velut ob noxam sibi dedi postularet populus Romanus. Liv. lib. xxi. c. 30.

indignity,



indignity, he warned them to prepare for an arduous march. He was in the eight and twentieth year of his age when he entered upon the execution of this design; an undertaking which, together with the conduct of it, has raised his reputation for enterprize and ability to an equal, if not to a higher pitch, than that of any leader of armies whatever.

CHAPTER  
V.

The Romans, a few years before, had mustered near eight hundred thousand men, to whom the use of arms was familiar, to whom valour was the most admired of the virtues, and who were ready to assemble in any numbers proportioned to the service for which they might be required: the march from Spain into Italy lay across tremendous mountains, and through the territory of fierce and barbarous nations, who might not be inclined tamely to suffer a stranger to pass through their country, or lose any opportunity to enrich themselves with his spoils.

From such topics as these, historians have magnified the courage of this celebrated warrior at the expence of his judgment. It is probable, however, that both were equally exerted in this memorable service. In the contest of nations, that country, which is made the seat of the war, for the most part labours under great comparative disadvantage, is obliged to sustain the army of its enemy as well as its own, is exposed to devastation, to hurry, confusion, and irresolution of councils; so much that, in nations powerful abroad, invasions often betray great incapacity and weakness, or at least fix the whole sufferings of the war upon those who are invaded. Hannibal, besides this general consideration, had with great care informed himself of the real state of Italy, and knew, that though the Roman musters were formidable, yet much of their supposed strength consisted of discordant parts; a number of separate cantons recently united, and many of them disaffected to the power by which they were cemented together. Most of the inhabitants of that

B O O K  
I.

country, being the descendants of different nations, and distinguished by various languages, still retained much animosity to each other, and most of all to their new masters. Those who had longest borne the appellation of Roman allies, even the colonies themselves, as well as the conquered nations, had occasionally revolted, and were likely to prefer separate establishments to their present dependance on the Roman State. The Gauls and Ligurians, even the Etruscans, had been recently at war with those supposed masters of Italy, and were ready to resume the sword in concert with any successful invader. The Gauls on the Po were already in arms, had razed the fortifications which the Romans had begun to erect at Cremona and Placentia, and forced the settlers to take refuge at Mutina. Every step, therefore, that an invader should make within this country, was likely to remove a support from the Romans, and to add a new one to himself. The Roman power, composed of parts so ill cemented, was likely to dissolve on the slightest touch. Though great when employed at a distance, and wielded by a single hand, yet broken and disjointed by the presence of an enemy, it was likely to lose its strength; or, by the revolt of one or more of its districts, might furnish a force that could be successfully employed against itself. A few striking examples of success, therefore, for which he trusted to his own conduct, and to the superiority of veterans hardened in the service of many years, were likely to let loose the discontents which subsisted in Italy, and to shake the fidelity of those allies who composed so great a part of the Roman strength. Even with a less favourable prospect of success, the risk was but small, compared to the chance of gain. A single army was to be staked against a mighty State; and a few men, that could be easily replaced, were to be sacrificed in an enterprize, which, if successful, was to make Carthage the mistress of the world; or even if it should miscarry, might inflict her enemy with a deeper wound than she herself was likely to suffer from the loss.

Hannibal collected together for this expedition ninety thousand foot and twelve thousand horse. In his march to the Iberus, he met with no interruption. From thence to the Pyrenees, being opposed by the natives, he forced his way through their country; but apprehending some inconvenience from such an enemy left in his rear, he stationed his brother Hanno, with ten thousand foot and one thousand horse, to observe their motions, and to keep them in awe. After he had begun to ascend the Pyrenees, a considerable body of his Spanish allies deserted him in the night, and fell back to their own country. This example, he had reason to believe, would prove contagious; and as the likeliest way to prevent its effects, he gave out, that the party which had left him, being no longer wanted for the purposes they served on the march, were returned by his orders to their own country. That he meant to spare a few more of the troops of the same nation, as being unnecessary in the remaining parts of the service; and actually dismissed a considerable body to confirm this opinion. By these separations, or by the swords of the enemy, his numbers, in descending the mountains, were reduced from ninety to fifty thousand foot and nine thousand horse, with seven and thirty elephants<sup>9</sup>.

This celebrated march took place in the year of Rome five hundred and thirty-four, and in the consulate of Publius Cornelius Scipio and Tiberius Sempronius Longus. The Romans, as usual on such occasions, raised two consular armies, and proposed, by immediate armaments directed to Spain and to Africa, to fix the scene of the war in the enemy's country. U. C. 534.

Sempronius assembled an army and a fleet in the ports of Sicily, and had orders to pass into Africa. Scipio embarked with some legions for Spain, and, touching on the coast of Gaul, first learned,

<sup>9</sup> Polyb. lib. iii. c. 35—42.

BOOK  
I.

that a Carthaginian army was marching by land into Italy. This intelligence determined him to land his troops at Marsilles, and to send out a detachment of horse to observe the country, and to procure farther and more particular information of the enemy.

Hannibal had arrived on the Rhône at some distance above its separation into two channels, and about four days march from the sea. In order to effect the passage of the river, he instantly collected all the boats that could be found on its extensive navigation. At the same time, the natives, being unacquainted with strangers in any other capacity than that of enemies, assembled in great numbers to dispute his farther progress in their country.

Finding so powerful a resistance in front, he delayed the embarkation of his army on the Rhône, and sent a detachment up the banks of the river to pass it at a different place, and to make a diversion on the flank or the rear of the enemy who opposed him.

The division employed on this service, after a march of twenty-five miles, found the Rhône separated into branches by small islands, and at a convenient place got over on rafts to the opposite shore; and being thus in the rear, or on the right of the Gaulish army, hastened towards them, in order to give an alarm on that quarter, while Hannibal should pass the river in their front.

On the fifth day after the departure of this party, Hannibal, having intelligence that they had succeeded in passing the Rhône, made his disposition to profit by the diversion they were ordered to make in his favour. The larger vessels, which were destined to transport the cavalry, were ranged towards the stream, to break the force of the current; and many of the horses were fastened to the stern of the boats. The smaller canoes were ranged below, and were to carry over a body of foot.

The Gauls, seeing these preparations, left their camp, and advanced to meet the enemy. They were drawn up on the banks of the river, when the Carthaginian detachment arrived on their rear, and lighted fires as a signal of their approach. Hannibal observing the smoke, notwithstanding the posture which the enemy had taken to resist his landing, instantly put off from the shore: both armies shouted; but the Gauls being thrown into great consternation by the report and effects of an attack which they little expected on their rear, without resistance gave way to the Carthaginians in front, and were speedily routed. Hannibal, having thus lodged himself on the eastern banks of the Rhône, in a few days, without any farther interruption or loss, passed that river with his elephants, baggage, and the remainder of his army.

Soon after the Carthaginian general had surmounted his difficulty, intelligence came that a Roman army had arrived on the coast, and was disembarked at Marseilles. To gain farther and more certain information of this enemy, he, nearly about the same time that Scipio had sent a detachment on the same design, directed a party of horse to examine the country. These parties met; and, after a smart engagement, returned to their several armies with certain accounts of an enemy being near.

Scipio advanced with the utmost dispatch to fix the scene of the war in Gaul; and Hannibal hastened his departure, being equally intent on removing it, if possible, into Italy. The last, in order to keep clear of the enemy, directed his march at a distance from the sea coast, and took his route by the banks of the Rhône. After four days march from the place where he had passed this river, he came to its confluence with another river, which was probably the Here, though by Polybius himself, who visited the tract of this march, the place seems to be mistaken for the confluence of the Rhône

B O O K  
I.

Rhône and Saone<sup>10</sup>. Here he found two brothers contending for the throne of their father, and gained an useful ally by espousing the cause of the elder. Being, in return for this service, supplied with arms, shoes, and other necessaries, and attended by the prince himself, who with a numerous body covered his rear, he continued his march during ten days, probably on the Isère, and about a hundred miles above the place where he had passed the Rhône, began to make his way over the summit of the Alps; a labour in which he was employed with his army during fifteen days<sup>11</sup>.

The

<sup>10</sup> In the manuscripts of Polybius, the river which falls into the Rhône at this place was called by a name unknown in that country. The first editors, to correct the mistake, changed this unknown name for that of the Arar. But it is extremely probable, that they ought to have made it the Isara, as the confluence of the Isère and the Rhône corresponds much better with the distances and marches mentioned by Polybius. Four marches, for instance, from the place at which Hannibal had passed the Rhône, and four more from thence to the sea.

<sup>11</sup> This famous route has been a subject of different opinions, and of some controversy. In a country that is raised into vast mountains, round which the way must be found by narrow vaileys, and the channels of rivers, it is impossible to decide any question of this sort from the map. Polybius visited the ground, in order to satisfy himself on the tract of this famous route; and, from this circumstance, as well as from his general knowledge of war, is undoubtedly the best authority to whom we can have recourse in this question. By his account, Hannibal, after four marches from the place at which he had passed the Rhône, came to the confluence of this with another river, which is evidently

the Isère. From thence, having continued his route ten days on the river, and marched about a hundred miles, he began to ascend the summit, and was employed in that difficult work fifteen days. This account may incline us to believe, that Hannibal followed the course of the Isère from its confluence with the Rhône to about Conflans; that, having surmounted the summit, he descended into Italy by the channel of another river, or the Vale of Aoste. Such are the passages by which ridges of mountains, in every instance, are to be traversed. It is indeed asserted, or implied in the text of Polybius, that Hannibal marched ten days on the Rhône after its confluence with the Arar or Isara; but it is probable, that, in visiting a barbarous country, in which the Romans had yet no possessions, and with the language of which he was unacquainted, he may have mistaken the Isère for the Rhône, and consequently the Rhône for the Arar or Saone. The Rhône and Isère take their rise from the same ridge, and run nearly in the same directions. In this account of the course of the supposed Rhône which he visited, he mentions nothing of the Lake of Geneva, which is scarcely possible, if he had seen it. Polyb. lib. iii. c. 47.

According to this conjecture, Hannibal, having

The natives, either fearing him as an enemy, or proposing to plunder his baggage, had occupied every post at which they could obstruct his march; assailed him from the heights, endeavoured to overwhelm his army in the gorges of the mountains, or force them over precipices, which frequently sunk perpendicular under the narrow paths by which they were to pass.

Near to the summits of the ridge, at which he arrived by a continual ascent of many days, he had his way to form on the sides of frozen mountains, and through masses of perennial ice, which, at the approach of winter, were now covered with recent snow. Many of his men and horses, coming from a warm climate, perished by the cold; and his army having struggled, during so long a time, with extremes to which it was little accustomed, was reduced, from fifty thousand foot and nine thousand horse, the numbers which remained to him in descending the Pyrenees, to twenty thousand foot and six thousand cavalry, a force, in all appearance, extremely disproportioned to the service for which they were destined<sup>12</sup>.

The Roman Consul, in the mean time, had, in search of his enemy, directed his march to the Rhône; and, in three days after the departure of Hannibal, had arrived at the place where he had passed that river; but was satisfied that any further attempts to pursue him in this direction, would only carry himself away from what was to be the scene of the war, and from the ground he must occupy

having marched by the vale of Isère, Grenoble, Chamberry, and Mountmelian, and descended by the vale of Aoûte, must have passed the summit at or near the lesser abbey of St. Bernard.

As mountains are penetrated by the channels of rivers, it is probable that Hannibal, if he were himself to explore his passage, would try the course of the first considerable river he found on his right descending from

the Alps, which was the Isère: but if, extremely probable, he had well-instructed guides, it is not likely that they would lead him so long a circuit as he must have made by the course and sources of the Rhône, which, in fact, he had one equally practicable, and much nearer, by the Isère on one side of the Alp, and the Dorea Baltea on the other.

<sup>12</sup> Polyb. lib. iii. c. 55. Liv. lib. xlv.

B C O K  
I.

for the defence of Italy; he returned therefore without loss of time to his ships; sent his brother, Cneius Scipio, with the greater part of the army, to pursue the object of the war in Spain; and he himself, with the remainder, set sail for Pisa, where he landed and put himself at the head of the legions which he found in that quarter; and which had been appointed to restore the settlements of Cremona and Placentia. With these forces he passed the Po, and was arrived on the Tecinus, when Hannibal came down into the plain country at some distance below Turin.

The Carthaginian general, at his arrival in those parts, had moved to his right; and, to gratify his new allies the Insubres, inhabiting what is now the dutchy of Milan, who were then at war with the Taurini or Piedmontese, he laid siege to the capital of that country, and in three days reduced it by force. From thence he continued his march on the left of the Po; and, as the armies advanced, both generals, as if by concert, approached with their cavalry, or light troops, mutually to observe each other. They met on the Tecinus with some degree of surprize on both sides, and were necessarily engaged in a conflict, which served as a trial of their respective forces, and in which the Italian cavalry were defeated by the Spanish and African horse. The Roman Consul was wounded, and with much difficulty rescued from the enemy by his son Publius Cornelius, afterwards so conspicuous in the history of this war, but then only a youth of seventeen years of age, entering on his military service<sup>13</sup>.

The Roman detachment, it seems, had an easy retreat from the place of this encounter to that of their main army, and were not pursued. Scipio, disabled by his wound, and probably, from the check he had received, sensible of the enemy's superiority in the quality of their

<sup>13</sup> Polyb. lib. x. c. 3.



horse, determined to retire from the plains; repassed the Po, marched up the Trebia, and, to stop the progress of the Carthaginians, while he waited for instructions or reinforcements from Rome, took post on the banks of that river. While he lay in this position, an alarming effect of his defeat, and of the disaffection of some Gauls who professed to be his allies, appeared in the desertion of two thousand horsemen of that nation, who went over to the enemy.

The Roman Senate received these accounts with surprize, and with some degree of consternation. An enemy was arrived in Italy, and had obliged the Consul, with his legions, to retire. The forces which they had lately mustered were numerous, but consisted in part of doubtful friends, or of declared enemies. They supposed all their late vanquished subjects on the Po to be already in rebellion, or to be mustered against them in the Carthaginian camp. And, notwithstanding the numerous levies that could have been made in the city, and in the contiguous colonies; notwithstanding the expediency of carrying the war into Africa, as the surest way of forcing the Carthaginians to withdraw their forces from Italy for the defence of their own country, they, with a degree of pusillanimity uncommon in their councils, ordered the other Consul, Sempronius Longus, to desist from his design upon Africa; they recalled him with his army from Sicily, and directed him, without delay, to join his colleague on the Trebia, and, if possible, to stop the progress of this daring and impetuous enemy.

The Consul Sempronius, therefore, after he had met and defeated a Carthaginian fleet on the coast of Sicily, and was preparing for a descent on Africa, suddenly changed his course, and, having turned the eastern promontories of Sicily and Italy, steered for Ariminum, where he landed; and, having performed this voyage and march in forty days, joined his colleague, where he lay opposed to Hannibal on the Trebia.

B O O K  
I.

By the arrival of a second Roman Consul, the balance of forces was again restored, and the natives still remained in suspense between the two parties at war. Instead of a deliverance from servitude, which many of them expected to obtain from the arrival of foreigners to balance the force of the Romans, they began to apprehend, as usual in such cases, a confirmation of their bonds, or a mere change of their masters. When the contest should be ended, they wished to have the favour of the victor, and not to share in the fortunes of the vanquished. They had, therefore, waited to see how the scales were likely to incline, and had not repaired to the standard of Hannibal, in the manner, it is probable, he expected; and this, with every other circumstance of the war, forced him to rapid and hazardous counsels. Being too far from his resources to continue a dilatory war, he hastened to secure the necessary possessions on the Po; and, by the reputation of victory, to determine the wavering inhabitants to declare on his side. For these reasons he ever pressed on the enemy, and sought for occasions to draw them into action. He had been, ever since the encounter on the Terebinus, cautiously avoided by Scipio; who, even after he was reinforced by the other consular army, endeavoured to engage his colleague likewise in the same dilatory measures; but Sempronius, imputing this caution to the impression which Scipio had taken from his late defeat, and being confident of his own strength, discovered to the Carthaginian general an inclination to meet him, and to decide the campaign by a general action. Sempronius was farther encouraged in this intention by his success in some encounters of foraging parties, which happened soon after he had arrived on this ground; and Hannibal, seeing this disposition of his enemy, took measures to bring on the engagement in circumstances the most favourable to himself.

He had a plain in his front, through which the Trebia ran, and parted the two armies. He wished to bring the Romans to his own side of the river, and to fight on the ground where his army was accustomed to form. Here, besides the other advantages which he proposed to take, he had an opportunity to place an ambuscade, from which he could attack the enemy on the flank or the rear, while they should be engaged in front. It was the middle of winter, and there were frequent showers of snow. The enemy's infantry, if they should ford the river, and afterwards remain any time inactive, were likely to suffer considerably from the effects of wet and cold. Hannibal, to lay them under this disadvantage, sent his cavalry across the fords, with orders to parade on the ground before the enemy's lines; and, if attacked, to re-pass the river with every appearance of flight. He had, in the mean time, concealed a thousand chosen men under the shrubby banks of a brook, which fell into the Trebia beyond the intended field of battle. He had ordered his army to be in readiness, and to prepare themselves with a hearty meal for the fatigues they were likely to undergo.

When the Carthaginian cavalry, passing the river as they had been ordered, presented themselves to the Romans, it was but break of day, and before the usual hour of the first meal in the Roman camp. The legions were, nevertheless, hastily formed; and pursued the enemy to where they were seen in disorder to pass the river; and there, by the directions of their general, who supposed he had gained an advantage, and with the ardor which is usual in the pursuit of victory, they passed the fords, and made a display of their forces on the opposite bank. Hannibal, expecting this event, had already formed his troops on the plain, and made a show of only covering the retreat of his cavalry, while he knew that a general action could no longer be avoided. After it began in front, the Romans were attacked in the rear by the party which had been posted in am-

bush

B O O K  
I.

bush for this purpose; and this being added to the other disadvantages under which they engaged, they were defeated with great slaughter.

The legions of the centre, to the amount of ten thousand men, cut their way through the enemy's line, and escaped to Placentia. Of the remainder of the army, the greater part either fell in the field, perished in attempting to repass the river, or were taken by the enemy. In this action, although few of the Africans fell by the sword, they suffered considerably by the cold and asperity of the season, to which they were not accustomed; and of the elephants, of which Hannibal had brought a considerable number into this country, only one survived the distress of this day<sup>16</sup>.

In consequence of this victory, Hannibal secured his quarters on the Po; and, by the treachery of a native of Brundisium, who commanded at Clastidium, got possession of that place, after the Romans had fortified and furnished it with considerable magazines for the supply of their own army. In his treatment of the prisoners taken at this place, he made a distinction between the citizens of Rome and their allies: the first he used with severity, the others he dismissed to their several countries, with assurances that he was come to make war on the Romans, and not on the injured inhabitants of Italy.

The Roman Consul, Sempronius, was among those who escaped to Placentia. He meant, in his dispatches to the Senate, to have disguised the amount of his loss; but the difficulty with which his messenger arrived through a country over-run by the enemy, with many other consequences of his defeat, soon published at Rome the extent of that calamity. The people, however, rose in their ardour and animosity, instead of being sunk. As awakened from a dream of pusillanimity, in which they had hitherto seemed to confine their

<sup>16</sup> Polyb. lib. iii. c. 74.

views to the defence of Italy, they not only commanded them to replace the army they had lost on the Trebia, but they ordered the Consul Scipio to his first destination in Spain, and sent forces to Sardinia, Sicily, Tarentum, and every other station where they apprehended any defection of their allies, or any impression to be made by the enemy<sup>17</sup>.

The unfortunate Sempronius, being called to the city to hold the election of magistrates, escaped, or forced his way through the quarters of the enemy. He was succeeded by Caius Flaminius and Cn. Servilius; the first, being of obscure extraction, was chosen in opposition to the Nobles, to whom the people imputed the disasters of the present war. He was ordered early in the spring to take post at Arretium, that he might guard the passes of the Appenines and cover Etruria, while the other Consul was stationed at Ariminum to stop the progress of the enemy, if he attempted to pass by the eastern coast.

Hannibal, after his first winter in Italy, took the field for an early campaign; and being inclined to counsel the most likely to surprize his enemies, took his way to Etruria, by a passage in which the vales of the Appenines were marshy, and, from the effects of the season, still covered with water. In a struggle of many days with the hardships of this dangerous march, he lost many of his horses and much of his baggage; and himself, being seized with an inflammation in one of his eyes, lost the use of it. Having appeared, however, in a quarter where he was not expected, he availed himself of this degree of surprize with all his former activity and vigour.

The character of Flaminius, who was raised by the favour of the People in opposition to the Senate, and who was now disposed to gratify his constituents by some action of splendor and success, encouraged Hannibal to hope that he might derive some advantage

<sup>17</sup> Polyb. lib. iii. c. 75.

from the ignorance and presumption of his enemy. He therefore endeavoured to provoke the new Consul, by destroying the country in his presence, and to brave his resentment, by seeming, on many occasions, to expose himself to his attacks. He even ventured to penetrate into the country beyond him with an appearance of contempt. In one of these movements he marched by the banks of the Lake Trasimenus, over which the mountains rose with a sudden and steep ascent. He trusted that the Roman Consul would follow him, and occupied a post from which with advantage to attack him, if he should venture to engage amidst the difficulties of this narrow way. On the day in which his design was ripe for execution, he was favoured in concealing his position on the ascent of the mountains by a fog which covered the brows of the hills; and he succeeded in drawing the Roman Consul into a snare, in which he perished, with the greater part of his army.

The loss of the Romans in this action amounted to fifteen thousand men who fell by the sword, or who were forced into the lake and drowned. Of those who escaped by different ways, some continued their flight for fourscore miles, the distance of this field of battle from Rome, and arrived in the city with the news of this disastrous event. On the first reports great multitudes assembled at the place from which the People were accustomed to receive a communication of public dispatches from the officers of State; and the Prætor, who then commanded in the city, being to inform them of what had passed, began his account of the action with these words: "We are vanquished in a great battle; the Consul, with great part of his army, is slain." He was about to proceed, but could not be heard for the consternation and the cries which arose among the People: in so much, that persons who had been present in the action confessed, they heard these words with a deeper impression, than any they had received amidst the bloodshed and horrors of the field; and that it was then only they became sensible of the whole extent of their loss.

To

To encrease the general affliction, farther accounts were brought, at the same time, that four thousand horse, which had been sent, upon hearing that Hannibal had passed the Appenines, by the Consul Servilius, to support his colleague, were intercepted by the enemy and taken. The Senate continued their meetings for many days without interruption, and the People, greatly affected with the weight of their mortifications and disappointments, committed themselves with proper docility to the conduct of this respectable body. In considering the cause of their repeated defeats, it is probable that they imputed them more to the difference of personal qualities in the leaders, than to any difference in the arms, discipline, or courage of the troops. In respect to the choice of weapons, Hannibal was so much convinced of the superiority of the Romans, that he availed himself of his booty on the Trebia and the Lake Thrasimenus, to arm his African veterans in their manner<sup>18</sup>. In respect to discipline and courage, although mere detachments of the Roman People were likely, in their first campaigns, to have been inferior to veterans, hardened in the service of many years under Hamilcar, Hasdrubal, and Hannibal himself; yet nothing is imputed by any historian to this point of disparity. They are not said to have been backward in any attack, to have failed their general in the execution of any plan, to have disobeyed his orders, to have been seized with any panic, or, in any instance, to have given way to the enemy, until, being caught in some snare by the superiority of the general, they fought with disadvantage, and perished in great numbers on the field.

The result of the Senate's deliberations was to name a Dictator. This measure, except to dispense with some form that hampered the ordinary magistrate, had not been adopted during an interval of five

<sup>18</sup> Polyb. lib. iii. c. 115.

B O O K  
I.

and thirty years. The choice fell upon Quintus Fabius Maximus, who seemed to possess the vigilance, caution, and vigour which were wanted in this arduous state of affairs. In proceeding to name him, the usual form which, perhaps, in matters of state, as well as in matters of religion, should be supposed indispensable, could not be observed. Of the Consuls, of whom one or the other, according to ancient practice, ought to name the Dictator, one was dead; the other, being at a distance, was prevented by the enemy from any communication with the city. The Senate, therefore, to elude the supposed necessity of his presence, resolved that not a Dictator, but a Pro-dictator, should be named; and that the People should themselves chuse this officer, with all the powers that were usually entrusted to the Dictator himself. Fabius was accordingly elected Pro-dictator, and in this capacity named M. Minutius Rufus for his second in command, or general of the horse.

While the Romans were thus preparing again to collect their forces, Hannibal continued to pursue his advantage. He might, with an enemy more easily subdued or daunted than the Romans, already have expected great fruit from his victories, at least he might have expected offers of concession and overtures of peace: but it is probable that he knew the character of this people enough, not to flatter himself so early in the war with these expectations, or to hope that he could make any impression by a nearer approach to the city, or by any attempt on its walls. He had already, by his presence, enabled the nations of the northern and western parts of Italy to shake off the dominion of Rome. He had the same measures to pursue with respect to the nations of the South. The capital, he probably supposed, might be deprived of the support of its allies, cut off from its resources, and even destroyed; but while the State existed could never be brought to yield to an enemy.

Under



Under these impressions the Carthaginian general, leaving Rome at a great distance on his right, repassed the Appenines to the coast of Picenum, and from thence directed his march to Apulia. Here he proceeded, as he had done on the side of Etruria and Gaul, to lay waste the Roman settlements, and to detach the natives from their allegiance to Rome. But while he pursued this plan in one extremity of Italy, the Romans took measures to recover the possessions they had lost on the other, or at least to prevent the disaffected Gauls from making any considerable diversion in favour of their enemy.

For this purpose, while Fabius Maximus was assembling an army to oppose Hannibal in Apulia, the Prætor, Lucius Posthumius, was sent with a proper force to the Po. Fabius having united the troops that had served under the Consul Servilius, with four legions newly raised by himself, followed the enemy. On his march he issued a proclamation, requiring all the inhabitants of open towns and villages in that quarter of Italy to retire into places of safety, and the inhabitants of every district to which the enemy approached, to set fire to their habitations and granaries, and to destroy whatever they could not remove in their flight<sup>19</sup>. Though determined not to hazard a battle, he drew near to the Carthaginian army, and continued from the heights to observe and to circumscribe their motions. Time alone, he trusted, would decide the war in his favour, against an enemy who was far removed from any supply or recruit, and in a country that was daily wasting by the effect of their own depredations.

Hannibal, after endeavouring in vain to bring the Roman Dictator to a battle, perceived his design to protract the war; and considering inaction as the principal evil he himself had to fear, frequently ex-

<sup>19</sup> Liv. lib. xxii. c. 11.

B O O K  
I.

posed his detachments, and even his whole army, in dangerous situations. The advantages he gave by these acts of temerity were sometimes effectually seized by his wary antagonist, but more frequently recovered by his own singular conduct and unfailing resources.

In this temporary stagnation of Hannibal's fortune, and in the frequent opportunities which the Romans had, though in trifling encounters, to measure their own strength with that of the enemy, their confidence began to revive. The Public resumed the tranquillity of its Councils, and looked round with deliberation to collect its force. The people and the army recovered from their late consternation, and took advantage of the breathing-time they had gained, to censure the very conduct to which they owed the returns of their confidence and the renewal of their hopes. They forgot their former defeats, and began to imagine that the enemy kept his footing in Italy, by the permission, by the timidity, or by the excessive caution of their leader.

A slight advantage over Hannibal, who had too much exposed his foraging parties, gained by the general of the horse in the absence of the Dictator, confirmed the army and the people in this opinion, and greatly sunk the reputation of Fabius. As he could not be superseded before the usual term of his office was expired, the Senate and People, though precluded by law from proceeding to an actual deposition, came to a resolution equally violent and unprecedented, and which they hoped might induce him to resign his power. They raised the general of the horse to an equal command with the Dictator, and left them to adjust their pretensions between them. Such affronts, under the notions of honour, which in modern times are annexed to the military character, would have made it impossible for the Dictator to remain in his station. But in a commonwealth, where, to put any personal consideration in competition with the public,

lic,

lic, would have appeared absurd; seeming injuries done by the State to the honour of a citizen, only furnished him with a more splendid occasion to display his virtue. The Roman Dictator continued to serve under this diminution of his rank and command, and overlooked with magnanimity the insults with which the people had requited the service he was rendering to his country.

Minutius being now associated with the Dictator, in order to be free from the restraints of a joint command, and from the wary counsels of his colleague, desired, as the properest way of adjusting their pretensions, to divide the army between them. In this new situation he soon after, by his rashness, exposed himself and his division to be entirely cut off by the enemy. But being rescued by Fabius, he too gave proofs of a magnanimous spirit, confessed the favour he had received, and committing himself, with the whole army to the conduct of his colleague, he left this cautious officer, during the remaining period of their joint command, to pursue the plan he had formed for the war<sup>20</sup>.

At this time, however, the People, and even the Senate, were not willing to wait for the effect of such seemingly languid and dilatory measures as Fabius was inclined to pursue. They resolved to augment the army in Italy to eight legions, which, with an equal number of the allies, amounted to eighty thousand foot and seven thousand two hundred horse; and they intended, in the approaching election of Consuls, to chuse men, not only of reputed ability, but of decisive and resolute Counsels. As such they elected C. Terentius Varro, supposed to be of a bold and dauntless spirit; and, in order to temper his ardour, joined with him in the command L. Emilius Paulus, an officer of approved experience, who had formerly obtained a triumph for his victories in Illyricum, and who was high in the confidence of the Senate, as well as in that of the People.

<sup>20</sup> Plutarch. in vit. Fab. Max.

BOOK  
1.

In the autumn before the nomination of these officers to command the Roman army, Hannibal had surpris'd the fortrefs of Cannæ on the Aufidus, a place to which the Roman citizens of that quarter had retired with their effects, and at which they had collected considerable magazines and stores. This, among other circumstances, determin'd the Senate to hazard a battle, and to furnish the new Consuls with instructions to this effect.

These officers, it appears, having opened the campaign on the banks of the Aufidus, advanced by mutual consent within six miles of the Carthaginian camp, which cover'd the village of Cannæ. Here they differ'd in their opinions, and, by a strange defect in the Roman policy, which, in times of less virtue, must have been altogether ruinous, and even in these times was ill fitted to produce a consistent and well-supported series of operations, had no rule by which to decide their precedency, and were oblig'd to take the command each a day in his turn.

Varro, contrary to the opinion of his colleague, propos'd to give battle on the plain, and with this intention, as often as the command devolv'd upon him, still advanced on the enemy. In order that he might occupy the passage and both sides of the Aufidus, he encamp'd in two separate divisions on its opposite banks, having his larger division on the right of the river, oppos'd to Hannibal's camp. Still taking the opportunity of his turn to command the army, he pass'd with the larger division to a plain, suppos'd to be on the left of the Aufidus, and there, though the field was too narrow to receive the legions in their usual form, he press'd them together, and gave the enemy, if he chose it, an opportunity to engage. To accommodate his order to the extent of his ground, he contract'd the head, and the intervals of his maniples or columns, making their depth greatly to exceed the front which they turn'd to the enemy<sup>21</sup>.

<sup>21</sup> Ποιῶσι το βάθος ἐνταῖς Σπειραι; Πελλαπλάσιον τὸ μέγεθος. Vid. Polyb.

He placed his cavalry on the flanks, the Roman knights on his right towards the river, and the horsemen of the allies on the left.

C H A P.  
V.  
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Hannibal no sooner saw this movement and disposition of the enemy, than he hastened to meet them on the plain which they had chosen for the field of action. He likewise passed the Aufidus, and, with his left to the river and his front to the south, formed his army upon an equal line with that of the enemy.

He placed the Gaulish and Spanish Cavalry on his left facing the Roman knights, and the Numidians on his right facing the allies.

The flanks of his infantry, on the right and the left, were composed of the African foot, armed in the Roman manner, with the pilum, the heavy buckler, and the stabbing sword. His centre, though opposed to the choice of the Roman legions, consisted of the Gaulish and the Spanish foot, variously armed and intermixed together.

Hitherto no advantage seemed to be taken on either side. As the armies fronted south and north, even the Sun, which rose soon after they were formed, shone upon the flanks, and was no disadvantage to either. The superiority of numbers was greatly on the side of the Romans; but Hannibal rested his hopes of victory on two circumstances; first, on a motion to be made by his cavalry, if they prevailed on either of the enemy's wings; next, on a position he was to take with his centre, in order to begin the action from thence, to bring the Roman legions into some disorder, and expose them, under that disadvantage, to the attack which he was prepared to make with his veterans on both their flanks.

The action accordingly began with a charge of the Gaulish and Spanish horse, who, being superior to the Roman knights, drove them from their ground, forced them into the river, and put the greater part of them to the sword. By this event the flank of the Roman  
army,

B O O K  
I.

army, which might have been joined to the Aufidus, was entirely uncovered.

Having performed this service, the victorious cavalry had orders to wheel at full gallop round the rear of their own army, and to join the Numidian horse on their right, who were still engaged with the Roman allies. By this unexpected junction, the left wing of the Roman army was likewise put to flight, and pursued by the African horse; at the same time the Spanish cavalry prepared to attack the Roman infantry, wherever they should be ordered on the flank, or the rear.

While these important events took place on the wings, Hannibal amused the Roman legions of the main body with a singular movement that was made by the Gauls and Spaniards, and with which he proposed to begin the action. These came forward, not in a straight line abreast, but swelling out to a curve in the centre, without disjoining their flanks from the African infantry, who remained firm on their ground.

By this motion they formed a kind of crescent convex to the front. The Roman maniples of the right and the left, fearing, by this singular disposition, to have no share in the action, hastened to bend their line into a corresponding curve, and, in proportion as they came to close with the enemy, charged them with a confident and impetuous courage. The Gauls and Spaniards resisted this charge no longer than was necessary to awaken the precipitant ardour with which victorious troops often blindly pursue a flying enemy. And the Roman line being bent, and fronting inwards to the centre of its concave, the legions pursued where the enemy led them. Hurrying from the flanks to share in the victory, they narrowed their space as they advanced, and the men who were accustomed to have a square of six feet clear for wielding their arms, being now pressed together, so as to prevent entirely the use

use of their swords, found themselves struggling against each other for space, in an inextricable and hopeless confusion.

C H A P.  
V.

Hannibal, who had waited for this event, ordered a general charge of his cavalry on the rear of the Roman legions, and at the same time an attack from his African infantry on both their flanks; by these dispositions and joint operations, without any considerable loss to himself, he effected an almost incredible slaughter of his enemies. With the loss of no more than four thousand, and these chiefly of the Spanish and Gaulish infantry, he put fifty thousand of the Romans to the sword.

U. C. 537.

The Consul, Emilius Paulus, had been wounded in the shock of the cavalry; but when he saw the condition in which the infantry were engaged, he refused to be carried off, and was slain<sup>22</sup>. The Consuls of the preceding year, with others of the same rank, were likewise killed. Of six thousand horse only seventy troopers escaped with Varro. Of the Infantry three thousand fled from the carnage that took place on the field of battle, and ten thousand who had been posted to guard the camp were taken.

The unfortunate Consul, with such of the stragglers as joined him in his retreat, took post at Venusia; and with a noble confidence in his own integrity, and in the resources of his country, put himself in a posture to resist the enemy, till he could have instructions and reinforcements from Rome<sup>23</sup>.

This calamity which had befallen the Romans in Apulia, was accompanied with the defeat of the Prætor Posthumus, who, with his army, on the other extremity of the country, was cut off by the Gauls. A general ferment arose throughout all Italy. Many cantons of Grecian extraction, having been about sixty years subject to Rome, now declared for Carthage. Others, feeling themselves released from the dominion

<sup>22</sup> He has received from the poet the following honourable grave: *Animaque magnæ prodigum Paulum superante Pæno.* Hor. Car. lib. i. Ode 12.

<sup>23</sup> Liv. lib. xxiii.

B O O K  
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of the Romans, but intending to recover their liberties, not merely to change their masters, now waited for an opportunity to stipulate the conditions on which they were to join the victor. Of this number were the cities of Capua, Tarentum, Locri, Metapontus, Crotona, and other towns in the south-east of the peninsula. In other cantons, the people being divided and opposed to each other with great animosity, severally called to their assistance such of the parties at war as they judged were most likely to support them against their antagonists. Some of the Roman colonies, even within the districts that were open to the enemy's incursions, still adhered to the metropolis; but the possessions of the republic were greatly reduced, and scarcely equalled what the State had acquired before the expulsion of Pyrrhus from Italy, or even before the annexation of Campania, or the conquest of Samnium. The allegiance of her subjects and the faith of her allies in Sicily were greatly shaken. Hiero, the king of Syracuse, who had some time, under the notion of an alliance, cherished his dependance on Rome, being now greatly sunk in the decline of years, could no longer answer for the conduct of his own court, and died soon after this event, leaving his successors to change the party of the vanquished for that of the victor.

Hitherto the nations of Greece and of Asia had taken no part in the contest of those powerful rivals. But the Romans having already interfered in the affairs of Greece, and made their ambition be felt beyond the Adriatic and the Ionian Sea, the news of their supposed approaching fall was received there with attention: it awakened the hopes of many who had suffered from the effects of their power. Among these Demetrius, the exiled king of Pharos, being still at the court of Macedonia, and much in the confidence of Philip, who had recently mounted the throne of that kingdom, urging that it was impossible to remain an indifferent spectator in the contest of such powerful nations, persuaded the king to prefer the alliance of Carthage to that



of Rome, and to join with Hannibal in the reduction of the Roman power; observing, that with the merit of declaring himself while the event was yet in any degree uncertain, the king of Macedonia would be justly intitled to a proper share of the advantages to be reaped in the conquest.

Philip accordingly endeavoured to accommodate the differences which he had to adjust with the Grecian States, and sent an officer into Italy to treat with Hannibal, and with the Carthaginian deputies who attended the camp. In the negotiation which followed it was agreed, that the king of Macedonia and the republic of Carthage should consider the Romans as common enemies; that they should pursue the war in Italy with their forces united, and make no peace but on terms mutually agreeable to both. In this treaty the interest of the prince of Pharos was particularly attended to; and his restoration to the kingdom from which he had been expelled by the Romans, with the recovery of the hostages which had been exacted from him, were made principal articles<sup>24</sup>.

Hannibal, from the time of his arrival in Italy, after having made war for three years in that country, had received no supply from Africa, and seemed to be left to pursue the career of his fate with such resources as he could devise for himself; but this alliance with the king of Macedonia, promised amply to make up for the deficiency of his aids from Carthage; and Philip, by an easy passage into Italy, was likely to furnish him with every kind of support or encouragement that was necessary to accomplish the end of the war.

The Romans were apprised of this formidable accession to the power of their enemy, as well as of the general defection of their own allies, and of the revolt of their subjects. Though taxes were accumulated on the people, and frequent loans obtained from the

<sup>24</sup> Liv. lib. xxxiii. c. 33.

B O O K  
I.

commissaries and contractors employed in the public service, their expences began to be ill supplied. There appeared not, however, in their councils, notwithstanding all these circumstances of distress, the smallest disposition to purchase safety by mean concessions of any sort. When the vanquished Consul returned to the city, in order to attend the nomination of a person who, in this extremity of their fortunes, might be charged with the care of the commonwealth, the Senate, as conscious that he had acted at Cannæ by their own instructions, and had, upon the same motives that animated the whole Roman People, disdained, with a superior army, to stand in awe of his enemy, or to refuse him battle upon equal ground, went out in a kind of procession to meet him; and, upon a noble idea, that men are not answerable for the strokes of fortune, nor for the effects of superior address in an enemy, they overlooked his temerity and his misconduct in the action; they attended only to the undaunted aspect he preserved after his defeat, returned him thanks for not having despaired of the commonwealth<sup>25</sup>; and from thence forward continued their preparations for war, with all the dignity and pride of the most prosperous fortune. They refused to ransom the prisoners who had been taken by the enemy at Cannæ, and treated with fullen contempt, rather than severity, those who by an early flight had escaped from the field; being petitioned to employ them again in the war, "We have no service," they said, "for men who could leave their fellow citizens engaged with an enemy." They seemed to rise in the midst of their distress, and to gain strength from misfortune. They prepared to attack or to resist at once, in all the different quarters to which the war was likely to extend, and took their measures for the support of it in Spain, in Sardinia and Sicily, as well as in Italy. They continued

<sup>25</sup> In the famous and admired expression, *Quia de republica non desperasset.*

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their fleets at sea; not only observed and obstructed the communications of Carthage with the seats of the war, but having intercepted part of the correspondence of Philip with Hannibal, they sent a powerful squadron to the coast of Epirus; and, by an alliance with the States of Etolia, whom they persuaded to renew their late war with Philip, found that prince sufficient employment on the frontiers of his own kingdom, effectually prevented his sending any supply to Hannibal, and, in the sequel, reduced him to the humiliating necessity of making a separate peace.

In the ordinary notions which are entertained of battles and their consequences, the last victory of Hannibal at Cannæ, in the sequel of so many others that preceded it, ought to have decided the war; and succeeding ages have blamed this general for not marching directly to the capital, in order to bring the contest to a speedy termination by the reduction of Rome itself. But his own judgment is of much more weight than that of the persons who censure him. He knew the character of the Romans and his own strength. Though victorious, he was greatly weakened by his victories, and at a distance from the means of a reinforcement or supply. He was unprovided with engines of attack; and, so far from being in a condition to venture on the siege of Rome, that he could not undertake even that of Naples, which, after the battle of Cannæ, refused to open its gates; and, indeed, soon after this date he received a check from Marcellus in attempting the siege of Nola<sup>25</sup>.

The Romans, immediately after their disaster at Cannæ, prepared again to act on the offensive, formed a fresh army of five and twenty thousand men, which they sent, under the Dictator Junius Pera, to collect the remains of their late vanquished forces, and to annoy the enemy wherever they might find them exposed.

<sup>25</sup> Liv. lib. xxiii. c. 14, 15, 16.

C H A P.  
V.

Hannibal kept in motion with his army to protect the cantons that were inclined to declare on his side; but, together with the extent and multiplication of his new possessions, which obliged him to divide his army in order to occupy and to secure them, he became sensible of his weakness; and, with the accounts sent to Carthage of his victories, he likewise sent representations of his losses, and demanded a supply of men, of stores, and of money. He was indeed in his new situation so much in want of these articles, that, having in the three first years of the war apparently raised the reputation of Carthage to the greatest height, and procured to his country more allies and more territory in Italy than were left in the power of the Romans, together with Capua, and other cities, more wealthy than Rome itself, and surrounded with lands better cultivated, and more full of resources, yet his affairs from thenceforward began to decline.

Armies are apt to suffer, no less from an opinion, that all the ends of their service are obtained, than they do from defeats, and from despair of success. The soldiers of Hannibal, now elated with victory, perhaps grown rich with the plunder of the countries they had overrun, and of the armies they had defeated; and presuming, that the war was at an end, or that they themselves ought to be relieved, or sent to enjoy the rewards of so glorious and so hard a service, became remiss in their discipline, or indulged themselves in all the excesses, of which the means were to be found in their present situation. Being mere soldiers of fortune, without a country, or any civil ties to unite them together, they were governed by the sole authority of their leader, and by their confidence in his singular abilities. Although there is no instance of their openly mutinying against him in a body, there are many instances of their separately and clandestinely deserting his service. The Spanish and Numidian horse, in particular, to whom he owed great part of his victories, upon some disappointment in their hopes, or upon a disgust taken at the mere stagnation

stagnation of his fortune, went over in troops and squadrons to the enemy<sup>27</sup>. His hopes from the side of Macedonia were entirely disappointed, the power of that nation having full employment at home<sup>28</sup>. He found himself unable, without dividing his forces, to preserve his recent conquests, or to protect the Italians who had declared for him. Some of his possessions, therefore, he abandoned or destroyed; and the natives of Italy, become the victims of his policy, or left to the mercy of the Romans whom they had offended, became averse to his cause, or felt that they could not rely on his power to protect them<sup>29</sup>. Moved by these considerations, he made earnest applications at Carthage for reinforcements and supplies, to enable him to continue the war. But the councils of that republic, though abject in misfortune, were insolent or remiss in prosperity. Being broken into factions, the projects of one party, however wise, were frustrated by the opposition of the other. One faction received the applications of Hannibal with scorn. “Do victories,” they said, “reduce armies to the want of reinforcements and of supplies, even against the very enemies they had vanquished? And do the acquisitions of Hannibal require more money and men to keep them than were required to make them? Other victorious generals are proud to display the fruits of their conquests, or bring home the spoils of their enemies to enrich their own country, instead of draining it to support a career of vain and unprofitable victories.”

These invectives concluded with a motion, which, on the supposition, that the advantages gained by Hannibal were real, was well-founded in wisdom and sound policy: that the occasion should be seized to treat with the Romans, when the State had reason to ex-

<sup>27</sup> Liv. lib. xxiii. c. 46.

<sup>28</sup> Ibid. lib. xxvi. c. 28—29. Lib. xxviii. c. 4.

<sup>29</sup> Ibid. lib. xxvii. c. 1 and 16.

B O O K  
I.

pect the most advantageous terms. But this council either was, or appeared to be, the language of faction; and no measures were adopted, either to obtain peace, or effectually to support the war.

The friends, as well as the enemies of Hannibal, contributed to the neglect with which he was treated. In proportion as his friends admired him, and gloried in his fortune, they acted as if he alone were able to surmount every difficulty; and they accordingly were remiss in supporting him. The republic, under the effects of this wretched policy, with all the advantages of her navigation and of her trade, suffered her navy to decline, and permitted the Romans to obstruct, or molest, all the passages by which she could communicate with her armies in Spain and Italy, or her allies in Sicily and Greece<sup>30</sup>. They voted indeed to Hannibal, on the present occasion, a reinforcement of four thousand Numidian horse, forty elephants, and a sum of money. But this resolution appears to have languished in the execution; and the armament, when ready to sail, was suffered to be diverted from its purpose, and ordered to Spain instead of Italy<sup>31</sup>.

Notwithstanding these mortifications and disappointments, Hannibal still kept his footing in Italy for sixteen years; and so long gave sufficient occupation to the Romans, in recovering, by slow and cautious steps, what he had ravished from them in three years, and by a few daring examples of ability and valour. When the war had taken this turn, and the Romans, by the growing skill and ability of their leaders, as well as by the unconquerable spirit of their people, began to prevail, Hannibal, receiving no support directly from Africa, endeavoured to procure it from Spain by the junction of his brother Hasdrubal, to whom he recommended a second passage over the Alps, in imitation of that which he himself had accomplish-

<sup>30</sup> Liv. lib. xxviii. c. 4.

<sup>31</sup> Ibid. lib. xxiii. c. 13 and 32.

ed. Every attempt of this sort, however, had been defeated, during six years, by the vigour and abilities of the two Scipios, Cneius and Publius, and afterwards by the superior genius of the young Publius Scipio, who, succeeding the father and the uncle, as will be seen in the sequel, supported, with fresh lustre, the cause of his country.

The two Scipios, after some varieties of fortune, though, while they acted together, they were generally successful, having, in the seventh year of this war, separated their forces, were both, within the space of forty days, betrayed or deserted by their allies, and cut off by the superior force of the enemy.

The natives of Spain had, by their want of union and military skill, as has been mentioned, suffered many foreign establishments to be made in their country; they had permitted the Carthaginians, in particular, to possess themselves of a considerable territory; but afterwards, in order to remove them from thence, accepted of the protection of the Romans; and, in the sequel, occasionally applied to either of these parties for aid against the other, being, during the greater part of this war, the unstable friends, or irresolute enemies of both.

A service of so much danger, so little in public view, and at a distance from the principal scenes of the war, was not fought for as an opportunity to accumulate fame. The young Scipio, fired with the memory of his father and of his uncle, who had fallen in that service, and, instead of being deterred by their fate, eager to revenge their fall, courted a command, which every other Roman is said to have declined. This young man, as has been observed, had begun his military services, in the first year of this war, on the Tecinus, where he had the good fortune to rescue his father. He was afterwards present at the battle of Cannæ, and was one of the few, who, from that disastrous field, forced their way to Canusium. Be-

B O O K  
I.

ing chosen commander by those who escaped to this place, he prevented the effect of a desperate resolution they had taken to abandon Italy. Many of the severer forms of the commonwealth having been dispensed with in the present exigencies of the State, Scipio had been chosen Edile, though under the legal standing and age, being only turned of twenty-four, one year younger than Hannibal was when he took the command of the army in Spain, and four years younger than he was when he marched into Italy.

Such particulars relating to men of superior genius and virtue, are in the highest degree interesting to mankind. It is even pleasing to know, that this young man was, according to Livy, tall and graceful in his person, with a beautiful countenance, and engaging aspect.

The Romans had been hitherto preserved in all the extremities of their fortune by the superiority of their national character, and by means of political establishments, which, although they do not inspire men with superior genius, yet raise ordinary citizens to a degree of elevation approaching to heroism; enabling the states they compose to subsist in great dangers, and to await the appearance of superior men. They had not yet opposed to Hannibal an officer of similar talents, or of a like superiority to the ordinary race of mankind. Scipio was the first who gave indubitable proofs of his title to this character<sup>32</sup>. Upon his arrival in Spain, with a fleet of thirty galleys, and ten thousand men, he found the remains of the vanquished Romans retired within the Iberus, where, under the command of T. Fonteius and Lucius Marcius, they had scarcely been able to withstand the further progress of the enemy<sup>33</sup>. There he accordingly landed, and fixed his principal quarters for the winter at Tarragona. By his information of the posture of the enemy, it appeared, that they had placed all their magazines and

<sup>32</sup> Liv. lib. xxvi. c. 18. 19, &c.

<sup>33</sup> Ibid. lib. xxvi. c. 19 and 20.



stores at New Carthage; and that, thinking this place sufficiently secured by a garrison of a thousand men, they had separated their army into three divisions, and were gone in different directions to extend their possessions, or to cover the territories they had acquired. Of these divisions, none were nearer to their principal station than ten days march.

Upon these informations, Scipio formed a project to surprize the town of New Carthage, though at a distance from Tarragona of above three hundred miles. He rested his hopes of success on the security of his enemies, and on the prospect of being able to accomplish the greater part of his march before his design should be suspected, or before any measures could be taken to prevent him. For this purpose, he disclosed it to Lælius alone; and gave him orders to steer for that place with his fleet, while he himself made hasty marches by land. This city was situated, like Old Carthage, on a peninsula, or neck of land, surrounded by the sea. Scipio took post on the isthmus, fortified himself towards the continent, from which he had reason to expect some attempt would be made to relieve the place, and secured himself on that side, before he attacked the town.

In his first attempt on the ramparts he was repulsed; but observing, that at low water, the walls were accessible at a weaker place than that at which he had made his assault; and having encouraged his men, by informing them, that the God of the sea had promised to favour them, which they thought to be verified by the seasonable ebb which ensued, he there planted his ladders, and forced his way into the town. Here he made a great booty in captives, money, and ships<sup>34</sup>.

In this manner Scipio conducted his first exploit in Spain; and having carried on the war with equal ability and success for five

<sup>34</sup> Polyb. lib. x. c. 9—15—17. Appian de Bell. Hispan.

B O O H  
I.

years, he obliged the Carthaginians, after repeated defeats, to abandon that country. He himself, while Hasdrubal attempted to join his brother Hannibal in Lucania, and Mago to make a diversion in his favour in Liguria, returned to Rome. He was yet under thirty years of age, and not legally qualified to bear the office of Consul. But having an unquestionable title to the highest confidence of his country, the services which he had already performed procured a dispensation in his favour. He was accordingly raised to the Consulate; and when the provinces came to be assigned to the officers of state, he moved that Africa should be included in the number, and be allotted to himself: "There," he said, "the Carthaginians may receive the deepest wounds, and from thence be the soonest obliged for their own safety to recal their forces from Italy."

This motion was unfavourably received by the greater part of the Senate; it seemed to be matter of surprize, that, while Rome itself lay between two hostile armies, that of Hannibal in Brutium, and that of Mago in Liguria or Gaul, the Consul should propose to strip the republic of so great a force as would be necessary for the invasion of Africa<sup>25</sup>. The fatal miscarriage of Regulus on that ground in a former war, the unhappy effects of precipitant counsels in the beginning of the present, were cited against him; and the desire of so arduous a station was even accounted presumptuous in so young a man.

Among the difficulties which Scipio met with in obtaining the consent of the Senate to the execution of his plan, is mentioned the disinclination of the great Fabius, who, from a prepossession in favour of that dilatory war, by which he himself had acquired so much glory; and by which, at a time when procrastination was ne-

<sup>25</sup> Appian de Bell. Punic. p. 4.

cessary, he had retrieved the fortunes of his country, obstinately opposed the adopting of this hazardous project.

It had been, for the most part, an established maxim in the councils of Rome, to carry war, when in their power, into the enemy's country. They had been prevented in the present case only by the unexpected appearance of Hannibal in Italy, and were likely to return to the execution of their first design as soon as their affairs at home should furnish them with a sufficient respite. We may, therefore, conceive what they felt of the difficulties of the present war, from this and other circumstances; that even after fortune had so greatly inclined in their favour, they did not yet think themselves in condition to retaliate on the enemy; or safe against the designs which Hannibal might form in Italy, if they should divide their forces, or detach so great a part of them as might be necessary to execute the project of a war in Africa.

They concluded, however, at last, with some hesitation, that Scipio, while the other Consul should remain opposed to Hannibal in Italy, might have for his province the Island of Sicily, dispose of the forces that were still there, receive the voluntary supplies of men and of money, which he himself might be able to procure; and if he found, upon mature deliberation, a proper opportunity, that he might make a descent upon Africa. Agreeably to this resolution, he set out for the province assigned him, having a considerable fleet equipped by private contribution, and a body of seven thousand volunteers, who embarked in high expectation of the service in which he proposed to employ them<sup>36</sup>.

While Scipio, by his exertions in Spain, was rising to this degree of eminence in the councils of his country, the war, both in Sicily and in Italy, had been attended with many signal events, and fur-

<sup>36</sup> Appian de Bell. Punic.

B O O K  
I.

nished many proofs of distinguished ability in the course of its operations, highly interesting to those who are qualified to receive instruction from such examples of conduct, and from the experience of great events. But in the summary account of the steps by which the Romans ascended to empire, we can only point out the tract by which they advanced; and, with a few general observations on the means, hasten to contemplate the end which they attained.

The fortunes of Hannibal, as we have already remarked, had been some time on the decline. Capua and Tarentum, notwithstanding his utmost efforts to preserve them, had been taken by the Romans. While the first of these places was besieged, he endeavoured to force the enemies lines; and being repulsed, made a feint, by a hasty march towards Rome itself, to draw off the besiegers. By this movement he obtained a fight of that famous city; but again retired without having gained any advantage from this intended diversion. His allies, in Sicily, were entirely overwhelmed by the reduction of Syracuse; but that which chiefly affected his cause, by cutting off all hopes of future supplies or reinforcements, was the fall of his brother Hasdrubal. This officer had found means to elude the forces of Scipio in Spain; and attempted, by pursuing the tract of his brother into Italy, to join him in that country. In this design he actually surmounted all the difficulties of the Pyrenees and of the Alps, had passed the Po and the Rubicon, and advanced to the Metaurus before he met with any considerable check. There, at last, he encountered with the Roman Consuls, M. Claudius Nero and M. Livius Salinator, and was defeated with the loss of his whole army, amounting to fifty thousand men, of whom not one escaped being taken or slain<sup>37</sup>.

<sup>37</sup> Liv. lib. xxvii. c. 49.

On this occasion, the Romans, who had so long left their possessions in the country a prey to the enemy, began to enjoy some degree of security, returned to their ruined habitations, and resumed the labours of the field. Hannibal, as overwhelmed with despair or affliction, confessed, that he could no longer be in doubt of the fate that awaited his country<sup>38</sup>. From this time he contracted his quarters, withdrew his posts from Apulia, gave intimation to all his allies in Italy, who had much to fear from the resentment of the Romans, that they should retire under the covert of his army in Brutium. Here he himself remained on the defensive; and, as if sensible that his career in Italy was nearly at an end, erected those curious monuments which are cited by Polybius, and on which were recorded the particulars of his march from Spain to Italy, and the numbers of his army at different periods of the war<sup>39</sup>.

In the following year, Mago, as we have observed, being unable to effect any considerable service in Spain, had orders to make sail for Italy, and once more endeavour to reinforce the army of Hannibal. But, having lost some time in a fruitless attempt on New Carthage, and a report in the mean time having spread of Scipio's intention to invade Africa, he received a second order to land at Genua; and, that he might distract or employ the forces of the Romans at home, endeavour to rekindle the war in Liguria and Gaul.

Such was the state of affairs when Scipio proposed to invade Africa, passed into Sicily, and employed the whole year of his Consulship in making preparations. In this interval, however, having access by sea to the coasts which were occupied by Hannibal in Italy, he forced the town of Locri, and posted a garrison there, under the command of Pleminius, an officer, whose singular abuses of power became the

<sup>38</sup> Agnoscere se fortunam Carthaginis. Liv. lib. xxvii. fine.

<sup>39</sup> Liv. lib. xxviii. fine.

B O O K  
I.

subjects of complaint at Rome, and drew some censure on Scipio himself, by whom he was employed, and supposed to be countenanced.

Scipio was said, on this occasion, not only to have connived at the outrages committed by Pleminius, whom he had stationed at Locri, but to have been himself, while at Syracuse, abandoned to a life of effeminacy and pleasure, unworthy of a person entrusted with so important a command. It may appear strange, that this censure should arise from his having shewn a disposition at Syracuse to become acquainted with the learning of the Greeks. His enemies gave out, that he affected the manners of that people; that he passed his time among books, and in public places of conversation and exercise. Upon these surmises, a commission was granted to the Prætor of Sicily, with ten Senators, two Tribunes of the People, and one of the Ediles, who had orders to join the Prætor in that island. To these instructions were given, that if they found Scipio accessory to the disorders committed at Locri, or reprehensible in his own conduct, they should send him in arrest to Rome: but that, if they found him innocent, he should continue in his command, and be suffered to carry the war wherever he thought most expedient for the good of the commonwealth.

The members of this formidable court of inquest, having landed at Locri, in their way to Sicily, ordered Pleminius, with thirty of his officers, in chains to Rome: and from Locri, proceeding to Syracuse, they reported from thence, that Scipio was no way accessory to the crimes committed by the troops in garrison at Locri: and that within the district of his own immediate command the allies were fully protected, and the troops preserved in such order and discipline<sup>40</sup>, as, whenever they should be employed, gave the most encouraging prospect of victory.

<sup>40</sup> Liv. lib. xxix. c. 20.

Such was the report in favour of this young man, who appears to have been the first Roman statesman or warrior, who shewed any considerable disposition to become acquainted with the literature and ingenious arts of the Greeks. In this particular, his Carthaginian rival is said to have advanced before him, having long studied the language and learning of those nations; and having in his retinue some persons from Greece to aid him in the use of their writings.

Scipio, while he commanded the Roman army in Spain, having already conceived his design upon Africa, had with this view opened a correspondence with Syphax, king of Numidia; and had actually made a visit in person to this prince, who, being at variance with Carthage, was easily prevailed upon to promise his support to the Romans, in case they should carry the war into that country. The Roman general, now ready to embark with a considerable army, sent Lælius with the first division, probably to examine the coast, to chuse a proper station at which to fix the assembling of his fleet, and to call upon the king of Numidia to perform his engagements.

This division of the fleet, at its first appearance, was supposed to bring the Roman Proconsul, with all his forces, from Sicily; and the Carthaginians, whatever reason they might, for some time, have had to expect this event, were, in a great measure, unprepared for it. They had their levies to make at home, and troops to hire from abroad; their fortifications were out of repair, and their stores and magazines unfurnished. Even their fleet was not in a condition to meet that of the enemy. They now hastened to supply these defects; and, though undeceived with respect to the numbers and force of the first embarkation, they made no doubt that they were soon to expect another; accordingly they continued their preparations, and took every measure to secure themselves, or to avert the storm with which they were threatened.

B O O K  
I

They had recently made their peace with Syphax, king of Numidia; and, instead of an enemy in the person of this prince, had obtained for themselves a zealous ally. He had broke off his engagements with Scipio and the Romans, tempted by his passion for Sophonisba, the daughter of Hasdrubal, a principal citizen of Carthage, who refused to marry him on any other terms. But this transaction, which procured to the Carthaginians one ally, lost them another: for this high-minded woman, who, instead of a dower, contracted for armies in defence of her country, had formerly captivated Maffiniffa, another Numidian prince, that, being deprived of his kingdom by Syphax, had received his education, and formed his attachments, at Carthage<sup>41</sup>. Maffiniffa, while he had hopes of an alliance with the family of Hasdrubal, engaged all his partizans in Numidia in behalf of the Carthaginians; and he himself fought their battles in person. But, stung with his disappointment, and the preference which was given to his rival, he determined to court the favour of their enemies; had made advances to Scipio, before his departure from Spain; and now, hearing of the arrival of the Roman fleet, hastened to Hippos, where Lælius had come to an anchor, and made offer of his assistance, with that of his friends in the kingdom of Numidia.

Such was the state of parties in Africa, when this country was about to become the scene of war. The Carthaginians, still in hopes of diverting the storm, sent earnest instructions to both their generals to press upon the Romans in Italy, and to make every effort to distract or to occupy their forces, and to leave them no leisure for the invasion of Africa. They sent, at the same time, an embassy to the king of Macedonia, to remind him of the engagements into which he had entered with Hannibal, and to represent the danger to which

<sup>41</sup> Appian de Bell. Hispan. p. 275.



he and every other prince must be exposed from a people so ambitious as the Romans, if they were suffered to unite, by a conquest, the resources of Carthage with those of Rome.

Philip, at the earnest intreaty of many Grecian states, who were anxious that the Romans should have no pretext to embroil the affairs of Greece, had, in the preceding year, made a separate peace, first with the Etolians, and afterwards with the Romans themselves<sup>42</sup>; and was now extremely averse to renew the quarrel. The occasion, however, appeared to be of great moment; and he listened so far to the remonstrances of the Carthaginians, as to furnish them with a body of four thousand men, and a supply of money.

By such measures as these, hastily taken on the approach of danger, the Carthaginians endeavoured to make amends for the former remissness of their counsels. Hitherto they appear to have considered the war with little concern, and to have left their exertions to the ambition of a single family, by whom the State was engaged in this quarrel<sup>43</sup>. They neglected their strength at home, in proportion as they believed the enemy to be at a distance; and were indifferent to national objects, while their private interests were secure.

The harbour of Hippo, about fifty miles west from Carthage, and under the Fair Promontory, being seized by Lælius, furnished a place of reception for Scipio's fleet. This officer accordingly sailed from Sicily with fifty armed galleys, and four hundred transports. As he had reason to expect, that the country would be laid waste before him, great part of this shipping was employed in carrying his provisions and stores. The numbers of his army are not mentioned. His first object was to make himself master of Utica, situated about half way between Carthage and Hippo, the place where he landed. He accordingly, without loss of time, presented himself before it;

<sup>42</sup> Liv. lib. xxix. c. 13.

<sup>43</sup> The sons of Hamilcar.

B O O K  
I.

but soon found himself unable to execute his purpose. The country, to a considerable distance, was laid waste or deserted by the natives, and could not subsist his army. The Carthaginians had a great force in the field, consisting of thirty thousand men, under Hasdrubal the son of Gisgo, together with fifty thousand foot and ten thousand horse, under Syphax king of Numidia, who now advanced to the relief of Utica.

Scipio, on the junction and approach of these numerous armies, retired from Utica, took possession of a peninsula on the coast, fortified the isthmus which led to it, and in this station having a safe retreat, both for his fleet and his army, continued to be supplied with provisions by sea from Sardinia, Sicily, and Italy. But being thus reduced to act on the defensive in the presence of a superior enemy, and not likely, without some powerful reinforcements from Italy, to make any further impression on Africa, he had recourse to a stratagem which, though amounting nearly to a breach of faith, was supposed to be allowed in war with an African enemy.

The combined armies of Carthage and Numidia lay in two separate encampments, and, it being winter, were lodged in huts covered with brushwood and the leaves of the palm. In these circumstances the Roman general formed a design to set fire to their camp, and, in the midst of the confusion which that alarm might occasion, to attack them in the night. In order to gain a sufficient knowledge of the ground, and of the ways by which his emissaries must pass in the execution of this design, he entered into a negotiation, and affected to treat of conditions for terminating the war. His deputies, under this pretence, being freely admitted into the enemy's station, brought him minute information of their position, and of the avenues which led to different parts of their camp.

Scipio being possessed of these informations, broke off the treaty, advanced with his army in the night, and, in many different places at  
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once, set fire to Hasdrubal's camp. The flames, being easily caught by the dry materials, spread with the greatest rapidity. The Carthaginians, supposing that these fires were accidental, and having no apprehension of the presence of an enemy, ran without arms to extinguish them: And the Numidians, with still less concern, left their huts to gaze on the scene, or to lend their assistance. In this state of security and confusion Scipio attacked and dispersed them with great slaughter<sup>44</sup>; and being, in consequence of this action, again master of the field, he returned to Utica, and renewed the siege or blockade of that place.

In such a surprize and defeat as the African armies had now received, they were likely to have lost their arms and their baggage, and to have nowhere sufficient numbers together to withstand an enemy; on this supposition, it had been already proposed at Carthage to have recourse to their last resort, the recalling of Hannibal from Italy. But this motion, upon a report from Hasdrubal and Syphax, that they were again arming and assembling their forces, and that they were joined by a recruit of four thousand men newly arrived from Spain, was for some time laid aside. These hopes, however, were speedily blasted by a second defeat which the combined army received before they were fully assembled, and by a revolution which ensued in the kingdom of Numidia, where Syphax, pursued by Masinissa and Lælius, was vanquished and driven from his kingdom, which from thenceforward became the possession of his rival, and a great accession of strength to the Romans. On this calamity Hasdrubal being threatened by the populace of Carthage with vengeance for his repeated miscarriages, and being aware of the relentless and sanguinary spirit of his countrymen, durst not trust himself in their hands; and in a species of exile, with a body of

C H A P.  
V.  
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<sup>44</sup> Polyb. lib. xiv. c. ; Liv. lib. xxx. c. 6.

B O O K  
I. } eight thousand men that adhered to him, withdrew from their service.

In this extremity there was no hope but in the presence of Hannibal; and expresses were accordingly sent both to Mago and himself, to hasten their return into Africa, with all the forces they could bring for the defence of their country.

Hannibal, it is probable, had for some time been prepared for this measure, having transports in readiness to embark his army; yet he is said to have received the order with some expressions of rage. "They have now accomplished, he said (speaking of the opposite faction at Carthage), what, by withholding from me the necessary supports in this war, they have long endeavoured to effect. They have wished to destroy the family of Barcas; and rather than fail in their aim, are willing to bury it at last under the ruins of their country<sup>45</sup>."

While the Carthaginians were thus driven to their last resource, Scipio advanced towards their city, and invested at once both Tunis and Utica, which, though at the distance of above thirty miles from each other, may be considered as bastions on the right and the left, which flanked and commanded the country which led to this famous place. His approach gave the citizens a fresh alarm, and seemed to bring their danger too near to suffer them to await the arrival of relief from Italy. It appeared necessary to stay the arm of the victor by a treaty; and thirty Senators were accordingly deputed to sue for peace. These deputies, in their address to the Roman Proconsul, laid the blame of the war upon Hannibal, supported, as they alleged, by a desperate faction who had adopted his wild designs. They intreated that the Romans would once more be pleased to spare a republic which was again brought to the brink of ruin by the precipitant counsels of a few of its members.

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<sup>45</sup> Liv. lib. xxx. c. 20.



In answer to this abject request, Scipio mentioned the terms upon which he supposed that the Romans would be willing to treat of a peace. A cessation of arms was agreed to, and a negotiation commenced; but it was suddenly interrupted and prevented of its final effect by the arrival of Hannibal. This general, after many changes of fortune, having taken the necessary precautions to secure his retreat, in case he should be called off for the defence of Carthage; now in the seventeenth year of the war, and after he had supported himself sixteen years in Italy, by the sole force of his personal character and abilities, against the whole weight, institutions, resources, discipline, and national character of the Romans, transported his army from thence, landed at Hadrumetum, at a distance from any of the quarters occupied by the Romans, and drew to his standard all the remains of the lately vanquished armies of Carthage, and all the forces which the republic was yet in a state to supply. U. C. 557.

This event produced a change in the counsels of Carthage, and inspired the people with fresh presumption. They now slighted the faith which they had lately engaged to Scipio, and seized on all the Roman vessels, which, trusting to the cessation of arms, had taken refuge in their bay. They even insulted the messenger whom the Roman general sent to complain of this outrage; and thus hostilities, after a very short truce, were renewed with redoubled animosity and rancour on both sides.

The people of Carthage, under dreadful apprehensions of becoming a prey to the Romans, sent a message to Hannibal, then at Hadrumetum, to hasten his march, requesting him to attack the enemy, and at any hazard to relieve the city from the dangers and hardships of a siege. To this message he made answer, That in affairs of State the Councils of Carthage must decide; but in the conduct of war, the general who commands must judge of his opportunity to fight.

The

B O O K  
I.

The forcing of Hannibal to evacuate Italy was a victory to Scipio; as this was the first fruit which he ventured to promise from the invasion of Africa. With this enemy, however, in his rear, it was not expedient to continue the attack of Tunis or Utica. He withdrew his army from both these places, and prepared to contend for the possession of the field.

The Carthaginian leader, having collected his forces at Hadrumetum, marched to the westward, intending to occupy the banks of the Bagrada, and from thence to observe and counteract the operations of his enemy. Scipio, intending to prevent him, or to occupy the advantageous ground on the upper Bagrada, took his route to the same country; and while both directed their march to Sicca, they met on the plains of Zama.

When the armies arrived on this ground, neither party was in condition to protract the war. Hannibal, whose interest it would have been to avoid any hazardous measures, and to tire out his enemy by delays, if he were in possession of his own country, or able to protect the capital from insult, was in reality obliged to risk the whole of its fortunes, in order to rescue it from the hands of the enemy, or to prevent their renewing the blockade.

Scipio was far advanced in an enemy's country, which was soon likely to be deserted by its natives, and exhausted of every means of subsistence; he was far removed from the sea, the principal and only secure source of any lasting supply; surrounded by enemies; a great army under Hannibal in his front; the cities of Utica, Carthage, and Tunis, with all the armed force that defended them, in his rear.

In such circumstances both parties probably saw the necessity of immediate action; and the Carthaginian general, sensible of the unequal

equal stake he was to play, the safety of his country against the fortune of a single army, whose loss would not materially affect the State from whence they came, chose to try the effect of negotiation, and for this purpose desired a personal interview with Scipio.

In compliance with this request, the Roman general put his army in motion, and the Carthaginians advancing at the same time, they halted at the distance of thirty stadia, or about three miles, from each other. The generals, attended by a few horse, met on an eminence between their lines. Hannibal began the conference, by expressing his regret that the Carthaginians should have aimed at any conquests beyond their own coasts in Africa, or the Romans beyond those of Italy. “ We began,” he said, “ with a contest for Sicily; we proceeded to dispute the possession of Spain, and we have each in our turns seen our native land over-run with strangers, and our country in danger of becoming a prey to its enemies. It is time that we should distrust our fortune, and drop an animosity which has brought us both to the verge of destruction. This language indeed may have little weight with you, who have been successful in all your attempts, and who have not yet experienced any reverse of fortune; but I pray you to profit by the experience of others. You now behold in me a person who was once almost master of your country, and who am now brought, at last, to the defence of my own. I encamped within five miles of Rome, and offered the possessions round the Forum to sale. Urge not the chance of war too far. I now offer to surrender, on the part of Carthage, all her pretensions to Spain, Sardinia, Sicily, and every other island that lies between this continent and yours. I wish only for peace to my country, that she may enjoy undisturbed her antient possessions on this coast; and I think, that the terms I offer you are sufficiently advantageous and honourable to procure it.”

To this address Scipio replied, "That the Romans had not been aggressors in the present or preceding wars with Carthage: that they strove to maintain their own rights, and to protect their allies; and that, suitably to these righteous intentions, they had been favoured by the justice of the gods: that no one knew better than himself the instability of human affairs, nor should be more on his guard against the chances of war. The terms," he said, "which you now propose might have been accepted of, had you offered them while yet in Italy, and had proposed, as a prelude to the treaty, to remove from thence; but now, that you are driven from every post, you propose to surrender, and are forced not only to evacuate the Roman territory, but are stripped of part of your own. These concessions are no longer sufficient; they are no more than a part of the conditions already agreed to by your countrymen, and which they, on your appearance in Africa, so basely retracted. Besides what you now offer, it was promised on their part, that all Roman captives should be restored without ransom; that all armed ships should be delivered up; that a sum of five thousand talents should be paid, and hostages given by Carthage for the performance of all these articles.

"On the credit of this agreement we granted a cessation of arms, but were shamefully betrayed by the councils of Carthage. Now to abate any part of the articles which were then stipulated, would be to reward a breach of faith, and to instruct nations hereafter how to profit by perfidy. You may therefore be assured, that I will not so much as transmit to Rome any proposal that does not contain, as preliminaries, every article formerly stipulated, together with such additional concessions as may induce the Romans to renew the treaty. On any other terms than these, Carthage must vanquish, or submit at discretion<sup>46</sup>."

<sup>46</sup> Polyb. lib. xv. c. 6, 7, 8.



From this interview both parties withdrew with an immediate prospect of action; and on the following day, neither having any hopes of advantage from delay or surprize, came forth into the plain in order of battle.

Hannibal formed his army in three lines with their elephants in front.

Scipio drew forth his legions in their usual divisions, but somewhat differently disposed.

Hannibal had above eighty elephants, with which he proposed to begin the action. Behind these he formed the mercenary troops, composed of Gauls, Ligurians, and Spaniards. In a second line he placed the Africans and natives of Carthage; and in a third line, about half a quarter of a mile behind the first, he placed the veterans who had shared with himself in all the dangers and honours of the Italian war. He placed his cavalry in the wings, opposite to those of the enemy.

Scipio posted Lælius with the Roman cavalry on his left, and Massinissa with the Numidian Horse on his right. He placed the manipules, or divisions of the legions, not as usual, mutually covering their intervals, but covering each other from front to rear. His intention in this disposition was to leave continued avenues or lanes, through which the elephants might pass without disordering the columns. At the head of each line he placed the Velites, or irregular infantry, with orders to gall the elephants, and endeavour to force them back upon their own lines; or, if this could not be effected, to fly before them into the intervals of the heavy-armed foot, and, by the ways which were left open between the manipules, to conduct them into the rear. It being the nature of these animals, even in their wild state, to be the dupes of their own resentment, and to follow the hunter by whom they are galled into any snare that is prepared for them<sup>47</sup>; the

<sup>47</sup> Vid. Buff. Hist. Nat.

B O O K  
I.

design thus formed by Scipio to mislead them, accordingly proved successful. As soon as the cavalry began to skirmish on the wings, Hannibal gave the signal for the elephants to charge. They were received by a shower of missile weapons from the Roman light infantry, and, as usual, carried their riders in different directions. Some broke into their own line with considerable disorder, others fled between the armies and escaped by the flanks, and many, incited with rage, as Scipio had foreseen, pursued the enemy that galled them through the intervals of the Roman divisions quite out of the action; and in a little time the front of the two armies was cleared of these animals, and of all the irregulars who had skirmished between them in the beginning of the battle.

In the mean time the first and second line of Hannibal's foot had advanced, to profit by the impression which the elephants were likely to make. The third line still remained on its ground, and seemed to stand aloof from the action.

In this posture, the first line of the Carthaginian army, composed of Gauls and Ligurians, engaged with the Roman legions; and, after a short resistance, were forced back on the second line, who, having orders not to receive them, nor allow them to pass, presented their arms. The fugitives were accordingly massacred on both sides, and fell by the swords of their own party, or by those of the enemy.

The second line, consisting of the African and native troops of Carthage, had a similar fate; they perished by the hands of the Romans, or by those of their own reserve, who had orders to receive them on their swords and turn them back, if possible, against the enemy.

Scipio, after so much blood had been shed, finding his men out of breath and spent with hard labour, embarrassed with heaps of the slain, scarcely able to keep their footing on ground become slippery with mud and gore, and in these circumstances likely to be instantly  
 attacked.

attacked by a fresh enemy, who had yet borne no part in the contest; he endeavoured, without loss of time, to put himself in a posture to renew the engagement. C H A P.  
V.  
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His cavalry, by good fortune, in these hazardous circumstances, were victorious on both the wings, and were gone in pursuit of the enemy. He ordered the ground to be cleared; and his columns, in the original form of the action, having been somewhat displaced, he ordered those of the first line to close to the centre; those of the second and third to divide, and, gaining the flanks, to form in a continued line with the front. In this manner, while the ground was clearing of the dead, probably by the Velites or irregular troops, he, with the least possible loss of time, and without any interval of confusion, completed his line to receive the enemy. An action ensued, which, being to decide the event of this memorable war, was likely to remain some time in suspense; when the cavalry of the Roman army, returning from the pursuit of the horse they had routed, fell on the flank of the Carthaginian infantry, and obliged them to give way.

Hannibal had rested his hopes of victory on the disorder that might arise from the attack of his elephants, and if this should fail, on the steady valour of the veterans, whom he reserved for the last effort to be made, when he supposed that the Romans, already exhausted in their conflict with the two several lines whom he sacrificed to their ardour in the beginning of the battle, might be unable to contend with the third, yet fresh for action and inured to victory. He was disappointed in the effect of his elephants, by the precaution which Scipio had taken in opening his intervals, and in forming continued lanes for their passage from front to rear; and of the effect of his reserve, by the return of the enemy's horse, while the action was yet undecided<sup>48</sup>. Having taken no measures to secure a retreat,

<sup>48</sup> Polyb. lib. xv. c. 16.

B O O K  
I.

nor to save any part of his army, he obstinately fought every minute of the day to the last; and when he could delay the victory of his enemy no longer, he quitted the field with a small party of horse, of whom many, overwhelmed with hunger and fatigue, having fallen by the way, he arrived with a few, in the course of two days and two nights, at Hadrumetum. Here he embarked and proceeded by sea to Carthage. His arrival convinced his countrymen of the extent of their loss. Seeing Hannibal without an army, they believed themselves vanquished; and, with minds unprovided with that spirit which supported the Romans when overthrown at Thrasimenus and Cannæ, were now desirous, by any concessions, to avert the supposed necessary consequences of their fate.

The riotous populace, that had so lately pursued with vengeance, and threatened to tear asunder the supposed authors of peace<sup>49</sup>, were now silent, and ready to embrace any terms that might be prescribed by the enemy. Hannibal, knowing how little his countrymen were qualified to contend with misfortune, confessed in the Senate, that he was come from deciding, not the event of a single battle, but the fate of a great war, and advised them to accept of the victor's terms<sup>50</sup>. They accordingly determined to sue for peace.

In the mean time the Roman army, in pursuit of its victory, was returned to the coast; and having received from Italy a large supply of stores and military engines, together with a reinforcement of fifty galleys, was in a condition, not only to resume the siege of Utica and Tunis, but likewise to threaten with a storm the capital itself; and, for this purpose, began to invest the town and block up the harbour.

Scipio being himself embarked, and conducting the fleet to its station, was met by a Carthaginian vessel that hoisted wreaths of olive

<sup>49</sup> Appian de Bell. Punic. p. 51.

<sup>50</sup> Polyb. lib. xv. c. 4—17. Liv. lib. xxx. c. 31.

and

and other ensigns of peace. This vessel had ten commissioners on board, who were authorized to declare the submission of Carthage, and to receive the victor's commands.

The ambition of Scipio might have inclined him to urge his victory to the utmost, that he might carry, instead of a treaty, the spoils of Carthage to adorn his triumph at Rome. But the impatience with which the Consuls of the present and of the preceding year endeavoured to snatch from his hands the glory of terminating the war, may, with other motives, have induced him to receive the submission of the vanquished upon the first terms that appeared sufficiently honourable, and suited to the object of the commission with which he had been entrusted.

In allusion to this circumstance, he was heard to say, that Claudius, by his impatience to supplant him in this command, had saved the republic of Carthage<sup>51</sup>. But men seldom act from any single consideration; and Scipio is, in all probability, justly supposed to have had other and nobler motives than this jealousy of a successor. He is even said to have spared the rival of his country, in order to maintain the emulation of courage and of national virtue. This motive Cato, who had served under him in the capacity of Quæstor, and who was not inclined to flatter, did him the honour to assign in a speech to the Senate<sup>52</sup>.

Scipio, having appointed the Carthaginian commissioners to attend him at Tunis, prescribed the following terms:

That Carthage should continue to hold in Africa all that she had possessed before the war, and be governed by her own laws and institutions:

That she should make immediate restitution of all Roman ships or other effects taken in violation of the late truce:

<sup>51</sup> Appian de Bell. Punic. p. 36.

<sup>52</sup> Ibid.

Should release or deliver up all captives, deserters, or fugitive slaves taken or received during any part of the war :

Surrender the whole of her fleet, saving ten galleys of three tier of oars :

Deliver up all the elephants she then had in the stalls of the republic, and refrain from taming or breaking any more of those animals :

That she should not make war on any nation whatever without consent of the Romans :

That she should indemnify Massinissa for all the losses he had sustained in the late war :

And, to reimburse the Romans, pay a sum of ten thousand talents<sup>53</sup>, at the rate of two hundred talents a-year for fifty years :

That the State should give hostages for the performance of these several articles, such as Scipio should select from the noblest families of Carthage not under fourteen, nor exceeding thirty years of age :

And that, until this treaty should be ratified, they should supply the Roman forces in Africa with pay and provisions.

When these conditions were reported in the Senate of Carthage, one of the members arose, and, in terms of indignation, attempted to dissuade the acceptance of them : but Hannibal, with the tone of a master, interrupted and commanded him silence. This action was resented by a general cry of displeasure ; and Hannibal, in excuse of his rashness, informed the Senate, that he had left Carthage while yet a child of nine years old ; that he was now at the age of forty-five ; and, after a life spent in camps and military operations, returned for the first time to bear his part in political councils ; that he hoped they would bear with his inexperience in matters of civil form, and regard more the tendency than the manner of what he had done ; that he was sensible the proposed terms of peace were unfavourable, but he knew not how else his country was to be rescued from her

<sup>53</sup> Near two millions sterling

present difficulties ; he wished to reserve her for a time in which she could exert her resolution with more advantage. He hoped that the Senate would, in the present extremity, accept, without hesitation, and even without consulting the people, conditions which, though hard, were, notwithstanding, less fatal to the commonwealth than any one could have hoped for in the night that followed the battle of Zama <sup>53</sup>.

C H A P.  
V.

The conditions were accordingly accepted, and deputies were sent to Rome with concessions, which in some measure stripped the republic of her sovereignty. The ratification of the treaty was remitted to Scipio, and the peace concluded on the terms he had prescribed. U. C. 552.

Four thousand Roman captives were instantly released : five hundred galleys were delivered up and burnt : the first payment of two hundred talents was exacted, and, under the execution of this article, many members of the Carthaginian Senate were in tears. Hannibal was observed to smile, and being questioned on this insult to the public distress, made answer, That a smile of scorn for those who felt not the loss of their country, until it affected their own interest, was an expression of sorrow for Carthage.

<sup>53</sup> Polyb. lib. xv. c. 18. Liv. lib. xxx. c. 37.

## C H A P. VI.

*State of Rome at the Peace with Carthage.—Wars with the Gauls.—With the Macedonians.—Battle of Cynocephale.—Peace. Freedom to Greece.—Preludes to the War with Antiochus.—Flight of Hannibal to that Prince.—Antiochus passes into Europe.—Dispositions made by the Romans.—Flight of Antiochus to Asia.—His Defeat at the Mountains of Sipylus.—Peace and Settlement of Asia.—Course of Roman Affairs at Home, &c.*

B O O K

I.

**I**N the course of the war, which terminated in so distinguished a superiority of the Roman over the Carthaginian republic, the victors had experienced much greater distress than had, even in the last stage of the conflict, fallen to the share of the vanquished. The greater part of their territory, during a series of years, lay waste; was ruined in its habitations, plundered of its slaves and its cattle, and deserted of its people. The city itself was reduced to a scanty supply of provisions that threatened immediate famine<sup>1</sup>. Among other modes of taxation devised at this time, the monopoly of salt was established or renewed; but every public fund that was constituted in the ordinary way being insufficient, the State had recourse to the voluntary contribution of its members, and called for their plate and other ornaments of silver and gold to defray the expences. They debased their silver coin by a great mixture of alloy, and farther reduced the copper As from its late coinage at two ounces to one<sup>2</sup>. The numbers of the people on the rolls, either by desertion or by the sword of the enemy, uncommonly fatal in such a series of battles,

<sup>1</sup> Polpb. Excerpta Legationes.<sup>2</sup> Plin. Nat. Hist. lib. iii. c. iii.



were reduced from two hundred and seventy thousand to nearly the half<sup>3</sup>.

C H A P.  
VI.  
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In the musters and levies, no less than twelve colonies at once withheld their names, and refused their support. Yet, proof against the whole of these sufferings, the Romans maintained the conflict with a resolution, which seemed to imply, that they considered the smallest concession as equivalent to ruin. In the farther exertion of this unconquerable spirit, when the pressure of this war was removed, their fortunes rose to a flood of prosperity and greatness, proportioned to the low ebb to which they seemed to have fallen in the course of it.

They joined, in Sicily, to their former possessions, the city of Syracuse, and the whole kingdom of Hiero. In Spain, they succeeded to all the possessions, to all the claims and pretensions of Carthage, and became masters of all that had been the subject of dispute in the war. They brought Carthage herself under contribution, and reduced her almost to the state of a province.

On the side of Macedonia and Illyricum, in their treaty with Philip and his allies, they retained to themselves considerable pledges, not only of security, but of power; and began to be considered in the councils of Greece, as the principal arbiters of the fortunes of nations.

In Italy, where their progress was still of greater consequence, they became more absolute masters than they had been before the war. The cantons, which, in so general a defection of their other allies, had continued faithful to them, were fond of the merit they had acquired, and were confirmed in their attachment by the habits of zeal which they had exerted in so prosperous a cause. Those, on the contrary, who had revolted, or withdrawn their allegiance, were

<sup>3</sup> These were probably the citizens, fit to carry arms, residing in the city; for it was not yet the practice to enrol those who did not offer their names at Rome.

B O O K  
I.

reduced to a state of submission more entire than they had formerly acknowledged; and the sovereignty of this whole country being, till now, precarious and tottering, derived, from the very storm which had shaken it, stability and force.

But, notwithstanding the splendor of such rapid advancement, and of the high military and political talents which procured it, if by any accident the career of the Romans had been stopt at the present æra, their name, it is probable, would never have appeared on the record of polished nations, nor they themselves been otherwise known than as a barbarous dynasty, that fell a prey to some more fortunate pretenders to dominion and conquest.

The Romans, being altogether men of the sword, or of the State, made no application to letters, or sedentary occupations. Cato is introduced by Cicero as saying, That it had been anciently the fashion at Roman feasts to sing heroic ballads in honour of their ancestors; but that this custom had been discontinued in his own time; and it is probable, from the great change which their language underwent in a few years, that they had no popular or established compositions in writing, or even in vulgar tradition, by which the uniformity of language has, in other instances, been longer preserved. They had hitherto no historian, poet, or philosopher; and it was only now, that any taste began to appear for the compositions of such authors. Fabius, Ennius, and Cato, became the first historians of their country, and raised the first literary monuments of genius that were to remain with posterity<sup>†</sup>.

The inclination which now appeared for the learning of the Greeks was, by many, considered as a mark of degeneracy, and gave rise to the never-ending dispute, which, in this as in other nations, took place between the patrons of ancient and modern manners. The

<sup>†</sup> In the sixth century of Rome.

admirers of ancient times, being attached to what they received from their ancestors, were disposed to reject every new improvement, and seemed willing to stop the progress of ingenuity itself. The gay, and the fashionable, on the other hand, liked what was new; were fond of every change, and would ever adopt the latest invention as the model of propriety, elegance, and beauty.

To the simplicity of the Roman manners in other respects, and to the ability of the most accomplished councils of State, was joined a very gross superstition, which led to many acts of absurdity and cruelty. In this particular it appears, that the conceptions of men are altogether unconnected with their civil and political, as well as military character; and that the rites they adopt, even when innocent, and the most admissible expressions of worship, do not deserve to be recorded for any other purpose, than to shew how far they are arbitrary; and how little, in many instances, they are directed, even among nations otherwise the most accomplished, by any rule of utility, humanity, or reason.

A little time before the breaking out of the late war, the Roman Senate, upon the report of a prophecy, that the Gauls and the Greeks were to possess the city, ordered a man and a woman of each of those nations to be buried alive in the market-place; supposing, we may imagine, that, by this act of monstrous injustice and cruelty, they were to fulfil or elude the prediction<sup>5</sup>. They attended to the numberless prodigies that were annually collected, and to the charms that were suggested to avert the evils which those prodigies were supposed to presage, no less than they did to the most serious affairs of the Commonwealth<sup>6</sup>. They frequently seemed to impute their distresses, more to the neglect of superstitious rites, than to the misconduct of their officers, or to the superiority of their enemies. Fa-

<sup>5</sup> Plutarch. in Vit. Marcell.

<sup>6</sup> Vide Liv. passim.

B O O K  
I.

bius, who, by perseverance and steadiness, had the merit of restoring their affairs, was no less celebrated for his diligence in averting the effect of prodigies and unhappy presages, than he was for the conduct and ability of a cautious and successful commander<sup>7</sup>. Even Scipio is said to have been influenced by his dreams, and to have pretended to special revelations.

From such examples as these, we may learn the fallacy of partial representations of national character, and carefully to guard against drawing any inference from the defects or accomplishments which a people may exhibit of one kind, to establish those of another.

The peace with Carthage was introduced with some popular acts in favour of those who had suffered remarkably in the hardships and dangers of the war. Large quantities of corn that had been seized in the magazines of the enemy, were sold in the city at a low price, and a considerable distribution of land was made to numbers of the people in reward of their long and perilous services.

These precedents, however reasonable in the circumstances from which they arose, were the sources of great abuse; private citizens, in the sequel, were taught to rely on public gratuities, and were made to hope, that, in the midst of sloth and riot, they might subsist without care, and without industry. Soldiers were taught to expect extraordinary rewards for ordinary services; and ambitious leaders were instructed how to transfer the affection and the hopes of the legions from the republic to themselves.

The treaty with Carthage, while it terminated the principal war in which the Romans were engaged, left them at leisure to pursue a variety of quarrels, which still remained on their hands, rather

<sup>7</sup> Plutarch. in Vit. Fab. Max.

than bestowed entire peace. The Insubres, and other Gaulish nations on the Po, although they had not taken the full advantage, which the presence of Hannibal in Italy might have given them against the Romans, were unable to remain at peace, and were unwilling to acknowledge the sovereignty of any nation over their own. Having a Carthaginian exile, of the name of Hamilcar, at their head, they attempted again to dislodge the colonies of Cremona and Placentia; and, on that side, with various events for some years, furnished occupation to the arms of the republic.

Philip, notwithstanding the treaty of peace, which, about three years before, he had concluded with the Romans, had lately supplied the Carthaginians with an aid of four thousand men, and a sum of money. Of the men he had sent to the assistance of Carthage, many had been taken at the battle of Zama, and detained as captives. Trusting, however, to the authority of his crown, he sent, during the dependance of the treaty between the Romans and Carthaginians, a message to demand the enlargement of those Macedonian captives. To this message the Senate replied with disdain, that the king of Macedonia appeared to desire a war, and should have it.

The People, nevertheless, wearied and exhausted with the late contest, engaged in this war with uncommon reluctance. The Senate, they thought, was directed by the ambition of a few members, who never ceased to seek for new subjects of triumph, and for fresh occasion of military honours. But notwithstanding their aversion to enter into a war upon these motives, they were persuaded to give their consent upon a representation of the great progress which was making by the king of Macedonia, and the supposed necessity of carrying the war into his own country, in order to check or prevent his designs upon Italy.

Philip,

B O O K  
I.

Philip, from being the head of a free confederacy, in which the Achæans, and many other states of Greece, were united, aspired to become the despotic sovereign of that country; and, either by insinuation or force, had made himself master of most places of consequence round the Ægean sea, whether in Europe or Asia. Upon the death of Ptolemy Philopater, and the succession of an infant son of that prince to the throne of Egypt, Philip had entered into a treaty with Antiochus, king of Syria, to divide between them the possessions of the Egyptian monarchy; and, in order to be ready for his more distant operations, was busy in reducing the places which still held out against him in Greece, and in its neighbourhood.

For this purpose he sent an army with orders to take possession of Athens, and was himself employed in the siege of Abydos. The Athenians sent a message to Rome to sue for protection. "It is no longer a question," said the Consul Sulpicius, in his harangue to the People, "whether you will have a war with Philip, but whether you will have that war in Macedonia or in Italy. If you stay until Philip has taken Athens, as Hannibal took Saguntum, you may then see him arrive in Italy, not after a march of five months, and after the passage of tremendous mountains, but after a voyage of five days from his embarkation at Corinth."

These considerations decided the resolution of the Roman People for war; and the officers, yet remaining in Sicily at the head of the sea and the land forces that had been employed against Carthage, had orders, without touching on Italy, to make sail for the coast of Epirus.

552. The Consul Sulpicius was destined to command in that country. He found, upon his arrival, that Attalus, the king of Pergamus, and the republic of Rhodes, had taken arms to oppose the progress of Philip. In concert with these allies, and in conjunction with the Dardanians and other cantons who joined him on the frontiers of

Macedonia, the Roman Consul was enabled to relieve and to protect the Athenians. But the other states of Greece, though already averse to the pretensions of Philip, and impatient of his usurpations; even the Etolians, though the most determined opponents of this prince, seemed to be undecided on this occasion, and deferred entering into any engagement with the Romans. The reputation of the Macedonian armies was still very high; and it was doubtful, whether these Italian invaders, considered as an upstart and a barbarous power, might be able to protect the states that declared for them against the vengeance of so great a king<sup>3</sup>.

The two first years of the war elapsed without any decisive event. Philip took post on the mountains that separate Epirus from Thessaly, and effectually prevented the Romans from penetrating any farther. But, in the third year, Titus Quintius Flamininus, yet a young man under thirty years of age, being Consul, and destined to this command, brought to an immediate issue a contest which, till then, had been held in suspense.

The Roman legion, except in its first encounters with Pyrrhus, had never measured its force, or compared its advantages with any troops formed on the Grecian model, and, to those who reasoned on the subject, may have appeared greatly inferior to the Macedonian phalanx. One presumption, indeed, had appeared in favour of the legion, that both Pyrrhus and Hannibal thought proper to adopt its weapons, though there is no account of their having imitated the line of battle, or form of its manipules.

The phalanx was calculated to present a strong and impenetrable front, supported by a depth of column, which might be varied occasionally to suit with the ground. The men were armed with spears of twenty-one or twenty-four feet in length. The five first ranks

<sup>3</sup> Plutarch. in Vit. Flamin. p. 407.

B O O K  
I.

could level and carry their points to the front of the column. The remainder rested their spears obliquely on the shoulders of those that were before them; and, in this posture, formed a kind of shed to intercept the missiles of the enemy; and, with their pressure, supported, or urged, the front of their own column.

In the shock of the phalanx and legion, it is computed, that every single man in the front of the legion, requiring a square space of six feet in which to ply his weapons, and acting with his buckler and sword, had ten points of the enemy's spears opposed to him<sup>9</sup>: nevertheless, the strength of the phalanx being entirely collected in front, and depending on the closeness of its order; when attacked on the flank or the rear, when broken or taken by surprize, and unformed, it was easily routed, and was calculated only for level ground, and the defence of a station accessible only in one direction.

The Roman legion could act on its front, its flank, or its rear. Each division, or manipule, and even the men that composed it, could act apart; and, if they had space enough to ply their weapons, could scarcely be taken by surprize, or be made to suffer for want of a determinate order. It was serviceable, therefore, upon any ground, and, except on the front of the phalanx, had an undoubted advantage over that body.

In its ordinary form, the legion made its attack by separate divisions, at considerable intervals; and this mode of attack had a tendency to break and disjoin the front of the phalanx. The divisions of the second line were made to face the intervals of the first, in order to take advantage of any disorder that might arise from the impression made on the enemy, whether they repulsed and pursued, or gave way to the divisions that attacked them.

Such are the reasonings which occurred to military men, at least after the events of the present war. In the mean time the Romans,

<sup>9</sup> Polyb. lib. xvii. c. 23.



in whatever degree they comprehended this argument, had sufficient confidence in their own weapons, and in their loose order, to encounter the long spear and compacted force of their enemy.

C H A P.  
VI.

When Flaminius arrived in Epirus, Philip received him in a rugged pass, where the Aöus bursts from the mountains that separate Epirus from Thessaly. This post was strong, and could be defended even by irregular troops; but the phalanx, in this place, had none of its peculiar advantages; the Romans got round it upon the heights, and obliged the king of Macedonia to retire. He fled through Thessaly; and, to incommode the enemy in their attempts to pursue him, laid waste the country as he passed. U. C. 555.

The flight of Philip determined the Etolians to take part in the war against him; and the Roman general, after the operations of the campaign, being to winter in Phocis on the gulph of Corinth, found, that the greater part of the Achæan states were likewise disposed to join him. He took advantage of this disposition, and got possession of all the towns in the Peloponnesus, except Corinth and Argos, which hitherto had been in alliance with the enemy.

In the following spring, Philip, having with great industry collected and disciplined the forces of his kingdom, received Flaminius in Thessaly. The armies met in the neighbourhood of Pheræ; but the country, being interspersed with gardens, and cut with plantations and hedges, the king declined a battle, and withdrew. Flaminius, knowing that he had magazines at Scotusa, supposed that he was gone towards that place, and followed by a route that was separated from that of the king by a ridge of hills. In the first day's march, the Romans and Macedonians were hid from each other by the heights; on the second day they were covered by a thick fog, which hindered them from seeing distinctly even the different parts of their own armies.

B O O K

I.

The scouts and advanced parties on both sides, had, about the same time, ascended the heights to gain some observation of their enemy. They met by surprise, and could not avoid an engagement. Each party sent for support to the main body of their respective armies. The Romans had begun to give way, when a reinforcement arrived, that enabled them, in their turn, to press on the enemy, and to recover the height from which they had been forced. Philip was determined not to hazard his phalanx on that unfavourable ground, broken and interspersed with little hills; which, on account of their figure, were called the Cynocephalæ<sup>9</sup>. He sent, nevertheless, all his horse and irregular infantry to extricate his advanced party, and to draw them off with honour. Upon their arrival, the advantage came to be on the side of the Macedonians; and the Roman irregulars were forced from the hills in the utmost disorder. The cry of victory was carried back to the camp of the king. His courtiers exclaimed, that now was the time to urge a flying enemy, and to complete his advantage. The king hesitated; but could not resist the general voice. He ordered the phalanx to move; and he himself at the head of the right wing, while his left was marching in column, had arrived and formed on the hill. On his way to this ground, he was flattered with recent tracts of the victory which had been gained by his troops.

Flamininus, at the same time, alarmed at the defeat of his light infantry, and seeing a kind of panic likely to spread through the legions, put the whole army in motion, and advanced to receive his flying parties. In that point of time the fog cleared up, and showed the right of the Macedonian phalanx already formed upon the height.

Flamininus hastily attacked this body, and, being unable to make any impression, gave up the day, on that quarter, for lost. But, ob-

<sup>9</sup> The name implies, that these hills resembled the head of a dog.

erving

finding that the enemy opposite to his right were not yet come to their ground, he instantly repaired to that wing, and, with his elephants and light infantry, supported by the legions, attacked them before the phalanx was formed, and put them to flight.

In this state of the action, a Tribune of the victorious legion, being advanced in pursuit of the enemy, as they fled beyond the flank of their own phalanx on the right, took that body in the rear; and, by this fortunate attempt, in so critical a moment, completed the victory in all parts of the field.

Thus Philip, if his phalanx had any advantage over the legion of the Romans, had not, in two successive encounters, been able to avail himself of it; and it may well be supposed, that, in the movements of armies, which often require them to act on varieties of ground, the chances were greatly in favour of the more versatile body<sup>10</sup>.

From this field the king of Macedonia fled with a mind already disposed not to urge the fate of the war any farther. He retired to the passes of the mountains that surround the valley of Tempe, and from thence sent a message to the Roman general with overtures of peace.

It was a fortunate circumstance in the manners and policy of the Romans, that the same motives of ambition which urged the rulers of the State to war, likewise, on occasion, inclined the leaders of armies to peace, made them admit from an enemy the first offers of submission, and embrace any terms on which they could for themselves lay claim to a triumph.

The prayer of the republic, in entering on a war, included three objects, safety, victory, and enlargement of territory<sup>11</sup>. Every general endeavoured to obtain these ends for his country; but, in proportion as he approached to the completion of his wishes, he became

<sup>10</sup> Polyb. lib. xvii. c. 22.

<sup>11</sup> Liv. lib. xxxi. c. 5.

B O O K  
I.

jealous of his successor, and desirous to terminate the war before any other should come to snatch out of his hands the trophies he had won. This people appeared, therefore, on most occasions, willing to spare the vanquished, and went to extremities only by degrees, and urged by the ambition of successive leaders, who, each in his turn, wished to make some addition to the advantages previously gained to his country. At the same time, the State, when furnished with a fair pretence for reducing a province to subjection, made the most effectual arrangements to accomplish this purpose.

U. C. 557. Flamininus, on the present occasion, encouraged the advances that were made to him by Philip, granted a cessation of arms, gave him an opportunity to continue his applications for peace at Rome, and forwarded the messenger whom he sent on this business. The Senate, on being informed that the king of Macedonia cast himself entirely on the mercy and justice of the Romans, named ten commissioners to be joined with Flamininus, and to determine, in presence of the other parties concerned in the war, what were to be the terms on which peace should be granted.

The time was not yet come for the Romans to lay hold of any possessions beyond the sea of Ionia. They had passed into that country as the protectors of Athens, were now satisfied with the title of Deliverers of Greece; and, under pretence of setting the republics of that quarter free, detached them from the Macedonian monarchy; but, in this manner, made the first step towards conquest, by weakening their enemy, and by stripping him of great part of that power with which he had been able to resist them in the late war.

They obliged the king of Macedonia to withdraw his garrisons from every fortress in Greece, and to leave every Grecian city, whether of Europe or Asia, to the full enjoyment of its own independence and separate laws.

To

To secure the effects of this treaty, they obliged him to surrender all his ships of war, except one galley, on which, it was said, were mounted sixteen tier of oars, requiring a height above the water, and dimensions in every part, more fitted for ostentation than wieldiness or use.

They made him reduce his ordinary military establishment to five hundred men, and forbade him entirely the use of elephants.

For themselves, they desired only to have the Roman captives restored, deserters delivered up, and a sum of one thousand talents to reimburse the expence of the war<sup>12</sup>.

By this treaty the Romans not only weakened their enemy, but acquired great accessions of reputation and general confidence. They announced themselves as protectors of all free nations; and in this character took an ascendant, which, even over the states they had rescued from foreign usurpations, by degrees might rise into sovereignty and a formal dominion.

To give the greater solemnity to the gift of liberty which they made to the Grecian states, they had this act of splendid munificence proclaimed at the Isthmus of Corinth, in presence of great multitudes from every part of Greece met to solemnize the ordinary games; and, in return, were extolled by the flatterers of their power, or the dupes of their policy, as the common restorers of freedom to mankind.

The Romans hastened the completion of the treaty, by which they disarmed the king of Macedonia, upon having received information, that Antiochus, king of Syria, was in motion with a mighty force, and, without declaring his intentions, made sail towards Europe. This prince succeeded to the kingdom of Syria a few years before Ptolomy Philopater began to reign in Egypt, or Philip in Greece;

<sup>12</sup> Liv. lib. xxxiii. c. 31.

B O O K  
I.

and was nearly of the same age with those princes. In his youth he waged war with the kingdom of Egypt for the possession of the Cælo-Syria, and with the Satraps or governors of his own provinces, who attempted to render themselves independent, and to dismember his kingdom. His success in re-uniting all the members of his own monarchy, put him in possession of a great empire, which reached from the extremities of Armenia and Persia to Sardis and the seas of Greece. The splendor of his fortunes procured him the title of Antiochus the Great. The crown of Egypt had been, for some time, the principal object of his jealousy and of his ambition. He had made an alliance with Philip, in which the common object of the parties was to avail themselves of the minority of Ptolemy: but he was not aware, in time, how much the king of Macedonia stood in need of his support against the Romans; or how much it was his interest to preserve that kingdom as a barrier against the incroachments of an ambitious people, who now began to direct their views to the East. He advanced, however, though now too late, by the coast of Asia to the Hellespont, with a fleet and an army rather destined for observation, than for any decided part in a war which was brought to a conclusion about the time of his arrival in those parts.

At Lyfimaehia, the Roman deputies, who were charged with the adjustment and execution of the late treaty, met with Antiochus, and remonstrated against some of his proceedings on the coast of Asia, as affecting the possessions both of Philip and of Ptolemy. They complained of his present invasion of Europe with a hostile force. "The Romans," they said, "had rescued the Greeks from Philip, not to deliver them over to Antiochus." They demanded a restitution of all the towns he had taken from Ptolemy, and enjoined him to refrain from any attempts on the freedom of Greece.

To

To these remonstrances and requisitions the king of Syria with scorn replied, That he knew the extent of his rights, and was not to be taught by the Romans: that they were busy in setting bounds to the ambition of other states, but set no bounds to their own; advised them to confine their views to the affairs of Italy, and to leave those of Asia to the parties concerned.

During the conferences which were held on these subjects, each of the parties, without communicating what they heard to the others, received a report of the death of Ptolomy, the infant king of Egypt; and they separated from each other, intent on the evils to be apprehended, or the benefits to be reaped, from this event.

This report, in which both parties were soon after undeceived, occasioned the return of Antiochus into Syria, and suspended for some time the war which he was disposed to carry into Europe<sup>13</sup>.

Under pretence of observing the motions of this prince, the Romans, although they had professed an intention to evacuate the Greek cities, still kept possession of Demetrius, a convenient sea-port in Thessaly, and of Chalcis on the straits of Eubæa; and Flamininus, under pretence of restraining the violence of Nabis, the tyrant of Lacedemon, and of restoring the tranquillity of that country<sup>14</sup>, still remained with an army in the Peloponnesus.

While the Romans were carrying their fortunes with so high a hand in this part of the world, and defeating armies hitherto deemed invincible, they received a considerable check in Spain.

That country had been recently divided into two provinces; and, though now possessed by the Romans, without the competition of any foreign rival, it continued to be held by a very difficult and precarious tenure, that of force, opposed to the impatience and continual revolts of a fierce and numerous people.

<sup>13</sup> Liv. lib. xxxiii. c. 41.<sup>14</sup> Ibid. c. 43.

Spain had already furnished to Italy its principal supplies of silver and gold. At every triumph obtained in that country, the precious metals were brought in considerable quantities to the treasury of Rome; but were purchased for the most part with the blood of her legions, and led her into a succession of wars, in which she experienced defeat as well as victory. About the time that Flaminius had terminated the war in Macedonia; the Proconsul Sempronius, in the nearer province of Spain, was defeated with the loss of many officers of rank. He himself was wounded in action, and soon after died.

Even the Roman possessions in Italy were not yet fully recovered from the troubles that had arisen in the time of the late war with Carthage. The Gaulish nations on the Po still continued in a state of hostility. The slaves, of which the numbers had greatly increased in Etruria, and other parts of the country, being mostly captives taken from enemies enured to arms and to violence, interrupted their servitude with frequent and dangerous insurrections. Having persons among them, who had been accustomed to command as well as to obey, they often deserted from their masters, formed into regular bodies, and encountered the armies of the republic in battle<sup>14</sup>.

The ridge of the Appenines beyond the confines of Etruria and the Roman frontier, still harboured fierce and numerous tribes known by the name of Ligurians and Gauls, who not only often and long defended their own mountains and woods, but likewise frequently invaded the territory of the Romans. Here, or in Spain, during the recesses of other wars, there was a continual service for the Consuls and Prætors, and a continual exercise to the legions. The State, nevertheless, though still occupied in this manner with petty enemies and desultory wars, never lost sight of the great objects of its jea-

<sup>14</sup> Liv. lib. xxviii. c. 36.



lously, from whom were to be apprehended a more regular opposition, and better concerted designs against its power. Among these, the Carthaginians were not likely to continue longer at peace than until they recovered their strength, or had the prospect of some powerful support. Antiochus, possessed of all the resources of Asia, was ready to join with this or any other state that was inclined to check the advancement of the Roman power.

C H A P  
VI.

About a year after the conclusion of the war with Philip, the Romans received intelligence, that the Carthaginians had entered into a correspondence with Antiochus; and as their supposed implacable enemy, Hannibal, was then in one of the first offices of state at Carthage, it was not doubted, that the secret intrigues of those parties were hostile to Rome. It was determined, therefore, to send a proper commission into Africa, under pretence of an amicable mediation, in some differences that subsisted between Massinissa and the people of Carthage; but with injunctions to the commissioners to penetrate, if possible, the designs of the Carthaginians; and, if necessary, to demand that Hannibal, the supposed author of a dangerous conspiracy against the peace of both the republics, should be delivered up.

U. C. 553.

This great man, from the termination of the late war, had acquitted himself in the political departments, to which he had been appointed, with an integrity and ability worthy of his high reputation as a soldier; but his reformations in a corrupted state had procured him enemies at home, not less dangerous than those he had encountered abroad<sup>14</sup>. Upon the arrival of the Roman deputies, he suspected that the commission regarded himself, and made no doubt that a faction whose ambition he had restrained, and many particular persons whom he had recently incensed by the reformation of certain abuses in which they were interested, would gladly seize

<sup>14</sup> Liv. lib. xxxiii. c. 46—49.

B O O K  
I.

that opportunity to rid themselves of a powerful enemy, and from fear or some other motives, prevail on a corrupted people to deliver him up to the Romans. It is said, that he had been long prepared for an emergence of this sort, and, without any embarrassment, appeared, upon the arrival of these messengers, in all the functions of his public character; but at night withdrew to the coast, and set sail for Asia<sup>35</sup>. He was received by Antiochus at Ephesus, and treated as a person worthy to direct the councils of a great king; an office too much exposed to envy for the favourites of a court, or even for the prince himself long to endure.

From this time forward the king of Syria, supposed to be governed by the counsels of Hannibal, became the principal object of attention and of jealousy at Rome; and though he seemed to remain in tranquillity during about three years after the acquisition of this formidable counsellor, yet it was not doubted that the first violent storm was to burst from that quarter.

Flamininus had, during the greater part of this interval, remained in Greece; had been occupied in settling the affairs of that country, and in observing the Etolians, who, being dissatisfied with the late peace, endeavoured to raise a spirit of discontent against the Romans. He made war at the same time against Nabis the tyrant of Lacedemon; and though he failed in his attempt to force this famous usurper in his own capital, he obliged him to evacuate Argos, and to cede all his possessions on the coast. By these means he removed all the dangers with which any of the States of the Achaean league had been threatened, and restored them to the full possession of their freedom.

To leave no ground of jealousy or distrust in Greece, Flamininus persuaded the Roman Commissioners to evacuate Demetrias, Chalcis, and Corinth, which they were disposed to retain in the prospect of

<sup>35</sup> Liv. lib. xxxiii. c. 46—49.

a war with Antiochus; and having thus concluded the affairs that were entrusted to him, he returned into Italy, and made his entry at Rome in a triumphal procession, which lasted three days, with a splendid display of spoils, captives, and treasure<sup>16</sup>.

C H A P.  
VI.

All the troubles of Greece, at the departure of Flaminius, seemed to be composed; these appearances, however, were but of short duration. Nabis was impatient under his late concessions; and flattering himself that the Romans would not repass the sea merely to exclude him from the possession of a few places of little consequence on the coast of the Peloponnesus, began to employ insinuation, corruption, and open force, in order to recover the towns he had lost. In this design he was encouraged by the Etolians, who flattered him with the hopes of support, not only from themselves, but likewise from Antiochus, and even from Philip; all of whom had an evident interest in repressing the growing power of the Italian republic. The Etolians had expected, at the close of the war with Philip, to come into the place of that prince, as the head of all the Grecian confederacies, and to have a principal share in the spoils of his kingdom. They urged the Roman commissioners to the final suppression of that monarchy; and, being disappointed in all their hopes, complained of the Romans, as bestowing upon others the fruits of a victory which had been obtained chiefly by their means, and as having, under the pretence of setting the Greeks at liberty, reduced that country into a weak and disjointed state, which might in any future period render it an easy prey to themselves.

Flaminius accordingly had, in all his measures for the settlement of Greece, found from this people a warm and obstinate resistance. He found them endeavouring to form a powerful confederacy against the Romans, and for this purpose engaged in intrigues with Nabis, Philip, and Antiochus; applying to each of them in terms suited to

<sup>16</sup> Liv. lib. xxxiv. c. 52.

B O O K  
I.

the supposed injuries they had severally received in the late war, or in the negotiations that followed.

At the conclusion of the peace with Philip, Antiochus thinking himself by the effects of that treaty aggrieved, in respect to the freedom granted to some cantons in Thrace, on which he derived a claim from his ancestors, sent an embassy to Rome with remonstrances on that subject. The Romans made answer, In the capacity which they had assumed of the deliverers of Greece, that they would oppose every attempt to enslave any Grecian settlement; and as they had no designs on Asia, they expected that the king of Syria would not intermeddle in the concerns of Europe. While they gave this answer to the Ambassador of Antiochus, they resolved, under pretence of treating with the king, to send commissioners, in their turn, to observe his motions.

The famous Scipio Africanus is mentioned by some historians as having been of this commission, and as having had some conversations with Hannibal, which are recorded to the honour of both. Livy, however, seems to reject these particulars as fabulous, while he admits that the apparent intimacy of Hannibal with the Roman commissioners, very much diminished the part which this formidable counsellor held in the confidence of the king<sup>17</sup>.

At this time it became known that Antiochus was meditating the invasion of Italy as well as of Greece; that the first of these objects was to be committed to Hannibal, who undertook to prevail on the republic of Carthage to take a principal share in the war; and that, for this purpose, he had sent a proper person to concert measures with his party at Carthage; but the intrigue being discovered, the Carthaginians, in order to exculpate themselves, sent an account of it to Rome.

<sup>17</sup> Liv. lib. xxxv. c. 14.

Before this intelligence had been received, the Roman commissioners were set out for Asia, and, according to their instructions, passed through Pergamus to consult with Eumenes the sovereign of that kingdom, who, having reason to dread the power of Antiochus, employed all his credit to engage the Romans in a war with that prince. They had an audience of the king of Syria at Ayamea, and a conference afterwards, on the object of their commission, with a principal officer of his court at Ephesus. This minister made no scruple to charge the Romans with the real designs of ambition, which they endeavoured to disguise under the pretence of procuring the liberties of Greece. “Your conduct,” he said, “where you are in condition to act without disguise, is a much better evidence of your intention, than any professions you may think proper to make in Greece or in Asia, where, by assuming a popular character, you have so many parties to reconcile to your interest. Are not the inhabitants of Naples and of Rhegium Greeks, as well as those of Lampascus and Smyrna? You are extremely desirous to set the Greeks at liberty from the dominion of Antiochus and Philip, but have no remorse in subjecting them to your own.”

The deputies of the cities whose interest was in question were present at these conferences, and each pleaded the cause of his country, but without any other effect than that of convincing the parties concerned, that a war could not long be avoided. The Romans, alarmed by the intelligence received from Carthage during the dependance of this conference, had already begun to prepare for hostilities: and, upon the report of their commissioners from Asia, still continued to augment their forces by sea and by land. Under pretence of repressing the violences committed by Nabis, they ordered one army into Greece, and stationed a second on the coast of Calabria and Apulia, in order to support the operations of the first.

The

B O O K  
I.

The Romans had reason to consider the Etolians as enemies, and even to distrust the intentions of many of the republics lately restored to their liberty, who began to surmise, that, under the pretence of being relieved from the dominion of Philip, they were actually reduced to a state of dependence on Rome.

To obviate the difficulties which from these surmises might arise among the Grecian republics, the Roman Senate sent a fresh commission into that country, requiring those who were named in it to act under the direction of Flaminius, the late deliverer of Greece. These commissioners found the principal cities of that country variously affected: a general meeting of the States being called to receive them at Demetrias, they were, by some of the parties present at this meeting, reproached with a design, under pretence of restoring the Greeks to their liberties, of separating them from every power that was fit to protect them; and they were likewise reproached with a design of establishing their own tyranny, under pretence of opposing that of every other State.

This species of blasphemy, uttered against a power which the majority of those who were present affected to revere, raised a great ferment in the council; and the persons who had thus ventured to insult the Romans being threatened with violence, were forced to withdraw from Demetrias, and to take refuge in Etolia. The remaining deputies of Greece endeavoured to pacify the Roman commissioners, or at least entreated them that they would not impute to so many different nations, what was no more than the frenzy of a few individuals.

The Etolians had already invited Antiochus to pass into Europe. The measure was accordingly under deliberation in the council of this prince. Hannibal warmly recommended the invasion of Italy as the most effectual blow that could be struck at the Romans. "At home," he said, "their force is still composed of disjointed ma-

“terials, which will break into pieces when assailed by the immediate touch of an enemy; and the most effectual power that can be raised up against them, is that which may be formed from the ruins of their own empire. But if you allow them to remain in quiet possession of Italy, and to stretch out the arms of that country to a distance, their resources are endless, and their strength irresistible.” He made an offer of himself for this service, demanding a hundred galleys, ten thousand foot, and a thousand horse. With this armament he proposed to present himself on the coast of Africa, and, from what further reinforcements or supplies he could derive from Carthage, to effect his descent upon Italy.

These councils, however, were given in vain. Hannibal, as a person likely to reap all the glory of every service in which he bore any part, was become an object of jealousy to the court of Antiochus, and to the king himself. His advice being received with more aversion than respect, served to determine the king against every measure he proposed. “Such a monarch,” it was said by the courtiers, “could not be under any necessity to employ foreign aid or direction:—his own force was sufficient to overcome the Romans in any part of the world:—the recovery of Greece must be the first object of his arms:—the people of that country, whenever his galleys appeared, would crowd to the shores to receive him:—the Etolians were already in arms for this purpose:—Nabis was impatient to recover the possessions of which he had been stripped by the Romans:—Philip must eagerly fly to his standard, and embrace every opportunity to revenge the indignities which had been lately put upon himself and his kingdom<sup>18</sup>.”

Flattered with these expectations, Antiochus set sail for Europe with ten thousand foot, some elephants, and a body of horse. He

<sup>18</sup> Liv. lib. xxxv. c. 18 & 42.

was received at Demetrias with acclamations of joy ; but soon after, in the sequel, came to understand that his allies in that country had sent for him to bear the burden of the war, and were devising how they should reap for themselves the advantages that might be made to arise from it.

The Etolians, at whose instance Antiochus had come into Greece, were still divided. One party among them contended for peace, and alleged that the presence of the king of Syria was a fortunate circumstance, as it might give them an opportunity to negotiate with greater advantage. Another party contended for immediate war; insisting that force alone could obtain any equitable terms from such a party as that they had to do with.

Flaminius was present in the assembly of Etolia when these debates took place relating to the resolution for peace or war with the Romans. He observed to the party who contended for war, that, before they proceeded to this extremity, they ought to have made their representations at Rome, and to have waited for an answer from thence. “ We shall make our representations, and demand our answer,” said a principal person in the assembly, still thinking of a descent upon Italy, to be effected by Hannibal, “ perhaps where we are least expected, on the banks of the Tiber<sup>19</sup>.”

The resolution for war with the Romans was accordingly taken in this assembly, and Antiochus was declared head of the confederacy to be formed for mutual support in the conduct of it. This prince endeavoured to obtain a declaration to the same effect from the Achæans and Beotians; but being disappointed in his application to those States, he left part of his forces at Demetrias, and he himself having negotiated his admission at Chalcis on the Straits of Eubœa, retired, as if he had come to act upon the defensive, behind the Euripus, and established his court at that place for the winter.

<sup>19</sup> Liv. lib. xxxv. c. 33.



Mean time the Romans prepared themselves as for a struggle of great difficulty, and probably of long duration<sup>29</sup>. They considered the abilities of Hannibal, employed to conduct the forces of Asia, as a sufficient ground of alarm. Their first object was to guard Italy and their other possessions. An army of observation was for this purpose stationed at Tarentum. A numerous fleet was ordered to protect the coast. The Prætors and other officers of State, with proper forces under their command, had charge of the different districts of Italy that were suspected of inclining to the enemy, or of being disaffected to the commonwealth. The instructions given to these officers, were to observe what was passing in the several quarters to which they were sent, but to avoid every occasion of animosity or tumult that might open a way for the admission of an enemy, or shew an invader where to direct his attack.

Having made these dispositions for their own security, they proceeded to form an army which was to act offensively, and to fix the scene of the war in their enemy's country. Bæbius, a Prætor of the preceding year, under pretence of opposing Nabis, who had renewed the war in the Peloponnesus, had already passed into Epirus with a considerable force. Acilius Glabrio, one of the Consuls of the present year, to whose lot this province had fallen, was understood to have in charge the farther preparations that were making for a war in that country, and hastened the assembling of an army and fleet sufficient to disconcert the measures of the parties that were supposed to be forming against the Romans.

The usual tithes of corn were ordered from Sardinia, and double tithes from Sicily, to supply the army in Epirus. Commissaries likewise were sent to Carthage and Numidia, in order to purchase supplies from thence. And with such a sense of its importance did the Ro-

<sup>29</sup> Appian Syriacæ, p. 95.

B O O K  
I.

man's enter on this war, that the Consul Cornelius issued an edict, prohibiting all Senators, and all those who were intitled to be admitted into the Senate, to absent themselves from Rome above one day at a time, and requiring that no more than five Senators should on the same day be absent from the city.

The equipment of the fleet was retarded by a dispute that arose with eight of the maritime colonies or sea-ports, who pretended to a right of exemption from the present service. But their plea, upon an appeal to the Tribunes, and a reference from them to the Senate, was over-ruled.

Antiochus passed the winter at Chalcis in a manner too common with princes of a mean capacity, who put every matter of personal caprice on the same footing with the affairs of State. Being enamoured of a Grecian beauty, he employed the attention of his court on feasts and processions, devised for her entertainment, and to enhance his pleasures. His reputation declined, and his forces made no progress either in numbers or discipline.

In the spring he lost some time in forming confederacies with petty States, which are ever under the necessity of declaring themselves for the prevailing power, and who change their side with the reverses of fortune. Having traversed the country from Beotia to Acarnania, negotiating treaties with such allies as these, he had passed into Thes-saly, and had besieged Larissa, when the Roman Prætor began to advance from Epirus.

After the contending parties had thus taken the field, and the armies of Rome and of Syria were about to decide the superiority on the frontiers of Macedonia, Philip seemed to remain in suspense, having yet made no open declaration to which side he inclined. He had felt the arms of the Romans, and had reason to dread those of Antiochus.

The

The princes who divided the Macedonian empire were not only rivals in power, they were in some degree mutual pretenders to the thrones which they severally occupied; Philip, probably considering Antiochus, in this capacity, as the principal object of his jealousy, took his resolution to declare for the Romans; and having accordingly joined the Prætor on the confines of Thessaly, their vanguard advanced to observe the position and motions of the enemy.

Antiochus, upon the junction of these forces, thought proper to raise the siege of Larissa. From this time forward he seemed to have dropped all his sanguine expectations of conquest in Europe, was contented to act on the defensive, and when the Roman Consul arrived in Epirus, and directed his march towards Thessaly, he took post at the Straits of Thermopylæ, intending to shut up this passage into Greece: but being dislodged from thence, his army was routed, the greater part of it perished in the flight, and he himself, with no more than five hundred men, escaped to Chalcis, his former retreat in Eubœa, from whence he soon after set sail for Asia.

Upon the flight of Antiochus, the Ætolians alone remained in the predicament of open enemies to the Romans. They were yet extremely irresolute and distracted in their councils. After having brought the king of Syria into Europe, they had not supported him with a sufficient force; and now, upon his departure, being sensible of their danger from the Romans, a powerful enemy whom they had greatly provoked, they endeavoured to persuade the king to return; representing to him how much he was concerned to furnish that arrogant people with a sufficient occupation in Greece, to prevent their passing into Asia. They at the same time made offers of pacification and of submission to the Romans, but were received in a manner, which gave them no hopes of being able to palliate the offence they had given. The Consul advanced into their country, laid siege to Naupactus, and having reduced that place and the whole nation

to great distress, agreed to a cessation of arms, only while they sent deputies to Rome to implore forgiveness and to make their peace with the Senate. Such was the posture of affairs when Lucius Cornelius Scipio, being elected one of the Consuls for the ensuing year, was destined to succeed Acilius Glabrio in Etolia; and, with his brother Publius, the victor in the battle of Zama, who was to act as second in command, had orders to prosecute the war against the kingdom of Syria.

These leaders being arrived in Greece, and intent on the removal of the war into Asia, willingly accepted of the submission of all the towns that had incurred any suspicion during the stay of Antiochus in Europe; and, leaving the difference which remained to be settled with the Etolians in a state of negotiation, they proceeded without delay, by the route of Macedonia and Thrace, towards the Hellespont.

In passing through these countries, they were conducted and furnished with all the necessary supplies of provisions and carriages by Philip.

The fleets of Asia and Europe, during this march of the Roman army, contended for the command of the seas. That of Europe, which was joined by the navy of Rhodes, and even by that of the Carthaginians, who, to vindicate themselves from any blame in the present war, had taken part with their rival, after various encounters, obtained the victory in a decisive battle, which made them entire masters of the sea, and opened all the ports of Asia to the shipping of the Romans.

The king of Syria had fortified Sestos and Abydos on the Hellespont, and Lyfimachia on the isthmus of Chersonesus, with an apparent resolution to dispute the march and passage of the Scipios at all these different stations. But on the total defeat of his navy, he either considered those places as lost, or, fearing to have his forces  
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separately cut off in attempting to defend them, he withdrew his garrisons from Lyfimachia, Sestos, and Abydos; and while he thus opened the way for his enemies to reach him, gave other signs of despondency, or of a disposition to sink under adversity, making overtures of peace, and offering to yield every point which he had formerly disputed in the war. In reply to these offers he was told, That he must do a great deal more; that he must submit to such terms as the Romans were intitled to expect from victory. But as he continued to assemble his forces, he chose rather to stake his fortune on the decision of a battle; and having in vain endeavoured to make himself master of Pergamus, the capital of Eumenes, he fell back on Thyatira, and from thence proceeded to take post on the mountains of Syphlus, where he meant to contend for the empire of Asia.

In the mean time the Scipios advanced to the Hellespont, and without any resistance passed the Strait. This was the first time that any Roman army set foot on Asia; and being met by the deputies of the king with the overtures of peace that have been mentioned, sent accounts to Rome of their arrival; and made a halt for some days.

This descent was considered by the Romans as an epoch of great renown; and the messenger who brought the accounts of it was received with processions and solemn rites. Supplications and prayers were offered up to the gods, that this first landing of a Roman army in Asia might be prosperous for the commonwealth.

U. C. 562

Publius Scipio, the famous antagonist of Hannibal, soon after his arrival in Asia, was taken ill; or, what may be supposed for his honour, being desirous not to rob his brother of any share in the glory which he perceived was to be easily won against the present enemy, he affected indisposition, and remained at a distance from the camp. Lucius, thus left alone to command the Roman army, advanced upon the king, attacked him in the post he had chosen, and, in a decisive victory,

B O O K  
I.

victory, dispersed the splendid forces of Asia, with all their apparatus of armed chariots, horses, and elephants, harnessed with gold.

The king himself fled with a few attendants, passed through Sardis in the night, and continued his flight to Apamea in Pisidia, where he expected to be out of the reach of his pursuers.

Thyatira, Sardis, and Magnesia soon after opened their gates to the Romans; and the king himself by a messenger from Apamea, again made haste to own himself vanquished, and to sue for peace.

The Romans, to display a moderation which they frequently affected in the midst of their victories, renewed the same conditions which they had prescribed on their arrival in Asia; and a cessation of arms being granted, officers from Antiochus, and from all the other parties concerned in the approaching treaty, repaired to Rome, in order to receive the final decision of the Senate and People, on the future settlement of their affairs.

Eumenes, the king of Pergamus, on this occasion, attended in person, and, together with the republic of Rhodes, who had distinguished themselves by their zeal and faithful services in the late war, became the principal gainer in the treaty.

It was agreed by the Senate, that the preliminary articles already prescribed by the Consul should be confirmed:

That, according to these articles, Antiochus should resign all his pretensions in Europe, and contract the boundaries of his kingdom in Asia within the mountains of Taurus:

That he should pay to the Romans, at successive terms, five thousand talents to reimburse the expence of the war:

To Eumenes four hundred talents on the score of a debt that had been due to his father.

And, for the performance of these conditions, should give twenty hostages, such as the Romans should name.

In the farther execution of this treaty, the Romans again appeared to be solicitous only for the interest of their allies, and required no more than indemnification for themselves. They appointed ten commissioners to repair into Asia, and there to determine the several questions that might arise relating to the settlement of that country. In the mean time they published to all parties the following instructions, as the basis on which the commissioners were to proceed :

That the preliminaries of the peace with Antiochus already offered should be ratified :

That all the provinces which he was to evacuate, except Caria and Lycia, were to be assigned to Eumenes :

That these provinces, bounded by the Meander on the east, should be given to the republic of Rhodes :

That all the Greek cities which had been tributary to Eumenes should continue so, and all which had been tributary to Antiochus should be set free <sup>21</sup>.

A settlement was accordingly soon after made in Asia in these terms ; and the Romans, while they were hastening to universal dominion, appeared to have no object beyond the prosperity of their allies : they were merciful to the vanquished, and formidable only to those who presumed to resist their arms. In the midst of their conquests, they reserved nothing to themselves besides the power of giving away entire kingdoms and provinces ; or, in other words, they reserved nothing but the power of seizing the whole at a proper time, and, for the present, the supreme ascendant over all the conquered provinces that were given away, and over those who received them.

The Etolians were now the only parties in Greece who pretended to hold their liberties, or their possessions, by any other tenure than that of a grant from the Romans.

<sup>21</sup> Polyb. Excerptæ Legationes, c. 35.

B O O K  
I.

During the dependance of the war in Asia, the Etolians were making continual efforts to recover their own losses, and to preserve the city of Ambracia, then besieged by the Romans; but, upon the defeat of Antiochus, the Ambraciots surrendered at discretion, and the Etolians sued for peace.

Ambracia had been the capital of Pyrrhus, and now furnished the captor with a plentiful spoil of statues, pictures, and other ornaments to adorn his triumph. The Etolians, at the intercession of the Athenians, were allowed to hope for peace on the following terms<sup>22</sup>:

That they should not allow to pass through their country the troops of any nation at war with the Romans:

That they should consider the allies of Rome as their allies, and the enemies of Rome as their enemies:

That they should make instant payment of two hundred talents in silver, the standard of Athens; and of three hundred more at separate instalments within six years:

That if they chose to make these payments in gold rather than silver, the proportion should be one of gold to ten of silver; and that they should give hostages for the performance of these several articles<sup>23</sup>.

While the Etolians were on these terms concluding a peace, or rather obtaining a pardon, the Consul Manlius, who had succeeded the Scipios in Asia, willing, if possible, to bring back into Italy, together with the victorious legions, some pretence of a triumph for himself, led his army against the Galatians. These were the descendants of a barbarous horde, which had, some ages before, migrated from the north of Europe, visited Italy and Greece in their way, and stopped on the Halys in the Lesser Asia, where they made a settlement, round which they levied contributions quite to the shores of the Euxine, the Mediterranean, and Egean Seas. Their forces had lately

<sup>22</sup> Polyb. Excerptæ Legationes, c. 28.

<sup>23</sup> Ibid.



made a part in the army of Antiochus, and they had not yet acceded to the peace which that prince had accepted. By these means they furnished the Roman Consul with a pretence for invading their country; and being unable to resist him, submitted at discretion. In thus extinguishing the remains of every hostile combination, the Romans took care to satisfy the world that it never was safe to take part against them in any confederacy, and that, while they never abandoned any ally of their own, they were in condition to compel the powers, with whom they were at war, frequently to abandon theirs.

Thus ended the first expedition of the Romans into Asia; in the result of which, without seeming to enlarge their own dominions, they had greatly reduced the powers both of the Syrian and Macedonian monarchies; and by restoring, whether from inclination or policy, every State to its independence, they had balanced a multitude of parties against each other, in such a manner, as that no formidable combination was likely to be formed against themselves; or if any one, or a few parties, should presume to withstand their power, many others were ready to join in the cry of ingratitude, and to treat any opposition that was made to them as an unworthy return to those who had so generously espoused the cause of mankind.

The pacification of Asia and Greece left the republic at leisure to manage its ordinary quarrels with nations unsubdued on the opposite frontier. In the west, hostilities had subsisted without interruption, during the whole time that the State was intent on its wars in the East; and triumphal processions were exhibited by turns from those opposite quarters.

In Spain the commanders were, for the most part, annually relieved, and the army annually recruited from Italy. The variety of events which are mentioned, and the continuance of the war itself are sufficient to evince that no decisive victories were obtained, or

B O O K  
I.

conquests finally made. On the coast of Spain there were many Greek or African settlements established for commerce. Of these the Romans, either as having supplanted the Carthaginians, formerly their masters, or as having subdued the natives, were still in possession. But the interior parts of the country were occupied by many hordes, who appear to have been collected in townships and fortified stations, from which they assembled to oppose the Roman armies in the field, or in which they defended themselves with obstinate valour. Though often defeated, they still renewed the contest. Tiberius Sempronius Gracchus, in the year of Rome five hundred and seventy-four, about ten years after the peace with Antiochus, is said to have received the submission of one hundred and three towns of that country<sup>24</sup>. The troubles of Spain were, nevertheless, renewed under his successors, and continued to occupy the Roman arms with a repetition of similar operations, and a like variety of events.

The war in Liguria was nearly of the same description with that in Spain; continued still to occupy a certain part of the Roman force; and, both before and after the late expedition to Greece and Asia, was for some years the principal employment of both the Consuls. Here, however, the Romans made a more sensible progress towards an entire conquest than they made in Spain. They facilitated their access to the country by highways across the mountains; they reduced the numbers of the enemy by the sword and by the ordinary distresses of war; and, after the experience of many pretended submissions and repeated revolts of that people, who seemed to derive the ferocity of their spirit, as well as the security of their possession, from the rugged and inaccessible nature of their country, it was determined to transplant the natives to some of the more accessible parts of Italy, where the lands, being waste from the effect of former wars, were still unoccupied and at the disposal of the republic<sup>25</sup>.

<sup>24</sup> Liv. lib. xl. c. 50. & passim.

<sup>25</sup> Ibid. c. 38.

## C H A P. VII.

*State of Italy.—Character of the Roman Policy.—Death of Scipio and of Hannibal.—Indulgence of the Romans to the King of Macedonia.—Complaints against Philip.—Succession of Perseus, and Origin of the War.—Action on the Peneus.—Overtures of Peace.—Progress of the War.—Defeat of Perseus at Pidna, by Paulus Emilius.—His Flight and Captivity.—Settlement of Macedonia and Illyricum.—Manners of the Romans.*

BY the methods above related the Romans proceeded to extend their dominion over all the districts around them, and either brought to their own standard, or disarmed, the several nations who had hitherto resisted their power. While they were about to accomplish this end, the Transalpine Gauls, still having their views directed to the southward of the mountains, made some attempts at migration into Italy, in one of which they settled a party of their people at Aquileia. The Romans were alarmed, and ordered these strangers to be dislodged and reconducted across the Alps.

C H A P.  
VII.

This circumstance suggested the design of securing the frontier on that side by a colony; and for this purpose a body of Latins was accordingly sent to Aquileia, a settlement which nearly completed the Roman establishments within the Alps. The country was now, in a great measure, occupied by colonies of Roman and Latin extraction, who, depending on Rome for protection, served, wherever they were settled, to carry the deepest impressions of her authority, and to keep the natives in a state of subjection to her government.

The domestic policy of the State, during this period, appears to have been orderly and wise beyond that of any other time. The  
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B O O K  
I.  
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distinction between Patrician and Plebeian was become altogether nominal. The descendants of those who had held the higher offices of state, were, in consequence of the preferments of their ancestors, considered as noble. Instead of a title of nobility, the son named his father and grandfather, who had been vested with public honours. And as the Plebeians now found no difficulty in obtaining the offices of State, they were continually opening the way of their posterity to the rank of Nobles. "Thus I," said Decius Mus, while he pleaded to have the priesthood<sup>1</sup>, joined to the other honours which the different orders of the People enjoyed in common, "can cite my father in the rank of Consul; and my son can cite both his grandfather and me<sup>2</sup>." The Plebeians were intitled by law to claim one of the Consul's seats, and frequently occupied both.

The authority of the Senate, the dignity of the Equestrian Order, and the manners of the People, in general, were guarded, and, in a great measure, preserved, by the integrity and strict exercise of the Censorial power. The wisest and the most respected of the citizens, from every condition, were raised into office; and the assemblies, whether of the Senate, or the People, without envy, and without jealousy, suffered themselves to be governed by the counsels of a few able and virtuous men. It is impossible otherwise to account for that splendor with which the affairs of this republic, from the time of the first Punic war to that of the last wars with Macedonia and Carthage, though committed to hands that were continually changing, were, nevertheless, uniformly and ably conducted.

The spirit of the People was in a high degree democratical; and though they suffered themselves to be governed by the silent influence of personal authority in a few of their citizens, yet could not endure any species of uncommon pre-eminence; even that which

<sup>1</sup> Vid. B. i. c. 3.

<sup>2</sup> Lib. lib. x. c. 8.

arose from the lustre and well-founded pretensions of distinguished merit.

The great Scipio, with his brother Lucius, on their return from Asia, encountered a prosecution, unworthily supported by a popular clamour; which brought them to trial on a formal charge of secreting part of the treasure received from Antiochus. It is likely, from the manner in which Publius Scipio disdained to answer this charge, that he carried his personal spirit too high for democratical government, which can allow no private merit to come in competition with the rights of the people to sovereignty, and of individuals to equal attention in the State. At his first citation on the libel which was brought against him, seeming not to hear the person who accused him, he reminded the people, that this was the anniversary of that day on which they had gained the victory at Zama; and desired that they would follow him to the temples, in which he was to return thanks to the Gods for that important event. He was followed accordingly by the whole multitude, and the accuser for that time was deserted. At his second citation, he called for the paper of accounts, on which he had entered all the sums he had received in Asia; and, while the people expected, that he was to satisfy them by a state of particulars, he tore the scroll in their presence; and, taking the privilege of a Roman citizen, retired, without deigning to give any answer, and went as an exile into a country village of Italy, where he soon after died.

The same year likewise terminated the life of his antagonist Hannibal. This great man, himself a sufficient object of jealousy to nations, was, by an article in the late treaty of peace with Antiochus, to have been delivered up to the Romans; and had, in order to avoid that danger, retired into Crete. From thence he took refuge with Prusias, king of Bythina, where the enmity of Rome still pursued him, and where an embassy was sent to demand that he should

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B O O K  
I.

be delivered up. As soon as he knew that this demand was actually made, and that the avenues to his dwelling were secured in order to seize him, he took poison, and died.

The Romans had been so well satisfied with the part which was taken by Philip in the late war with Antiochus, that they released his son Demetrius, then at Rome, an hostage for payment of the father's tribute, of which they likewise remitted a part. They even connived at his recovering some of his former possessions, and made no inquiry into the numbers of his troops, in which he greatly exceeded the establishment prescribed by the last treaty. They continued in this disposition during four years after the late peace with the king of Syria; and, in this interval, permitted the kingdom of Macedonia, by the improvement of its revenue, and the increase of its people, in a great measure to recover its former strength.

These circumstances of prosperity, however, did not fail to excite apprehension in the minds of all those who, holding independent possessions in that neighbourhood, were exposed to be the first victims of this reviving power; and representations, to awaken the attention of the Romans on this subject, were accordingly made at Rome, from Eumenes, the king of Pergamus, and from all the petty princes and small communities on the frontier of Macedonia.

On receiving these admonitions, the Senate, in their usual form, sent to the country from whence they were alarmed a select number of their members to make inquiry into the real state of affairs. Before a tribunal thus constituted, the king of Macedonia was cited to appear as a private party, first at Tempe, to answer the charge of the Thessalians, and afterwards at Thessalonica, to answer that of Eumenes. After a discussion, sufficiently humbling to a sovereign, he received sentence, by which he was required to evacuate all the places he had occupied beyond the ancient limits of his kingdom. This sentence he received with indignation and resentment, which were too unguardedly expressed,

pressed, and which rendered him from thenceforward an object of continual attention and of jealousy to the Romans.

A second commission was granted to see the sentence of the first put in execution; and as soon as it became publicly known, that the Romans were willing to receive complaints against Philip, and were disposed to protect every person who incurred his displeasure, ambassadors from the princes of Asia, and persons of every condition, from all the cities of Greece, and from all the districts in the neighbourhood of Macedonia, resorted to Rome with complaints against the king, some of a private, and others of a public nature. The city was crowded with strangers, and the Senate was occupied, from morning to night, in hearing the representations that were made by their allies on the subject of the usurpations and oppressions they had suffered.

Philip, to divert the storm, had sent his younger son, Demetrius, to answer the several charges which were expected to be brought against him; and, in the end, obtained a resolution of the Senate to accommodate matters on an amicable footing. This resolution was grounded on pretence of the favour which the Romans bore to Demetrius, who had long resided as an hostage in their city. "The king will please to know," they said, "that he has done one thing extremely agreeable to the Romans, in trusting his cause to an advocate so well established in their esteem and regard<sup>3</sup>."

This language of the Roman Senate respecting Demetrius, together with dangerous suggestions from some of his own confidants, probably inspired the young man with thoughts, or rendered him suspected of designs, injurious to the rights of Perseus, his elder brother. This prince took the alarm, and never ceased to excite the suspicions already formed in the breast of the father, until he pre-

<sup>3</sup> Polyb. Excerpt. Legat. c. 46. Liv. lib. xxxix. 46-47.

B O O K  
I.

vailed in securing his own succession by the death of his younger brother <sup>4</sup>.

Philip, having ordered the execution of one son to gratify the jealousy of the other, lived about three years after this action, suffering part of the punishment that was due to him on that account, in the most gloomy apprehensions of danger from his surviving son, and died in great solicitude for the fate of his kingdom.

Perseus, nevertheless, in ascending the throne of Macedonia, gave hopes of a better and happier reign than that of his predecessor. He was immediately acknowledged by the Romans; and, during a few years after his accession, appeared to have no cause of disquietude from this people. Although he had adopted the measures of his father, and endeavoured, by attention to his revenue, his army, and magazines; and by forming alliances with some of the warlike Thracian hordes in his neighbourhood, to put his kingdom in a posture of defence, and in condition to assert its independence; yet he appears to have excited less jealousy in the minds of his neighbours. The progress which he made seems to have escaped the attention of the Romans; until, at last awakened by the report of a secret correspondence which he carried on with the republic of Carthage, they thought proper to send a deputation into Macedonia, in order to observe his motions.

By the deputies employed in this service, the Romans obtained intelligence, that Perseus had made advances to the Achæans as well as to the Carthaginians, and to other states; and was likely to form a powerful party among the Greeks.

From this time forward the leaders of the Roman councils seemed to have taken a resolution to remove this subject of jealousy, and to suppress the Macedonian monarchy. They renewed their attention to the state of parties in Greece, and endeavoured to reconcile

<sup>4</sup> Liv. lib. xl. c. 24.



all the differences that might incline any of those republics to oppose them in the execution of their design. They encouraged the king of Pergamus, who afterwards appears to have repented of the part which he took in that matter, to state his complaints. They brought him to Rome in person, and cited him before the Senate to give a complete detail of the circumstances that were alarming in the policy of Perseus. Eumenes, having been thus brought forward as a formal accuser, and being to return through Greece, in order to offer his devotions at the temple of Delphi, was assaulted and wounded by a party who meant to assassinate him; and this design, with some other acts of violence, being imputed to Perseus, served as a pretence for the war which followed.

The Roman Senate had already granted two separate commissions, the one of a deputation to visit Macedonia, and to observe the motions of Perseus; the other of an embassy into Egypt, to confirm their alliance with Ptolomy. On hearing of the attempt that had been made to assassinate Eumenes, they directed one of the Prætors, Caius Sicinius, with a proper force to pass into Epirus; and, in order to secure their access into that country, to take possession of Apollonia, and other towns on the coast. But a misunderstanding then subsisting between the Consuls, and other principal men of the Senate, caused some obstruction in the farther immediate prosecution of the war.

Perseus however, alarmed by the arrival of a Roman force in his neighbourhood, sent an embassy to Rome with expostulations on the subject, and with offers, by every reasonable concession that the Senate or the People could require, to avert the storm which threatened him. But the Romans, affecting resentment of the injuries they pretended to have received, ordered his ambassadors, without delay, to depart from Italy; and gave intimation, that, if for the future he should have any thing to offer, he might have recourse to the commander of the Roman army in Epirus.

The interview, which Perseus soon after had with the Roman commissioners, terminated with the strongest signs of hostility on both sides <sup>5</sup>. The king, however, having taken minutes of what passed at their conference, sent copies to all the neighbouring states, in order to exculpate himself from any guilt in the approaching war; and as the event afterwards showed how much it was the interest of every state to support him, he being the only power that could give them any protection against the Romans; so numbers, already moved by this apprehension, were inclined to favour his cause. The Rhodians, then a formidable naval power, though restrained by fear from an open breach with the Romans, yet gave sufficient evidence of this disposition. Eumenes likewise, though a principal instrument in fomenting the present quarrel, soon became averse to its consequences. The Beotians and Epirots, as well as the Illyrians, openly declared for the king of Macedonia <sup>6</sup>.

These circumstances were stated at Rome as additional grounds of complaint against the king; and his endeavours to vindicate the part he had acted, were considered as attempts to form a hostile confederacy against the republic.

Additional fleets and armies were accordingly assembled, and directed towards Epirus; and a declaration of war was issued in the form of an act of the Roman people.

The Romans had now, during about twenty-five years, borne a principal part among the nations that surrounded the Mediterranean sea. The ascendancy they had gained in all their wars or treaties, had made them common objects of fear or respect to all the contiguous powers of Europe, Asia, and Africa. The Macedonians, however, as the latest conquerors of the world, still retained a very high reputation for military skill and valour. The events of the late war

<sup>5</sup> Liv. lib. lxii. c. 25.

<sup>6</sup> Polyb. Excerptæ Legationes, c. 64—67.

rather surprized mankind, than convinced them of any decided superiority on the part of the Roman arms. The novelty of a new enemy, the mistakes or misconduct of the late king, might have accounted for his ill success. The kingdom had now been above twenty years exempted from any signal calamity, had re-established its armies, and filled its magazines and its coffers. The military establishment amounted to forty thousand men; the greater part formed and disciplined upon the plan of the phalanx, and supported with numerous troops of irregulars from the warlike cantons of Thrace. The king himself, in the vigour of manhood, sensible that the storm could not be diverted, affected rather to desire than to decline the contest; and, under all these circumstances, nations seemingly least interested in the consequences were intent on the scene that was about to be opened before them.

Eumenes, supposed to be incited by inveterate animosity to Perseus, and by recent provocations, prepared to fulfil his professions in behalf of the Romans.

Ariarathes, the king of Cappadocia, equally inclined by policy to wish for a counterpoise to the Macedonian power, but having recently formed an alliance by marriage with the family of Perseus, determined to be neutral in the war.

Ptolomy Philomater, who then filled the throne of Egypt, was a minor. Antiochus Epiphanes, who had lately succeeded his brother Seleucus, in the kingdom of Syria, having been some time an hostage at Rome, affected in his own court the manners of a Roman demagogue; but was chiefly intent on his pretensions to Cælesyria, which he hoped to make good under favour of the approaching conjuncture formed by the minority of Ptolomy, and by the avocation of the Roman forces in Greece.

The Carthaginians, and the king of Numidia, while they severally preferred their complaints against each other before the Roman Senate, vied likewise in their professions of zeal for the Roman republic,

public, and in their offers of supply of men, horses, provisions, or ships.

Gentius, the king of Illyricum, had incurred the jealousy of the Romans; but remained undetermined what part he should take.

Cotys, a Thracian king, declared openly for Perseus. The people of Greece, in their several republics, were divided among themselves. The popular parties in general, being desirous to exchange the government of their own aristocracies for that of a monarchy, favoured the king of Macedonia. The leading men were either inclined to the Romans, or wished to balance the rival powers, so as to have, in the protection of the one, some security against the usurpations of the other<sup>7</sup>.

The Romans had committed an error by sending a small force into Epirus, which the king of Macedonia might have cut off before it could be properly supported from Italy; but their commissioners, then in that country, had the address to amuse the king with a negotiation, and to divert him, during the first year of the war, from any attempt on Apollonia, or on any other station then in possession of the Roman troops.

In the following summer, about seven years after the accession of Perseus to the throne of Macedonia, the war in that kingdom being committed to the Consul Licinius, this general followed the army which had been transported to the coast of Epirus; and while the Roman fleet, with their allies, assembled in the straits of Eubœa, the armies on both sides began their operations. The Macedonians encamped at Sycurium on the declivity of mount Ossa. The Roman Consul penetrated into Thessaly; and, having passed the river Penæus, took post at Scea, twelve miles from the camp of the enemy. Here he was joined by Attalus, brother to the king of Pergamus, with four

<sup>7</sup> Liv. lib. xlii. c. 29—30.

thousand men, and by smaller bodies collected from different states of Greece.

C H A P.  
VII.

Perseus endeavoured to lay waste the kingdom of Pheræ, from which the Romans drew the greatest part of their subsistence; and an action ensued, in which the whole cavalry and light infantry of both armies being engaged, the Romans were defeated; and the Consul, no longer able to support his foraging parties on that side of the Penæus against a superior enemy, decamped in the night, and repassed the river.

Although this victory had a tendency to raise the hopes of the king, it was by him wisely considered as a fit opportunity to renew the overtures of peace; and, in order to bring on a negotiation, it was resolved, that the conditions which, under the misfortune of repeated defeats, had been offered by his father, should be made the preliminaries of the present treaty.

It appeared to the king, and to those with whom he consulted, that, in the sequel of a victory, this would appear an act of moderation, not of fear; that all neutral powers, who dreaded the consequences of a decided superiority on either side, would favour the person who should propose to have peace re-established on moderate terms; and that the Romans, being induced to terminate the war under the effects of a defeat, would from thenceforward respect the Macedonian monarchy, and be cautious how they disturbed its tranquillity.

But if in this manner the opportunity was perceived, and wisely laid hold of by the councils of Perseus, it by no means escaped the Roman council of war, which was assembled to receive the proposals of the king.

The Romans, whether from national spirit or policy, at all times declined entering on negotiations or treaties in consequence of defeats. They spurned the advances of a victorious enemy, while

B O O K  
I.

they received those of the vanquished with condescension and mildness. They accordingly, in the present case, treated the concessions of Perseus with disdain, haughtily answering, that he must submit at discretion<sup>s</sup>.

This reply was received at the court of Perseus with extreme surprize. But it produced still farther concessions; and instead of repentment from the king, a repetition of his message with an offer to augment the tribute which had been paid by his father<sup>o</sup>.

The remainder of the summer having passed in the operations of foraging parties, without any considerable action, the Romans retired for the winter into Beotia. On this coast the fleet, having met with no enemy at sea, had made repeated descents to distress the inhabitants who had declared for the king. The Consul took possession of his quarters, without any resistance, in the interior parts of the country; and in this, with the progress that was made by the army employed on the side of Illyricum in detaching that nation from Perseus, consisted the service of the first campaign.

Licinius, at the expiration of the usual term, was relieved by his successor in office, A. Hostilius Marcius. This commander, being defeated and baffled in some attempts he made to penetrate into the kingdom of Macedonia, appears to have made a campaign still less fortunate than that of his predecessor; and the Senate, at the end of the summer, having ordered him home to preside at the annual elections, sent a deputation to visit the army, and to inquire into the cause of their miscarriages, and the slowness of their progress.

The Romans, although they had experienced disappointments in the beginning of other wars, particularly in their first encounters with Pyrrhus and with Hannibal; and had reason to expect a similar effect in the opening of the present war, appear to have been greatly mortified

<sup>s</sup> In adversis vultum secundæ fortunæ gerere, moderari animos in secundis. Liv. lib. xlii. c. 62.

<sup>o</sup> Polyb. Excerpt. Legat. c. 69.

and surprized at this unpromising aspect of their enterprize. They were engaged with an enemy renowned for discipline, who had made war a trade, and the use of arms a profession; while they themselves, it appears, for a considerable period after the present war, even during the most rapid progress of their arms, had no military establishment besides that of their civil and political constitution, no soldiers besides their citizens, and no officers but the ordinary magistrates of the commonwealth.

If this establishment had its advantages<sup>10</sup>, it may have appeared, on particular occasions, likewise to have had its defects. The citizen may have been too much a master in his civil capacity to subject himself fully to the bondage of a soldier; and too absolute in his capacity of military officer to bear with the controul of political regulations. As the obligation to serve in the legions was general and without exception, many a citizen, at least in the case of any distant or unpromising service, would endeavour to shun his duty. And the officer would not always dare to enforce disagreeable duty on those by whom he himself was elected, or on whom he in part depended for farther advancement.

At the beginning of this war, the legions were augmented from five thousand two hundred foot and two hundred horse, to six thousand foot and three hundred horse<sup>11</sup>; and probably, to raise the authority of the Consul more effectually into that of a commander in chief, he was commissioned to name the Tribunes, as well as the Centurions of the army, that were to serve under his orders: but, upon a complaint that this extension of the Consul's powers did not, by enforcing the discipline of the army, serve the purpose for which it was made, the People resumed their right of election in

<sup>10</sup> Vid. B. i. c. 3.

<sup>11</sup> Liv. lib. xliii. c. 12.

the appointment even of inferior officers. The deputies, now sent into Macedonia by the Senate reported, that the legions employed in that country were extremely incomplete, numbers both of the lower officers and private men being, by the dangerous indulgence of their leaders, suffered to absent themselves from their colours<sup>12</sup>. This abuse we may apprehend to have been frequent in a service that was to be performed by citizens who had the choice of their own commanders. And from speculative ideas on the subject, if we were not bound to be governed by experience as the preferable tutor, we should be apt to reject, as an improper mode of forming armies, that establishment by which the Romans conquered the world.

It is probable, that not only the defect of subordination in the beginning of every war, but that of skill, likewise, in the use of their peculiar weapons, made, in the Roman armies, a great disparity between raw and veteran troops.

The use of the buckler and sword required great skill, agility, and muscular strength; all of them the effect of exercise and of continued practice.

The experience of the soldier who survived many actions tended to confirm his courage, because his escape was in a great measure the effect of his skill, or of his strength; and upon a return of similar dangers, gave him confidence in himself.

In battles the strong and the skilful escaped, the weak and the awkward were likely to perish; and every action not only exercised the arms of those that survived, but made a selection of the vigorous and skilful to be reserved for future occasions.

Hence probably, in the Roman armies, much more than in those of modern Europe, the practised soldier had a great superiority over the novice; and citizens, when brought into the field by rotation, had much to learn in the course of every campaign.

<sup>12</sup> Liv, lib. xliii. c. 11.



In the present contest, the checks of the first and the second year of the war, though extremely mortifying to the Romans, were received without any signs of irresolution, or change of their purpose. In the third year after hostilities commenced, the command of the army in Macedonia devolved on Q. Marcius Philippus, who, being chosen one of the Consuls, drew his province as usual by lot. This officer had been employed in one of the late deputations that were sent into Greece; had shown his ability in the course of negotiations which preceded the war; and now, by his conduct as a general, broke through the line with which the king had endeavoured to secure the passes of the mountains, and to cover the frontier of his kingdom. But, when he had penetrated into Macedonia, he found himself at the end of the season, and for want of proper supplies of provisions on that side of the mountains, unable to pursue the advantage he had gained. Here, therefore, he staid only to deliver his army to Emilius Paullus, who had been named to succeed him. This was the son of that Paullus, who, being one of the Consuls who commanded the Roman army at Cannæ, threw away his life rather than survive that defeat. The son was now turned of sixty<sup>13</sup>; and by the length of his service, and the variety of his experience in Liguria and Spain, was well acquainted with the chances of war.

Emilius Paullus, upon his election, in order that he might not be liable to answer for the faults of his predecessors, moved, that deputies should be sent into Macedonia to review the army, and to make a report of its state before he entered upon the command. His speech to the People, when about to depart for his province, carries a striking allusion to the petulant freedom with which, it seems, unsuccessful commanders were censured, or traduced in the popular conversations at Rome, and carries a defiance with which he proposed to

<sup>13</sup> Plutarch. in Vit. Emil. p. 157.

B O O K  
I.

silence the blame that might afterwards be cast on himself. " Let  
" such as think themselves qualified to advise the general," he said,  
" now accompany me into Macedonia. They shall have a passage  
" on board my ship ; and, in the field, be welcome to a place in my  
" tent and at my table ; but if they now decline this offer, let them  
" not afterwards pretend to judge of what they neither see nor un-  
" derstand. Nor let them set up their own opinion against that of  
" a fellow-citizen, who is serving the public to the utmost of his  
" ability, and at the hazard of his life and of his honours."

Emilius, upon his arrival in Macedonia, found the king entrenched on the banks of the Enipeus, with his right and left covered by mountains, on which all the passes were secured. After some delay, during which he was employed in observing the enemy's disposition, or in improving the discipline of his own army, he sent a detachment to dispossess the Macedonians of one of the stations which they occupied on the heights, with orders to the officer who commanded in this service, that, if he succeeded in it, he should fall down on the plain in the rear of the enemy ; he himself, in the mean time, made a feint to attack them in front.

The post on the heights being forced, Perseus relinquished his present disposition, and fell back towards Pydna on the banks of the Aliacmon. Here it became necessary for him either to hazard a battle, or, on account of the nature of the country behind him, to separate his forces.

He preferred the first, and made choice of a plain that was fit to receive the phalanx, and was skirted with hills, on which his light troops could act with advantage.

Here too the Roman Consul continued to press upon him, and was inclined to seize the first opportunity of deciding the war. Both armies, as by appointment, presented themselves on the plain in order of battle, and Emilius Paullus seemed eager to engage ; but, as

he himself used to confess, having never beheld an appearance so formidable as when the Macedonians levelled their spears, he thought proper to halt<sup>14</sup>. Though much disconcerted, he endeavoured to preserve his countenance, would not recede from his ground; and that he might encamp his army where they now stood, ordered the first line to remain under arms, and ready to attack the enemy, while those who were behind them began to intrench; having in this manner cast up a breast-work of considerable strength, he retired behind it, and under that cover completed the fortifications of a camp in the usual form.

In this position he waited for an opportunity to draw on an engagement, when the enemy should be less prepared to receive him, or not have time to avail themselves so much of that formidable order which constituted the strength of the phalanx.

This occasion soon afterwards seemed to be offered by a skirmish which happened in the fields between the two armies. A horse, having broke loose from the camp of the Romans, fled towards that of the Macedonians, was followed by the soldiers from whom he escaped, and met by their enemy from the opposite camp. These parties engaged, and each being joined by numbers from their respective armies, brought on at last a general action. The ground was favourable to the phalanx; and the Macedonians, though hastily formed, still possessed against the Romans the advantage of their weapons, and of their formidable order. They filled up the plain in front, and could not be flanked. They had only to maintain their ground, and had no occasion to discompose their ranks, in time of the action, by any change of position. They accordingly withstood with ease the first shock of the Roman legions; but were broken and disjointed in the sequel by the seemingly irregular attacks which were

<sup>14</sup> Polyb. Fragment. vol. iii. p. 243.

B O O K  
I.

made at intervals by the maniples, or the separate divisions of the Roman foot. The parts of the phalanx that were attacked, whether they were pressed in, or came forward to press on their enemy, could not keep in an exact line with the parts that were not attacked. Openings were made, at which the Roman soldier, with his buckler and short sword, could easily enter. Emilius, observing this advantage, directed his attack on those places at which the front of the phalanx was broken; and the legionary soldier, having got within the point of his antagonist's spear, pierced to the heart of the column, and in this position made a havoc which soon threw the whole into disorder and general route<sup>15</sup>.

Twenty thousand of the Macedonians were killed in the field, five thousand were made prisoners in their flight; and six thousand that shut themselves up in the town of Pydna were obliged to surrender at discretion<sup>16</sup>.

After this defeat, the king of Macedonia, with a few attendants, fled to Pella, where, having taken up his children and the remains of his treasure, amounting to ten thousand talents, or about two millions of pounds sterling<sup>17</sup>, he continued his flight to Amphipolis, and from thence to Samothracia, where he took refuge in the famous sanctuary of that island.

Emilius pushed on to Amphipolis, receiving the submission of all the towns and districts as he passed. The Prætor, Octavius, then commanding the Roman fleet, beset the island of Samothracia with his ships; and, without violating the sanctuary, took measures that effectually prevented the king's escape.

This unfortunate prince, with some of his children, delivered themselves up to the Prætor, and were conducted to the camp of Emilius. The king threw himself on the ground, and would have

<sup>15</sup> Plutarch in Vit. Emil. p. 173.

<sup>17</sup> Justin. lib xxxiii. c. 1.

<sup>16</sup> Liv. lib. xliv. c. 42.

embraced the victor's knees, when the Roman general, with a condescension that is extolled by ancient historians, gave him his hand, and raised him from the ground, but reproached him as the aggressor in the late contest with the Romans; and with a lesson of morality, which tore up the wounds of the unfortunate monarch, bid the young men who were present look on this object as an example of the instability of fortune, and of the vicissitude of human affairs.

While the war in Macedonia was coming to this issue, that in Illyricum had a like termination, and ended about the same time in the captivity of the king.

News of both were received at Rome about the same time, and filled the temples, as usual, with multitudes who crowded to perform the public rites of thanksgiving that were ordered by the Senate. Soon after which, embassies arrived from all the kings and states of the then known world, with addresses of congratulation on so great an event. The Senate proceeded to form a plan for the settlement of Macedonia.

It was resolved to extinguish the monarchy, to divide its territory into four districts, and in each to establish a republican government, administered by councils and magistrates chosen by the People. This, among the Greeks, could bear the interpretation of bestowing absolute liberty. Ten commissioners were named to carry this plan into execution in Macedonia, and five were appointed for a similar purpose in Illyricum. Emilius was continued in his command, and the army ordered to remain in Macedonia until the settlement of the province should be completed.

The Commissioners, agreeably to their instructions, fixed the limits of the several districts, and, probably to perpetuate the separation of them, or to prevent any dangerous communication between their inhabitants, prohibited them to intermarry, or to hold any commerce in the property of land, from one division to another.

E O O K  
I.

To some other restrictions, which had more a tendency to weaken or to dismember this once powerful monarchy, than to confer freedom on the people, they joined an act of favour, in considerably diminishing their former burdens, reducing their tribute to one half of what they had usually paid to their own kings; and, to facilitate or to secure the reception of the republican form which was devised for them, they ordered all the ancient nobles, and all the retainers of the late court, as being irreconcilable with the equality of citizens under a republic, to depart from the kingdom, and to chuse places of residence for themselves in Italy.

A like plan was followed with respect to Illyricum, which was divided into three districts; and the kings both of Macedonia and of this country, with many other captives, were conducted to Rome to adorn the triumph of their conquerors.

Perseus is said to have lived as a prisoner at Alba, about four years after he had been exhibited in this procession. Alexander, one of his sons, had an education calculated merely to procure him subsistence, and was afterwards, as a scribe or a clerk, employed in some of the public offices at Rome.

While the event of the Macedonian war was yet undecided, and no considerable advantage, either of conduct or fortune, appeared on the side of the Romans, they still preserved the usual arrogance of their manner, and interposed with the same imperious ascendant in the affairs of Greece, Asia, and Africa, that they could have done in consequence of the most decisive victory. It was at this time that, by the celebrated message of Popilius Lænas, they put a stop to the conquests of Antiochus Epiphanes in Egypt. This prince, trusting to the full employment with which the Roman forces were engaged, had ventured to invade this kingdom, and was in possession of every part of it, except the city of Alexandria. He was occupied in the siege of this place when Popilius arrived and delivered him

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an order of the Senate to desist. The king made answer, That he would consider of it. “ Determine before you pass this line,” said the Roman, tracing a circle with the rod which he held in his hand. This people, however, had occasion, during the dependance of the Macedonian war, to observe that few of their allies were willing to support them in the extremes to which they seemed to be inclined. The Epirots had actually declared for the king of Macedonia. The Rhodians had offered their mediation to negotiate a peace, and threatened hostility against either of the parties who should refuse to accept of it. Even Eumenes was suspected of having entered into a secret concert with Perseus, although the fall of that prince prevented any open effects of their treaty.

The Romans, nevertheless, disguised their resentment of these several provocations, until their principal enemy, the king of Macedonia, was subdued; after they had accomplished this end, they proceeded against every other party, with a severity which was then supposed to be permitted in the law of nations, and no more than proportioned to their supposed offence. They gave orders to Emilius, in passing through Epirus, to lay that country under military execution. Seventy towns were accordingly destroyed, and an hundred and fifty thousand of the people sold for slaves.

The Senate refused to admit the ambassadors of Rhodes, who came to congratulate the Roman people on their victory at Pydna. They stripped those islands of the provinces which had been granted to them on the continent by the late treaty with Antiochus, and ordered them to discontinue some duties levied from ships in passing through their sound, which made a considerable part of their revenue.

While Eumenes was coming in person to pay his court to the Senate, they resolved to forbid the concourse of kings to Rome. Their meaning, though expressed in general terms, was evidently levelled at this prince; and they ordered, that when he should arrive at Brun-

dusium, their resolution should be intimated to him, to prevent his nearer approach.

They in reality, from this time forward, though in the style of allies, treated the Grecian republics as subjects.

Such was the rank which the Romans assumed among nations; while their statesmen still retained much of their primeval rusticity, and did not consider the distinctions of fortune and equipage as the appurtenances of power or of high command. Cato, though a citizen of the highest rank, and vested successively with the dignities of Consul and of Censor, used to partake in the labour of his own slaves, and to feed with them from the same dish at their meals<sup>17</sup>. When he commanded the armies of the republic, the daily allowance of his household was no more than three medimni, or about as many bushels of wheat for his family, and half a medimnus, or half a bushel of barley for his horses. In surveying his province he usually travelled on foot, attended by a single slave who carried his baggage<sup>18</sup>.

These particulars are mentioned perhaps as peculiar to Cato; but such singularities in the manners of a person placed so high among the people, carry some general intimation of the fashion of the times.

A spirit of equality yet reigned among the members of the commonwealth, which rejected the distinctions of fortune, and checked the admiration of private wealth. In all military donations the Centurion had no more than double the allowance of a private foldier, and no military rank was indelible. The Consul and commander in chief of one year served not only in the ranks, but even as a Tribune or inferior officer in the next; and the same person who had displayed the genius and ability of the general, still valued himself on the courage and address of a legionary foldier.

<sup>17</sup> Plutarch. in Vit. Catonis, p. 330.

<sup>18</sup> Ibid. p. 335 & 338.



No one was raised above the glory to be reaped from the exertion of mere personal courage and bodily strength. Persons of the highest condition sent or accepted a defiance to fight in single combat, in presence of the armies to which they belonged. Marcus Servilius, a person of consular rank, in order to enhance the authority with which he spoke when he pleaded for the triumph of Paulus Emilius, informed the People that he himself, full three and twenty times, had fought singly with so many champions of the enemy, and that in each of these encounters he had slain and stripped his antagonist. A combat of the same kind was afterwards fought by the younger Scipio, when serving in Spain.

The sumptuary laws of this age were suited to the idea of citizens who were determined to contribute their utmost to the grandeur of the State; but to forego the means of luxury or personal distinction. Roman ladies were restrained, except in religious processions, from the use of carriages any where within the city, or at the distance of less than a mile from its walls; and yet the space over which they were to preserve their communications extended to a circuit of fourteen miles, and began to be so much crowded with buildings or cottages, that, even before the reduction of Macedonia, it was become necessary to restrain private persons from encroaching on the streets, squares, and other spaces reserved for public conveniency. In a place of this magnitude, and so stocked with inhabitants, the female sex was also forbid the use of variegated or party-coloured clothes, or of more than half an ounce of gold in the ornament of their persons. This law being repealed, contrary to the sentiments of Cato, this citizen, when he came, in the capacity of Censor, to take account of the equipages, clothes, and jewels of the women, taxed each of them tenfold for whatever was found in her wardrobe exceeding the value of one thousand five hundred denarii, or about fifty pounds sterling<sup>19</sup>.

<sup>19</sup> Liv. lib. xxxiv. c. 1-6.

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The attention of the legislature was carried into the detail of entertainments or feasts. In one act the number of the guests, and in a subsequent one the expence of their meals, were limited. By the Lex Tribonia, enacted about twenty years after the reduction of Macedonia, a citizen was allowed, on certain high festivals, to expend three hundred asses, or about twenty shillings sterling; on other festivals of less note, one hundred asses, or about six shillings and eight pence; but during the remainder of the year, no more than ten asses, or about eight pence; and was not allowed to serve up more than one fowl, and this with a proviso that it should not be crammed or fatted<sup>20</sup>.

Superstition made a principal article in the character of the people. It subjected them continually to be occupied or alarmed with prodigies and ominous appearances, of which they endeavoured to avert the effects by rites and expiations, as strange and irrational as the pre-fages on which they had grounded their fears. Great part of their time was accordingly taken up with processions and public shews, and much of their substance, even to the whole annual produce of their herds<sup>21</sup>, was occasionally expended in sacrifices, or in the performance of public vows. The first officers of State, in their functions of the priesthood, performed the part of the cook and the butcher; and, while the Senate was deliberating on questions of great moment, examined the entrails of a victim, in order to know what the gods had determined. "You must desist," said the Consul Cornelius, entering the Senate with a countenance pale and marked with astonishment; "I myself have visited the boiler, and the head " of the liver is consumed<sup>22</sup>."

According to the opinions entertained in those times, forcery was a principal expedient employed by those who had secret designs on the life of their neighbour. It was supposed to make a part in the

<sup>20</sup> Plin. lib. x. c. 50.  
of their herds for a whole year.

<sup>21</sup> The Ver Sacrum was a general sacrifice of all the young  
<sup>22</sup> Liv. lib. xli. c. 15.

statutory crime of poisoning; and the same imagination which admitted the charge of sorcery as credible, was, in particular instances, when any person was accused, easily convinced of his guilt; inso-much that some thousands were at times convicted together of this imaginary crime <sup>25</sup>.

C H A P.  
VII.

The manners of the people of Italy were at times subject to strange disorders, or the magistrate gave credit to wild and improbable reports. The story of the Bacchanals, dated in the year of Rome five hundred and sixty-six, or about twenty years before the conquest of Macedonia, may be considered as an instance of one or the other <sup>24</sup>. A society, under the name of Bacchanals, had been instituted, on the suggestion of a Greek pretender to divination. The desire of being admitted into this society prevailed throughout Italy, and the sect became extremely numerous. As they commonly met in the night, they were said at certain hours to extinguish their lights, and to indulge themselves in every practice of horror, rape, incest, and murder; crimes under which no sect or fraternity could possibly subsist, but which, in being imputed to numbers in this credulous age, gave occasion to a severe inquisition, and proved fatal to many persons at Rome, and throughout Italy.

The extreme superstition, however, of those times, in some of its effects, vied with genuine religion; and, by the regard it inspired, more especially for the obligation of oaths, became a principle of public order and of public duty, and in many instances superseded the use of penal or compulsory laws.

When the citizen swore that he would obey the call of the magistrate to enlist in the legions; when the soldier swore that he would not desert his colours, disobey his commander, or fly from his enemy;

<sup>23</sup> Liv. lib. xxxix. c. 41.

<sup>24</sup> Ibid. c. 8. & sequen.

<sup>25</sup> Venificium.

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B O O K  
I.

when a citizen, at the call of the Cenfor, reported on oath the amount of his effects; the State, in all those instances, with perfect confidence relied on the good faith of her subjects, and was not deceived.

In the period to which these observations refer, that is, in the sixth century of the Roman State, the first dawning of literature began to appear. It has been mentioned that a custom prevailed among the primitive Romans, as among other rude nations, at their feasts to sing or rehearse heroic ballads which recorded their own deeds or those of their ancestors<sup>26</sup>. This practice had been some time discontinued, and the compositions themselves were lost. They were succeeded by pretended monuments of history equally fallacious, the orations which, having been pronounced at funerals, were, like titles of honour, preserved in the archives of every noble house, but which were rather calculated to flatter the vanity of families, than to record the truth<sup>27</sup>.

The Romans owed the earliest compilations of their history to Greeks; and in their own first attempts to relate their story employed the language of that people<sup>28</sup>. Nævius and Ennius, who were the first that wrote in the Latin tongue, composed their relations in verse. Livius Andronicus, and afterwards Plautus and Terence, translated the Greek fable, and exhibited in the streets of Rome, not the Roman, but Grecian manners. The two last are said to have been persons of mean condition; the one to have subsisted by turning a baker's mill, the other to have been a captive and a slave. Both of them had probably possessed the Greek tongue as a vulgar dialect, which was yet spoken in many parts of Italy, and from this circumstance, became acquainted with the elegant compositions of Philemon and Menander<sup>29</sup>.

<sup>26</sup> Cic. de Claris Oratoribus, c. 19.

<sup>27</sup> Ibid. p. 394.

<sup>28</sup> Dion. Hal. lib. i. p. 5.

<sup>29</sup> The people of Cumæ, about this time, applied for leave to have their public acts, for the time, expressed in Latin.

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Their comedies were acted in the streets, without any seats or benches for the reception of an audience. But a nation so little studious of ordinary conveniencies, and contented to borrow their literary models from neighbours, to whom, being mere imitators, they continued for ages inferior, were, however, in their political and military character, superior to all other nations whatever; and, at this date, had extended a dominion, which originally consisted of a poor village on the Tiber, to more empire and territory than is now enjoyed by any kingdom or state of Europe.

C H A P.  
 VII.

U. C. 586.



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B O O K I I.

C H A P. I.

*State, Manners, and Policy of the Times.—Repeated Complaints from Carthage.—Hostile Disposition of the Romans.—Resolution to remove Carthage from the Coast.—Measures taken for this Purpose.—Carthage besieged.—Taken and destroyed.—Revolt of the Macedonians.—Their Kingdom reduced to the Form of a Roman Province.—Fate of the Achæan League.—Operations in Spain.—Conduct of Viriathus.—State of Numantia.—Blockade of Numantia.—Its Destruction.—Revolt of the Slaves in Sicily.—Legal Establishments and Manners of the City.*

**T**HE reduction of Macedonia was in many respects a remarkable æra in the history of Rome. Before this date Roman citizens had been treated as subjects, and permitted themselves to be taxed. They were required at every census to make a return of their effects

C H A P.  
I.

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B O O K  
II.

upon oath, and, besides other stated or occasional contributions to the public, paid a certain rate on the whole value of their property. But upon this event they assumed more entirely the character of sovereigns; and, having a treasury replenished with the spoils of that kingdom, exempted themselves from their former burdens.

The accession of wealth, said to have put them in this condition, is variously reported. Livy quotes Valerius Antias as stating it at *millies ducenties*, or about a million sterling; Velleius Paterculus states it at double this sum, and Pliny at somewhat more<sup>1</sup>. But the highest of these computations scarcely appears adequate to the effect supposed. It is more likely that the ordinary income of the treasury, consisting of the sums so frequently deposited at the triumphs of victorious leaders, the tributes received from Carthage and Syria, the rents of Campania, the titles of Sicily and Sardinia, with the addition of the revenue recently constituted in Macedonia, put the Romans at last in condition to exempt themselves from taxation; an effect which no perishing capital placed at once in their coffers could be supposed to produce. The Roman treasury, when examined about ten years after this date, was found to contain, in bars of gold and silver, and in coin, not much more than half a million sterling<sup>2</sup>: a sum which, without a proper and regular supply, must have been soon exhausted.

From the conclusion of the war with Perseus, the Romans, for twenty years, do not seem to have been engaged with any considerable enemy; and their numerous colonies, now dispersed over Italy, from Aquilicia to Rhegium, probably made great advances, during this period, in agriculture, commerce, and the other arts of peace. Among their public works are mentioned, not only temples and for-

<sup>1</sup> Velleius, lib. i, c. 9. Plin. lib. xxxiii. c. 3.

<sup>2</sup> Plin. lib. xxxiii. c. 3. In gold 16,810 Æ.

in silver 22,070 Æ. and in coin 620,854,600 H. S. Arbuthnot of Ancient Coins.



tifications, particulars in which men attain to magnificence even in rude ages, but likewise aqueducts, market-places, pavements, highways, and other conveniencies, the preludes or attendants of wealth and commerce.

Cato, in pleading against the repeated election of the same person into the office of Consul, exclaimed against the luxury of the times, and alleged, that so many citizens could not support their extravagance by any other means than that of draining the provinces by virtue of their repeated appointments to command. "Observe," he said, "their villas how curiously built, how richly furnished with ivory and precious wood. Their very floors are coloured or stained in the Punic fashion<sup>3</sup>."

The Romans had formerly made laws to fix the age at which citizens might be chosen into the different offices of State<sup>4</sup>. And on the occasion on which Cato made this speech, they excluded the same person from being repeatedly chosen. They likewise made those additions to former sumptuary laws which have been already mentioned. The Census, or enrolment of the People, began to be made with more care than formerly: even the Latin allies, though migrating to Rome, were excluded from the rolls<sup>5</sup>; and the people generally mustered from three to four hundred thousand men. Lex Annalis.

While the Romans had no war to maintain with the more regular and formidable rivals of their power, they still employed their legions on the frontier of their provinces in Spain, Dalmatia, Liguria, and on the descents of the Alps. They opened, for the first time, an intercourse with the Transalpine nations, in a treaty of alliance with

<sup>3</sup> Vid. Pompeium Festum.

<sup>4</sup> It appears that, by this law, being Quæstors at thirty-one, they might rise to the consulate at forty-three.

<sup>5</sup> Plutarch, in the Life of Flaminius,

mentions a law by which the Censors were obliged to enrol every freeman that offered. The Latins complained, that their towns were depopulated by emigrations to Rome.

Liv. lib. xli. c. 8.

B O O K  
 II.

the republic of Marfeilles; in consequence of which, they protected that mercantile settlement from the attacks of fierce tribes, who infested them from the maritime extremities of the Alps and Appenines. They were in general the umpires in the differences of nations, gave audience in all their complaints, interposed with their forces as well as authority, and disposed of provinces and kingdoms at their pleasure. They kept a vigilant eye on the conduct and policy of all the different powers with whom they were at any time likely to be embroiled, and generally conducted their transactions with independent nations as they adjusted the first settlement of their own acquisitions, by commission and deputations sent from the Senate to decide, with the least possible delay, on such matters as might arise in the place to which their deliberations referred.

The number of commissioners employed in these services, for the most part, was ten. These took informations, formed plans, and made their reports for the final decision of the Senate, and, by the frequency of these appointments, it appears that the members of the Senate, in rotation, had an opportunity of becoming acquainted with that world which they were destined to govern.

The Senate itself, though, from its numbers and the emulation of its members, likely to embarrass affairs by debate, delay, and the rash publication of all its designs, in reality possessed all the advantages of decision, secrecy, and dispatch, that could be obtained in the most select executive council. This numerous assembly of Roman statesmen appear to have maintained, during a long period, one series of consistent and uniform design; and kept their intentions so secret, that their resolutions, for the most part, were known only by the execution. The king of Pergamus made a journey to Rome, in order to excite the Romans to a war with his rival, the king of Macedonia. He preferred his complaints in the Senate, and prevailed on this body to resolve on the

the war; but no part of the transaction was public till after the king of Macedonia was a prisoner at Rome<sup>6</sup>.

During the present respite from any considerable war, the Romans balanced the kingdoms of Pergamus, Bithynia, and Cappadocia against each other, in such a manner as to be able, at pleasure, to oppress any of those powers that should become refractory or formidable to their interest.

They made the kingdom of Syria devolve on a minor, the son of Antiochus; and, under the pretence of this minority, sent a commission to take charge of the kingdom. But their commissioners were, with the connivance of the court, assaulted in a riot at Antioch; some of them were killed, and others forced to fly from the country.

Demetrius, the son of Seleucus, who ought to have succeeded to his father in the monarchy of Syria, being, at the death of that prince, an hostage at Rome, had been supplanted by his younger brother, the father of that minor prince who was now acknowledged by the Romans.

Upon the insult that had been thus offered to the Roman commission at Antioch, Demetrius thought it a favourable opportunity to urge his claim, and to prevail on the Senate to restore him to the succession of his father's crown: but these crafty usurpers, notwithstanding the offence they had received from those who were in possession of the monarchy, preferred the advantages which they had over a minor king, to the precarious affection or gratitude of an active spirited prince, educated at Rome, and taught by their own example to know his interest; and they accordingly denied his request.

Demetrius, however, made his escape from Rome, and, by the death of the minor and his tutor, got unrivalled possession of the

<sup>6</sup> Valer. Maxim. lib. ii. c. 2.

B O O K  
II.

kingdom of Syria. To pay his court to the Romans, as one of the first acts of his reign, he sent the murderer of their late commissioner, Octavius, in chains, to be punished at their discretion. But the Senate disdained to wreck their public wrongs on a private criminal; or, having cause of complaint against the nation itself, were not to be satisfied with the punishment of a single person. They suffered the prisoner, as beneath their attention, to depart.

As patrons of the kingdom of Egypt, they promoted the division of that country between the two brothers, who were then joined in the sovereignty, and rivals for the sole possession of the throne<sup>7</sup>.

During the dependence of these transactions, the Senate had repeated complaints from Africa, which ended in a war that proved fatal at last to the antient rivals of their power. In the conduct of this war, being now less dependent than formerly on the opinion of the world, they, contrary to their usual pretensions to national generosity and liberality, sacrificed, without reserve, entire nations to the ambition, or to the meanest jealousy, of their own republic<sup>8</sup>.

The province of Emporia, a district lying on the coast, and the richest part of the Carthaginian territory, had been violently seized by Gala king of Numidia, and father of Massinissa. It had been again restored by Syphax, when he supplanted the family of Gala on the throne of that kingdom; but now again usurped by Massinissa on recovering the crown by the power of the Romans, to whose favour he trusted; and the Carthaginians, precluded by the late treaty from making war on any ally of the Romans, had recourse to complaints and representations, which they made at Rome, both before and after the reduction of Macedonia. The Roman Senate had, for five and twenty years, eluded these complaints, and, during this time, was in the practice of sending commissioners into Africa, under pretence of

<sup>7</sup> Polyb. Excerptæ Legationes.

<sup>8</sup> Ibid. N° 142.

hearing

hearing the parties in this important dispute, but with instructions or dispositions to favour Massinissa, and to observe, with a jealous eye, the condition and the movements of their antient rival<sup>9</sup>.

The Carthaginians, yet possessed of ample resources, and, if wealth or magnificence could constitute strength, still a powerful nation; being weary of repeated applications, to which they could obtain no satisfying answer, took their resolution to arm, and to assert by force their claim to the territory in question.

They were met in the field by the army of Massinissa, commanded by himself, though now about ninety years of age, and were defeated<sup>10</sup>.

This unfortunate event disappointed their hopes, and exposed them to the resentment of the Romans, who considered the attempt they had made to do themselves justice, as a contravention of the late treaty, and a departure from the articles of peace between the two nations.

The expediency of a war with Carthage had been for some time a subject of debate in the Roman Senate. Deputies had been sent into Africa, to procure the information that was necessary to determine this question. Among these Cato, being struck with the greatness, wealth, and populousness of that republic, and with the amazing fertility of its territory, when he made his report in the Senate, carried in his lap a parcel of figs which he had brought from thence. "These," he said, "are the produce of a land that is but three days sail from Rome. Judge what Italy may have to fear from a country whose produce is so much superior to its own. That country is now in arms; the sword is drawn against Massinissa; but when thrust in his side, will penetrate to you. Your boasted victories have not subdued the Carthaginians, but given them experience, taught them caution, and instructed them how to dis-

<sup>9</sup> Polyb. Excerptæ Legationes, c. 118. Liv. lib. xl. c. 17.

<sup>10</sup> Liv. Epitome, lib. xlviii. Appian. de Bell. Punic, p. 38.

"guise,

B O O K  
II.

“ guise, under the semblance of peace, a war which you will find  
“ marshalled against you in their docks and in their arsenals.” This,  
and every other speech on this subject, Cato concluded with his famous  
saying; “ That Carthage should be destroyed ”.

Scipio Nasica, another speaker in this debate, contended for peace. He represented the forces of Carthage as not sufficient to alarm the Romans; or, if really greater than there was any reason to suppose them, no more than were requisite to exercise the virtues of a people already, for want of proper exertion, begun to suffer some abatement in their vigilance, discipline, and valour.

In this diversity of opinions, it appeared soon after, that the Senate took a middle course, resolved not to destroy, but to remove the inhabitants of Carthage to a new situation, at least ten miles from the sea<sup>11</sup>.

The Carthaginians, after their late unfortunate adventure with Massinissa, were willing to preserve their effects, and to purchase tranquillity by the lowest concessions. But as the measure now proposed by the Roman Senate amounted to a deprivation of all that property which is vested in houses or public edifices, and an entire suppression of all those local means of subsistence which could not be easily transferred, it was not supposed that their consent could be easily obtained, and it was accordingly resolved to keep the design a secret, until effectual means were prepared for its execution.

The consuls, without any declaration of war, were instructed to arm, and to pass with their forces into Sicily. As their arrival on that island, which was then in a state of profound peace, evidently implied a design upon Africa, the people of Utica, that they might have the merit of an early declaration in favour of the Romans,

<sup>11</sup> Delenda est Carthago.

lib. iv. c. 22. Velleius, lib. i. c. 12. Polyb.

<sup>12</sup> Appian in Punicis. Plutarch in Vit. Excerptæ Legationes, N° 142.  
Catonis. Zonaras, lib. ix. c. 26. Oros.

sent a deputation to make them a tender of their port and town, as a harbour and place of arms for the accommodation of their forces. The Carthaginians were distracted with opposite counsels. They laid the blame of the war with Massinissa on Hasdrubal and his abettors, whom they ordered into exile; but, without coming to any other resolutions, sent a deputation, with full powers to conclude as circumstances might seem to require, and agree to whatever they should find most expedient for the commonwealth. These deputies, on their arrival at Rome, finding no disposition in the Senate to treat with them upon equal terms, resolved to arrest, by the most implicit submission, the sword that was lifted up against their country. They accordingly confessed the imprudence of their late conduct, and implored forgiveness. They quoted the sentence of banishment passed upon Hasdrubal and his party, as an evidence of their contrition for the hostilities lately offered to Massinissa; and they made a formal surrender of their city and its territory to be disposed of at the pleasure of the Romans.

In return to this act of submission, they were told, that the Romans approved their behaviour, and meant to leave them in possession of their freedom, their laws, their territory, and of all their effects, whether private or public: but, as a pledge of their compliance with the measures that might be necessary to prevent the return of former disputes, they demanded three hundred hostages, the children of Senators, and of the first families in Carthage. This demand being reported in the city gave a general alarm; but the authors of these counsels were too far advanced to recede. They tore from the arms of their parents the children of the first families in the commonwealth; and, amidst the cries of affliction and despair, embarked those hostages for Sicily. Upon this island they were delivered over to the Roman Consuls, and were by them sent forward to Rome.

The commanders of the Roman armament, without explaining themselves any further, continued their voyage, and, by their appearance on the coast of Africa, gave a fresh alarm at Carthage. Deputies from the unfortunate inhabitants of that place went to receive them at Utica, and were told, that they must deliver up all their arms, ships, engines of war, naval and military stores. Even these alarming commands they received as the strokes of fate, which could not be avoided. "We do not mean," said one of the deputies, "to dispute your commands; but we entreat you to consider, to what a helpless state you are about to reduce an unfortunate people, who, by this hard condition, will be rendered unable to preserve peace among their own citizens at home, or to defend themselves against the meanest invader from abroad. We have banished Hadrubal in order to receive you: we have declared him an enemy to his country, that you might be our friends: but when we are disarmed, who can prevent this exile from returning to occupy the city of Carthage against you? With twenty thousand men that follow him, if he comes into the direction of our government, he will soon oblige us to make war on you<sup>13</sup>." In answer to this piteous expostulation, the Roman generals undertook the protection of Carthage, and ordered commissaries to receive the several articles that were to be delivered up, and to see the arsenals and the docks destroyed.

It is reported, that there were delivered up to these commissaries forty thousand suits of armour, twenty thousand katapultæ, or large engines of war, with a plentiful store of darts, arrows, and other missiles.

So far the Romans proceeded with caution, well knowing the veneration which mankind entertain for the seats and tombs

<sup>13</sup> Polyb. Excerpt. Legat. c. 142.



of their ancestors, with the shrines and consecrated temples of their gods; and dreading the effects of despair, as soon as the Carthaginians should perceive how much they were to be affected in their private and public property. But now, thinking their object secure, they proceeded to declare their intentions. The Consul called the Carthaginian deputies into his presence, and beginning with an exhortation, that they should bear with equanimity what the necessity of their fortune imposed, intimated, as the definitive resolution of the Roman Senate, that the people of Carthage should relinquish their present situation, and build on any other part of their territory, not less than eighty stadia, or about ten miles, removed from the sea. The amazement and sorrow with which these orders were received, justified the precautions which the Romans had taken to secure the execution of them. The deputies threw themselves upon the ground, and endeavoured, from motives of pity, or of reason, to obtain a revocation of this cruel and arbitrary decree. They pleaded the merit of their implicit submission, their weakness, their inability any longer to alarm the jealousy of Rome, circumvented, disarmed, bound to their duty by hostages the most precious blood of their commonwealth. They pleaded the faith which was plighted by the Romans, the hopes of protection they had given, and the reputation they had justly acquired, not only for national justice, but for clemency and generosity to all who sued for mercy. They pleaded the respect which all nations owed to the shrines and the consecrated temples of their gods; the deplorable state into which numbers of their people must be reduced, expelled from their habitations and immoveable possessions, the principal articles of their property, and the hopeless condition of others, who, inured to subsist by the advantages of a maritime situation, were entirely disqualified to support themselves or their children at a distance from the sea.

B O O K  
 II.

The Roman Consul replied by repeating the express orders of the Senate, and bid the Carthaginians remember, that states were composed of men, not of ramparts and walls. That the Roman Senate had promised to spare and protect the republic of Carthage; and that they had fulfilled this engagement by leaving the people in possession of their freedom and their laws. That the sacred places should remain untouched, and that the shrines of the gods would still be within the reach of their pious visits. That the distance to which it was proposed to remove Carthage from the sea was not so great as the distance at which Rome herself was situated from it; and that the Romans had taken their resolution, that the people of Carthage should no longer have under their immediate view that element which opened a way to their ambition, had tempted them first into Sicily, afterwards into Spain, and last of all into Italy, and to the gates of Rome; and which would never cease to suggest projects dangerous to themselves, and inconsistent with the peace of mankind. “ We go then,” said the deputies of Carthage, “ to certain death, which we have merited by having persuaded our fellow-citizens to resign themselves into the hands of the Romans. But if you mean to have your commands obeyed, you must be ready to enforce them; and by this means you may save an unfortunate people from exposing themselves, by any act of despair, to worse sufferings than they have yet endured.”

The deputies accordingly, being followed at a distance by twenty galleys of the Roman fleet, set sail for Carthage. They were received on the shore by multitudes, who crowded to hear the result of their negotiations; but the silence they preserved, under pretence that it was necessary to make their report first to the Senate, spread a general dismay. In the Senate their message was received with cries of despair, which soon conveyed to the people in the streets a knowledge of the conditions imposed upon them. And this nation, who,  
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about forty years before, had consented to betray their principal citizen into the hands of their enemy, and who had lately resigned all the honours and pretensions of a free state, now kindled into rage at the thoughts of being obliged to forego so great a part of their wealth, and to remove their habitations. They burst into the place where the Senate was assembled, and laid violent hands on all the members who had advised or borne any part in the late degrading submissions, or who had contributed to bring the state into its present helpless condition. They took vengeance, as is common with a corrupted populace, on others, for faults in which they themselves had freely concurred; and, as awake to new sentiments of honour, they reviled the spirit of their own commonwealth, ever ready to barter national character for profit, to purchase safety with shameful concessions, and to remove a present danger, by giving up what is the only security of nations against any danger, the reputation of their vigour, and the honour of their arms.

While the multitude indulged themselves in every species of riot, a few had the precaution to shut the gates, to stretch the chain which protected the entrance of the harbour, and to make a collection of stones on the battlements, these being the only weapons they had left to repel the first attacks of the Romans. The remains of the Senate too, without reflecting on the desperate state of their affairs, resolved on war. Despair and frenzy succeeded in every breast to dejection and meanness.

Assemblies were called to reverse the sentence of banishment lately pronounced against Hasdrubal, and against the troops under his command. These exiles were entreated to hasten their return for the defence of a city bereft of arms, ships, military and naval stores. The people, in the mean time, with an ardor which reason, and the hopes of success during the prosperity of the republic could not have inspired, endeavoured to replace the arms and the stores which they

B O O K  
 II.

had so shamefully surrendered. They demolished their houses to supply the docks with timber. They opened the temples and other public buildings to accommodate the workmen; and, without distinction of sex, condition, or age, became labourers in the public works, collected materials, furnished provisions, or bore a part in any labour that was thought necessary to put the city in a state of defence. They supplied the founders and the armourers with the brass and iron of their domestic utensils; or, where these metals were deficient, brought what they could furnish of silver and gold. They joined, with the other materials which were used in the roperies, their hair to be spun into cordage for the shipping, and into braces for their engines of war.

The Roman Consuls, apprised of what was in agitation, willing to await the returns of reason, and to let these first ebullitions of frenzy subside, for some days made no attempts on the city. But, hearing of the approach of Hasdrubal, they thought it necessary to endeavour, before his arrival, to possess themselves of the gates. Having in vain attempted to scale the walls, they were obliged to undergo the labours of a regular siege; and though they made a breach, were repulsed in attempting to force the city by storm.

Hasdrubal had taken post on the creek which separated the peninsula of Carthage from the continent, maintained his communication by water, and supplied the inhabitants with provisions and arms. The Romans, seeing that they could not reduce the city while Hasdrubal retained this post, endeavoured to dislodge him, but were defeated, and obliged to raise the siege. They had already spent two years in this enterprize, changed their commanders twice, but without advancing their fortunes. They began to incur the discredit of having formed against a neighbouring commonwealth an invidious design which they could not accomplish. Enemies in every quarter, in Greece, Macedonia, and Spain, were encouraged to de-  
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clare against them; and even Massinissa, unwilling to see their power substituted for that of Carthage, and jealous of the avidity with which they endeavoured to become masters in Africa, and to snatch from his hands a prey in which he thought himself intitled to share, withdrew his forces, and left them singly to contend with the difficulties in which they began to be involved.

But the Romans were animated by those mortifications which are apt to discourage other nations. They imputed the miscarriage of their troops to the misconduct of their generals; and they clamoured for a better choice. Scipio, by birth the son of Emilius Paullus, and by adoption the grandson of Scipio Africanus, having distinguished himself in Spain and in Africa, and being then arrived from the army to solicit the office of Edile, was thought worthy of the supreme command; but being about ten years under the legal age, the law was suspended in his favour, and his appointment to the province of Africa, in preference to his colleague, was declared without the usual method of casting lots.

The Carthaginians were now reinstated in their consideration, and in their rank among nations, and had negotiations with the neighbouring powers of Mauritania and Numidia, whose aid they solicited with alarming reflections on the boundless ambition, and invidious policy of the Romans. They even conveyed assurances of support to the Achæans, to the pretended Philip, an impostor, who, about this time, laid claim to the throne of Macedonia; and they encouraged with hopes of assistance the subjects of that kingdom, who were at this time in arms to recover the independence of their monarchy.

The mere change of the commander, and better discipline in the Roman army, however, soon altered the state and prospects of the war. The first object of Scipio was to cut off the communications of the Carthaginians with the country, and to intercept their supply of provisions and other articles necessary to withstand a siege.

Carthage

B O O K  
II.  
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Carthage was situated at the bottom of a spacious bay, covered on the west by the promontory of Apollo, on the east by that of Hermes, or Mercury, at the distance of about fifteen leagues from each other. The city stood on a peninsula joined to the main land by an isthmus about three miles in breadth, and covering a basin or harbour, in which their docks and their shipping were secured from storms and hostile attacks. The Byrsa, or citadel, commanded the isthmus, and presented at this only entrance to the town by land, a wall thirty feet thick and sixty feet high. The whole circumference of the place was above twenty miles<sup>16</sup>.

The besiegers, by their shipping, had access to that side of the town on which the walls were washed by the sea; but were shut out from the harbour by a chain which was stretched across the entrance. Hasdrubal had taken post on the basin over against the town, and by these means still preserved the communication of the city with the country. Scipio, to dislodge him from this post, made a feint at a distant part of the fortifications to scale the walls, actually gained the battlements, and gave an alarm which obliged the Carthaginian general to throw himself into the city. Scipio, satisfied with having obtained this end, took possession of the post which the other had abandoned; and being now master of the isthmus, and the whole continental side of the harbour, advanced to the walls of the Byrsa. In his camp he covered himself as usual with double lines; one facing the fortifications of the enemy, consisting of a curtain twelve feet high, with towers at proper intervals, of which one in the centre was high enough to overlook the ramparts, and to afford a view of the enemy's works. The other line secured his rear from surprize on the side of the country; and both effectually guarded the isthmus, and obstructed all access to the town by land.

<sup>16</sup> Orosius, lib. iv. c. 22. Liv. Epitome, lib. li.

The besieged, however, still received some supply of provisions by sea; their victuallers took the benefit of every wind that blew fresh and right into the harbour, to pass through the enemy's fleet, who durst not unmoor to pursue them; and Scipio, to cut off this resource, projected a mole from the main land to the point of the peninsula across the entrance of the harbour. He began to throw in his materials on a foundation of ninety feet, with an intention to contract the mound as it rose to twenty-four feet at the top. The work, when first observed from Carthage, was considered as a vain undertaking; but when it appeared to advance with a sensible progress, gave a serious alarm.

The Carthaginians, to provide against the evils which they began to foresee from this obstruction at the entrance of their harbour, undertook a work more difficult, and more vast than even that of the besiegers, to cut across the peninsula within their walls, and to open a new passage to the sea; and this they had actually accomplished by the time that the other passage was shut. Notwithstanding the late surrender of all their shipping and stores, they had at the same time, by incredible efforts, assembled or constructed a navy of sixty gallees. With this force they were ready to appear in the bay, while the Roman ships lay unmanned and unrigged, secure against any danger from an enemy whom they supposed shut up by impenetrable bars; and in these circumstances, if they had availed themselves of the surprize with which they might have attacked their enemy, must have done great execution on the Roman fleet. But having spent no less than two days in clearing their new passage after it was known to be open, and in preparing for action, they gave the enemy likewise full time to prepare. On the third they engaged, fought the whole day without gaining any advantage; and, in their retreat at night, suffered greatly from the enemy, who pressed on their rear.

While the besiegers endeavoured to obstruct this new communication with the sea, the besieged made a desperate attempt on their works by land. A numerous body of men, devoting their lives for the defence of their country, without any arms, and provided only with matches, crossed the harbour, and, exposing themselves to certain death, set fire to the engines and towers of the besiegers; and, while they were surrounded and put to the sword, willingly perished in the execution of their purpose.

In such operations the summer elapsed; and Scipio, with the loss of his engines, and a renewal of all the difficulties which he had formerly to encounter at sea, contenting himself with a blockade for the winter, discontinued the siege.

His command being prolonged for another year, he resumed his attack in the spring; and, finding the place greatly reduced by despair and famine, he forced his way by one of the docks, where he observed that the battlements were low and unguarded. His arrival in the streets did not put him in possession of the town. The inhabitants, during six days, disputed every house and every passage, and successively set fire to the buildings whenever they were obliged to abandon them. Above fifty thousand persons of different sexes, who had taken refuge in the citadel, at last accepted of quarter, and were led captive from thence in two separate divisions, one of twenty-five thousand women, and another of thirty thousand men.

Nine hundred deserters, who had left the Roman army during the siege, having been refused the quarter which was granted to the others, took post in a temple which stood on an eminence, with a resolution to die with swords in their hands, and with the greatest effusion of blood to their enemies. To these Hasdrubal, followed by his wife and his children, joined himself; but not having the  
courage



courage to persist in the same purpose with these deserters, he left the temple, and accepted of quarter. His wife, in the mean time, with more ferocity or magnanimity than her husband, laid violent hands on her children, and, together with their dead bodies, threw herself into the flame of a burning ruin. The deserters too, impatient of the dreadful expectations which they felt, in order to hasten their own fate, set fire to the temple in which they had fought a temporary cover, and perished in the flames.

The city continued to burn during seventeen days; and all this time the soldiers were allowed to seize whatever they could save from the flames, or wrest from the hands of the dying inhabitants, who were still dangerous to those who approached them. Scipio, in beholding this melancholy scene, is said to have repeated from Homer two lines containing a prophecy of the fall of Troy. "To whom do you now apply this prediction?" said Polybius, who happened to be near him; "To my own country," he said, "for her too I dread in her turn the reverses of human fate."

Scipio's letter to the Senate is said to have contained no more than these words: "Carthage is taken. The army waits for your further orders." The tidings were received at Rome with uncommon demonstrations of joy. The victors, recollecting all the passages of their former wars, the alarms that had been given by Hannibal, and the irreconcilable antipathy of the two nations, gave orders to raze the fortifications of Carthage, and even to destroy the materials of which they were built.

A commission was granted by the Senate to ten of its members to take possession of territories which were thus deprived of their sovereign, to model the form of this new province, and to prepare it for the reception of a Roman governor. And thus Carthage, the only

<sup>27</sup> For the history of the destruction of Carthage, see the authors above cited, p. 240.

B O O K  
II.

instance in which the human genius ever appeared greatly distinguished in Africa; the model of magnificence, the repository of wealth, and one of the principal states of the antient world, was no more. The Romans, incited by national animosity, and an excess of jealousy, formed a design more cruel towards their rival than at first view it appeared to be, and in the execution of it became actors in a scene of horror far beyond their original intention. By the milder law and practice of modern nations, we are happily exempted from the danger of ever seeing such horrid examples repeated, at least in any part of the western world.

While the event of this mighty siege was still in dependence, the Romans had other wars to maintain on the side of Macedonia and Greece, where the natural progress of their policy, suited to the measures which they had taken with other nations, now ended in the open and avowed usurpation of a sovereignty which they had long disguised under the specious titles of alliance and protection.

Macedonia being ill fitted to retain the republican form into which it had been cast by the Romans, after some years of distraction, and an attempt at last in favour of a pretended son of the late king, to recover its independence and its monarchy, underwent a second conquest.

Andriscus, an African of uncertain extraction, being observed to resemble the royal family of Macedonia, had the courage, under the name of Philip, to personate a son of that unfortunate monarch, and to make pretensions to the crown. With this object in view he went into Syria to solicit the aid of Demetrius, but was, by this prince, taken into custody, and transported in chains to Rome. The Romans paid little regard to so contemptible an enemy, and even allowed him to escape. After this adventure, the same impostor appeared a second time in Macedonia, and, with better fortune than he had in the first attempt, drew to his standard many natives of that country  
and

and of Thrace. In his first encounter he even defeated Juventius the Roman Prætor, and was acknowledged king; but soon after fell a prey to Metellus, and furnished the Romans with an obvious pretence for reducing the kingdom of Macedonia to the ordinary form of a province.

The states of the Achæan league, at the same time, being already on the decline, hastened, by the temerity and distraction of their own councils, the career of their fortunes to the same termination.

The Romans, even while they suffered this famous republic to retain the show of its independence, had treated its members in many particulars as subjects. At the close of the war with Perseus, they had cited to appear at Rome, or taken into custody as criminals of state, many citizens of Achaia, who had, in that contest, appeared to be disaffected to the Roman cause. Of these they had detained about a thousand in different prisons of Italy, until, after a period of seventeen years, about three hundred of them, who survived their confinement, were set at liberty, as having already suffered enough; or as being no longer in condition to give any umbrage to Rome<sup>17</sup>. Polybius being of this number acquired, during his stay in Italy, that knowledge of Roman affairs which appears so conspicuous in the remains of his history. When at liberty, he attached himself to Scipio, the son of Emilius, and being well versed in the active scenes which had recently past in his own country, and being entirely occupied with reflections on matters of state and of war, no doubt contributed by his instructions in preparing this young man for the eminent services which he afterwards performed.

The Romans, while they detained so many Greek prisoners in Italy, in a great measure assumed the administration of affairs in Greece, disposed of every distinction, whether of fortune or power,

<sup>17</sup> Pausanias in Achaicis.

B O O K  
II.

and confined these advantages to the advocates of their own cause, and to the tools of their own ambition<sup>18</sup>. They received appeals from the judgments of the Achæan council, and encouraged its members, contrary to the express conditions of their league, to send separate embassies to Rome. The steps which followed are but imperfectly marked in the fragments of history which relate to this period. It appears that the Spartans, having been forced into the Achæan confederacy, continued refractory in most of its councils. By some of their complaints at Rome, they obtained a deputation, as usual, from the Senate to hear parties on the spot, and to adjust their differences. The Achæan council, incensed at this insult which was offered to their authority, without waiting the arrival of the Roman deputies, proceeded to enforce their own decrees against the republic of Sparta, marched an army into Laconia, and defeated with some slaughter, at the gates of Lacedæmon, the inhabitants of that city who ventured to oppose them. The Roman commissioners arriving after these hostilities had commenced, summoned the parties to assemble at Corinth, and, in name of the Senate, gave sentence, that Lacedæmon, Corinth, Argos, Heraclea, and Orchomenos, not having been original members of the Achæan confederacy, should now be disjoined from it; and that all the cities which had been rescued from the dominion of Philip, should be left in full possession of their freedom and independency.

Multitudes from all the different states of the league being on this occasion assembled at Corinth, a great riot ensued. The Roman deputies were insulted and obliged to leave the place; and in this manner commenced a war in which the Romans, because they hoped to establish their sovereignty in Greece without any convulsion, and had full employment for their forces in Africa, Spain, and Macc-

<sup>18</sup> Polyb. Excerpt. Legat. c. 103.

donia, engaged with great reluctance. They renewed their commifion, and named other deputies to terminate the difputes in Achaia; but the ftates of the Achæan league, imputing their conduct in this particular to fear, and to the ill ftate of their affairs in Africa, while Carthage was likely to repel their attack, thought that they had found an opportunity to exclude for ever from their councils the overbearing influence of this arrogant nation<sup>19</sup>. They were encouraged with hopes of fupport from Thebes, Eubœa, and other diftricts of Greece, where the people were averfe to the dominion of the Romans; and they therefore affembled an army to assert their common rights, and to enforce their authority over the feveral members of their own confederacy.

Unfortunately for their caufe, Metellus had then prevailed in Macedonia, and was at leifure to turn his forces againft them. He accordingly moved towards the Peloponnefus, ftill giving the Achæans an option to avert the calamities of war, by fubmitting to the mandates of the Roman Senate: Thefe, he faid, were no more, than that they fhould defift from their pretentions on Sparta, and the other cantons who applied for the protection of Rome.

But the Achæans thought it fafer to refift, than to be difarmed under thefe ftale pretences; they took the field, paffed through the ifthmus of Corinth, and, being joined by the Thebans, marched to Thermopylæ with a view to defend this entry into Greece. In this, however, they were difappointed, being either prevented from feizing the pafs, or driven from thence by Metellus. They were afterwards intercepted in their retreat through Phocis, where they loft their leader Critolaus, with a great part of his army<sup>20</sup>. Diaus, who fucceeded him as head of the confederacy, affembled a new force, confifting of fourteen thoufand foot and fix thoufand horfe, took poft on

<sup>19</sup> Polyb. Excerpt. Legat. c. 144.

<sup>20</sup> Orofius, lib. v. c. 3. Paufanias in Achaicis.

B O O K  
II.

the isthmus of Corinth, and sent four thousand men for the defence of Megara, a place which still made a part in the expiring confederacy of independent Greeks.

Metellus, who after his victory had made himself master of Thebes, advanced to Megara, dislodged the Achæans from thence, and continued his march to the isthmus. Here he was superseded by Mummius, the Consul of the present year, who, with the new levies from Rome, made up an army of twenty-three thousand foot and three thousand five hundred horse. The enemy, having gained an advantage over his advanced guard, were encouraged to hazard a battle under the walls of Corinth, and were defeated. The greater part fled into the town, but afterwards in the night withdrew from that place. Their general Diaus fled from the field of battle to Migalopolis, whither he had sent his family; having killed his wife, to prevent her falling into the hands of the enemy, he himself took poison, and died.

Such are the imperfect accounts which remain of the last efforts made by the Greeks to preserve a freedom, in the exercise of which they had acted so distinguished a part. As they never were surpassed by any race of men in the vigour with which they supported their republican establishments, so they appeared to retain their ingenuity and their skill in many arts, after they had lost the military and political spirit which constitutes the strength and security of nations; and in this latter period, which preceded their extinction, as the Achæan league was dissolved on having incurred the resentment of the Romans, so the unhappy remnant of the Spartan republic perished in having accepted their protection. The enmity and the friendship of the Romans being equally fatal, these and every other state or republic of Greece, from this time forward, ceased to be numbered among nations, having fallen a prey to a power, whose force nothing could equal but the ability and the cunning with which it was exerted.

Such, at least, is the comment which we are tempted, by the conduct of the Romans, on the present occasion, to make on that policy, with which, about fifty years before this date, Flaminius, to detach the Grecian cities from Philip, proclaimed, with so much ostentation at the isthmus of Corinth, general independence, and the free exercise of their own laws to all the republics of Greece. That People, when they meant to ingratiate themselves, surpassed every state in generosity to their allies, they gained intire confidence, and taught nations, who were otherwise in condition to maintain their own independence, to rely for protection on that very power from which they had most to fear for their liberties; and in the end, under some pretence of ingratitude or affront, stript of every right those very states who had most plentifully shared in their bounty. In this policy there were some appearances of a concerted design, which was at one time liberal and generous beyond example, at another time cruel and implacable in the opposite extreme, equally calculated to gain or to terrify, in the cases to which either species of policy was suited. It is however probable, that they were led by the changing state of their interests, and followed the conjuncture without any previous design. In this sort of conduct the passions are wonderfully ready to act in support of the judgment; and we may venture to admit, that the Romans sometimes felt the generosity which they professed to employ, and of which the belief was so favourable to the success of their affairs. In a different conjuncture, in which they were no longer equally obliged to manage the temper of their allies, they became more impatient of contradiction, and gave way to their resentment on any the slightest occasions, or to their ambition, without controul. Their maxim, to spare the submissive, and to reduce the proud<sup>21</sup>, whether founded in sentiment or cunning, was a prin-

<sup>21</sup> *Parcere subiectis, & debellare superbos.*

BOOK  
II.

ciple productive of the extremes of generosity and arrogance observed in their conduct, it led them by degrees to assume a superiority in every transaction, and as their power increased, rendered this power proportionally dangerous to other nations.

On the third day after the action which happened in the isthmus of Corinth, the victorious general entered the city; and considering that the inhabitants had a principal part in the late insult offered to the Roman commissioners, determined to strike a general terror into all the members of the league by the severities to be executed against this people. Mummius, though, with the rest of his countrymen of this age, ill qualified to distinguish the elegant workmanship of the Grecian artists<sup>22</sup>, of which great collections had been made at Corinth, ordered all the statues and pictures to be set apart for his triumph; and, with this reserve, gave the town, abounding in all the accommodations and ornaments of a wealthy metropolis, to be pillaged by the soldiers. He razed the walls, and reduced the city to ashes.

Thus Corinth perished in the same year with Carthage. The fortifications of Thebes, and of some other towns disaffected to the Romans, were at the same time demolished; and the arrangements to be made in the country of Greece were committed to deputies from the Roman Senate. By their order, the Achæan league was dissolved, and all its conventions annulled. The states which had composed it were deprived of their sovereignty, subjected to pay a tribute, and placed under the government of a person annually sent from Rome with the title of the Prætor of Achaia<sup>23</sup>.

The Romans now appeared openly, perhaps for the first time, in the capacity of conquerors. The acquisition of revenue in Mace-

<sup>22</sup> He delivered them to the masters of ships, with his famous threat, that if any of these curiosities were lost, they should be

obliged to replace them. <sup>23</sup> Pausanias, lib. vii. c. 16. Polyb. Excerptæ de Virtutibus & Vitiis.



donia, which, about twenty years before this date, had first taught them to exempt themselves from taxation, excited from thenceforward an insatiable thirst of dominion; and their future progress is marked by the detail of wars which they maintained on their frontier, not in defence of the empire, but for the enlargement of possessions already too great.

In Spain where they still met with resistance, they had acted in all the different periods of their wars, either on the offensive or defensive, according as the State was, or was not, at leisure from the pressure of their enemies, or according as the generals she employed were ambitious or pacific.

On the conclusion of the peace with Philip, the Roman territory in Spain had been divided into two provinces, and furnished the stations of two separate commanders annually sent from Rome. On the renewal of the war in Macedonia, and during the continuance of it, these provinces were again united under one government. But upon the defeat of Perseus, and the reduction of Macedonia, they were separated for ever.

From that time the ambition of the Romans seems to have operated in Spain with the same effect as in other parts on the boundaries of their empire. They pressed upon the natives, not merely to secure their own territory from inroad and depredation, but to gain new accessions of dominion and wealth. They advanced to the Tagus, endeavoured to penetrate the mountains beyond the sources of that river; and on that side involved themselves in a continual struggle of many years duration, with the Lusitanians, Gallicians, and Celtiberi.

In these wars the Roman officers were actuated, by their avarice as well as by their ambition, and were glad of occasions to quarrel with an enemy, amongst whom the produce of rich mines of silver and of gold were known to abound, and where plentiful spoils were so likely to reward their services.

The theatre of the war in Spain was not so conspicuous, nor the conduct of generals so strictly observed, as they were in Africa, Asia, or Greece; and such as were employed in that service, therefore, the more to hasten their conquests, ventured upon acts of treachery or breach of faith with the cantons around them, which the Senate did not commonly avow; and they also ventured upon acts of extortion and peculation in their own governments, which gave occasion to the first complaints of this sort that were brought to Rome.

The Proconsul Lucullus, having accepted of the surrender of a town, and being received into it in consequence of a capitulation, nevertheless put the inhabitants to the sword and carried off their effects. Galba, commanding in Lusitania, or the western province of Spain, soon afterwards circumvented, by a like act of perfidy and cruelty, some of the inhabitants whom he could not otherwise reduce. These examples probably retarded, instead of forwarding, the progress of the Roman arms, and confirmed that obstinate valour with which the natives of Spain disputed every post in defence of their country; and with which they maintained the contest against a succession of Roman Generals, Prætors, or Consuls, who were employed to subdue them. This contest they continued or renewed, at short intervals, with various success, from the first expedition of the Scipios to the last of Augustus.

At the beginning of the last war with Carthage, the Lusitanians, incensed by the act of treachery which was committed by the Roman general Galba, re-assembled in numerous parties under Viriathus, who had himself escaped from the massacre on that occasion, and who entertained an implacable resentment to the authors of it. This leader, according to the Roman historians, had been originally a herdsman, afterwards a chief of banditti, and last of all the commander of an army which had often defeated the legions of Rome, and threatened their expulsion from Spain. He seems to have known how to employ the impetuous valour of a rude people against troops not less  
valiant



valiant than his own countrymen, though more depending on discipline; and to have possessed what the Spaniards retained, even down to the days of Cæsar, the faculty of turning the want of order to account against an enemy so much accustomed to order, as, in a great measure, to rely upon it in most of their operations. With him an apparent rout and dispersion of his followers was the ordinary prelude to a violent attack; and he commonly endeavoured, by pretended flights and disorderly movements, to draw the enemy into rash pursuits or precipitant marches, and seized every advantage which they gave him with irresistible address and valour. He continued above ten years to baffle all the attempts which the Romans made to reduce Lusitania. He had projected a league and defensive confederacy with the other free nations of Spain, when he was assassinated, as he lay asleep on the ground, by two of his own followers, supposed to be in concert with the Roman general.

The Romans, upon this event, found the western and northern parts of Spain open to their inroads. In little more than a year afterwards a Roman army under Brutus passed the Duero<sup>23</sup>, and penetrated quite to the coast of Galicia, from which they reported, with more than the embellishments and exaggerations of travellers, that the sun was seen from this distant region, when he set in the evening, to sink and to extinguish himself with a mighty noise in the Western Ocean.

The natives of this country, however, did not think themselves subdued by being thus over-run. They retired, with their cattle and effects, into places of strength; and, when required to pay contributions, replied, That their ancestors had left them swords to defend their possessions, but not any gold to redeem them.

Such were the occupations of the Roman arms in the western division of Spain, while they were equally engaged in the eastern pro-

<sup>23</sup> Durus.

B O O K  
II.

vince, under Cato the Elder, Tiberius Gracchus, and others, who endeavoured to secure what the State had already acquired, or to extend its limits. These generals obtained their several triumphs, and joined to the Roman possessions on the coast considerable acquisitions in the inland part of the country. Their progress, however, on this side had been greatly retarded by the obstinate valour of the Numantians and other cantons of the Celtiberi, who had maintained the contest during fifty years, and at last had formed a general confederacy of all the interior nations of Spain, to be conducted by Viriathus, when their measures were broken by the death of that formidable leader.

Numantia was the principal strong hold, or, as we may conceive it, the capital of a small nation. Their lodgement, or township, was contained within a circumference of about three miles, situated among the mountains of Celtiberia, or Old Castile, and at the confluence of the Durus with another river, both of which having steep banks, rendered the place, on two of its sides, of very difficult access. It was fortified on the third side with a rampart and ditch.

The people could muster no more than eight or ten thousand men; but these were greatly distinguished by their valour, reputed superior in horsemanship to every other nation of Spain, and equal to the Romans in the use of the shield and the stabbing sword. They had already gained many victories over the Roman armies which had been employed to reduce them. They had obliged Pompey, one of the Roman generals, contrary to the practice of his country, to accept of a treaty, while the advantage of fortune was against him. They obliged the Consul Mancinus to save his army by a capitulation<sup>24</sup>. Neither of those treaties indeed were ratified by the Roman Senate. To expiate the breach of the last, the Consul Mancinus, who concluded it, together with Tiberius Gracchus his Ques-

<sup>24</sup> Eutropius, lib. iv. c. 8.

tor, were ordered to be delivered up to the hands of the enemy, and to suffer in their own persons for the failure of engagements which they could not fulfil. Tiberius Gracchus appealed to the people, was saved by their favour, and from this time is supposed to have received that bias which he followed in the subsequent part of his political conduct. Mancinus acquiesced in the sentence of the Senate, was presented naked and in fetters at the gates of Numantia, as a sacrifice to the resentment of that nation, for the breach of a treaty which the Romans determined not to observe. But the victim was nobly rejected, and the Numantians insisted on the conditions they had stipulated, saying, that a public breach of faith could not be expiated by the suffering of a private man<sup>25</sup>.

These transactions passed about ten years after the destruction of Carthage, and the Romans, mortified with the length and ill-success of the war with Numantia, had recourse again to the services of Scipio.

They had formerly dispensed, in his favour, with the law that required a certain age as a qualification for the office of Consul; and now, in order to employ him a second time, they were obliged to suspend another law, which prohibited the re-election of the same person into that office.

Upon the arrival of Scipio in Spain, it is said that he found the Roman army, discouraged by repeated defeats, withdrawn into fortified stations at a distance from the enemy, detesting the hardships of a military camp, indulging themselves in all the vices of a disorderly town, and subject to panics on the slightest alarm. It is said that the cries, the aspect, the painted visage, and the long hair of the Spaniard were become objects of terror<sup>26</sup>.

Among the reformations which Scipio made to restore the vigour of the army, he cleared the camp of its unnecessary followers, amongst

Appian de Bell. Hispan. p. 302.

<sup>26</sup> Florus.

whom

B O O K  
II.

whom are mentioned women, merchants, and fortune-tellers; he restricted the quantity of baggage, reduced the furniture of the kitchen to the spit and the pan; and the tables of officers to plain food, roasted or boiled. He prohibited the use of beds in camp, and set the example himself of sleeping on a straw mat; likewise restrained the infantry from the use of horses on the march, and obliged them to carry their own baggage.

Though possessed of superior numbers, he declined a battle, and avoided every rout on which the enemy were prepared to receive him; took advantage of a superior address in managing his resources, and damped the ardour of a fierce people by slow operations; he laid waste the country around them, and by degrees obliged them to retire within their own ramparts, and to consume what was raised or provided within the circuit of their walls.

Scipio had been joined on his march to Numantia by Jugurtha, the grandson of Maffiniffa, who, on this service, made his first acquaintance with the Romans, and brought a reinforcement of twelve elephants, with a considerable body of horse, of archers and slingers. At its arrival the army amounted to sixty thousand men. But Scipio did not attempt to storm the town; he took a number of posts which he successively fortified, and, by joining them together, completed a double line of circumvallation, equal in strength to the walls which were opposed to him. He had his curtains, his towers, his places of arms corresponding to those of the place; and he established an order of service and a set of signals, in case of alarm by day or by night, which resembled more the precautions of an army on its defence, than the operations of a siege. His intention was to reduce the Numantians by famine, an operation of time, during which, from so warlike a nation, he might be exposed to surprize, or to the effects of despair.

The

The place besieged being at the confluence of rivers navigable with small vessels, which descended with great rapidity on the stream, or which could, with the favour of proper winds, even remount in the sight of the enemy. The people, for a while, procured some supplies by water. Numbers of them swimming with great address, and diving at proper places, to avoid being seen by the besiegers, still passed through the lines, and preserved a communication with the country, until the rivers also were barred across their channels by timbers, that were armed with sword-blades and spikes of iron.

The Numantians were still in hopes of succour from their allies. Five aged warriors undertook, each with his son for a second, to pass through the lines of the enemy, and to sue for relief from the neighbouring nations. They succeeded by night in the first part of their attempt, cut down the Roman guard, threw the camp into some confusion, and escaped before the occasion of the alarm was known. But their cause was become desperate, and too likely to involve in certain ruin any friend who embraced it. Their suit, nevertheless, was attended to at Lutia, the head of a small canton, forty miles from Numantia.

The young men of this place took their resolution in favour of the injured Numantians; but Scipio had notice of their intention time enough to prevent its effect. He hastened to the place, and, having accomplished this march of forty miles in eight hours, surpris'd the inhabitants, had four hundred young men delivered up to him, and ordered their right arms to be struck off. By this dreadful act of severity, he secured himself from any danger on that quarter, and impressed the other states of that neighbourhood with terror.

The Numantians, in the mean time, were pressed with famine, and having no hopes of relief, sent a deputation to try the clemency of their enemy. "What was once a happy state," they said, "content with its own possessions, and secure in the valour of its

BOOK  
II.

“ citizens, is now reduced to great distress, for no other crime than  
“ that of having maintained their freedom, and of having defended  
“ their wives and children.

“ For you,” they continued, addressing themselves to Scipio, “ who  
“ yourself are said to possess so many virtues, it would become you to  
“ espouse the cause of this injured nation, and procure to them terms  
“ which they could with honour prefer to their present distresses.  
“ Their expectations are moderate, for they have felt the reverses of  
“ fortune. It is now in your power to receive their submission under  
“ any tolerable conditions, or to see them perish in some act of de-  
“ spair, which may prove fatal to many of their enemies, as well as  
“ to themselves.”

Scipio replied, That he could not grant them any terms; that they  
must surrender at discretion.

Upon the return of this answer they resumed their former obsti-  
nacy, and held out until they had consumed every article of provision  
within their walls; endeavoured to turn their shields and other  
utensils of leather into food, devoured the dead bodies, and even  
preyed on each other.

The end of this piteous scene is variously reported. By some it is  
said, that, in the last stage of despair, the Numantians sallied forth to  
purchase death by the slaughter of their enemies; that, in the execu-  
tion of this purpose, they for some time exposed themselves with the  
most frantic rage, till the greater part being slain, a few returned into  
the town, set fire to the houses, and, with their wives and children,  
perished in the flames<sup>27</sup>.

By others it is said, that they agreed to surrender on a certain day,  
but that when this day came they begged for another; alleging, that  
many of their people, yet fond of liberty, had determined to die,

<sup>27</sup> Orofius, lib. v. c. 7. Florus, lib. ii. c. 18.



and wished for one day more, that they might the more deliberately execute their purpose. Such was the aversion to surrender at discretion, which the fear of captivity, and that of its ordinary consequences among antient nations, had inspired. The few of this high-minded people who survived the effects of despair, falling into the enemy's hands, were stripped of their arms. Fifty were reserved, as a specimen of the whole, to adorn the victor's triumph. The remainder were sold for slaves, and the walls of their strong hold were levelled with the ground. The prisoners, even after they had laid down their arms and submitted to mercy, retained the ferocity of their looks, and cast on their victors such glances of indignation and rage, as still kept the animosity of enemies awake, and prevented the returns of pity. As these particulars strongly mark the defects which still subsisted in the supposed law of war among antient nations, the reader will probably bear with the shock that is given to his feelings of compassion, for the sake of the picture which it is necessary to give of the manners of the times.

If we judge of Numantia from the resistance it made to the Roman arms, it having been one of their most difficult conquests, we must consider it as a state of considerable power. Its reduction gave immediate respite from war in Spain. Scipio and Brutus returned nearly together from their provinces in that country, and had their separate triumphs in the same year.

These operations against Numantia, Carthage, Macedonia, and Greece, were accompanied with a revolt of the slaves in Sicily, and with a number of other wars less considerable in Illyricum, Thrace, and Gaul. Of these the revolt of the slaves merits the greater attention, on account of the view it gives of the state of the countries now under the immediate jurisdiction of Rome. The island of Sicily having been the first acquisition which the Romans made beyond the limits of Italy, had been for some time in a state

B O O K  
II.

of domestic tranquillity, and undisturbed by any foreign enemy. Its lands were become the property of Roman citizens, who here, as on their estates in Italy, cultivated plantations to supply with corn, wine, and oil, the markets and granaries of Rome. The labour was performed by slaves. These were led in chains to the fields, or confined in vaults and fortified workhouses at the several tasks they were employed to perform. As the proprietors of land had many reasons to prefer the labour of slaves to that of freemen, who were distracted by their political engagements, and subject to be called upon or pressed into the military service, the number of slaves continually increased. They were, for the most part, prisoners of war; and some of them being even of high rank, unused to submission, and animated with fierce passions of indignation and scorn, were ready, upon every favourable opportunity, to take arms against their masters, and often to shake the state itself with a storm which was not foreseen until it actually burst.

About ten years after the destruction of Carthage, and four years before that of Numantia, this injured class of men were incited to revolt in Sicily by Eunus, a Syrian slave; who, at first, under pretence of religion, and by the fame of miracles he was supposed to perform, tempted many to break from their bondage; traversed the country, broke open the vaults and prisons in which his fellow-sufferers were confined, and actually assembled an army of seventy thousand men. With this force, in four successive campaigns, he made a prosperous war on the Roman Prætors, and often stormed the entrenchments of the Roman camp.

This leader, however, being ill-qualified to improve his victories, and having no concerted plan for the government or subsistence of his followers, in a country that was gradually ruined by their own devastations, was at length, by the caution and superior conduct of Perperna, or Publius Rutilius, gradually circumscribed in his depre-

ditions,

dations, defeated, and obliged to take refuge in Enna, a fortified place, where about twenty thousand of his followers were put to the sword, and the remainder, as an example to deter slaves from the commission of a similar offence, were nailed to the cross near the most frequented highways, and in the most conspicuous parts of the island.

While the Roman armies were thus employed in the provinces, or on the frontier of their extensive conquests, Italy itself had long enjoyed a perfect security, the lands were cultivated, and the country stocked with people, whether aliens or citizens, freemen or slaves. From about three hundred thousand<sup>28</sup>, which, in this period, were the ordinary return of the Census, the citizens soon after augmented to above four hundred thousand<sup>29</sup>; and Scipio, under whose inspection as Censor this return was made, hearing the Crier repeat the prayer which was usual at the closing of the rolls, "That the republic might increase in the numbers of its people, and in the extent of its territory;" bid him pray that it might be preserved, for it was already great enough. It is probable that, in the view of this sagacious observer, the marks of corruption already began to appear in the capital; and a tree, which still continued for a century to make such vigorous shoots from its branches, already bore some marks of decay in its trunk.

The offices of State, and the government of provinces, to which those who had filled them succeeded, began to be coveted from avarice, as well as from ambition. Complaints of peculation and extortion, which were received about this time from Spain and Macedonia, pointed out the necessity of restraining such oppressions, and suggested some penal laws, which were often, and in vain, amended and revived.

An action was instituted in favour of the provinces, against governors, or their attendants, who should be accused of levying money

<sup>28</sup> Three hundred and twenty thousand.  
and three hundred and forty-two.

<sup>29</sup> Four hundred and twenty-eight thou-

B O O K  
II.

N<sup>o</sup> 604.  
Lex Culpur-  
nia de Repe-  
tundis.  
Quæstiones  
perpetuæ.

without the authority of the State, and an ordinary jurisdiction was granted to one of the Prætors, to hear complaints on this subject. The penalty at first was no more than restitution, and a pecuniary fine; it was gradually extended to degradation, and exile.

These reforms are dated in the time of the last war with Carthage, and are ascribed to the motion of Culpurnius Piso, then one of the Tribunes. Before this time all jurisdiction in criminal matters belonged to the Tribunal of the People, and was exercised by themselves in their collective capacity, or occasionally delegated to a special commission. Few crimes were yet defined by statute, and ordinary courts of justice for the trial of them were not yet established. In these circumstances criminals of state had an opportunity not only to defend themselves after a prosecution was commenced, but likewise to employ intrigue, or exert their credit with the People, to prevent or evade a trial.

To supply these defects, a list of statutory crimes now began to be made, and an ordinary jurisdiction was established. Besides extortion in the provinces, which had been defined by the law of Culpurnius<sup>30</sup>, murder, breach of faith, robbery, assault, poisoning, incest, adultery, bribery, false judgment, fraud, perjury, &c. were successively joined to the list; and an ordinary jurisdiction for the trial of such crimes was vested in a jury of Senators, over whom the Prætor, with the title of Quæstor, presided.

The number of Prætors, corresponding to this and other growing exigencies of the State, was now augmented to six; and these officers, though destined, as well as the Consuls, to the command of armies and the government of provinces, began, during the term of their magistracy, to have full occupation in the city. On this account it was not till after the expiration of the year for which they had been

<sup>30</sup> Parricidium, vis publica, latrocinium, injuria, venificium, incestus, adulterium, captæ pecuniæ, corrupti judicii, falsi, perjurium.

elected,

electd, that they drew lots for a province. A like policy was soon after adopted in the destination of Consuls, and all the other officers of State, who, being supposed to have sufficient occupation in Italy and Rome during the year of their appointment, were not destined to any foreign service till that year was expired.

With these establishments, calculated to secure the functions of office, the use of the ballot was introduced, first in elections, and afterwards in collecting opinions of judges in the courts of justice<sup>31</sup>: a dangerous form of proceeding in constitutions tending to popular licence, and where justice is more likely to suffer from the unawed passions of the lower people, than from any improper influence of superior rank; and where the authority of the wise, and the sense of public shame, were so much required, as principal supports of government.

An occasion for the commission of new crimes is frequently taken from the precautions which are employed against the old. From the facility with which criminal accusations now began to be received, a new species of crime accordingly arose. Calumny and vexatious prosecutions commenced by disappointed competitors against persons in public trust, became so frequent as to require the interposition of laws. On this account it was enacted, upon the motion of Memmius, that all persons in office, or appointed to command in the provinces, might decline answering a criminal charge until the expiration of their term, or until their return from the service to which they were destined<sup>32</sup>; and persons of any denomination might have an action of calumny against the author of a false or groundless prosecution. Whoever was convicted of this offence was to be branded in the face with the initials of his crime.

<sup>31</sup> Lex Gabinia Tabellaria.

<sup>32</sup> Lex Memmia de reis postulandis. Lex Cassia Tabellaria.

B O O K  
 II.

U. C. 592.

By these establishments the city of Rome, long resembling a mere military station, made some progress in completing the system and application of her laws. Literary productions, in some of their forms, particularly in the form of dramatic compositions, as hath been already observed, began to be known. The representation of fables were first introduced under pretence of religion, and practised as sacred rites to avert the plague or some public calamity. This entertainment was fondly received by the People, and therefore frequently presented to them by the Ediles, who had the charge of such matters. Literature, however, in some of its less popular forms, was checked, as a source of corruption. In the year of Rome five hundred and ninety-two, that is, about eight years after the reduction of Macedonia, the Roman Senate, upon a report from M. Pomponius, the Prætor, that the city was frequented by philosophers and rhetoricians, resolved that this officer, agreeably to his duty to the republic, should take care to remove all such persons in the manner his own judgment should direct<sup>33</sup>; and, in about six years after this date, an embassy having come from Athens, composed of scholars and rhetoricians, who drew the attention of the youth by the display of their talents, an uncommon dispatch was given to their business, that they might not have any pretence for remaining too long in the city.

A proposal which was made during this period, to erect a theatre for the accommodation of the spectators at their public shews, was rejected with great indignation, as an attempt to corrupt the manners of the People. The materials which had been collected for this work were publicly sold, and an edict, at the same time, was published, that no one should ever resume this design, or attempt to place any bench or seat for the accommodation of the spectators at any theatrical entertainment in the city, or within a mile of its walls<sup>34</sup>.

<sup>33</sup> A. Gellius, lib. xv. c. 11.

<sup>34</sup> Val. Maxim. lib. ii. c. 4.

It was thought an act of effeminacy, it seems, for the Roman People to be feated; and it is undoubtedly wise, in matters of small moment, however innocent, to forbid what is considered as an evil, and, in remitting established severities, to let the opinion of innocence at least precede the indulgence.

The sumptuary laws already mentioned, respecting entertainments and household expences, were, under the name of Didius, the person who proposed the renewal of them, revived<sup>35</sup>; and, with some alterations, extended to all the Roman citizens dispersed over Italy.

Such was the antidote which the policy of that age provided, in the capital of a great empire, against luxury and the ostentation of wealth; distempers incident to prosperity itself, and not to be cured by partial remedies. They were by the Romans (who knew better how to accomplish the celebrated problem of Themistocles, *in making a small state a great one*, than they knew how to explain the effects of its greatness) commonly imputed to some particular circumstance, or accidental event. To the spoils of Tarentum, they said, and of Asia<sup>36</sup>, to the destruction of our principal rivals the Carthaginians; to the mighty show of statues, pictures, and costly furniture, which were brought by Mummius from Corinth, we owe this admiration of finery, and so prevailing a passion for private as well as for public wealth.

In this manner they explained the effects of a progress which they themselves had made in the acquisition of so many provinces; in the growing security and riches of a mighty city, from which all foreign alarms were far removed; and to which the wealth of a great empire, either in the form of private fortune or of public treasure, began to flow with a continued and increasing stream<sup>37</sup>.

<sup>35</sup> Lex Didia.      <sup>36</sup> Asia primum devicta luxuriam misit in Italiam. Plin. lib. xxxiii. c. 11.

<sup>37</sup> Liv. lib. xxxix. c. 6. Plin. lib. xxxvii. c. 1.

## C H A P. II.

*Extent of the Roman Empire.—Political Character of its Head.—Facility with which it continued to advance.—Change of Character, political as well as moral.—Character of the People or Commons.—Dangerous Humours likely to break out.—Appearance of Tiberius Gracchus.—His project to revive the Law of Licinius.—Intercession of the Tribune Octavius.—The Republic divided.—Disputes in the Comitia.—Deposition of the Tribune Octavius.—Commissioners appointed for the Division of Lands. Tiberius Gracchus sues to be re-elected Tribune.—His Death.—Immediate Consequences.—Proceedings of Carbo.—Embassy of Scipio.—Foreign Affairs.—Violence of the Commissioners.—Domestic Affairs.*

B O O K  
II.

**I**N the manner that has been summarily stated in the preceding Chapters, the Romans completed their political establishment, and made their first and their greatest advances to empire, without departing from the policy by which they had been preserved in the infancy of their power. They were become sovereigns of Macedonia, Greece, Italy, part of Africa, Lusitania, and Spain; yet, even in this pitch of greatness, made no distinction between the civil and military departments, nor gave to any citizen an exemption from the public service. They did not despise any enemy, neither in the measures they took, nor in the exertions they made to resist him: and as the fatal effects which they and all the other nations of the antient world were long accustomed to expect from defeats, were no less than servitude or death, they did not submit to any enemy, in consequence of any event, nor under the pressure of any calamity whatever.



Other nations were accustomed to rise on victories, and to sink under defeats; to become insolent or mean with the tide of their fortunes. The Romans alone were moderate in prosperity, and arrogant when their enemies expected to force their submission.

Other nations, when in distress, could weigh their sufferings against the concessions which they were required to make; and, among the evils to which they were exposed, preferred what appeared to be the least. The Romans alone spurned the advances of a victorious enemy; were not to be moved by sufferings; and, though they cautiously avoided difficulties that were likely to surpass their strength, did not allow it to be supposed that they were governed by fear in any case whatever. They willingly treated with the vanquished, and were ready to grant the most liberal terms when the concession could not be imputed to weakness or fear. By such free and unforced concessions, indeed, they established a reputation for generosity, which contributed, no less than their valour, to secure the dominion they acquired.

With the same insinuating titles of allies or protectors, by which they had, in the infant state of their policy, brought all the cantons of Latium to follow their standard; they continued to take the ascendant over nations whom they could not have otherwise subdued. But as they were liberal in their friendships, so, after repeated provocations seemed to justify a different conduct, they were terrible in their resentments, and took ample compensation for the favours they had formerly bestowed.

By their famous maxim in war, already mentioned, That *the submissive were to be spared, and the proud to be humbled*, it became necessary for them, in every quarrel, to conquer or to perish; and, when these were the alternatives proposed by them, other nations were intitled to consider them as common enemies. No State has a right to make the submission of mankind a necessary condition to its own

B O O K  
II.

preservation; nor are many States qualified to support such pretensions. Some part of this political character, however, is necessary to the safety, as well as to the advancement, of nations. No free State or Republic is safe under any other government or defence than that of its own citizens. No nation is safe that permits any ally to suffer by having espoused its cause, or that allows itself to be driven, by defeats or misfortunes, into a surrender of any material part of its rights.

> The measure of the Roman conquests, in the beginning of the seventh century of Rome, though great, was yet far from being full; and the People had not hitherto relaxed the industry, nor cooled in the ardour with which prosperous nations advance, but which they frequently remit in the height of their attainments and of their power.

The constitution of the commonwealth still afforded a plentiful nursery of men for both the civil and military departments; and this People accordingly continued for some time to advance with a quick pace in the career of their conquests. They subdued mighty kingdoms with as great, or greater facility, than that with which they had formerly conquered villages and single fields.

But the enlargement of their territory, and the success of their arms abroad, became the sources of a ruinous corruption at home. The wealth of provinces began to flow into the city, and filled the coffers of private citizens, as well as those of the commonwealth. The offices of State and the command of armies were become lucrative as well as honourable, and were coveted on the former account. In the State itself the governing and the governed felt separate interests, and were at variance, from motives of avarice, as well as ambition; and, instead of the parties who formerly strove for distinction, and for the palm of merit in the service of the commonwealth, factions arose, who contended for the greatest share of its spoils, and who sacrificed the public to their party-attachments and animosities.

Two hundred and thirty years had elapsed since the animosities of Patrician and Plebeian were extinguished by the equal participation of public honours. This distinction itself was in a great measure obliterated, and gave way to a new one, which, under the denominations of Nobles and Commons, or Illustrious and Obscure, without involving any legal disparity of privileges, gave rise to an aristocracy, which was partly hereditary, founded in the repeated succession to honours in the same family; and partly personal, founded in the habits of high station, and in the advantages of education, such as never fail to distinguish the conditions of men in every great and prosperous state.

These circumstances conferred a power on the Nobles, which, though less invidious, was not less real than that which had been possessed by the ancient Patricians. The exercise of this power was lodged with the Senate, a body which, though by the emulation of its members too much disposed to war, and ambitious of conquest, was probably never surpassed in magnanimity, ability, or in steadiness, by any council of state whatever.

The People had submitted to the Senate, as possessed of an authority which was founded in the prevailing opinion of their superior worth; and even the most aspiring of the Commons allowed themselves to be governed by an order of men, amongst whom they themselves, by proper efforts and suitable merit, might hope to ascend. The examples of preferment, and the rise of individuals, from the lowest to the highest ranks of the commonwealth, though for the most part received with some degree of jealousy by those who were already in possession of the higher condition, were nevertheless frequent, and extinguished all appearance of an exclusive pretension to the honours of the State in any order or class of the People.

The

B O O K  
II.

The Knights, or the Equeſtrian order, being perſons poſſeſſed of eſtates or effects of a certain valuation<sup>1</sup>, formed between the Senate and the People an intermediate rank, who, in conſequence of their having a capital, and being leſs engaged than the Senators in affairs of State, became traders, contractors, farmers of the revenue, and conſtituted a ſpecies of moneyed intereſt in the city, and in the provinces.

Such, during the latter part of the period of which the events have been already related, was the diſtribution of rank in this commonwealth. But circumſtances which appear to be fixed in the political ſtate of nations, are often no more than a paſſage in the ſhifting of ſcenes, or a tranſition from that which a people have been, to what they are about to become. The Nobles began to avail themſelves of the high authority and advantages of their ſtation, and to accumulate property as well as honours. The country began to be occupied with their plantations and their ſlaves. The number of great landed eſtates, and the multiplication of ſlaves, kept pace together. This manner of ſtocking plantations was neceſſary or expedient in the circumſtances of the Romans: for if the Roman citizen, who poſſeſſed ſo much conſequence in his military and political capacity, had been willing to become a hireling and a ſervant, yet it was not the intereſt of maſters to entruſt their affairs to perſons who were liable to be preſſed into the legions, or who were ſo often called away to the comitia and aſſemblies of the People.

Citizens contended for offices in the State as the road to lucrative appointments abroad; and when they had obtained this end, and had reigned for a while in ſome province, they brought back from their governments a profuſion of wealth ill acquired, and the habit of arbitrary and uncontrouled command. When diſappointed in the purſuits of fortune abroad, they became the leaders of dangerous fac-

<sup>1</sup> 400,000 Roman money, or about 3,000 l.

tions at home; or when suddenly possessed of great wealth, they became the agents of corruption to disseminate idleness, and the love of ruinous amusements, in the minds of the People.

The seclusion of the Equestrian order from the pursuit of political emolument or honour, and the opportunities they had, by contracts and by farming the revenue, to improve their fortunes in a different way, confirmed them in the habits of trade, and the attention to lucrative considerations.

The city was gradually crowded with a populace, who, tempted with the cheap or gratuitous distribution of corn, by the frequency of public shews, by the consequence they enjoyed as members of the popular assemblies, or perhaps dislodged from the country by the engrossers of land, and the preference which was given to the labour of slaves over that of freemen, flocked from the colonies and municipal towns to reside at Rome. There they were corrupted by idleness and indigence, and the order itself was continually debased by the frequent accession of emancipated slaves.

The Romans, who were become so jealous of their prerogative as citizens, had no other way of disposing of a slave, who had obtained his freedom, than by placing him on the rolls of the People; and from this quarter accordingly the numbers of the People were chiefly recruited. The emancipated slave took the name of his master, became a client, and a retainer of his family; and at funerals and other solemnities, where the pomp was distinguished by the number of attendants, made a part of the retinue. This class of men accordingly received continual additions, from the vanity or weakness of those who chose to change their slaves into dependent citizens; and numbers who had been conducted to Rome as captives, or who had been purchased in Asia or Greece, at a price proportioned to the pleasurable arts they possessed, became an accession to that turbulent populace, who, in the quality of Roman citizens, tyrannized in their  
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B O O K  
II.

turn over the masters of the world, and wrecked on the conquerors of so many nations the evils which they themselves had so freely inflicted on mankind<sup>2</sup>.

Citizens of this extraction could not for ages arrive at any places of trust, in which they could, by their personal defects, injure the commonwealth; but they increased, by their numbers and their vices, the weight of that dreg, which, in great and prosperous cities, ever sinks, by the tendency of vice and misconduct, to the lowest condition. They became a part of that faction who are ever actuated by envy to their superiors, by mercenary views, or by abject fear; who are ever ready to espouse the cause of any leader against the restraints of public order; disposed to vilify the more respectable ranks of men; and by their indifference on the subjects of justice or honour, to frustrate every principle that may be employed for the government of mankind, besides fear and compulsion.

Although citizens of this description were yet far from being the majority at Rome, yet it is probable that they were in numbers sufficient to contaminate the whole body of the People; and, if enrolled promiscuously in all the tribes, might have had great weight in turning the scale of political councils. This effect, however, was happily prevented by the wise precaution which the Censors had taken to confine all citizens of mean or slavish extraction to four of the Tribes. These were called the Tribes of the City, and formed but a small proportion of the whole<sup>3</sup>.

Notwithstanding this precaution, we must suppose them to have been very improper parties in the participation of sovereignty, and likely enough to disturb the place of assembly with disorders and tumults.

<sup>2</sup> Velleius, lib. ii. c. 4.

<sup>3</sup> Liv. lib. ix. c. 46. When this precaution was taken by Fabius Maximus, the Tribes amounted to thirty-one. See the

successive additions by which the Tribes were brought up to this number, Liv. lib. vi. c. 5. lib. vii. c. 15. lib. viii. c. 17. lib. ix. c. 20.

While the State was advancing to the sovereignty of Italy, and while the territories successively acquired were cleared for the reception of Roman citizens, by the reduction and captivity of the natives, there was an outlet for the redundancy of this growing populace, and its overflowings were accordingly dispersed over Italy, from Rhegium to Aquileia, in about seventy colonies. But the country being now completely settled, and the property of its inhabitants established, it was no longer possible to provide for the indigent citizens in this manner; and the practice of settling new colonies, which had been so useful in planting, and securing the conquests which were made in Italy, had not yet been extended beyond this country, nor employed as the means of securing any of the provinces lately acquired. Mere colonization, indeed, would have been an improper and inadequate measure for this purpose; and in time of the republic never was, in any considerable degree, extended beyond sea. The provinces were placed under military government, and were to be retained in submission by bodies of regular troops. Roman citizens had little inclination to remove their habitations beyond the limits of Italy; and if they had, would have been unable, in the mere capacity of civil corporations and pacific settlements, to carry into execution the exactions of a government which they themselves now become inhabitants and proprietors of land in those provinces, would have soon been interested to oppose: for these reasons, although the Roman territory was greatly extended, the resources of the poorer citizens were diminished. The former discharge for many dangerous humours that were found to arise among them, was in some measure shut up, and these humours began to regorge on the State.

While the inferior people at Rome sunk in their characters, or were debased by the circumstances we have mentioned, the superior ranks, by their application to affairs of State, by their education, by the ideas of high birth and family-distinction, by the superiority of fortune,

B O O K  
II.

began to rise in their estimation, in their pretensions, and in their power; and they entertained some degree of contempt for persons, whom the laws still required them to admit as their fellow-citizens and equals.

In this disposition of parties so dangerous in a commonwealth, and amidst materials so likely to catch the flame, some sparks were thrown that soon kindled up anew all the popular animosities which seemed to have been so long extinguished. We have been carried, in the preceding narration, by the series of events, somewhat beyond the date of transactions that come now to be related. While Scipio was employed in the siege of Numantia, and while the Roman officers in Sicily were yet unable to reduce the revolted slaves, Tiberius Gracchus, born of a Plebeian family, but ennobled by the honours of his father, by his descent on the side of his mother from the first Scipio Africanus, and by his alliance with the second Scipio, who had married his sister, being now Tribune of the People, and possessed of all the accomplishments required in a popular leader, great ardour, resolution, and eloquence, formed a project in itself extremely alarming, and in its consequences dangerous to the peace of the republic.

Like other young men of high pretensions at Rome, Tiberius Gracchus had begun his military service at the usual age, had served with reputation under his brother-in-law, Scipio, at the siege of Carthage, afterwards as Quæstor, under Mancinus in Spain, where the credit of his father, well known in that province, pointed him out to the natives as the only person with whom they would negotiate in the treaty that ensued. The disgrace he incurred in this transaction gave him a distaste to the military service, and to foreign affairs. When he was called to account for it, the severity he experienced from the Senate, and the protection he obtained from the  
 People,



People, filled his breast with an animosity to the one, and a prepossession in favour of the other <sup>5</sup>.

C H A P.  
II.  
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Actuated by these dispositions, or by an idea not uncommon to enthusiastic minds, that *the unequal distribution of property, so favourable to the rich, is an injury to the poor*; he now proposed in part to remedy or to mitigate this supposed evil, by reviving the celebrated law of Licinius, by which Roman citizens had been restrained from accumulating estates in land above the value of five hundred jugera <sup>6</sup>, or from having more than one hundred of the larger cattle, and five hundred of the lesser.

In his travels through Italy, he said, he had observed that the property of land was beginning to be engrossed by a few of the nobles, and that the country was entirely occupied by slaves to the exclusion of freemen: that the race of Roman citizens would soon be extinct <sup>7</sup>, if proper settlements were not provided to enable the poor to support their families, and to educate their children; and he alleged, that if estates in land were reduced to the measure prescribed by law, the surplus left would then be sufficient for this purpose.

Being determined however, as much as possible, to prevent the opposition of the nobles, and to reconcile the interest of both parties to his scheme, he proposed to make some abatements in the rigour of the Licinian law, allowing every family, holding five hundred jugera in right of the father, to hold half as much in the right of every unemancipated son; and proposed, that every person who should suffer any diminution of his property in consequence of the intended reform, should have compensation made to him; and that the sum necessary for this purpose should be issued from the treasury.

<sup>5</sup> Cicero de Claris Oratoribus, c. 27.

<sup>7</sup> Plutarch, in Tib. Gracch.

<sup>6</sup> Little more than half as many acres.

In this manner he set out with an appearance of moderation, acting in concert with some leading men in the State and members of the Senate, such as Appius Claudius, whose daughter he had married, a Senator of the family of Craffius, who was then at the head of the priesthood, and Mutius Scavola, the Consul.

To complete the intended reformation, and to prevent for the future the accumulation of estates in land, the sale or commerce of land was from thenceforward to be prohibited; and three commissioners were to be annually named, to ensure the execution and regular observance of this law.

This project, however plausible, it is probable, was extremely unseasonable, and ill suited to the state of the commonwealth. The law of Licinius had passed in the year of Rome three hundred and seventy-seven, no more than fourteen years after the city was restored from its destruction by the Gauls, and about two hundred and fifty years before this date; and though properly suited to a small republic, and even necessary to preserve a democracy, was, in that condition of the People, received with difficulty, and was soon trespassed upon even by the person himself on whose suggestion it had been moved and obtained: that it was become obsolete, and gone into disuse, appeared from the abuses which were now complained of, and to which its renewal was proposed as a remedy. It was become in a great measure impracticable, and even dangerous in the present state of the republic. The distinctions of poor and rich are as necessary in States of considerable extent, as labour and good government. The poor are destined to labour, and the rich, by the advantages of education, independence, and leisure, are qualified for superior stations. The empire was now greatly extended, and owed its safety and the order of its government to a respectable aristocracy, founded on the possession of fortune, as well as personal qualities and public honours. The rich were not, without  
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some violent convulsion, to be stript of estates which they themselves had bought, or which they had inherited from their ancestors. The poor were not qualified at once to be raised to a state of equality with persons inured to a better condition. The project seemed to be as ruinous to government as it was to the security of property, and tended to place the members of the commonwealth, by one rash and precipitate step, in situations in which they were not at all qualified to act.

For these reasons, as well as from motives of private interest affecting the majority of the nobles, the project of Tiberius was strenuously opposed by the Senate; and from motives of envy, interest, or mistaken zeal for justice, as warmly supported by the opposite party. At the several assemblies of the People which were called to deliberate on this subject, Tiberius, exalting the characters of freemen contrasted with slaves, displayed the copious and pathetic eloquence in which he excelled. All the free inhabitants of Italy were Romans, or nearly allied to this people. He observed how much, being supplanted by the slaves of the rich, they were diminished in their numbers. He inveighed against the practice of employing slaves, a class of men that bring perpetual danger, without any addition of strength to the public, and who are ever ready to break forth in desperate insurrections, as they had then actually done in Sicily, where they still occupied the Roman arms in a tedious and ruinous war<sup>s</sup>.

In declaiming on the mortifications and hardships of the indigent citizen, he had recourse to the arguments commonly advanced to explode the inequalities of mankind. "Every wild beast," he said, "in this happy land has a cover or place of retreat. But many valiant and respectable citizens, who have exposed their lives, and who have shed their blood in the service of their country, have not

<sup>s</sup> Appian. de Bell. Civ.

" a home

C H A P.  
II.

“ a home to which they may retire. They wander with their wives  
 “ and their children, stript of every possession, but that of the air and  
 “ the light. To such men the common military exhortation, *to fight*  
 “ *for the tombs of their fathers, and for the altars of their household*  
 “ *gods*, is a mockery and a lie. They have no altars; they have  
 “ no monuments. They fight and they die to augment the estates,  
 “ and to pamper the luxury of a few wealthy citizens, who have  
 “ engrossed all the riches of the commonwealth. As citizens of  
 “ Rome, they are intitled *the masters of the world*, but possess not  
 “ a foot of earth on which they may rest.”

He asked, “ whether it were not reasonable to apply what was  
 “ public to public uses? whether a freeman were not preferable to  
 “ a slave, a brave man to a coward, and a fellow-citizen to a stranger?  
 “ He expatiated on the fortune, and stated the future prospects of the  
 “ republic. Much,” he said, “ she had acquired, and had yet more  
 “ to acquire: that the People, by their decision in the present ques-  
 “ tion were to determine, whether they were, by multiplying their  
 “ numbers, to encrease their strength, and be in a condition to con-  
 “ quer what yet remained of the world? or, by suffering the re-  
 “ sources of the whole People to get into the hands of a few, they  
 “ were to permit their numbers to decline, and to become unable,  
 “ against nations envious and jealous of their power, even to main-  
 “ tain the ground they already had gained?

“ He exhorted the present proprietors of land, whom the law of  
 “ division might affect, not to withhold, for the sake of a trifling  
 “ interest to themselves, so great an advantage from their country.  
 “ He bade them consider whether they would not, by the secure  
 “ possession of five hundred jugera, and of half as much to each of  
 “ their children, be sufficiently rewarded for the concessions now

<sup>9</sup> Plutarch. in Vit. Tib. Gracch.

“ required in behalf of the public ; put them in mind that riches  
 “ were merely comparative ; and that, in respect to this advantage,  
 “ they were still to remain in the first rank of their fellow-  
 “ citizens ”.”

C H A P.  
 II.

By these and similar arguments he endeavoured to obtain the consent of one party, and to inflame the zeal of the other. But when he came to propose, that the law should be read, he found that his opponents had availed themselves of their usual defence ; had procured M. Octavius, one of his own colleagues, to interpose with his negative, and to forbid any farther proceeding in the business. Here, according to the forms of the constitution, this matter should have dropped. The Tribunes were instituted to defend their own party, not to attack their opponents ; and to prevent, not to promote innovations. Every single Tribune had a negative on the whole. But Tiberius, thus suddenly stopped in his career, became the more impetuous and confirmed in his purpose. Having adjourned the assembly to another day, he prepared a motion more violent than the former, in which he erased all the clauses by which he had endeavoured to soften the hardships likely to fall on the rich. He proposed, that, without expecting any compensation, they should absolutely cede the surplus of their possessions, as being obtained by fraud and injustice.

In this time of suspense, the controversy began to divide the colonies and free cities of Italy, and was warmly agitated wherever the citizens had extended their property. The rich and the poor took opposite sides. They collected their arguments, and they mustered their strength. The first had recourse to the topics which are commonly employed on the side of prescription, urging that, in some cases, they had possessed their estates from time immemorial ;

<sup>10</sup> Appian. de Bell. Civ.

B O O K  
II.

and that the lands they possessed were become valuable, only in consequence of the industry and labour which they themselves had employed to improve them: that, in other cases, they had actually bought their estates: that the public faith, under which they were suffered to purchase, was now engaged to protect and secure their possession: that, in reliance on this faith, they had erected, on these lands, the sepulchres of their fathers; they had pledged them for the dowries of their wives and the portions of their children, and mortgaged them as security for the debts they had contracted: that a law regulating or limiting the farther encrease or accumulation of property might be suffered; but that a law, having a retrospect, and operating in violation of the rights, and to the ruin of so many families, was altogether unjust, and even impracticable in the execution.

The poor, on the contrary, pleaded their own indigence and their merits; urged that they were no longer in a capacity to fill the station of Roman citizens or of freemen, nor in a condition to settle families or to rear children, the future hopes of the commonwealth: that no private person could plead immemorial possession of lands which had been acquired for the public. They enumerated the wars which they themselves, or their ancestors, had maintained in the conquest of those lands. They concluded, that every citizen was entitled to his share of the public conquests; and that the arguments which were urged to support the possessions of the nobles, only tended to show how presumptuous and insolent such usurpations, if suffered to remain, were likely to become.

This mode of reasoning appears plausible; but it is dangerous to adopt by halves even reason itself. If it were reasonable that every Roman citizen should have an equal share of the conquered lands, it was still more reasonable, that the original proprietors, from whom those lands had been unjustly taken, should have them restored. If, in this, the maxims of reason and justice had been observed, Rome would

would have still been a small community, and might have acted with safety on the principles of equality which are suited to a small republic. But the Romans, becoming sovereigns of a great and extensive territory, must adopt the disparities, and submit to the subordinations, which mankind universally have found natural, and even necessary, to their government in such situations.

Multitudes of people from all parts of Italy, some earnestly desirous to have the law enacted, others to have it set aside, crowded to Rome to attend the decision of the question; and Gracchus, without dropping his intention, as usual, upon the negative of his colleague, only bethought himself how he might surmount, or remove this obstruction.

Having hitherto lived in personal intimacy with Octavius, he tried to gain him in private; and having failed in this attempt, he entered into expostulations with him, in presence of the public assembly; desired to know, whether he feared to have his own estate impaired by the effects of the law; for if so, he offered to indemnify him fully in whatever he might suffer by the execution of it: and being still unable to shake his colleague, who was supported by the countenance of the Senate and the higher ranks of men in the State, he determined to try the force of his Tribunitian powers to compel him, laid the State itself under a general interdict, sealed up the doors of the treasury, suspended the proceedings in the courts of the Prætors, and put a stop to all the functions of office in the city.

All the nobility and superior class of the People went into mourning. Tiberius, in his turn, endeavoured to alarm the passions of his party; and believing, or pretending to believe, that he himself was in danger of being assassinated, had a number of persons with arms to defend his person.

While the city was in this state of suspense and confusion, the Tribes were again assembled, and Tiberius, in defiance of the negative of

C H A P.  
II.

B O O K  
II.

his colleague, was proceeding to call the votes, when many of the People, alarmed by this intended violation of the sacred law, crowded in before the Tribe that was moving to ballot, and seized the urns. A great tumult was likely to arise. The popular party, being most numerous, were crowding around their leader, when two Senators, Manlius and Fulvius, both of consular dignity, fell at his feet, embraced his knees, and beseeched him not to proceed. Overcome with the respect that was due to persons of this rank, and with the sense of some impending calamity, he asked, What they would have him to do? "The case," they said, "is too arduous for us to decide; refer it to the Senate, and await their decree."

Proceedings were accordingly suspended until the Senate had met, and declared a resolution not to confirm the law. Gracchus resumed the subject with the People, being determined either to remove, or to flight the negative of his colleague. He proposed, that either the refractory Tribune, or himself, should be immediately stripped of his dignity. He desired that Octavius should put the question first, Whether Tiberius Gracchus should be degraded? This being declined as irregular and vain, he declared his intention to move in the assembly, on the following day, That Octavius should be divested of the character of Tribune.

Hitherto all parties had proceeded agreeably to the laws and constitution of the commonwealth; but this motion, to degrade a Tribune, by whatever authority, was equally subversive of both. The person and dignity of Tribunes, in order that they might be secure from violence, whether offered by any private person, public magistrate, or even by the People themselves, were guarded by the most sacred vows. Their persons, therefore, during the continuance of their office, were sacred; so long their character was indelible, and, without their own consent, they could not be removed by any power whatever.



The assembly, however, being met in consequence of this alarming adjournment, Tiberius renewed his prayer to Octavius to withdraw his negative; but not prevailing in this request, the Tribes were directed to proceed. The votes of seventeen were already given to *degrade*. In taking those of the eighteenth, which would have made a majority, the Tribunes made a pause, while Tiberius embraced his colleague, and, with a voice to be heard by the multitude of the People, beseeched him to spare himself the indignity, and others the regret, of so severe, though necessary, a measure. Octavius shook: but, observing the Senators who were present, recovered his resolution, and bid Tiberius proceed as he thought proper. The votes of the majority were accordingly declared, and Octavius, reduced to a private station, was dragged from the Tribunes bench, and exposed to the rage of the populace. Attempts were made on his life, and a faithful slave, that endeavoured to save him, was dangerously wounded; but a number of the more respectable citizens interposed, and Tiberius himself was active in favouring his escape.

C H A P.  
II.

This obstacle being removed, the act so long depending, for making a more equal division of lands, was passed; and three commissioners, Tiberius Gracchus, Appius Claudius, his father-in-law, and his brother, Caius Gracchus, then a youth serving under Publius Scipio at the siege of Numantia, were named to carry the law into execution.

Lex Semproniana.

This act, as it concerned the interest of almost every inhabitant of Italy, immediately raised a great ferment in every part of the country. Persons holding considerable estates in land were alarmed for their property. The poor were elated with the hopes of becoming suddenly rich. If there was a middling class not to be greatly affected in their own situation, they still trembled for the effects of a contest between such parties. The Senate endeavoured

B O O K  
II.

to delay the execution of the law, withheld the usual aids and appointments given to the commissioners of the People in the ordinary administration of public trusts, and waited for a fit opportunity to suppress entirely this hazardous project. Parties looked on each other with a gloomy and suspicious silence. A person, who had been active in procuring the Agrarian Law, having died in this critical juncture, his death was alleged to be the effect of poison administered by the opposite party. Numbers of the people, to countenance a report to this purpose, went into mourning; even Gracchus, affecting to believe a like design to be forming against himself, appeared, with his children and their mother, as suppliants in the streets, and implored the protection of the People. Still more to interest their passions in his safety, he published a list of the acts which he then had in view, all tending to gratify the People, or to mortify the Senate. Attalus, king of Pergamus, having, about this time, bequeathed his dominions and his treasure to the Romans, Gracchus procured an act to transfer the administration of this inheritance from the Senate to the People; and to distribute the money found in the treasury of Pergamus to the poorer citizens, the better to enable them to cultivate and to stock the lands which were now to be given them. He obtained another act to circumscribe the power of the Senate, by joining the Equestrian order with the Senators in the nomination to juries, or in forming the occasional tribunals of justice.

These, with the preceding attempts to abolish or to weaken the aristocratical part of the government, were justly alarming to every person who was anxious for the preservation of the State. As the policy of this Tribune tended to substitute popular tumults for sober councils and a regular magistracy, it gave an immediate prospect of anarchy, which threatened to produce some violent usurpation. The sacred office which he so much abused, had served, on occasions, to check the caprice of the People, as well as to restrain the abuse of the executive

executive power. The late violation it had suffered, was likely to render it entirely unfit for the first of these purposes, and to make the Tribune an instrument to execute the momentary will of the People, or to make the continuance of his trust depend upon his willingness to serve this purpose. Tiberius heard himself arraigned in the Forum, and in every public assembly, for the violation of the sacred law. "If any of your colleagues," said Titus Annius (whom he prosecuted for a speech in the Senate), "should interpose in my behalf, would you have him also degraded?"

The People in general began to be sensible of the enormity they themselves had committed, and Tiberius found himself under a necessity of pleading for the measure he had taken, after it had been carried into execution. The person of the Tribune, he observed, was sacred; because it was consecrated by the People, whom the Tribunes represented: but if the Tribune, inconsistent with his character, should injure where he was appointed to protect, should weaken a claim he was appointed to enforce, and withhold from the People that right of decision which he was appointed to guard, the Tribune, not the People, was to blame for the consequences.

"Other crimes," he said, "may be enormous, yet may not destroy the essence of the Tribunitian character. An attempt to demolish the Capitol, or to burn the fleets of the republic, might excite an universal and just indignation, without rendering the person of the Tribune who should be accused of them less sacred. But an attempt to take away the power by which his own office subsists, and which is centred in himself only for the better exertion of that power, is a voluntary and criminal abdication of the trust. What is the Tribune but the officer of the People? Strange! that this officer may, by virtue of authority derived from the People, drag even the Consul himself to prison, and yet that the People them-  
" selves

B O O K  
II.

“ selves cannot depose their own officer, when he is about to annul  
“ the authority by which he himself is appointed.

“ Was ever authority more sacred than that of king? It in-  
“ volved in itself the prerogatives of every magistrate, and was like-  
“ wise consecrated by holding the priesthood of the immortal gods.  
“ Yet did not the People banish Tarquin? and thus, for the offence  
“ of one man, abolish the primitive government, under the auspices  
“ of which the foundations of this city were laid.

“ What more sacred at Rome than the persons of the Vestal Vir-  
“ gins, who have the custody of the holy fire? Yet are they not for  
“ slight offences sometimes buried alive? Impiety to the gods being  
“ supposed to cancel a title which reverence to the gods had conferred,  
“ must not injuries to the People suppress an authority which a re-  
“ gard to the People has constituted?

“ That person must fall, who himself removes the base on which  
“ he is supported. A majority of the Tribes creates a Tribune;  
“ Cannot the whole depose? What more sacred than the things  
“ which are dedicated at the shrines of the immortal gods? yet these  
“ the People may employ or remove at pleasure. Why not transfer  
“ the Tribunate, as a consecrated title, from one person to another?  
“ May not the whole People, by their sovereign authority, do what  
“ every person in this sacred office is permitted to do, when he re-  
“ signs or abdicates his power by a simple expression of his will.”

These specious arguments tended to introduce the plea of necessity where there was no foundation for it, and to set the sovereign power, in every species of government, loose from the rules which itself had enacted. Such arguments accordingly had no effect where the interest of the parties did not concur to enforce them. Tiberius saw his credit on the decline. He was publicly menaced with impeachment, and had given sufficient provocation to make him apprehend  
that,

that, upon the expiration of his office, some violence might be offered to himself". His person was guarded only by the sacred character of the Tribune. The first step he should make in the new character he was to assume, as commissioner for the division of lands, was likely to terminate his life. He resolved, if possible, to take shelter in the Tribunate another year, and, to procure this favour from the People, gave farther expectations of popular acts; of one to shorten the term of military service, and of another to grant an appeal to the People from the courts of justice lately established.

The Senate, and every citizen who professed a regard to the constitution, were alarmed. This attempt, they said, to perpetuate the Tribunitian power in the same person, tends directly to tyranny. The usurper, with the lawless multitude that supports him, must soon expel from the public assemblies every citizen who is inclined to moderation; and, together with the property of our lands, to which they already aspire, make themselves master of the State. Their leader, it seems, like every other tyrant, already thinks that his safety depends upon the continuance of his power.

In this feverish state of suspense and anxiety, great efforts were made to determine the elections. The time of choosing the Tribunes was now fast approaching: Roman citizens, dispersed on their lands throughout Italy, were engaged in the harvest, and could not repair to the city. On the day of election the assembly was ill attended, especially by those who were likely to favour Tiberius. He being rejected by the first Tribes that moved to the ballot, his friends endeavoured to amuse the assembly with forms, and to protract the debates, till observing that the field did not fill, nor the appearance change for the better, they moved to adjourn to the following day.

In this recess Tiberius put on mourning, went forth to the streets with his children, and, in behalf of hapless infants, that might al-

" Orosius, lib. v. c. 8.

BOOK  
II.

ready be considered as orphans, on the eve of losing their parent in the cause of freedom, implored the protection of the People; gave out that the party of the rich, to hinder his being re-elected, had determined to force their way into his house in the night, and to murder him. Numbers were affected by these dismal representations: a multitude crowded to his doors, and watched all night in the streets.

On the arrival of morning and the approach of the assembly, the declining appearance of his affairs suggested presages; and the superstition of the times has furnished history with the omens, by which himself and his friends were greatly dismayed. He, nevertheless, with a crowd of his partizans, took his way to the Capitol, where the People had been appointed to assemble. His attendants multiplied, and numbers from the assembly descended the steps to meet him. Upon his entry a shout was raised, and his party appeared sufficiently strong, if not to prevail in their choice, perhaps by their violence to deter every citizen of a different mind from attending the election.

A chosen body took post round the person of Tiberius, with direction to suffer no stranger to approach him. A signal was agreed upon, in case it were necessary to employ force. Mean time the Senators, on their part, were hastily assembled in the Temple of Faith, in anxious deliberations on the measures to be followed.

When the first tribe delivered their votes, a confusion arose among the People. Numbers from the more distant parts of the assembly began to press forward to the centre. Among others, Fulvius Flaccus, a Senator yet attached to Tiberius, being too far off to be heard, beckoned with his hand that he would speak with the Tribunes. Having made his way through the multitude, he informed Tiberius, that a resolution was taken in the Senate to resist him by force; and that a party of Senators, with their clients and slaves, was arming against his life. All who were near enough to hear this information,

took the alarm, snatched the staves from the officers that attended the Tribunes, and tucked up their robes as for immediate violence. The alarm spread through the assembly, and many called out to know the cause, but no distinct account could be heard. Tiberius, having in vain attempted to speak, made a sign, by waving his hand round his head, that his life was in danger. This sign, together with the hostile and menacing appearances that gave rise to it, being instantly reported in the Senate, and interpreted as a hint given to the People, that it was necessary he should be crowned, or that he should assume the sovereignty, the Senate immediately resolved, in a form that was usual on alarming occasions, that the Consul should provide for the safety of the State. This resolution was supposed to confer a dictatorial power, and was generally given when immediate execution or summary proceedings were deemed to be necessary, without even sufficient time for the formalities observed in naming a Dictator. The Consul Mucius Scævola, who had been in concert with Tiberius in drawing up the first frame of his law, but who probably had left him in the extremes to which he afterwards proceeded; on the present occasion, however, declined to employ force against a Tribune of the People, or to disturb the Tribes in the midst of their legal assembly. "If they shall come," he said, "to any violent or illegal determination, I will employ the whole force of my authority to prevent its effects."

In this expression of the Consul there did not appear to the audience a proper disposition for the present occasion. The laws were violated: A desperate party was prepared for any extremes: All sober citizens, and even many of the Tribunes, had fled from the tumult: The priests of Jupiter had shut the gates of their temple: The laws, it was said, ought to govern; but the laws cannot be pleaded by those who have set them aside, and they are no longer of any avail, unless they are restored by some exertion of vigour, fit to

counteract the violence that has been offered to them. “ The Consul,” said Scipio Nasica, “ deserts the republic ; let those who wish “ to preserve it, follow me.” The Senators instantly arose, and moving in a body, which increased as they went, by the concurrence of their clients, they seized the shafts of the fasces, or tore up the benches in their way, and, with their robes wound up, in place of shields, on their left arm, broke into the midst of the assembly of the People.

Tiberius, surrounded by a numerous multitude, found his party unable to resist the awe with which they were struck by the presence of the Senate and Nobles. The few who resisted were beat to the ground. He himself, while he fled, being seized by the robe, slipped it from his shoulders and continued to fly ; but he stumbled in the crowd, and, while he attempted to recover himself, was slain with repeated blows. His body, as being that of a tyrant, together with the killed of his party, amounting to about three hundred, as accomplices in a treasonable design against the republic, were denied the honours of burial, and thrown into the river. Some of the most active of his partisans that escaped, were afterwards cited to appear, and were outlawed or condemned.

Thus, in the heats of this unhappy dispute, both the Senate and the People had been carried to acts of violence that insulted the laws and constitution of their country. This constitution was by no means too strict and formal to contend with such evils ; for, besides admitting a general latitude of conduct scarcely known under any other political establishment, it had provided expedients for great and dangerous occasions, which were sufficient to extricate the commonwealth from greater extremities than those to which it had been reduced in the course of this unfortunate contest.

The People, when restrained from their object by the negative of one of their Tribunes, had only to wait for the expiration of his office,



office, when, by a new election, they might so model the college as to be secure of its unanimous consent in the particular measures to which they were then inclined. The precipitant violation of the sacred law, a precedent which, if followed, must have rendered the Tribunes mere instruments of popular violence, not bars to restrain oppression, filled the minds of the People with remorse and horror, and gave to the Senate and Nobles a dreadful apprehension of what they were to expect from a party capable of such a profane and violent extreme.

The policy of Tiberius Gracchus on the other hand, the laws he had obtained, his own re-election to secure the execution, and the sequel of his plan, seemed to threaten the republic with distraction and anarchy, likely to end in his own usurpation, or in that of some more artful demagogue. But even under these gloomy expectations the Senate could, by naming a Dictator, or by the commission which they actually gave to the Consul, have recourse to a legal preventive, and might have repelled the impending evil by measures equally decisive and powerful, though more legal than those they employed. But the Consul, it seems, was suspected of connivance with the opposite party, had received his own commission coldly, and could not be entrusted with the choice of a Dictator.

In these extremities, the violent resolution that was taken by the Senate appears to have been necessary; and probably for the present saved the republic; preserved it indeed, not in a sound, but in a sickly state, and in a fever, which, with some intermissions, at every return of similar disorders, threatened it with the dissolution and ruin of its whole constitution.

The disorders that arise in free States which are beginning to corrupt, generally furnish very difficult questions in the casuistry of politicians. Even the struggles of virtuous citizens, because they do not prevent, are sometimes supposed to hasten, the ruin of their

E O O K  
 II.

country. The violence of the Senate, on this occasion, was by many considered with aversion and horror. The subversion of government, that was likely to have followed the policy of Gracchus, because it did not take place, was overlooked; and the restitution of order, effected by the Senate, appeared to be a tyranny established in blood. The Senators themselves were struck with some degree of remorse, and, what is dangerous in politics, took a middle course between the extremes. They were cautious not to inflame animosities, by any immoderate use of their late victory, nor by any immediate opposition to the execution of the popular law. They wished to atone for the violences lately committed against the person of its author; they permitted Fulvius Flaccus and Papirius Carbo, two of the most daring leaders of the popular faction, to be elected commissioners for the execution of the Agrarian law, in the room of Tiberius and Appius Claudius, of whom the latter also died about this time; and, in order to stifle animosities and resentments, consented that, under pretence of an embassy to Pergamus, Scipio Nasica should be removed from Rome. In consequence of this commission, this illustrious citizen, the lineal descendant of one of the Scipios who perished in Spain in the time of the second Punic war, himself an ornament to the republic, died in a species of exile, though under an honourable title.

In the midst of such agitations, foreign affairs were likely to be much overlooked. They proceeded, however, under the conduct of the officers to whom they were entrusted, with the usual success; and the Senate, having the reports made nearly about the same time, of the pacification of Lusitania, the destruction of Numantia, and the reduction and punishment of the slaves in Sicily, named commissioners to act in conjunction with the generals commanding in those several services, in order to settle their provinces.

Brutus.

Brutus and Scipio had their several triumphs; one with the title of Gallicus, for having reduced the Gallicians; the other, still preferring the title of Africanus to that of Numantinus, which was offered to him for the sack of Numantia.

The arrival of this respectable citizen was anxiously looked for by all parties, more to know what judgment he might pass on the late operations at Rome, than on account of the triumph he obtained over enemies once formidable to his country. He was the near relation of Gracchus, and might, under pretence of revenging the death of that demagogue, have put himself at the head of a formidable party. He was himself personally respected and beloved by numbers of the citizens, who had carried arms under his command, who were recently arrived in Italy crowned with victory, and who might possibly, under pretence of vindicating the rights of the People, employ their arms against the republic. But the time of such criminal views on the commonwealth was not yet arrived. Scipio already, upon hearing the fate of Gracchus, had expressed, in some words that escaped him, his approbation of the Senate's conduct. "So may every person perish," he said, "who shall dare to commit such crimes". Soon after his arrival from Spain, Papirius Carbo, the Tribune, called upon him aloud, in the assembly of the People, to declare what he thought of the death of Gracchus. "I must think," he said, "that if Gracchus meant to overturn the government of his country, his death was fully merited." This declaration the multitude interrupted with murmurs of aversion and rage. Upon which Scipio, raising his tone, expressed the contempt under which it seems that the populace of Rome had already fallen. "I have been accustomed," he said, "to the shout of warlike enemies, and cannot be affected by your dastardly cries." Then alluding

<sup>12</sup> Plutarch. in Vit. Tiberii Gracchi.

B O O K  
H.

to the number of enfranchised slaves that were enrolled with the Tribes of the city, upon a second cry of displeasure, he continued, "Peace, ye aliens and step-children of Italy"<sup>13</sup>. You are now free, "but many of you I have brought to this place in fetters, and sold at the halbert for slaves." Some were abashed by the truth, and all by the boldness of this contemptuous reproach, and shewed that popular assemblies, though vested with supreme authority, may be sometimes insulted, as well as courted, with success.

The part which Scipio took on this occasion was the more remarkable, that he himself was to be reckoned among the poorer citizens, and might have been a gainer by the rigorous execution of the Licinian law. His whole inheritance, according to Pliny, amounted to thirty-two pounds, or three hundred and twenty ounces of silver, which might be now valued at about two hundred and eighty pounds sterling.

Lex Papiria.  
Tabellaria  
Tertia.

Papirius Carbo spent the year of his Tribunate in fomenting the animosity of the People against the Senate, and in promoting dangerous innovations. He obtained a law, by which the votes of the People, in questions of legislation as well as election<sup>14</sup>, and the opinions of the judges in determining causes, were to be taken by ballot.

He was less successful in the motion he made for a law to enable the same person to be repeatedly chosen into the office of Tribune. He was supported in this motion by Caius Gracchus; opposed by Scipio, Lælius, and the whole authority of the Senate<sup>15</sup>, who dreaded the perpetuating in any one person a power, which the sacredness of the character, and the attachment of the populace, rendered almost sovereign and irresistible.

While the interests of party were exerted in these several questions at home, the State was laying the foundation of new quarrels abroad,

<sup>13</sup> Velleius Paterculus, lib. ii. c. 4.

<sup>14</sup> Cic. de Legibus, lib. iii.

<sup>15</sup> Cic. de Amicitia.

and opening a scene of depredation and conquest in what was then the wealthiest part of the known world. Soon after the death of Attalus, king of Pergamus, who had bequeathed his kingdom to the Romans, Aristonicus, his natural brother, being the illegitimate son of Eumenes, made pretensions to the throne of Pergamus, and was supported by a powerful party among the people. The Romans did not fail to maintain their right: Crassus, one of the Consuls of the preceding year, had been sent with an army into Asia for that purpose, U. C. 622 but in his first encounter with Aristonicus was defeated and taken. He was afterwards killed while a captive in the hands of the enemy; having intentionally provoked one of his guards to lay violent hands on him, and thus ended a life which he thought was dishonoured by his preceding defeat.

The following year, the Consul Perperna being sent on this service, and having, with better fortune than Crassus, defeated and taken Aristonicus, got possession of the treasure and kingdom of Attalus, but died in his command at Pergamus. From this time the Romans took a more particular concern than formerly in the affairs of Asia. They employed Scipio Emilianus, with Sp. Mummius, and L. Metellus, on a commission of observation to that country. We are told that the equipage of Scipio upon this occasion consisted of seven slaves; and this, as a mark or characteristic of the times, is perhaps more interesting than any thing else we could be told of the embassy. The object of the commission appears to have related to Egypt as well as to Asia<sup>16</sup>, though there was not any power in either that seemed to be in condition to alarm the Romans. Ptolemy Euergetes had succeeded to the throne of Egypt, but was expelled by the people of Alexandria. Antiochus, king of Syria, had been recently engaged in a very unsuccessful war with the Parthians; and it had

<sup>16</sup> Valerius Maximus, lib. iv. c. 3.

B O O K  
 II.

not yet appeared how far it concerned the Romans to observe the king of Pontus, or to consider of the measures to be taken against him for the security of their possessions in Asia.

In whatever degree the Roman embassy found worthy objects of attention in the state of the Asiatic powers, matters were hastening in Italy to a state of great distraction and ferment, on account of the violence with which the Agrarian law was put in execution by Papius Carbo, Fulvius Flaccus, and Caius Gracchus, the commissioners appointed for this purpose. As the law authorized them to call upon all persons possessed of public lands to evacuate them, and submit to a legal division; they, under this pretence, brought into question all the rights of property throughout Italy, and took from one and gave to another as suited their pleasure; some suffered the diminution of their estates with silent rage; others complained that they were violently removed from lands which they had cultivated, to barren and inhospitable situations; even they who were supposed to be favoured, complained of the lots they received. Many were aggrieved, none were satisfied.

Moved by the representations which were made of these abuses, Scipio, at his return from Asia, made an harangue in the Senate, by which he drew upon himself an invective from Fulvius, one of the commissioners. He did not propose to repeal the law, but that the execution of it should be taken out of the hands of so pernicious a faction, and committed to the Consul Sempronius Tuditanus, who remained in the administration of affairs in Italy, while his colleague Aquilius had gone to Asia to finish the transaction in the conduct of which Perperna died.

It is mentioned that Scipio, in this speech to the Senate, complained of insults and threats to his own person, which induced all the members, with a great body of the more respectable citizens, to attend him in procession to his own house. Next morning he was found

dead in his bed<sup>17</sup>; and, notwithstanding the suspicions of violence transmitted by different authors, nothing certain appears upon record; and no inquest was ever made to discover the truth of these reports. This illustrious citizen, notwithstanding his services, had incurred so much the displeasure of the People, that he had not the honours of a public funeral. If he had not died at this critical time, the Senate, it was supposed, meant to have named him Dictator, for the purpose of purging the State of the evils with which it was now oppressed.

The occasion, however, was not sufficient to make the Senate persist in their intention to name a Dictator; nor is there any thing material recorded as having happened during a few of the following years. Quintus Cæcilius Metellus Macedonicus, and Quintus Pompeius, were Censors; both of Plebeian extraction; of which this is recorded as the first example. Metellus, at the Census, made a memorable speech, in which he recommended marriage, the establishment of families, and the rearing of children. This speech being preserved, will recur to our notice again, being read by Augustus in the Senate, as a lesson equally applicable to the age in which he lived.

The people who were fit to carry arms, as appeared at their enrolment, amounted to three hundred and seventeen thousand eight hundred and twenty-three. But what is most memorable in the transactions of this muster, was the disgrace of Caius Attinius Labeo, who, being struck off the rolls of the Senate by Metellus, afterwards became Tribune of the People; and, by the difficulty with which the effect of his unjust revenge came to be prevented, showed the folly of making the will of any officer sacred, in order to restrain the commission of wrongs.

Metellus, in returning from the country, about noon, while the market-place was thin of people, found himself suddenly appre-

<sup>17</sup> Cic. de Amicitia.

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 Η.

hended by this vindictive Tribune, and ordered to be thrown immediately from the Tarpeian Rock. The people assembled in crowds, were sensible of the Tribune's breach of the sacred trust reposed in him; and, accusing Metellus by the name of Father, lamented his fate: but, unless another Tribune could be found to interpose in his favour, there was no other power in the commonwealth that could, without supposed profanation, interrupt a Tribune even in the commission of a crime. Metellus struggled to obtain a delay, was overpowered and dragged through the streets, while the violence he suffered made the blood to spring from his nostrils. A Tribune was with difficulty found in time to save his life; but Attinius having, with a lighted fire and other forms of consecration, devoted his estate to sacred uses, it is alleged that he never recovered it<sup>18</sup>.

Such was the weak state to which the government was reduced by the late popular encroachments, that this outrageous abuse of power was never punished; and such the moderation of this great man's family, that though he himself lived fifteen years in high credit after this accident, saw his family raised to the highest dignities, and was carried to his grave by four sons, of whom one had been Censor, two had triumphed, three had been Consuls, and the fourth, then Prætor, was candidate for the Consulship, which he obtained in the following year; yet no one of this powerful family chose to increase the disturbances of the commonwealth, by attempting to revenge the outrage which their father had suffered<sup>19</sup>.

**Lex Attinia.** Caius Attinius is mentioned as being the person who obtained the admission of the Tribunes, in right of their office, as members of the Senate<sup>20</sup>.

<sup>18</sup> Plin. lib. vii. c. 44. Cicero, in pleading to have his house restored to him, though devoted to sacred uses, states the form of consecration in the case of Me-

tellus, but denies the effect of it. Pro domo sua, c. 47.

<sup>19</sup> Plin. lib. vii. c. 44.

<sup>20</sup> A. Gellius, lib. xiv. c. 8.



The Consul Sempronius, though authorized by the Senate to re-  
 strain the violence of the commissioners who were employed in the  
 execution of the Agrarian law, declined that hazardous business,  
 and chose rather to encounter the enemy in the province of Iltria,  
 where he made some conquests and obtained a triumph.

C H A P.  
 II.

In the same turbulent times lived Pacuvius, the tragic poet, and  
 Lucilius, inventor of the satire. The latter, if we suppose him to  
 be the same whose name is found in the list of Questors, was a per-  
 son of rank, and moved in the line of political preferment.

Historians mention a dreadful eruption of Mount Etna, the effect  
 of subterraneous fires, which shaking the foundations of Sicily and  
 the neighbouring islands, gave explosions of flame, not only from  
 the crater of the mountain, but likewise from below the waters of  
 the sea, and forced sudden and great inundations over the islands of  
 Liparé and the neighbouring coasts.

## C H A P. III.

*State of the Italian Allies, and the Views which now began to be conceived by them.—Appearance of Caius Gracchus.—Resolution to purge the City of Aliens.—Consulate and factious Motions of Fulvius Flaccus.—Conspiracy of Frigelle suppressed.—Caius Gracchus returns to Rome.—Offers himself Candidate for the Tribunate.—Address of Cornelia.—Tribunate and AEds of Caius Gracchus.—Re-election.—Proposal to admit the Inhabitants of Italy on the Rolls of Roman Citizens.—Popular Acts of Gracchus and Livius.—The Senate begin to prevail.—Death of Caius Gracchus and Fulvius.*

B O O K  
II.

U. C. 627.

THE eruption of Mount Etna, and the other particulars relating to the natural history of Italy, with the mention of which we concluded our last Chapter, were considered as prodigies, and as the prefaces of evils which were yet to afflict the republic. At this time indeed the State of Italy seemed to have received the seeds of much trouble, and to contain ample materials of civil combustion. The citizens, for whom no provision had been made at their return from military service, or who thought themselves partially dealt with in the colonies, the leaders of tumult and faction in the city, were now taught to consider the land-property of Italy as their joint inheritance. They were, in imagination, distributing their lots, and selecting their shares.

In the mean time, the inhabitants of the Municipia, or free towns, and their districts, who, not being citizens, served the State as allies, had reason to dread the rapacity of such needy and powerful masters. They themselves likewise began to repine under the inequality of their

their condition. They observed, that while they were scarcely allowed to retain the possessions of their ancestors, Rome, aided by their arms, had gained that extensive dominion, and obtained that territory, about which the poor and the rich were now likely to quarrel among themselves. “The Italian allies,” they said, “must bleed in this contest, no less than they had done in the foreign or more distant wars of the commonwealth.” They had been made, by the professions of Tiberius Gracchus, to entertain hopes that every distinction in Italy would soon be removed, that every freeman in the country would be enrolled as a citizen of Rome, and be admitted to all the powers and pretensions implied in that designation. The consideration of this subject, therefore, could not be long delayed; and the Roman Senate, already struggling with attacks of their fellow-citizens, had an immediate storm to apprehend from the allies.

The revolutions of the State had been so frequent, and its progress from small beginnings to a great empire had been so rapid, that the changes to which men are exposed, and the exertions of which they are capable, no where appear so conspicuous, or are so distinctly marked.

In the first ages the political importance of a Roman citizen appears not to have been felt or understood. Conquered enemies were removed to Rome, and their captivity consisted in being forced to be Romans, to which they submitted with great reluctance. It is not to be doubted that every foreigner was welcome to take his place as a Roman citizen in the assembly of the People; that many were admitted into the Senate <sup>1</sup>, and some even on the throne <sup>2</sup>. It is likely also, that the first colonies considered themselves as detached from the city of Rome, and as forming cantons apart; for we find

<sup>1</sup> The Claudian family were aliens, and an alien from Tarquinii.

<sup>2</sup> Tarquinius Priscus was of Greek extraction,

B C O K  
II.

them, like the other States of Italy, occasionally at war with the Romans.

But when the sovereignty of Italy came to be established at Rome, and was there actually exercised by the collective body of the People, the inhabitants of the colonies, it is probable, laid claim to their votes in elections, and presented themselves to be enrolled in the Tribes. They felt their consequence and their superiority over the Municipia, or free towns in their neighbourhood, to whom, as a mark of distinction and an act of munificence, some remains of independence had been left. Even in this state, the rolls of the People had been very negligently compiled, or preserved. The Kings, the Consuls, the Censors, who were the officers, in different ages of the State, entrusted with the musters, admitted on the rolls such as presented themselves, or such as they chose to receive. One Consul invited all the free inhabitants of Latium to poll in the assemblies of the People; another rejected them, and in time of elections forbid them the city. But notwithstanding this prohibition, aliens that were brought to Rome on a foot of captivity, were suffered by degrees to mix with the citizens<sup>3</sup>. The inhabitants of the free towns, removing to Rome upon any creditable footing, found easy admission on the rolls of some tribe. The towns complained they were depopulated. The Romans endeavoured to shut the gates of their city by repeated scrutines, and the prohibition of surreptitious enrolments: but in vain. The practice still continued, and the growing privilege, distinction, and eminence of a Roman citizen made that title become the great object of individuals, and of entire cantons. It had already been bestowed upon districts whose inhabitants were not distinguished by any singular merit with the Roman State. In this respect all the allies were nearly equal; they had regularly composed

<sup>3</sup> This happened particularly in the case of the Campanians.

at least one half in every Roman army, and had borne an equal share in all the dangers and troubles of the commonwealth; and, from having valued themselves of old on their separate titles and national distinctions, they began now to aspire to a share in the sovereignty of the empire, and wished to sink for ever their provincial designations under the general title of Romans.

C H A P.  
III.

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Not only the great power that was enjoyed in the assembly of the People, and the serious privileges that were bestowed by the Porcian law, but even the title of citizen in Italy, of legionary soldier in the field, and the permission of wearing the Roman gown, were now ardently coveted as marks of dignity and honour. The city was frequented by persons who hoped separately to be admitted in the Tribes, and by numbers who crowded from the neighbouring cantons, on every remarkable day of assembly, still flattering themselves, that the expectations which Gracchus had raised on this important subject might soon be fulfilled.

In this state of affairs, the Senate authorized Junius Pennus, one of the Tribunes, to move the People for an edict to prohibit, on days of election or public assembly, this concourse of aliens, and requiring all the country towns in Italy to lay claim to their denizens, who had left their own corporations to act the part of citizens at Rome.

U. C. 627.  
Consuls; M.  
Emilius Lepidus, L. Aurelius Orestes.

On this occasion, Caius Gracchus, the brother of the late unfortunate Tribune, stood forth, and made one of the first appearances, in which he showed the extent of his talents, as well as the party he was likely to espouse in the commonwealth. This young man, being about twenty years of age when the troubles raised by his elder brother had so much disturbed the republic, and when they ended so fatally for himself, had retired upon that catastrophe from the public view, and made it uncertain whether the fate of Tiberius might not deter him, not only from embracing like dangerous

B O O K  
II.

counfels, but even from entering at all on the line of political affairs. His retirement, however, he fpend in fuch ftudies as were then come into repute, on account of their importance, as a preparation for the bufinefs of the courts of juftice, of the Senate, and of the popular affemblies; and the firft appearance he made gave evidence of the talents he had acquired for thefe feveral departments. His parts feemed to be quicker, and his fpirit more ardent, than that of his elder brother; and the people conceived hopes of having their pretentions revived, and more fuccefsfully conducted, than under their former leader. The caufe of the country towns, in which he now engaged, was fpecious, and tended to form a new, a numerous, and a formidable party in Italy, likely to join in every factious attempt which might throw the public into diforder, and make way for the promifcuous admiffion of aliens on the rolls of the People. This caufe, however, was fraught with fo much confufion to the State, and tended fo much to leffen the political confequence of thofe who were already citizens, that the argument in favour of the refolution to purge the city of aliens prevailed, and an act to that purpofe accordingly was paffed <sup>4</sup> in the affembly of the People.

It deferves to be recorded, that amidft the inquiries fet on foot in confequence of this edict, or about this time, Perperna, the father of a late Conful <sup>5</sup>, was claimed by one of the Italian corporations, and found not to have been a citizen of Rome. His fon, whom we have already mentioned, having vanquifhed and taken Ariftonicus, the pretended heir of Attalus, died in his command at Pergamus; and he is accordingly faid to have been a rare example of the caprice of fortune, in having been a Roman Conful, though not a Roman citizen. This example may confirm what has been obferved of the latitude which officers took in conducting the Cenfus.

<sup>4</sup> Sextus Pompeius Feflus in voce Republica. Cicero in Bruto in Officiis, lib. iii.

<sup>5</sup> Valerius Maximus, lib. iii. c. 4.

The fires of fedition which had fometime preyed on the commonwealth were likely to break out with encreasing force upon the promotion of Fulvius Flaccus to the dignity of firft magistrate. This factious citizen had blown up the flame with Tiberius Gracchus, and having fucceeded him in the commiffion for executing the Agrarian law, never failed to carry the torch wherever matter of inflammation or general combuffion could be found. By his merit with the popular party he had attained his prefent eminence, and was determined to preferve it by continuing his fervices. He began the functions of his office by propofing a law to communicate the right of citizens to the allies or free inhabitants of Italy; a meafure which tended to weaken the power of the Senate, and to encrease the number of citizens greatly beyond what could be affembled in one collective body. Having failed in this attempt, he fubftituted a propofal in appearance more moderate, but equally dangerous, That whoever claimed the right of citizen, in cafe of being caft by the Cenfors, who were the proper judges, might appeal to the People\*. This would have conferred the power of naturalization on the popular leaders; and the danger of fuch a meafure called upon the Senate to exert its authority and influence in having this motion alfo rejected.

When the Conful appeared to be fairly entered on his career, and, by uniting the power of the fupreme magiftracy with that of a commiffioner for dividing the property of lands, was likely to break through all the forms which had hitherto retarded the execution of the Agrarian law, he was with difficulty perfuaded to affemble the Senate, and to take his place. The whole body joined in representations againft thefe dangerous meafures, and in a request that he would withdraw his motions'. To thefe applications he made no

C H A P.  
III.

U. C. 678.  
M. Plautius  
Hipfus,  
M. Fulvius  
Flaccus.

Leges Ful-  
viae.

\* Appian. de Bell. Civ. lib. i.

B O O K  
II.

reply<sup>7</sup>; but an occasion soon offered, by which the Senate was enabled to divert him from his purpose. A deputation arrived from Marfeilles, then in alliance with Rome, to intreat the support of the republic against the Salyii, a neighbouring nation, who had invaded their territories. The Senate gladly embraced this opportunity to find a foreign employment for the Consul, decreed a speedy aid to the city of Marfeilles, and appointed M. Fulvius Flaccus to that service. Although this incident marred or interrupted for the present his political designs, yet he was induced, by the hopes of a triumph, to accept of the command which offered, and, by his absence, to relieve the city for a while from the alarms which he had given. Caius Gracchus too was gone in the capacity of Proquæstor to Sardinia; and the Senate, if they could by any pretences have kept those unquiet spirits at a distance, had hopes of restoring the former order of the commonwealth.

In this interval some laws are said to have passed respecting the office and conduct of the Censors. The particulars are not mentioned; but the object probably was, to render the magistrate more circumspect in the admission of those who claimed to be numbered as citizens. Such was likely to be the policy of the Senate, in the absence of demagogues, who, by proposing to admit the allies on the rolls of the People, had awakened dangerous pretensions in every corner of Italy. It soon appeared how seriously these pretensions were adopted by the country towns; for the inhabitants already bestirred themselves, and were beginning to devise how they might extort by force what they were not likely to obtain with consent of the original denizens of Rome. A suspicion having arisen of such treasonable concerts forming at Fregellæ, the Prætor Opimius had a special commission to inquire into the matter, and to proceed as he should.

<sup>7</sup> Val. Max. lib. ix. c. 5.



find the occasion required. Having summoned the chief magistrate of the place to appear before him, he received, upon a promise of doing no violence to his person, full information of the combinations that had been forming against the government of Rome. So instructed, he assembled such a force as was necessary to support him in asserting the authority of the State; and thinking it necessary to give a striking example in a matter of so dangerous and infectious a nature, he ordered the place to be razed to the ground<sup>8</sup>.

By this act of severity, the designs of the allies were for a while suspended, and might have been entirely suppressed, if the factions at Rome had not given them fresh encouragement and hopes of success or impunity. This transaction was scarcely past, when Caius Gracchus appeared in the city to solicit the office of Tribune; and, by his presence, revived the hopes of the allies. Having observed, that the Proconsul Aurelius Cotta, under whom he served as Proquæstor in Sardinia, instead of being recalled, was continued in his command, and furnished with reinforcements and supplies of every sort as for a service of long duration; and suspecting, that this measure was pointed at himself, and proceeded from a design to keep him at a distance from the popular assemblies, he quitted his station in Sardinia, and returned without leave. He was called to account by the Censors for deserting his duty; but defended himself with such ability and force, as greatly raised the expectations which had already been entertained by his party<sup>9</sup>.

U. C. 629.  
C. Cassius  
Longinus,  
C. Sextius  
Calvinus.

The law, he said, required him only to carry arms ten years, he had actually carried them twelve years; although he might legally have quitted his station of Quæstor at the expiration of one year, yet he had remained in it three years. However willing the Censors may have been to remove this pest from the commonwealth, they

<sup>8</sup> Liv. lib. ix. Velleius Obsequens. Cic. lib. ii. De Inventione; De Finibus, v. Ibid. Rhetorius, lib. iv.

<sup>9</sup> Plutarch. in C. Graccho.

B O O K  
II.

were too weak to attempt any censure in this state of his cause, and in the present humour of the People. They endeavoured, in vain, to load him with a share in the plot of Fregellæ; he still exculpated himself: and, if he had possessed every virtue of a citizen, in proportion to his resolution, application, eloquence, and even severity of manners, he might have been a powerful support to the State. In a speech to the People, on his return from Sardinia, he concluded with the following remarkable words: "The purse which I carried full to the province, I have brought empty back. Others empty the wine casks which they carry from Italy, and bring them from the provinces replenished with silver and gold<sup>10</sup>."

In declaring himself a candidate for the office of Tribune, Caius Gracchus professed his intention to propose many popular laws. The Senate exerted all their influence to disappoint his views; but such were the expectations of the popular party throughout all Italy, that they crowded to the election in greater numbers than could find place in the public square. They handed and reached out their ballots at the windows and over the battlements; and Gracchus, though elected, was, in consequence of the opposition given to him, only fourth in the list<sup>11</sup>.

Cornelia, the mother of the Gracchi, who, ever since the death of her son Tiberius, lived in retirement in Campania, upon hearing of the career which her son, Caius, was likely to run, alarmed at the renewal of a scene which had already occasioned her so much sorrow, expostulated with him on the course he was taking; and, in an unaffected and passionate address, spoke that ardent zeal for the republic, by which the citizens of Rome had been long distinguished.

This high-minded woman, on whom the entire care of her family had devolved by the death of her husband, whilst the children

<sup>10</sup> A. Gellius, lib. xv. c. 12.

<sup>11</sup> Plutarch, Appian, Orosius, Eutrop. Obsequens.

were yet in their infancy, or under age, took care, with unusual attention, to have them educated for the rank they were to hold in the State, and did not fail even to excite their ambition. When Tiberius, after the disgrace of Mancinus, appeared to withdraw from the road of preferments and honours, “How long,” she said, “shall I be distinguished as the mother-in-law of Scipio, not as the mother of the Gracchi?” This latter distinction, however, she came to possess; and it has remained with her name, but from circumstances and events which this respectable personage by no means appeared to desire. In one fragment of her letters to Caius, which is still preserved, “You will tell me,” she said, “that it is glorious to be revenged of our enemies. No one thinks so more than I, if we can be revenged without hurt to the republic; but if not, often may our enemies escape. Long may they be safe, if the good of the commonwealth requires their safety.” In another letter, which appears to be written after his intention of suing for the Tribunate was declared, she accosts him to the following purpose: “I take the Gods to witness, that, except the persons who killed my son Tiberius, no one ever gave me so much affliction as you do in this matter. You, from whom I might have expected some consolation in my age, and who, surely, of all my children, ought to be most careful not to distress me! I have not many years to live. Spare the republic so long for my sake. Shall I never see the madness of my family at an end? When I am dead, you will think to honour me with a parent’s rites; but what honour can my memory receive from you, by whom I am abandoned and dishonoured while I live? But, may the Gods forbid you should persist! if you do, I fear the course you are taking leads to remorse and distraction, which will end only with your life<sup>12</sup>.”

<sup>12</sup> *Fragmenta Corn. Nepotis* ab Andrea Scotto collecta, edita cum scriptis Corn. Nepotis.

B O O K  
II.

Lex Sempro-  
nia agraria.

Lex frumen-  
taria.

These remonstrances do not appear to have had any effect. Caius, upon his accession to the Tribunate, proceeded to fulfil the expectations of his party. The Agrarian law, though still in force, had met with continued interruption and delay in the execution. It was even falling into neglect. Caius thought proper, as the first act of his magistracy, to move a renewal and confirmation of it, with express injunctions, that there should be an annual distribution of land to the poorer citizens<sup>13</sup>. To this he subjoined, in the first year of his office, a variety of regulations tending either to increase his popularity, or to distinguish his administration. Upon his motion, public granaries were erected, and a law was made, that the corn should be issued from thence monthly to the People, two parts in twelve under the prime or original cost<sup>14</sup>.

This act gave a check to industry, which is the best guardian of manners in populous cities, or wherever multitudes of men are crowded together.

Caius likewise obtained a decree, by which the estates of Attalus, king of Pergamus, lately bequeathed to the Romans, should be let in the manner of other lands under the inspection of the Censors; but the rents, instead of being made part of the public revenue, should be allotted for the maintenance of the poorer citizens<sup>15</sup>.

Another, by which any person deposed from an office of magistracy by the People, was to be deemed for ever disqualified to serve the republic in any other capacity<sup>16</sup>. This act was intended to operate against Octavius, who, by the influence of Tiberius, had been degraded from the office of Tribune; and the act took its title from the name of the person against whom it was framed.

<sup>13</sup> Liv. lib. ix. Velleius, lib. ii. Hyginus de Limitibus. Appian, de versis illustribus.

<sup>14</sup> Semisse & tricenti, for a half and a

third, &c. Liv. Plutarch. Appian. ibid.

<sup>15</sup> Florus, lib. iii. c. 15. Cicer. in Verrem.

<sup>16</sup> Privilegium in Octavium.

An act to regulate the conditions of the military service<sup>17</sup>, by which no one was obliged to enter before seventeen years of age, and by which Roman soldiers were to receive cloathing as well as pay<sup>18</sup>; possibly the first introduction of a uniform into the Roman legions: a circumstance which, in modern times, is thought so essential to the character of troops, and the appearance of an army.

By the celebrated law of Porcius, which allowed of an appeal to the People, every citizen had a remedy against any oppressive sentence or proceeding of the executive magistrate; but this did not appear to Gracchus a sufficient restraint on the officers of State. He proposed to have it enacted, that no person, under pain of a capital punishment, should at all proceed against a citizen without a special commission or warrant from the People to that effect. And he proposed to give this law a retrospect, in order to comprehend Popilius Lænas<sup>19</sup>, who, being Consul in the year after the troubles occasioned by Tiberius Gracchus, had, under the authority of the Senate alone, proceeded to try and condemn such as were accessory to that sedition. Lænas perceived the storm that was gathering against him, and chose to avoid it by a voluntary exile. This act was indeed almost an entire abolition of government, and a bar to the exercise of such ordinary powers as were necessary to the peace of the commonwealth. A popular faction could withhold every power, which, in their apprehension, might be employed against themselves; and in their most pernicious designs had no interruption to fear from the Dictator named by the Senate and Consuls, nor from the Consul armed with the authority of the Senate for the suppression of disorders; a resource to which the republic had frequently owed its preservation. As we find no change in the proceedings of the State

C H A P.  
III.

<sup>17</sup> De militum commodis.

<sup>19</sup> Cicer. in Cluentio; pro Rabino; pro

<sup>18</sup> Plutarch. in C. Graccho.—Lex Semproniana de libertate civium.

B O O K  
II.

upon this new regulation, it is probable that the absurdity of the law prevented its effect.

While Gracchus thus proposed to make all the powers of the State depend for their existence on the occasional will of the People, he meant to render the assemblies of the People themselves more democratical, by stripping the higher classes of the prerogative, precedence, or influence they possessed, in leading the public decisions. The Centuries being hitherto called to vote in the order of their classes, those of the first or highest class, by voting first, set an example which was often followed by the whole<sup>20</sup>. By the statute of Gracchus, the Centuries were required, in every question, to draw lots for the prerogative, and gave their votes in the order they had drawn.

Under this active Tribune, much public business, that used to pass through the Senate, was engrossed by the popular assemblies. Even in the form of these assemblies, all appearance of respect to the Senate was laid aside. The Rostra, or platform on which the presiding magistrate stood, was placed in the middle of an area, of which one part was the market-place, surrounded with stalls and booths for merchandize, and the courts of justice; the other part, called the Comitium, was open to receive the People in their public assemblies; and on one side of it, fronting the Rostra, or bench of the magistrates, stood the Curia, or Senate-house. The People, when any one was speaking, stood partly in the market-place, and partly in the Comitium. The speakers directed their voice to the Comitium, so as to be heard in the Senate. This disposition, Gracchus reversed; and directing his voice to the Forum, or market-place, seemed to displace the Senate, and deprive that body of their office as watchmen and guardians of the public order in matters that came before the popular assemblies<sup>21</sup>.

<sup>20</sup> The first Century was called the Prerogativa.

<sup>21</sup> M. Varro de Re Rustica, lib. i. c. 2. Cic. de Amicitia. Plutarch. in Vit. Caii Gracchi.

At the time that the Tribune Caius Gracchus engaged the minds of his contemporaries, and furnished history chiefly with these effects of his factious and turbulent spirit, it is observed, that he himself executed works of general utility; bridges, highways, and other public accommodations throughout Italy. And that the State having carried its arms, for the first time, over the Alps, happily terminated the war with the Salyii, a nation of Gaul, whose territory became the first province of Rome in that country. And that Caius Sextius, Consul of the preceding year, was authorised to place a colony in the neighbourhood of the hot springs, which, from his name, were called the *Aquæ Sextiæ*, and are still known by a corruption of the same appellation<sup>22</sup>.

From Asia, at the same time, it was reported, that Ariarathes, the king of Cappadocia, and ally of the Romans, was murdered, at the instigation of Mithridates, king of Pontus, whose sister he had married; that he had left a son for whom Mithridates affected to secure the kingdom; but that the widowed queen having fallen into the hands of Nicomedes, king of Bythia, this prince, in her right, had taken possession of Cappadocia, while Mithridates, in name of his nephew, was hastening to remove him from thence. On this subject a resolution was declared in the assembly of the People at Rome, that both Nicomedes and Mithridates should be required immediately to evacuate Cappadocia, and to withdraw their troops. This resolution Caius Gracchus opposed with all his eloquence and his credit, charging his antagonists aloud with corruption, and a clandestine correspondence with the agents, who, on different sides, were now employed at Rome in soliciting this affair. “None of us,” he said, “stand forth in this place for nothing. Even I, who desire you to put money in your own coffers, and to consult the interest of the State, mean to be paid, not with money indeed, but with your fa-

<sup>22</sup> At Aix, in Provence.

B O O K  
 II.

“ your and a good name. They who oppose this resolution likewise  
 “ covet, not honours from you, but money from Nicomedes; and  
 “ they who support it, expect to be paid by Mithridates, not by  
 “ you. As for those who are silent, they, I believe, understand  
 “ the market best of all. They have heard the story of the poet,  
 “ who being vain that he had got a great sum of money for rehearsing  
 “ a tragedy, was told by another, that it was not wonderful he had  
 “ got so much for talking, when I, said the other, who it seems knew  
 “ more than he was wished to declare, have got ten times as much  
 “ for holding my tongue. There is nothing that a king will buy  
 “ at so great a price, on occasion, as silence<sup>23</sup>.

Such, at times, was the style in which this popular orator chose to address his audience. Individuals are won by flattery, the multitude by buffoonry and satire. From the tendency of this speech, it appears to have been the opinion of Gracchus, not that the Romans should sequester the kingdom of Cappadocia for the heirs of Ariarathes, but that they should seize it for themselves. The question, however, which now arose relating to the succession to this kingdom, laid the foundation of a tedious and bloody war, of which the operations and events will occur in their place.

U. C. 639.  
 C. Fannius,  
 Cn. Domi-  
 tius Ahenobarbus.

Gracchus, on the approach of the election of Consuls, employed all his credit and influence to support Caius Fannius, in opposition to Opimius, who, by his vigilance and activity in suppressing the treasonable designs of the allies at Fregellæ, had incurred the displeasure of the popular party; and Fannius being accordingly chosen, together with Cn. Domitius Ahenobarbus, Gracchus proceeded to offer himself as a candidate to be re-elected into the office of Tribune. In this he followed the example of his brother Tiberius in a step, which, being reckoned illegal as well as alarming, was that which hastened his ruin. An attempt had been since made by Papi-

<sup>23</sup> A. Gellius, lib. ii. c. 10.



rius Carbo to have the legality of such re-elections acknowledged; but this having failed, Caius Gracchus, with great address, inserted in one of his popular edicts, a clause declaring it competent for the People to re-elect a Tribune, in case he should need a continuation of his power in order to fulfil his public engagements. To avail himself of this clause, he now declared, that his views in behalf of the People were far from being accomplished. Under this pretence he obtained a preference to one of the new candidates, and greatly strengthened the tribunitian power by the prospect of its repeated renewals, and duration for an indefinite time.

Upon his re-election, Caius, continuing his administration upon the same plan of animosity to the Senate, obtained a law to deprive that body of the share which his brother had left them in the courts of justice; and ordaining, that the judges, for the future, should be draughted from the Equestrian order alone, a class of men, who, being left out of the Senate, and of course not comprehended in the laws that prohibited commerce, had betaken themselves, as has been observed<sup>24</sup>, to lucrative professions, were the farmers of the revenue, the contractors for the army, and, in general, the merchants who conducted the whole trade of the republic. Though they might be considered as neutral in the disputes of the Senate and People, and therefore impartial where the other orders were biased, there was no class of men more likely to prostitute the character of judges for interest or actual hire. This revolution in the courts of justice accordingly may have contributed greatly to hasten the approaching corruption of manners, and the disorders of the government.

*Lex Sempro-  
nia Judici-  
aria.*

The next ordinance prepared by Gracchus, or ascribed to him, related to the nomination of officers to govern the provinces; and, if it had been strictly observed, might have made some compensation

*Lex de Pro-  
vinciis ordi-  
nandis.*

<sup>24</sup> Page 278.

B O O K  
II.

for the former. The power of naming such officers was committed to the Senate, and the arrangements were to be annually made before the election of Consuls. This continued to be law, but was often over-ruled by the People<sup>25</sup>.

In the same year, the boldest and most dangerous project that had ever been formed by any of the popular leaders, that for admitting the Italian allies upon the rolls of the Roman people, already attempted by Fulvius Flaccus, was again renewed by Caius Gracchus; and, upon the utmost exertion of the vigilance and authority of the Senate, with great difficulty prevented.

The rumour of this project having brought multitudes to Rome, the Senate thought it necessary to give the Consuls in charge to clear the city, on the day that this important question was expected to come on, of all strangers, and not to suffer any aliens to remain within four miles of the walls. During the dependence of this question, Gracchus flattered the poorer citizens with the prospect of advantageous settlements, in certain new colonies, of six thousand men each, which he proposed to plant in the districts of Campania and Tarentum, the most cultivated parts of Italy, and in colonies, which he likewise proposed to send abroad into some of the richest provinces. Such settlements had been formerly made to occupy and secure recent conquest; they were now calculated to serve as baits to popular favour, and as a provision, made by the leaders of faction, for their own friends and adherents.

The Senate, attacked by such popular arts, resolved to retort on their adversaries; and for this purpose instructed Marcus Livius, another of the Tribunes, to take such measures as should, if possible, supplant Gracchus in the favour of the People. Livius, professing to act in concert with the Senate, proposed a number of acts: one to

<sup>25</sup> Florus, lib. iv. c. 13. Sallust, de Bell. Jugurth. N° 621. Cicero de Provinciis Consularibus.

conciliate the minds of the allies, by giving them, while they served in the army, the same exemption from corporal punishment, which the Roman citizens had enjoyed.

C. H. A. P.  
III.  
Lex Livia de  
Terro Civium  
Latini  
Nomini.

Another for the establishment of twelve different colonies, each of three thousand citizens. But what, possibly, had the greatest effect, because it appeared to exceed in munificence all the edicts of Gracchus, was an exemption of all those lands, which should be distributed in terms of the late Sempronian Law, from all quit-rents and public burdens, which had hitherto, in general, been laid on all possessions that were held from the public<sup>26</sup>. It was proposed to name ten commissioners to distribute lands thus unincumbered to the People; and three colonies are mentioned, Syllaceum, Tarentum, and Neptunia, as having been actually sent abroad this year, and probably on these terms.

About the same time it was decreed, that the city of Carthage might be rebuilt for the reception of a colony of six thousand Roman citizens. This decree bears the name, not of Sempronius or of Livius, but of Rubrius, another Tribune of the same year.

Lex Rubria.

The Senate readily agreed to the settlement of these colonies, as likely to carry off a number of the more factious citizens, and to furnish an opportunity likewise of removing from the city, for some time, the popular leaders themselves, under pretence of employing them to conduct and to settle the families destined to form those establishments. Accordingly, Caius Gracchus, and Fulvius Flaccus, late Consul, and now deeply engaged in all these factious measures, were destined to take charge of the new colonists, and to superintend their settlement<sup>27</sup>.

In the mean time, the Senate, in the election of Opimius to the Consulship of the following year, carried an important object to the

U. C. 652.  
Con. L. Opimius,  
Q. Fab. Maximus.

<sup>26</sup> Plutarch. Paulus Minutius de Legibus Romanis.

<sup>27</sup> Plutarch. Appian. Orosius.

reputation

B O O K  
 II.

reputation and interest of their party, and conceived hopes of being able, by the authority of this magistrate, to combat the designs of Gracchus more effectually than they had hitherto done. He was accordingly retained in the administration of affairs in Italy, while his colleague, Fabius, was appointed to command in Gaul. Caius Gracchus, having the presumption to offer himself a third time candidate for the office of Tribune, was rejected, and had the mortification to find, that the authority of the Senate began to prevail; and, as they had credit enough to procure his exclusion from any share in the magistracy, so they might be able to frustrate or reverse many of the acts he had obtained in favour of his party.

By the repulse of Gracchus and his associates, the aristocratical party came to have a majority, even in the college of Tribunes. Questions of legislation were now likely to be determined in the assembly of the Centuries; and this circumstance alone, while the Senate was able to retain it, was equal to an entire revolution of the government. The Centuries, under the leading of an active Consul, were likely to annul former resolutions with the same decision and rapidity with which they had been passed. Much violence was expected, and the different parties, recollecting what had happened in the case of Tiberius Gracchus, took measures not to be surpris'd by their antagonists; for the most part came to the place of assembly in bands, even under arms, and endeavoured to possess the advantage of the ground as in the presence of an enemy.

Minucius, one of the Tribunes, in consequence of a resolution of the Senate, pretending that he was moved by some unfavourable presages, propos'd a repeal or amendment of some of the late popular acts; and particularly, to change the destination of the colony intended for Carthage, to some other place. This motion was strenuously oppos'd by Fulvius Flaccus, and by Caius Gracchus, who created the report of presages from Africa as a mere fiction, and the

whole design as proceeding from the inveterate hatred of the Nobles to the People. Before the assembly met, in which this question was to be decided, these popular leaders attempted to seize the Capitol, but found themselves prevented by the Consul, who had already, with an armed force, secured that station.

In the morning after they had received this disappointment, the People being assembled, and the Consul being employed in offering up the customary sacrifices, Gracchus, with his party, came to their place in the Comitium. One of the attendants of the Consul, who was carrying away the entrails of the victim, reproached Gracchus, as he passed, with sedition, and bid him desist from his machinations against the government of the commonwealth. On this provocation, one of the party of Gracchus struck the Consul's officer with his dagger, and killed him on the spot. The cry of murder ran through the multitude, and the assembly began to break up. Gracchus endeavoured to speak, but could not be heard for the tumult; and all thoughts of business were laid aside. The Consul immediately summoned the Senate to meet; and having reported what had happened in the Comitium, and what appeared to him the first act of hostility in a war, which the popular faction had prepared against the State, he received the charge that was usual on perilous occasions, to provide, in the manner which his own prudence should direct, for the safety of the commonwealth. Thus authorized, he commanded the Senators and the Knights to arm, and made proper dispositions to secure the principal streets. Being master of the Capitol and Forum, he adjourned the assembly of the People to the usual place on the following day, and cited the persons accused of the murder to answer for the crime which was laid to their charge.

In consequence of this adjournment, and the Consul's instructions, numbers in arms repaired to the Comitium at the hour of assembly, and were ready to execute such orders as they might receive for the

B O O K  
II.

the public safety. Gracchus and Fulvius refused to answer the citation, and the Capitol being secured against them, they took post, with a numerous party in arms, on the Aventine Hill, which was opposite to the Capitol, and from which they equally looked down on the Forum and place of assembly. Being again cited to appear at the Tribunal of the Roman people, they sent a young man, one of the sons of Fulvius, to capitulate with the Consul, and to settle the terms on which they were to surrender themselves. Upon this message they were told, in return, that they must answer at the bar of the assembly, as criminals, not pretend to negotiate with the republic, as equals; that no party, however numerous, was entitled to parley with the People of Rome: and to this answer the messenger was forbid, at his peril, to bring any reply. The party, however, still hoped to gain time, or to divide their enemies; and they ventured to employ young Fulvius again to repeat their message. He was seized by the Consul's order. Gracchus and Fulvius, with their adherents, were declared public enemies; and a reward was offered to the person who should kill or secure them. They were instantly attacked, and, after a little resistance, forced from their ground. Gracchus fled by the wooden bridge to the opposite side of the river, and was there slain, either by his own hand, or by that of a faithful servant, who had undertaken the task of saving him in his last extremity from falling into the power of his enemies. Fulvius was dragged to execution from a bath where he attempted to conceal himself. The heads of both were carried to the Consul, and exchanged for the promised reward.

In this fray the party of the Senate, being regularly armed and prepared for slaughter, cut off the adherents of Caius Gracchus and Fulvius in greater numbers than they had done those of Tiberius; they killed about three thousand two hundred and fifty in the streets,

and confined great numbers who were afterwards strangled in the prisons. The bodies of the slain, as the law ordained, in the case of treason, being denied the forms of a funeral, were cast into the river, and their estates confiscated<sup>28</sup>.

The house of Fulvius was rased to the ground, the area laid open for public uses; and, from these beginnings, it appeared that the Romans, who, in the pursuit of their foreign conquests, had so liberally shed the blood of other nations, might become equally lavish of their own.

<sup>28</sup> Appian. Plutarch. Orosius, lib. v. c. 12. Florus, lib. iii. c. 15. Auctor de Viris Illustribus, c. 65.

## C H A P. IV.

*State of Order and Tranquillity which followed the Suppression of the late Tumults.—Appearance of Caius Marius.—Foreign Wars.—Complaints against Jugurtha.—Appearance of the Cimbri.—War with Jugurtha.—Campaign and Treaty of Pifo.—Jugurtha came to Rome with a Safe-Conduct.—Obliged to retire from thence.—Campaign of Metellus.—Of Marius.—Jugurtha betrayed by Bocchus.—His Death, after the Triumph of Marius.—This General re-elected, in order to command against the Cimbri.*

BOOK  
II.

THE popular party had, in the late tumults, carried their violence to such extremes, as disgusted and alarmed every person who had any desire of domestic peace; and in their ill-advised recourse to arms, but too well justified the measures which had been taken against them. By this exertion of vigour, the Senate, and ordinary magistrates, recovered their former authority; affairs returned to their usual channel, and the most perfect order seemed to arise from the late confusions. Questions of legislation were allowed to take their rise in the Senate, and were not carried to the People, without the sanction of the Senate's authority. The legislative power was exercised in the assembly of the Centuries, and the prohibitory or defensive function of the Tribunes, or representatives of the People, was such, as to prevent the abuses of the executive power in the hands of the aristocracy, without stopping the proceedings of government, or substituting a democratical usurpation in its place. Even the judicative power, vested in the Equestrian order, promised



to have a salutary effect, by keeping a balance between the different ranks and distinctions of men in the republic.

C H A P.  
IV.  
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The aristocratical party, notwithstanding the ascendant they had recently gained, did not attempt to rescind any of the regular institutions of Gracchus; they were contented with inflicting punishments on those who had been accessory to the late sedition, and with re-establishing such of the Nobles as had suffered by the violence of the popular faction. Popilius Lænas, driven into exile by one of the edicts of Gracchus, or by the persecution to which it exposed him, was now recalled upon the motion of Calpurnius Piso, one of the Tribunes<sup>1</sup>.

As the state of parties was in some measure reversed, Papirius Carbo thought proper to withdraw from the popular side; and, by the credit of those now in possession of the government, was promoted to the station of Consul, and yielded the first fruits of his conversion by defending the cause of his predecessor Opimius, who, at the expiration of his Consulship, was brought to trial for having put Roman citizens to death without the forms of law. Carbo, though himself connected with those who suffered, now pleaded the justice and necessity of the late military executions; and, upon this plea, obtained the acquittal of his client.

U. C. 635.  
Publius Man-  
lius, and  
C. Papirius  
Carbo.

This merit on the part of Carbo, however, did not so far cancel his former offences as to prevent his being tried and condemned in the following year, as an accomplice in the sedition of Gracchus. He was supposed to have been accessory to the death of Scipio; and his cause not being warmly espoused by any party, he fell a sacrifice to the imputation of this heinous crime. It is said, that, upon hearing his sentence, he killed himself<sup>2</sup>.

<sup>1</sup> Cicero in Bruto.

<sup>2</sup> Valerius Max. lib. iii. c. 7. Cicero in Bruto.

B C O K  
 II.  
 Lex Octavia  
 Frumentaria.

Octavius, one of the Tribunes of the present year, moved an amendment of the law obtained by Gracchus, respecting the distribution of corn from the public granaries, probably to ease the treasury in part of that burden; but the particulars are unknown.

About this time the celebrated Caius Marius began to appear in the public assemblies of the People. He was a person of obscure birth, and rustic manners, formed amidst the occupations of a peasant<sup>3</sup>, and the hardships of a legionary soldier, but of a resolute spirit, and insatiable ambition. He was a native of Arpinum, and without any other apparent title than that of being a denison of Rome, laid claim to the honours of the State. He is remarkable for having suffered more repulses in his first attempts to be elected into office, and for having succeeded more frequently afterwards than any other Roman citizen during the existence of the commonwealth.

Lex Maria de  
 Suffragiis.

Marius, after being disappointed in his first canvas for the office of Tribune, succeeded in the following year. The acts which were passed under his Tribunate, and which bear his name, do not carry any violent expressions of party-spirit, nor give intimation of that insatiate ambition with which he afterwards distressed his country; the first related to the conduct of elections, and provided some remedy for an evil which was complained of in the manner of soliciting votes. The space between the rails, by which the citizens passed to give in their ballots, was so broad as to admit, not only those who came to vote, but the candidates likewise, with their adherents and friends, who came to importune and to overawe the People in the very act of delivering their votes. Marius proposed to put an end to this practice, and to provide for the entire freedom of the People, by narrowing the entrance, so that only the voters could pass. A party of the Nobles, with Aurelius Cotta the Consul at their

<sup>3</sup> Juvenal. Sat. viii. Plin. lib. xxxiii. c. 11.

head, not knowing with what a resolute spirit they were about to contend, being averse to this reformation, prevailed on the Senate to withhold its authority, without which any regular question on this subject could not be put to the People. But Marius, in the character of Tribune, threatened the Consul with immediate imprisonment, if he did not move to recall this vote of the Senate. The matter being re-considered, Lucius Metellus, who was first on the Rolls, having given his voice for affirming the first decree, was ordered by Marius into custody; and there being no Tribune to intercede for him, must have gone to prison, if the dispute had not terminated by the majority agreeing to have the matter carried to the People, as Marius proposed, with the sanction of the Senate's authority.

In another of the acts of Marius the republic was still more indebted to his wisdom and courage, in withstanding an attempt of one of his colleagues to flatter the indigent citizens at the expence of the public treasury, by repealing the recent regulation of Octavius, and lowering the terms on which corn was distributed from the granaries. This was an ordinary expedient of Tribunitian faction. Marius opposed it as of dangerous consequence. And his conduct in this matter marked him out as one not to be awed by any party, and a person, who, into whatever party he should be admitted, was destined to govern. The times indeed were likely to give more importance to his character as a soldier than as a citizen; and in that he was still farther raised above the malice of those who were inclined to revile or undervalue what were called his upstart pretensions<sup>4</sup>.

From the time that the Romans first passed into the Transalpine Gaul, as auxiliaries to the republic of Marseilles, they had kept on foot in that neighbourhood a military force; and, by planting colonies at convenient stations, shewed their intention of maintaining

<sup>4</sup> Plutarch. in Marius.

B O O K  
II.

possessions on that side of the Alps. Betultus, or Betultich, a prince of the country, who was supposed able to raise a force of two hundred thousand men, attempted to expel these intruders, but was defeated, first by the Proconsul Fabius, afterwards by Domitius Ahenobarbus, and furnished these generals with the subjects of their respective triumphs. This prince himself became a captive to Domitius, and was carried to Rome, where he was led in procession, distinguished by his painted arms and his chariot of silver, the equipage in which it was said he usually led his army to battle<sup>5</sup>.

L. C. 533.

It appears that the Romans had employed elephants in the first wars they made in Gaul; for the victory of Domitius is attributed to the effect that was produced by these animals<sup>6</sup>.

Quintus Marcius succeeded Domitius in the command of the forces which were employed in Gaul, and continued to gain ground on the natives, who appeared from different cantons successively to resist his arms. He planted a colony at Narbo, to strengthen the frontier of the newly-acquired province on one side; and, as the Romans had hitherto always passed by sea into that country, he endeavoured to open a passage by the Alps, in order to have a communication by land with Italy on the other. In the course of these operations the Stæni, an Alpine nation that opposed him, were entirely cut off.

About this time the Roman generals obtained their triumphs on different quarters, in the Baliares and in Dalmatia, as well as in Gaul; and the republic did not meet for some years with an enemy able to resist her power, except on the side of Thrace and the Danube, where the Proconsul Cato was defeated; and where a resistance was for some years kept up by the natives.

But of the foreign affairs which occupied the attention of the Romans, the most memorable was the contest of pretenders to the crown

<sup>5</sup> Velleius Pater. Ammianus Marcell. lib. xv. fine. Padionus in Verrinam Secundam. Val. Max. lib. v. c. 9.

<sup>6</sup> Suetonius in Vita Neronis.

of Numidia, which, by the death of Micipsa, the son and successor of Massinissa, came to be disposed of about this time. The late king had two sons, Adherbal and Hiempsal. He had likewise adopted Jugurtha, the natural son of his brother Mastabal, whom he had employed at the head of his armies, thinking it safer to gain him by good offices, than to provoke him by a total exclusion from favour. He had formed a project, frequent among barbarous and despotic sovereigns, but always ruinous, to divide his territories; and he hoped that, while he provided for his own sons, he should secure to them, from motives of gratitude, the protection and good offices of Jugurtha, whom he admitted to an equal share with them in the partition of his kingdom. The consequences of this mistaken arrangement soon appeared in the distractions that followed, and which arose from the ambition of Jugurtha, to make himself master of the whole. For this purpose he formed a secret design against the lives of both the brothers, of whom the younger, Hiempsal, fell into his snare, and was assassinated. Adherbal, being more cautious, obliged his crafty enemy to declare himself openly, took the field against him with all the forces he could raise, but was defeated, and obliged to take refuge in the Roman province, and from thence thought proper to pass into Italy, in order to lay his complaints before the Senate and People of Rome.

Massinissa, the grandfather of this injured prince, had given effectual aid to the Romans in their wars with Carthage; and, upon the final reduction of that republic, was rewarded with a considerable part of its spoils. From this time forward the Romans expected, and the king of Numidia paid to them, a deference like that of a vassal or tributary prince to his sovereign lord. Upon the faith of this connection, Adherbal now carried his complaints to Rome; and Jugurtha, knowing how ready the Romans were, in the character of arbitrators, to consider themselves as the sovereigns of other nations, thought

F O O K  
II.

thought proper to send deputies on his part, to counteract the representations of his rival.

This crafty adventurer had served under Scipio at the siege of Numantia, where he had an opportunity of observing the manners and discipline of the Romans, and accommodated himself to both. He was equally distinguished by his implicit submission to command, as by his impetuous courage, and by the ability of his conduct in every service. He had even then probably directed his views to the succession of Numidia, and saw of what consequence the Romans might prove in deciding his fortunes. He had studied their character, and had already marked out the line he was to follow in conducting his affairs with that People. They appeared to be a number of sovereigns assembled together, able in council and formidable in the field; but, in comparison to the Africans in general, undesigning and simple. With the pride of monarchs they began, he imagined, to feel the indigence of courtiers, and were to be moved by considerations of interest rather than force. His commissioners were now accordingly furnished with ample presents, and with the means of gratifying the principal persons at Rome in a manner that was suited to their respective ranks and to their influence in the commonwealth.

In the choice of this plan Jugurtha, like most politicians that refine too much, had formed a system with great ingenuity, and spoke of it with a specious wit; but had not taken into his account the whole circumstances of the case in which he engaged. Rome, he supposed, was a city to be sold. He forgot that, though many Romans could be bought, no treasure was sufficient to buy the republic; that to buy a few, made it necessary for him to buy many more; that as he raised expectations, the number of expectants increased without limit; that the more he gave, the more he was still expected to give; that in a state which was broke into parties, if he gained one by his  
gifts,

gifts, that alone was sufficient to rouse the other against him. And accordingly, after lavishing his money to influence the councils of Rome, he was obliged to have recourse to arms at last, and to contend with the forces of the republic, after he had exhausted his treasure in attempting to corrupt her virtue.

Although Jugurtha had many partizans at Rome, such was the injustice of his cause, or the suspicion of corruption in those who espoused it, that they durst not openly avow their wishes. They endeavoured to suspend the resolutions which were in agitation against him, and had the matter referred to ten commissioners who should go into Africa, and in presence of the parties settle the differences which subsisted between them. There indeed he practised his art on the Roman commissioners with better success than he had experienced with the Senate and People. He prevailed upon them to divide the kingdom, and to favour him in the lot which should be assigned to himself: knowing that force must ultimately decide every controversy which should arise on the subject, he made choice, not of the richest, but of the most warlike division; and indeed had already determined that, as soon as the Romans left Africa, he should make an end of the contest by the death of Adherbal; trusting that, by continuing to use the specific which it was said he had already applied, he might prevail on the Romans to overlook what they would not, on a previous request, have permitted.

He accordingly, soon after the departure of the Roman commissioners, marched into the territories of Adherbal, shut him up in the town of Cirta; and, while the Romans sent him repeated messages to desist, still continued the blockade, until the mercenaries of Adherbal, tired of the hardships they were made to endure, advised, and, by their appearing ready to desert, forced him to commit himself to the mercy of Jugurtha, by whom he was immediately put to death.

By these events, in about seven years from the death of Micipsa, Jugurtha had attained to the object of his highest desires; but the arts which procured him a crown, likewise rendered his state insecure. He was disappointed in his expectation to pacify the Romans. The money he dealt went into the coffers only of a few, but his crimes roused the indignation of the whole People. Practised statesmen or politicians are seldom roused by mere feelings of indignation on the subject of private wrongs. They have, or pretend to have, reasons of state to suppress the consideration of individuals. The greater part of the Roman Senate accordingly, whether acting on maxims of policy, or won by the presents of Jugurtha, received the complaints which were lodged against him with indifference; but the assembly of the People, moved by the cries of perfidy and murder which were raised by the Tribunes, received the representations of his conduct with indignation and rage. These passions were inflamed by opposition to the Nobles, who were supposed to favour the murderer. Neither the most deliberate Statesman nor the most determined partizan of Jugurtha durst appear in his cause, nor propose to decline a war with that prince, although it was likely to be attended with considerable difficulties; and was to be undertaken at a time when a cloud hung over Italy on the side of Gaul, a quarter from which the Romans always expected, and often experienced, the most terrible storms.

D. C. 640. About the time that Adherbal laid his complaints against Jugurtha before the Senate of Rome, a new enemy had appeared. The north of Europe, or of Asia, had cast off a swarm, which, migrating to the south and to the west, was first descried by the Romans on the frontier of Illyricum, and presently drew their attention to that side. The horde was said to consist of three hundred thousand fighting men, conducting their families of women and children, and covering the plains with their cattle. The Consul Papirius Carbo was ordered to  
take

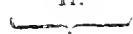


take post in Illyricum, to observe the motions of this tremendous host. He was alarmed with their seeming to point towards the district of Aquileia; and putting himself, with too little precaution, in their way, could not withstand their numbers, and was overwhelmed as by a tempest.

This migrating nation the Romans have called by the name of Cimbri, without determining from whence they came. It is said that their cavalry amounted to no more than fifteen thousand; that it was their practice to despise horses, as well as the other spoils of their enemies, which they generally destroyed: and from this circumstance it may be argued, that they were not of Scythian extraction, nor sprung from those mighty plains in the northern parts of Asia, where military force has from time immemorial consisted of cavalry, where horses were valued above every other species of acquisition or property; and that they must have been bred amongst mountains and woods, where this animal is not equally useful. On their helmets, which were crested with plumes of feathers, they carried the gaping jaws of wild beasts. On their bodies they wore breast-plates of iron, had shields painted of a conspicuous colour; and carried two missile javelins or darts, and a heavy sword. They collected their fighting men, for the most part, into a solid square, equally extending every way: in one of their battles it was reported that the sides of this square extended thirty stadia, or between three and four miles. The men of the foremost ranks were fastened together with chains locked to their girdles, which made them impenetrable to every attack, and gave them the force of a torrent, in sweeping obstructions before them. Such were the accounts with which the Romans were alarmed on the approach of this tremendous enemy.

Although, by the defeat of Carbo, Italy lay open to their devastations, yet they turned away to the north and the westward, and keeping the Alps on their left, made their appearance again on the

B O O K  
II.



U. C. 672.  
Pub. Corne-  
lius, Scipio  
Nasica.  
L. Culpur-  
nius, Pifo,  
C. R. A.

frontier of the Roman province in Narbonne Gaul, and from thence passed into Spain, where they continued to alarm Roman settlements, and kept Rome itself in suspense, by the uncertainty of the tract they might afterwards choose to pursue.

Such was the state of affairs, when the popular cry and generous indignation of the Roman People forced the State into a war with Jugurtha. The Consul Pifo was appointed to command in Numidia. The necessary levies and supplies for this service were ordered, and Jugurtha could no longer doubt that the force of the Roman republic was to be employed against him; yet, in hopes to avert the storm, he sent his son, with two proper assistants, in the quality of ambassadors to Rome, chiefly trusting to the arts of insinuation he had hitherto practised, and to the distribution of presents and of money. Their arrival being reported to the Senate, a resolution of this body passed, that unless they brought an offer from Jugurtha to surrender his person and his kingdom at discretion, they should be required in ten days to depart from Italy.

This answer being delivered to the son of Jugurtha, he presently withdrew, and was followed by a Roman army, which was prepared to embark for Africa. The war was conducted at first with great vivacity and success: but Jugurtha, by offering great public concessions or private gratifications, prevailed on the Consul to negotiate. It was agreed, that, upon receiving a proper hostage on the part of the Romans, the king himself should repair to their camp, in order to conclude the treaty. In the articles that were made public, the king agreed to surrender himself at discretion, and to pay a large contribution in horses, corn, elephants, and money; but in secret articles, which were drawn up at the same time, the Consul engaged that the person of the king should be safe, and that the kingdom of Numidia should be secured to him.

During

During these transactions the time of the expiration of Pifo's command drew near, and he himself was called into Italy to preside at the approaching elections. His report of the treaty with Jugurtha was received with suspicion, and the cry of corruption resumed by the popular party. "Where is this captive?" said the Tribune Memmius; "if he have surrendered himself, he will obey your commands; send for him; question him in respect to what is past. If he refuses to come, we shall know what to think of a treaty which brings impunity to Jugurtha, princely fortunes to a few private persons, ruin and infamy to the Roman republic." Upon this motion the Prætor Cassius Longinus, a person of approved merit and unshaken integrity, was hastened into Africa, with positive instructions to bring the king of Numidia to Rome. By the safe conduct which Cassius brought on the part of the republic, and by his own assurances of protection, Jugurtha was prevailed on to commit himself to the faith of the Romans. He laid aside his kingly state and attendants, set out for Italy, and determined to appear as a suppliant at Rome. Upon his arrival, being called into the public assembly, Memmius proposed to interrogate him on the subject of his supposed secret transaction with certain members of the Senate; but here Bibulus, another of the Tribunes, interposed his negative; and, notwithstanding that the People exclaimed, and even menaced, this Tribune persisted. And before this bar to the farther examination of Jugurtha could be removed, an incident took place, which occasioned his sudden departure from Italy.

Massiva, the son of Gulussa, being the grandson and natural representative of Massinissa, and the only person besides Jugurtha who remained of the royal line of Numidia, had been persuaded by Albinus, the Consul elected for the ensuing year, to state his pretensions before the Roman Senate, and to lay claim to the crown. Jugurtha, though at Rome, and in the power of those who were likely to re-

sent

B O O K  
II.

lent his crimes, gave a specimen of the bold and sanguinary counsels to which he was inclined, employed against this competitor the ordinary arts of his court, and had him assassinated. The crime was traced to its author, but the safe conduct he had received could not be violated; and he was only commanded, without delay, to depart from Italy. On this occasion he left Rome with that memorable saying; "Here is a city to be sold, if any buyer could be found."

U. C. 643.  
M. Minucius  
Rufus & Post-  
umius Albi-  
nus.

The Consul Albinus soon followed Jugurtha, to take the command of the Roman army in Africa; and being eager to perform some notable action before the expiration of his year, which was fast approaching, he urged the king of Numidia, with all the forces he could assemble in the province; but found that he had to do with an enemy who had the art to elude his impetuosity, and from whose apparent conduct no judgment could be formed of his real designs. This artful warrior often advanced with a seeming intention to hazard a battle, when he was most resolved to decline it; or he precipitantly fled, when he meant to return upon his enemy, and take advantage of any disorder he might incur in a too eager pursuit. His offers of submission, or his threats, were equally fallacious; and he used, perhaps in common with other African princes, means to mislead his enemy, which Europeans, ancient as well as modern, have in general condemned. He made solemn capitulations and treaties with a view to break them, and considered breach of faith, like a feint or an ambush, as a stratagem licenced in war. The Europeans have always termed it perfidy to break the faith of a treaty, the Africans held it stupidity to be caught in the snare.

By the artifices of Jugurtha accordingly, or by the remissness of his antagonist, the war was protracted for another year, and the Consul, as the time of the election drew near, was recalled, as usual, to preside in the choice of his successor. At his arrival the city was in great agitation. The cry of corruption, which had been raised

against many of the Nobles, on account of their supposed correspondence with Jugurtha, gave an advantage to the popular party, and they determined to improve it, by raising prosecutions to the ruin of persons, either odious to the People, or obnoxious to the Equestrian order, who then had the power of judicature in their hands<sup>7</sup>. Three inquisitors were accordingly named by special commission to take cognizance of all complaints of corruption that should be brought before them; and this commission was instantly employed to harass the Nobility, and to revenge the blood which had been shed in the late popular tumults. Lucius Calpurnius, Piso, Bestia, C. Cato, Spurius Albinus, and L. Opimius, all of consular dignity, fell a sacrifice on this occasion to the popular resentment. The Tribune Mamilius, upon whose motion this tribunal had been erected, with his associates, apprehending that, upon the expiration of their trust, the heat of the prosecutions might abate, moved the People that they might be continued in their office; and, upon finding themselves opposed by the influence of the Senate and all the ordinary powers of the State, they suspended, by virtue of their tribunitian power, the election of Consuls, and for a whole year kept the republic in a state of absolute anarchy.

In this interval Aulus Albinus, left by his brother, the late Consul, in the command of the army in Africa, determined to improve the occasion by some honourable action. He left his quarters in the winter, and marched far into the country, hoping that by force or surprize he might possess himself of the Numidian treasures or magazines. Jugurtha encouraged him in this design, affected fear, retired with precipitation wherever the Romans presented themselves; and, to encrease the presumption of their general, sent frequent messages to implore his pity. He at the same time endeavoured to open

<sup>7</sup> Cicero de Claris Oratoribus. Salust. in Bell. Jugurth.

B O O K  
 II.  
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a correspondence with the Thracians and other foreigners, then serving in the Roman camp. Some of these he corrupted; and, when he had drawn the Roman army into difficult situations, and prepared his plan for execution, he suddenly advanced in the night to the Roman station; and the avenues being entrusted, as he expected, to the Thracians and Ligurians whom he had corrupted, and by whom he was suffered to pass, he surpris'd the Romans in their camp, and drove them from thence in great confusion to a neighbouring height, where they enjoyed, during night, some respite from the enemy; but without any resource for subsistence, or hopes of recovering their baggage.

In the morning Jugurtha desired to confer with the Prætor; and representing how much the Romans, stripped of their provision and equipage, were then in his power, made a merit of offering them quarter, on condition that they would conclude a treaty of peace, and in ten days evacuate his kingdom.

These terms were accordingly accepted: but the capitulation, when known at Rome, gave occasion to much indignation and clamour. It was voted by the Senate not to be binding, and the Consul Albinus, in order to repair the loss of the Public, and to restore the credit of his own family, made hasty levies, with which he propos'd to renew the war in Numidia. But not having the consent of the Tribunes to this measure, he was obliged to leave his forces behind him in Italy, and joined the army without being able to bring any reinforcement. He found it in no condition to face the enemy, and was contented to remain in the province till a successor should be named.

U. C. 644.  
 Q. Cæcilius  
 Metellus  
 Numidicus,  
 M. Junius  
 Silanus.

Repentment of the disgraces incurred in Africa, and fear of invasion from the Cimbri, who, having traversed Spain and Gaul, were still on their march, appear to have calmed for a little time the animosity of domestic factions at Rome. The consular elections were suffered

to proceed, and the choice of the People fell on Quintus Cæcilius Metellus and M. Junius Silanus; the first was appointed to the command of the army in Numidia, the second to observe the motions of the Cimbri on the frontiers of Gaul, and to turn them aside, if possible, from the territory of Rome. About this time those wandering nations had sent a formal message to the Romans, desiring to have it understood on what lands they might settle<sup>s</sup>, or rather, over what lands they might pass in migration with their herds. This request being refused by the Senate, they opened a passage by force, overcame in battle the Consul Silanus, and, probably without intending to retain any conquest, continued to move wherever the aspect of the country tempted their choice.

Metellus proceeded to Africa with a considerable reinforcement; and, having spent some time in restoring the discipline of the army, which had been greatly neglected, and in training his new levies to the duties and hardships of the service, he directed his march to the enemy's country, and in his way had frequent messages from Jugurtha, with professions of submission and of a pacific disposition.

When the Roman army entered on the territory of Numidia, they accordingly found the country prepared to receive them in a friendly manner; the people in tranquillity, the gates of every city left open, and the markets ready to supply them with necessaries.

These appearances, with the known character of Jugurtha, creating distrust, only excited the vigilance of Metellus. They even provoked him to retort on the Numidian his own insidious arts. He tampered with Bomilcar and the other messengers of Jugurtha to betray their master, and promised them great rewards if they would deliver him into the hands of the Romans either living or dead.

Jugurtha, not considering that his known character for falsehood must have destroyed the credit of all his professions, even if he should

<sup>s</sup> Florus, lib. iii. Liv. lib. lxxv.

B O O K  
 11.

at any time think proper to make them sincere, and trusting to the effect of his submissive messages in rendering the enemy secure, made a disposition to profit by any errors they should commit, and hoped to circumvent and destroy them on their march. For this purpose he waited for them on the descents of a high mountain, over which they were to pass in their way to the Muthul, a river which helped to form the situation of which he was to avail himself. He accordingly lay concealed by its banks until the enemy actually fell into the snare he had laid for them. With the advantage of the ground and of numbers, he maintained, during the greater part of the day, a contest with troops who possessed, against his irregulars, a great superiority of order, discipline, and courage; but not having found the Romans, as he expected, in any degree off their guard, he was, in the event of that day's action, obliged to fly with a few horse to a remote part of his kingdom.

This victory obtained over Jugurtha, appeared to be an end of the war. His army was dispersed, and he was left with a few horsemen, who attended his person, to find a place of retreat, and to chuse a station at which to assemble new forces, if he meant to continue the war.

The Numidians were inured to action. The frequent wars of that continent, the wild and unsettled state of their own country, made the use of horses and of arms familiar: but so void was the nation of military policy, and its people so ignorant of order, that it was scarcely possible for the king to fight two battles with the same army. If victorious, they withdrew with their plunder; if defeated, they supposed all military obligations at an end: and in either case, after an action, every one fled where he expected to be soonest in safety.

Metellus, after the late engagement, finding no enemy in the field, was for some time uncertain to what part of the kingdom Jugurtha had directed



directed his flight. But having intelligence that he was in a new situation assembling an army, and likely to form one still more numerous than any he had yet brought into the field, tired of pursuing an enemy on whom defeats had so little effect, he turned away to the richer and more cultivated parts of the kingdom. Here the plunder of the country might better repay his labour, and the enemy, if he ventured to defend his territory, might more sensibly feel his defeats. Jugurtha perceiving his intention, drew his forces towards the same quarter, and soon appeared in his rear.

While Metellus was endeavouring to force the city of Zama, Jugurtha pierced into his camp, and, though repulsed from thence, took a post, by which he made the situation of the Romans, between the town and his own army, so uneasy, as to oblige them to raise the siege.

This the Numidian prince thought a proper opportunity to gain some credit to his pacific professions. He made an offer accordingly to surrender at discretion, and actually delivered up great part of his arms and military stores; but this purpose, if ever sincere, he retracted, and again had recourse to arms.

The victory which had been obtained in Africa, flattered the vanity of the Roman People, and procured to Metellus, in the quality of Proconsul, a continuation of his former command. The troops he had posted in Vacca being cut off by the inhabitants, he made hasty marches in the night, surpris'd the place, and, without having allowed the authors of that outrage more than two days to enjoy the fruits of their perfidy, amply revenged the wrong they had done to the Roman garrison.

U. C. 645.  
Servius Sulpicius Galba,  
Q. Hortensius Nepos,  
Marcus Aurelius Scaurus.

But the success of Metellus did not hasten the ruin of Jugurtha so fast as his own misconduct, in the jealous and sanguinary measures which he took to suppress plots and conspiracies, either real or sup-

B O O K  
II.

posed to be formed against his life, by persons the most in his confidence.

Bomilcar, still carrying in his mind the offers which had been made by Metellus, and willing to have some merit with the Romans, into whose hands he and all the subjects of Jugurtha were likely soon to fall, formed a design against his master, and drew Nabdalsa, a principal officer in the Numidian armies, to take part in the plot. They were discovered in time to prevent the execution of their design, but they made Jugurtha from thenceforward consider the camp of his own army as a place of danger to himself, rendered him distrustful, timorous, and unquiet; frequently changing his company and his quarters, his guards and his bed. Under these apprehensions, by which his mind was considerably disordered and weakened, he endeavoured, by continual and rapid motions, to make it uncertain where he should be found; and he experienced at last, that private assassination and breach of faith, although they appear to abridge the toils of ambition, are not expedient even in war; that they render human life itself, for the advantages of which war is undertaken, no longer eligible or worthy of being preserved. Weary of his anxious state, he ventured once more to face Metellus in the field, and being again defeated, fled to Thala, where he had left his children and the most valuable part of his treasure. This city too, finding Metellus had followed him, he was obliged to abandon, and, with his children and his remaining effects, fled from Numidia, first to the country of the Getuli, barbarous nations, that lived among the mountains of Atlas south of Numidia, and whom he endeavoured to arm in his cause. From thence he fled to Bocchus king of Mauritania, whose daughter he had married; and having persuaded this prince to consider his quarrel with the Romans as the common cause of all monarchies, who were likely in succession to become the prey  
of



of this arrogant and insatiable power, he prevailed on the Mauritanian to assemble his army, and to attempt the relief of Numidia.

Jugurtha, in conjunction with his new ally, directed his march to Cirta, and Metellus perceiving his intention, took post to cover that place. But while he was endeavouring, by threats or persuasions, to detach the king of Mauritania from Jugurtha, he received information from Rome that he was superseded in the command of the army; and from thenceforward protracted the war, under pretence of messages and negotiations, and possibly inclined to leave it with all its difficulties entire to his successor.

Marius, having served under Metellus, had with great difficulty, and not without some expressions of scorn on the part of his general, obtained leave to depart for Rome, where he meant to stand for the Consulship. He accordingly appeared in the capacity of candidate for this honour, and by vaunting, instead of concealing, the obscurity of his ancestors; by inveighing against the whole order of Nobility, their dress, their city manners, their Greek learning, their family images, the stress they laid on the virtue of their forefathers to compensate the want of it in themselves; but more especially by arraigning the dilatory conduct of Metellus, and by promising a speedy issue to the war, if it should be entrusted to himself; a promise, to which the force and ability he had shown in all the stations he had hitherto filled, procured him some credit; he so far won upon the People, that he was chosen Consul, in opposition to the interest of the Nobles, and to the influence of all the leading men of the Senate. His promotion was in a particular manner galling to Metellus, whose reputation he had attacked, and to whose station in Africa, by an express order of the People, in contempt of the arrangement which had been made by the Senate, he was now to succeed.

Upon the nomination of Marius, the party who had opposed his preferment did not attempt to withhold the reinforcements which he asked

U. C. 646.  
L. Cassius  
Longinus,  
C. Marius.

asked for the service in which he was to command. They even hoped to increase his difficulties by suffering him to increase the establishment of his province. The wealthier class of the People alone were yet admitted into the legions; and being averse to such distant services, were likely to conceive a dislike to the persons by whom they were forced to enlist. Marius in this capacity might lose some part of the popular favour which he now enjoyed, and become less formidable to his rivals in the State. But this crafty and daring politician, by flighting the laws which excluded the necessitous citizens from serving in the legions, found in this class of the People a numerous and willing supply. They crowded to his standard, and filled up his army without delay, and even without offence to those of a better condition, who were pleased with relief from this part of their public burdens.

This was a remarkable and dangerous innovation in the Roman State, and may be mentioned among the steps which hastened the ruin of the commonwealth. From this time forward the sword began to pass from the hands of those who were interested in the preservation of the republic, into the hands of others who were willing to make it a prey. The circumstances of the times were such, indeed, as to give warning of the change. The service of a legionary soldier was become too severe for the less indigent order of citizens, and now opened to the necessitous the principal road to profit, as well as honour. Marius, to facilitate his levies, was willing to gratify both; and thus gave beginning to the formation of armies who were ready to fight for or against the laws of their country, and who, in the sequel, substituted battles for the bloodless contests which hitherto had arisen from the divisions of party.

The new Consul, unrivalled in the favour of the People, obtained whatever he required; and, being completely provided for the service to which he was destined, embarked for Africa with a great reinforcement,

ment, and in a few days arrived at Utica. Upon his arrival, the operations of the war were resumed, and carried into the wealthiest provinces of Numidia, where he encouraged his army with the hopes of spoil. The new levies, though composed of persons hitherto excluded from the military service, were formed by the example of the legions already in the field, and who were now well apprised of their own superiority to the African armies. Bocchus and Jugurtha, upon the approach of this enemy, thought proper to separate, and took different routs into places of safety in the more difficult and inaccessible parts of the country.

This separation was made at the suggestion of Jugurtha, who alleged that, upon their appearing to despair, and to discontinue all offensive operations, the Roman general would become more secure and more open to surprize. But Marius, without abating his vigilance, pressed where the enemy gave way, over-ran the country, and took possession of the towns they had left. To rival the glory which Metellus had gained in the reduction of Thala, he ventured on a like enterprise, in the face of similar difficulties, by attacking Thaspa, a place surrounded with desarts, and in the midst of a land destitute of water, and of every resource for an army. Having succeeded in this design, he ventured, in his return, to attack another fortress, in which, it being supposed impregnable, the royal treasures were lodged. This strong hold was situated on a rock, which was every where, except at one path that was fortified with ramparts and towers, faced with steep and inaccessible cliffs. The garrison permitted the first approaches of the Romans with perfect security, and even derision. After some fruitless attacks, Marius with some imputation of folly in having made the attempt, was about to desist from the enterprise, when a Ligurian, who had been used to pick snails on the cliffs over which this fortress was situated, found himself, in search of his prey, and by the growing facility of the ascent,

B O O K  
II.

ascent, led to a height from which he began to have hopes of reaching the summit. He accordingly surmounted all the difficulties in his way; and the garrison being then intent on the opposite side of the fortress to which the attack was directed, he returned unobserved. This intelligence he carried to Marius, who without delay ordered a detachment of chosen men, with an unusual number of trumpets and instruments of alarm, to follow the direction of this guide. He himself, to divert the attention of the besieged, and to be ready, on receiving the proposed signal from within, to make a vigorous and decisive assault, advanced to the walls. The Ligurian, with much difficulty, endeavoured to effect his intentions. The soldiers who followed him were obliged to untie their sandals and their helmets, to sling their shields and their swords, and, at difficult parts of the rock, could not be persuaded to advance until their guide had repeatedly passed and repassed in their sight, or had found stumps and points of the stone at which they could fasten cords to aid their ascent. The summit was to be gained at last by the branches of a tree which, being rooted in a cleft of the rock, grew up to the edge of the precipice. By the branches of this tree the whole party passed, and, climbing near to its top, landed at last on the summit. They instantly sounded their trumpets and gave a sudden alarm. The besieged, who had been drawn to the walls to resist the enemy who attacked them in front, were astonished with this sound in their rear, and soon after, greatly terrified with the confused flight from behind them of women, children, and men unarmed, and being at the same time vigorously attacked at their gates, were no longer able to resist, suffered the Romans to force their way at this entrance, and in the end to become masters of the fort.

While Marius was engaged in the siege of this place he was joined by the Quæstor Sylla, who had been left in Italy to bring up the cavalry, which were not ready to embark at the departure of the Consul.

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This young man was of a Patrician and noble family, but which had not, for some generations, borne any of the higher offices of State. He himself partook in the learning which then spread into Italy, from a communication with the Greeks, and had passed the early part of his life in town-dissipation or in literary studies, of which the last were considered at this time at Rome as a species of corruption almost equal to the first. He was yet a novice in war, but having an enterprising genius, soon became an object of respect to the soldiers, and of jealousy to his general, with whom he now laid the foundation of a quarrel more fatal to the commonwealth than that which had subsisted between the present and preceding commander in this service.

C H A P.  
IV.

The king of Numidia, stung by the sense of what he had already lost, and expecting no advantage from any further delays, determined, in conjunction with Bocchus, to make a vigorous effort, and to oblige Marius, who was then moving to his winter quarters, yet to hazard a battle for the preservation of what he had acquired in the preceding campaign. The king of Mauritania had been inclined to remain neutral, or to enter on a separate treaty with the Romans; but being promised a third part of the kingdom of Numidia, in case the Romans were expelled from thence, and the war should be brought to a happy conclusion, he once more brought forward his army, and joined Jugurtha.

The prosperous state of the Romans, undisturbed for some time by the opposition of any enemy in the field, inspired them with some degree of negligence or security, by which they were exposed to surprise. About an hour before the setting of the sun, their march was interrupted by the attack of numerous parties, who, without any settled order, occupied the fields through which they were to pass, and seemed to intend, by assailing them on every side, to begin the night with a scene of confusion, of which they might afterwards

B O O K  
 II.

more effectually avail themselves in the dark. In an action begun under these disadvantages, it was supposed, that the Roman army might be entirely defeated, and in a country with which they were not acquainted, and in circumstances for which they were not at all prepared, being unable to effect a retreat, surrender at discretion.

Jugurtha, with his usual intrepidity and conduct, profited by every circumstance which presented itself in his favour. He brought the troops, of which his army was composed, whether Getulians or Numidians, horse or foot, to harass the enemy in their different ways of fighting, and where they could easiest make their attacks. Wherever a party was repulsed, he took care to replace it; and sometimes affected to remit his ardour, or to fly with every appearance of panic, in order to tempt the Romans to break from their ranks. Marius, notwithstanding, with great dexterity and presence of mind, maintained the form of his march; and, before night, got possession of some heights on which he could secure his army. He himself, with the infantry, chose that which had the steepest ascent, and ordered Sylla, with the cavalry, to take his post on a smaller eminence below. That his position might not be known to the enemy, he prohibited the lighting of fires, and the usual sounding of trumpets at the different watches of the night. The Numidians had halted on the plain where night overtook them, and were observed, at break of day, reposing in great security, and without any seeming apprehension or danger from an enemy, who was supposed to be flying, and who, on the preceding day, had, with some difficulty, escaped from their hands. Marius resolved to attack them in this situation, and gave orders, which were communicated through the army, that, at a general sound of the trumpets, every man should stand to his arms, and with a great shout, and beating on his shield, make an impetuous attack on the enemy. The design, accordingly, succeeded. The Numidians, who had often affected to fly, were driven



into an actual rout. Great numbers fell in the flight, and many ensigns and trophies were taken.

After this victory, Marius, with his usual precautions, and without remitting his vigilance, on a supposition that the enemy was dispersed, directed his march to the towns on the coast, where he intended to fix his quarters for the winter. Jugurtha, well apprised of his route, proposed again to surprize him before he should reach the end of his journey; and, for this purpose, avoided giving him any premature or unnecessary cause of alarm. He prepared to attack the Roman army in the neighbourhood of Cirta, which was to be the end of their labours, and near to which he supposed that they would think themselves secure from any further attempts of their enemy. In the execution of this design, he, with the greatest ability, conducted his troops to the place of action, and there too made every effort of conduct and resolution. But the match being unequal, he was obliged to give up the contest; and, with his sword and his armour all bathed in blood, and almost alone, is said to have left a field, in which, for the first time, he had taken no precautions for re-assembling his army, and on which his Numidians were accordingly routed, to rally no more!

Upon these repeated defeats, Bocchus despaired of the fortunes of Jugurtha, and sent a deputation to Marius, requesting a conference with himself, or with some of his officers. He obtained an interview with Sylla and Manlius; but, upon their arrival, had taken no fixed resolution, and was still kept in suspense, by the persuasion of those of his court who favoured the interest of Jugurtha. Marius, being continued in his command, resumed the operations of the war, and was about to attack the only place which yet remained in the hands of the enemy. When the king of Mauritania, alarmed by this circumstance, took his resolution to sue for peace, he sent a deputation of five chosen persons, first to the

U. C. 647.  
C. Attilius  
Serannus,  
Quintus Ser-  
vilius Cæticus.

B O O K  
II.

quarters of Marius, and, with this general's permission, ordered them to proceed from thence to Rome. These deputies, being admitted into the Senate, made offers of friendship in the name of their master; and were informed, in return, that he must give proofs of his friendly disposition to the Romans, before they could believe his professions, or listen to any terms of peace. When this answer was reported to Bocchus, he was not at a loss to understand that the Romans wished him to deliver up the king of Numidia into their hands; and seems to have conceived the design of purchasing peace, even on these terms. Sylla being already personally known to him, he made choice of this officer, as the person with whom he would treat, and desired he might be sent to his quarters. The Roman Quæstor accordingly set out with a small party. On the way he was met by Volux, the son of the king of Mauritania, with a thousand horse: him he considered as of doubtful intention, whether come as a friend or an enemy; but coming with professions of friendship from the king his father, and with orders to escort the Roman Quæstor, they proceeded together. On the second day after this junction, Volux came in haste to the quarters of Sylla, and informed him, that the advanced party had discovered Jugurtha posted on their route, with a considerable force, and earnestly pressed the Romans to endeavour to make their escape in the night.

Sylla could no longer command his suspicions, and, sensible that he had imprudently, without hostage or other security, ventured too far on the faith of an African prince, proudly refused to alter his march; desired that the Mauritanian prince, if he thought proper, should depart; but informing him, at the same time, that the Roman people would know how to avenge the injury done to their officers, and would not fail to punish the perfidy of the king his father. Volux made protestations of his innocence; and as the Roman Quæstor could not be prevailed on to save himself by flight,  
this.

this prince insisted to remain, and to share in his danger. They accordingly kept on their way, passed through the troops of Jugurtha, who, though disposed to offer violence to the Romans, had yet some measures to observe with the king of Mauritania, whose son was in the company; and while, contrary to his usual character, he remained undecided, the prey escaped him, and got out of his reach.

Jugurtha sent persons of confidence immediately to counteract the negotiations of Sylla at the court of Bocchus; and each of these parties solicited the king of Mauritania to betray the other. The Numidians endeavoured to persuade him, that, with such an hostage as Sylla in his hands, he might still expect some honourable terms from the Romans; and Sylla, on the other part, represented, that, as the king of Mauritania had offended the Romans, by abetting the crimes of Jugurtha, he must now expiate his guilt by delivering him over to justice. It was the inclination of this prince to favour Jugurtha; but it was his interest, as well as his intention, to gain the Romans. While he was still in suspense, he gave equal encouragement to both parties; and, without being finally determined what he should do, appointed the Roman Quæstor and the king of Numidia to meet him without any escort, or number of men in arms, reserving to the last moment the power of determining against the one or the other. He had placed a body of his own troops in ambush, and, soon after the parties were met, gave a signal, which his men understood to be for seizing Jugurtha. The Numidians, who attended their king, were slain; he himself was put in chains, and delivered up to the Roman Quæstor. Sylla, with the exultation of a hunter, received this lion in his toils; and, though he lived to perform much greater actions, still appears to have valued himself most on the success of this commission. He boasted so much of his prize, that he became, from that moment, an object of jealousy to Marius, and was considered as a person advancing too fast in the same career

B O O K  
II.

of renown<sup>9</sup>. It was understood among the Romans, that the commander in chief, upon any service, in any division or province of the empire, enjoyed the triumph for victories gained, even in his absence, by his lieutenants, or by those who served under his command; and Marius probably thought that Sylla took more to himself than was due upon this occasion. The desire of being the person who put the finishing hand to any service, however accomplished, was not peculiar to these officers. It was an effect of the Roman policy in making the rewards of honour depend so much on events, without regard to the means which were employed to produce them. From this circumstance, the citizens of this republic were as desirous of having the reputation of successful adventures affixed to their names, as courtiers in modern Europe are desirous to have titles of nobility, or badges of their sovereign's favour.

The war being thus at an end, Marius appointed a thanksgiving; and, while he was offering the customary sacrifices, the news arrived from Rome that the People had dispensed with the law in his favour, and again had made choice of him for Consul of the following year. This choice was determined by the great alarm which the Romans had taken on the approach of the barbarous nations, who, like a meteor, had, for some years, traversed the regions of Europe, and, with uncertain direction, were said to destroy wherever they moved. The Romans had repeatedly stood in their way, and had provoked a resentment, which these barbarians were supposed, in haste, to wreck upon Italy. They were at first heard of under the name only of Cimbri; but were now known to consist of many nations, under the appellations of Ambrones, Teutones, Tectosagi, and others; and had gained accessions of force by the junction of the Tigurini, and other Gaulish nations, who, either by choice or compulsion, were made a part in this mighty host, whose movements the Romans considered as chiefly directed against themselves.

<sup>9</sup> Plutarch. in Mario & in Sylla.

Besides the armies commanded by the Consuls Carbo and Silanus, who had fallen victims to this barbarous enemy, other considerable bodies, under Scaurus and Cassius, had perished by their hands; and other misfortunes, from the same quarter, were coming apace. At the time that Marius had finished the war with Jugurtha, Quintus Servius Cæpio, having the former year commanded in Gaul, where he destroyed or pillaged the city of Tolosa, and made a great booty, consisting, according to Justin, of one hundred thousand pounds weight of gold, and one million five hundred thousand pounds weight of silver, was now, in his turn, to meet with this enemy; the Consul Mallius or Manilius had orders to join him; and all the troops they could assemble were thought necessary to withstand the Barbarians. These generals united their forces on the Rhône, but without a proper disposition to act in concert; they were accordingly defeated in battle; eighty thousand Romans, amongst whom were the two sons of the Consul Manilius, were killed in the action; forty thousand attendants of the army were massacred in cold blood. Both camps were taken.

After this victory the lords of the Cimbri, being assembled in council, called before them Aurelius Scaurus, formerly a Roman Consul, lately second in command to one of the vanquished armies, and now a prisoner. They questioned him with respect to the forces in Italy, and the route to be taken across the Alps: To these questions he made answer, That it would be in vain for them to invade that country: that the Romans, on their own territory, were invincible. And, in return to these words, it is said, that a Barbarian struck the prisoner with his dagger to the heart. It is further said of this barbarous council, that they came to a resolution to spare no prisoners, to destroy the spoils of the slain, to cast all the treasures of gold and silver into the nearest river, to destroy all horses with their saddles and furniture, and to save no booty whatever; and it must be confessed, that

C H A P.  
IV.

U. C. 648.  
P. Rutilius  
Rufus, Cn.  
Mallius.

that in this their resolutions were guided by a policy well accommodated to the manner of life they chose to maintain. Wealthy possessions frequently disqualify even settled nations for the toils of war, but to migrating tribes, they would be certain impediments and the means of ruin<sup>10</sup>.

These accounts of the character of an enemy, and of the fate of Roman armies which ventured to encounter them, were received at Rome with amazement and terror. The citizens changed their dress, and assumed the military habit. Rutilius, the Consul, who had remained in the administration of affairs in Italy, had instructions from the Senate to array every person that was fit to bear arms. No one who had attained the military age was exempted. It is mentioned, that the son of the Consul himself was turned into the ranks of a legion. There was little time to train such levies; and the usual way was thought insufficient. The fencing-masters, employed to train gladiators for the public shows, were brought forth, and distributed to instruct the citizens in the use of their weapons<sup>11</sup>. But the expedient, on which the People chiefly relied for deliverance from the dangers which threatened them, was the nomination of Marius to command against this terrible enemy.

This officer, upon hearing of his re-election, set out for Italy, and, with his legions and their captives, entered Rome in triumph; a spectacle, of which Jugurtha, in chains, with his unfortunate children, were the principal figures. When the procession was over, the captive king was led to a dungeon, under orders for his immediate execution. As he was about to be stripped of his ornaments and robes, the executioner, in haste to pluck the pendants from his ears, tore away the flesh, and thrust him naked into a dungeon below ground. He descended into this place with a smile, saying, "What a cold

<sup>10</sup> Orosius, lib. v. c. 16. Eutrop. lib. v.

<sup>11</sup> Valer. Max. lib. ii. c. 3.

" bath

“ bath is here ?” He pined about six days, and expired. A king and an able commander would, in such a situation, have been an object of respect and of pity, if we did not recollect, that he was the murderer of Adherbal and Hiempsal, the innocent children of his benefactor. And if we did not receive some consolation from being told, that his own children, who were likewise innocent, were exempted from the lot of their father, and honourably entertained in Italy.

Marius, in this triumph, is said to have brought into the treasury three thousand and seven pounds, or thirty thousand and seventy ounces of gold, and fifty-seven thousand seven hundred and fifty ounces of silver ; and in money, two hundred and eighty-seven thousand denarii“. He entered the Senate, contrary to custom, in his triumphal robes, probably to insult the Nobles, who used to despise him as a person of obscure extraction, born in a country town, and of a mean family : but finding that this was considered as an act of petulance, and generally condemned, he withdrew and changed his dress.

The kingdom of Numidia was dismembered ; part was put into the possession of Bocchus as a reward for his late services ; and part reserved for the surviving heirs of Massinissa.

As the law respecting the Consulate now stood, no one could be elected in absence, nor re-elected into this office, till after an interval of ten years. Both clauses were dispensed with in favour of Marius, under pretence of continuing him at the head of the army ; but as he might still have remained at the head of the army, and have rendered the same services to the State in the quality of Proconsul, his re-election may be ascribed to his own ambition, and to his jealousy of other rising men in the State. Being considered as

U. C. 649.  
Consuls ; C.  
Marius 2do,  
C. Flavius  
Fimbria.

“ About 10,000 l.

B O O K  
II.

head of the popular party, his elevation was an object of zeal to the Tribunes, and was intended to mortify those who affected the distinctions of antient family. Contrary to the usual form, and without casting lots, he was preferred to his colleague in the appointment to command in Gaul. Having his choice of all the armies at that time in Italy, he took the new levies, lately assembled and disciplined by Rutilius, in preference to the veterans, who had served in Africa under Metellus and himself. It is probable that he was determined in this choice, more by his desire to gratify the veterans, who wished to be discharged, than by the consideration of any supposed superiority in the discipline to which the new levies had been trained<sup>12</sup>.


Upon the arrival of Marius in his province it appeared, that the alarm taken for the safety of Italy was somewhat premature. The Barbarians in their battles only meant to maintain the reputation of their valour, or to keep open the tract of their migrations. They had found the lands, from about the higher parts of the Danube and the Rhine, through Gaul and across the Pyrennees into Spain, and to the ocean, convenient for their purpose, and sufficiently extensive. They had yet meditated no war with the Romans, or any other nation; but did not decline the encounter where they met with resistance. At present they continued their migrations to the westward, without any intention to cross the Alps, or to visit the nations who inhabited within those mountains.

We have nothing recorded in history concerning the movements of these wandering nations, during the two subsequent years, except what is related of their adventure with Fulvius, a Roman Prætor, probably in Spain, who, in return for hostilities committed in his province, having made a feint to draw the attention of their warriors, surpris'd and sack'd their camp. Under the apprehension, however,

<sup>12</sup> Frontius de Stragemat. lib. iv. c. 2.



of their return towards Gaul and Italy, Marius continued to be elected Consul, and was repeatedly named to the command of the army that was destined to oppose them. His party at Rome had, at this time, besides the exigency which justified their choice, many other advantages against their antagonists, and maintained the envious quarrel of the lower people against the nobility with great animosity and zeal.

C H A P.  
IV.  


## C H A P. V.

*Review of the Circumstances which revived the popular Party.—  
 Farther Account of Laws and Regulations under their Administration.—  
 State of the Empire.—Fourth Consulship of Marius.—  
 Continued Migrations of the barbarous Nations.—Defeated by  
 Marius at Aquæ Sextiæ.—By Marius and Catulus in Italy.*

BOOK  
 II.

THE Senate had, for some time after the suppression of the troubles which were raised by Fulvius and the younger Gracchus, retained its authority, and restrained the Tribunes of the People within ordinary bounds; but by the suspicions which arose against them, on the subject of their transactions with Jugurtha, and by the mis-carriages of the war in Numidia, they again lost their advantage. It is difficult to ascertain the real grounds of these suspicions. Sallust seems to admit them in their utmost extent, and represents the whole order of nobility as mercenary traders, disposed to sell what the republic entrusted to their honour. That the presents of Jugurtha were sometimes accepted, and produced some effect, is not to be doubted; but that the aristocracy of Rome, during its short reign, was so much corrupted, is scarcely to be credited. Such a measure of corruption must have rendered the State a prey to every foreign power that was in condition to mislead its councils, and is not consistent with that superiority which the Romans then generally possessed in their negotiations, as well as in their wars. The charge itself favours too much of that envy with which the lower class of the People at all times interpret the conduct of their superiors, and which was greatly countenanced by the partizans of Cæsar, at the time when Sallust wrote, in order to vilify and reduce the Senate. We cannot, however,

oppose

oppose mere conjecture to the positive testimony of Sallust, corroborated by some suspicious circumstances in the transactions of the times. Among these we may recollect the patronage which Jugurtha met with at Rome, contrary to the professions of the Romans, in behalf of justice, and the uncommon number of Senators degraded, at that time, by authority of the Censors, Q. Cæcilius Metellus and Cn. Domitius Ahenobarbus<sup>1</sup>, which has been already mentioned in its place.

Whatever may have been the real occasion of the cry then subsisting against the Nobles, we have seen that the popular party, availing themselves of it, and giving it all manner of countenance, found means to recover great part of their lost power. The Tribunes, having obtained the establishment of a special commission for the trial of all those who had received bribes from Jugurtha, made the people consider their own act in constituting a court of inquiry, as sufficient to evince the reality of the crime. The prosecutions which continued to be carried on for two years, upon this supposition, served more than the subject of any former dispute to alienate the minds of men from each other, and from the public. Questions were more of a private than of a public nature, and occupied the worst of the human passions, envy, malice, and revenge. One party learned to cherish falsehood, subornation, and perjury; the other lived in continual fear of having such engines employed against themselves.

The People, in their zeal to attack the Nobility under any pretence, made no distinction between errors and crimes; and, contrary to the noble spirit of their ancestors, treated misfortune, incapacity, or treachery, with equal rigour. One Tribune had extended the use of the secret ballot to the trial of lesser crimes<sup>2</sup>; another, upon this

<sup>1</sup> It is already mentioned, that thirty-two Senators were struck off the rolls by these magistrates.

<sup>2</sup> Lex Cassia Tabellaria.

occasion,

B O O K  
II.

occasion, took away all distinctions, and introduced it in the trial of capital crimes also<sup>2</sup>: so that the judge, without being accountable, indulged his secret malice or partial favour<sup>3</sup>.

Laws were made to promote the interest, as well as to gratify the animosity of the lower people. By the Agrarian law of Gracchus, certain limits were set to estates in land; but, in order to render the excess of lands, in the hands of any particular person, immediately useful to the People, it was permitted, by an amendment made during the low state of the aristocratical party, that persons in possession of more than the legal measure of land, might retain their estates, but subject to a rent to be collected for the benefit of the poorer citizens; and thus it was proposed, that without any trouble in taking possession of lands, or removing from the city, the favourites of the party should be accommodated, and reap the fruits of sedition and idleness unimpaired<sup>4</sup>.

U. C. 647.  
Lex Servilia  
de Judiciis.

It was proposed, by the Consul Servilius Cæpio, that the Senate, whose members were personally so much exposed to prosecutions, should have their share likewise in composing the juries, a privilege of which, by the edict of Gracchus, they had been deprived<sup>5</sup>. In whatever degree this proposal was adopted, it was again expressly repealed upon the motion of Servilius Glaucia. And Cæpio soon after experienced, in his own person, the animosity of the popular faction, being tried for miscarriage in his battle with the Cimbri. He was condemned by the judges, and afterwards, in virtue of a regulation obtained by Cassius, one of the Tribunes, declared, in consequence of that sentence, disqualified to hold a place in the Senate<sup>6</sup>.

Besides the transactions already mentioned, the following particulars, overlooked in the hurry of recording military operations and

<sup>2</sup> Lex Cælia Tabellaria.

<sup>3</sup> Cicer. de Legibus, lib. iii.

<sup>4</sup> Appian. de Bell. Civ. lib. i.

<sup>5</sup> Valer. Max. lib. v. c. 9.

<sup>6</sup> Asconius Pædianus in Corneliana Ciceronis.

events, may serve still farther to characterize the times. M. Junius Silanus was tried for misconduct against the enemy; M. Emilius Scaurus, first on the roll of the Senate, was brought to trial for contempt of religion; but both acquitted. The ardour for these prosecutions and popular regulations, continued until the second Consulship of Marius, when M. Marcius Philippus, one of the Tribunes, moved to restore the law of Tiberius Gracchus respecting the division of estates in land; and, in his speech in support of this motion, affirmed, that there were not two thousand families in Rome possessed of any property in land whatever<sup>6</sup>. This motion, however, was withdrawn.

Among the crimes which the populace were now so eager to punish, fortunately that of peculation or extortion in the provinces was one. To facilitate complaints on this subject, not only persons having an immediate interest in the case, but all to whom any money or effects injuriously taken might have otherwise come by inheritance, were intitled to prosecute for this offence; and any alien, who convicted a Roman citizen of this crime, so as to have him struck off the rolls of the People, was himself to be enrolled instead of the citizen displaced<sup>7</sup>.

Domitius, one of the Tribunes, attacked the aristocratical constitution even of the priesthood, and endeavoured to transfer the right of election from the order itself to the People; but superstition, which continues to influence the bulk of mankind after reason has failed, here stood in his way. The custom was against him; and, in such matters, religion and custom are the same. The People, therefore, it was confessed, could not interfere without profanation; but a certain part of the People might judge of the candidates, and instruct the college of priests whom they were to chuse<sup>8</sup>. The same artifice,

Lex Domitia  
de Sacerdotiis.

<sup>6</sup> Cicer. de Officiis, lib. ii.

<sup>8</sup> Asconius in Cornelianâ Ciceronis.

<sup>7</sup> Cicero in Balbiana.

B O O K  
 II.

or verbal evasion, had been already admitted in the form of electing the Pontifex Maximus, now chosen by seventeen of the Tribes who were drawn by lot<sup>9</sup>.

During this period, a just alarm was taken on the subject of private as well as public corruption. Liberty was conceived to imply a freedom from every restraint, and to justify licence and contempt of the laws. The aids which were given to the People to enable them to subsist in profusion and idleness; the wealth that was passing to Rome in the hands of traders, contractors, and farmers of the revenue, as well as provincial officers, by whom the profits of a first appointment were lavished in public shews, fights of gladiators, and baiting of wild beasts, to gain the People in their canvas for farther preferments; these several circumstances tended, in the highest degree, to corrupt the People, and to render them unworthy of that sovereignty which they actually possessed in the prevalence of the popular faction.

The severities which were practised in certain cases, the sumptuary laws which were provided to restrain luxury, were but feeble aids to stop such a source of disorder. It is mentioned, as an instance of such severity, that some vestals were questioned at this time for a breach of that sacred obligation to chastity, under which they were held up as a pattern of manners to the Roman women; that three of them were condemned, and, together with Roman knights, the supposed partners in their crimes, suffered extreme punishment. A temple was on this occasion erected to the goddess Venus under a new title, that of the Reformer<sup>10</sup>; and prayers were to be offered up in this temple, that it might please the goddess to guard the chastity of Roman women<sup>11</sup>.

<sup>9</sup> Cicero de Lege Agraria.

<sup>10</sup> Venus Verticordia.

<sup>11</sup> Orofius, lib. v. c. 15. Jul. Obsequens. Ovid. Fast. lib. v.

The term luxury is somewhat ambiguous; it is put for sensuality or excess in what relates to the preservation of animal life; and for the effect of vanity, in what relates to the decorations of rank and fortune. The luxury of the Romans, in the present age, was probably of the former kind, and sumptuary laws were provided, not to restrain vanity, but to govern the appetites for mere debauch. About the time that Jugurtha was at Rome, the sumptuary law of Fannius received an addition, by which Roman citizens were not only restricted in their ordinary expence, but the legal quantities and species of food were prescribed to them. The whole expence of the table was restricted to thirty asses<sup>12</sup> a day, and the meat to be served up, to three or four pounds, dried or salted. There was no restriction in the use of herbs or vegetables of any sort<sup>13</sup>. According to A. Gellius, the law permitted, on certain days, an expence of an hundred asses; on wedding-days, two hundred. It is remarkable, that this law continued to have its effect on the tables of Roman citizens after Cicero was a man<sup>14</sup>. The Epicures of his time were obliged to make up, in the cookery of their vegetable diet, what was defective in that species of food.

About the time of the commencement of the Numidian war, the People, according to the Census, amounted to four hundred and three thousand four hundred and thirty-six citizens, fit to carry arms. At this time it was that the Censors, Quintus Cecilius Metellus, and Cn. Domitius Ahenobarbus, expelled thirty-two members from the Senate.

While the Romans were intent on the war which subsisted in Africa, they were assailed by enemies in some of the other provinces. In Spain, hostilities, at intervals, were still renewed. In endeavouring to quell one of the revolts of the natives, the Roman

<sup>12</sup> About two shillings.

<sup>13</sup> Macrobius Satur. lib. ii. c. 17.

<sup>14</sup> Epist. ad Familiar. lib. vii. ad Gallum.

B O O K  
II.

Prætor was killed; in another encounter, the forces employed against them were cut off; and a fresh army was transported from Italy, to secure the Roman possessions.

Hostilities were likewise continued on the frontier of Macedonia, by the Scordisci, Triballi, and other Thracian nations; and the Proconsul Rufus, by his victories in this quarter, obtained a triumph.

During this period, in the Consulship of Attilius Serranus, and Q. Servilius Cæpio, the year after the first Consulship of Marius, were born two illustrious citizens, M. Tullius Cicero, and Cneius Pompeius Strabo, afterwards distinguished by the appellation of Pompey the Great. And we are now to open the scene in which the persons, on whom the fate of the Roman empire was to depend, made their several entries into life, or into public business, and began to pass through an infancy or a youth of danger, to an old age of extreme trouble, which closed with the subversion of that constitution to which they were born.

U. C. 650.  
Caius Ma-  
rius 3tio, L.  
Aurelius  
Orestes.

Marius having, without any memorable event, passed the year of his second Consulship on the frontier of Narbonne Gaul, was, by the People, still under the same apprehension of the Cimbric invasion, re-elected into the same office, and destined for his former station. This year likewise the Barbarians turned aside from his province, and left the republic at leisure to contend with enemies of less consideration, who appeared in a different quarter. Athenio, a slave in Sicily, having murdered his master, and broken open the prisons or yards in which slaves were commonly confined at work, assembled a number together, and being clothed in a purple robe, with a crown and a scepter, affected a species of royalty, invited all the slaves of the island to assert their freedom under his protection. He acquired strength sufficient to cope with Servilius Cæpio, the Roman Prætor, and actually forced him in his camp. He likewise de-  
feated



feated the succeeding Prætor, Licinius Lucullus<sup>19</sup>; and was, in the third year of the insurrection, with great difficulty, reduced by the Consul Aquilius. This revolt was at its height in this year of the third Consulship of Marius, and it was quelled in the second year after it, the rebels being surrounded in their strong holds, and obliged to surrender for want of provisions<sup>20</sup>. The whole is mentioned now, that it may not recur hereafter to interrupt matters of more moment.

About the same time the Romans had been obliged to equip a naval armament under Marcus Antonius, known by the appellation of the Orator, against the Cilician pirates, who had lately infested the seas. All that we know of this service is, in general, that it was performed with ability and success<sup>21</sup>.

From Macedonia, Calpurnius Piso reported, that the victory he had gained over the Thracians had enabled him to penetrate to the mountains of Rhodope and Caucasus.

Such was the state of the empire when Caius Marius returned from his province in Gaul, to preside at the election of Consuls. He was again, by the voice of the People, called upon to resume his former trust; but he affected, from modesty, to decline the honour. His partizans were prepared for his acting this part, and were accordingly, by their importunities, to force him into an office which he so modestly seemed to decline. Among these, Apuleius Saturninus, at this time himself candidate for the office of Tribune, charged Marius with treachery to his country in proposing to desert the republic in times of so much danger; and with his reproaches prevailed so far as to render him passive to the will of his fellow-citizens, who wished to re-place<sup>22</sup> him again in his former station.

<sup>19</sup> Florus, lib. iii. c. 19.

<sup>20</sup> Ibid. lib. iv. c. 19.

<sup>21</sup> Ibid. lib. iii. c. 6. Cicero de Orator. lib. i.

<sup>22</sup> Plutarch. in Mario.

B O O K  
II.

U. C. 651.  
Caius Ma-  
rius 4<sup>to</sup>,  
L. Lutatius  
Catulus.

In this fourth Consulship, the courage and military skill of Marius came to be actually exerted in his province. The barbarous nations, after their return from Spain, began to appear in separate bodies, each forming a numerous and formidable army. In one division the Cimbri and Teutobages had passed through the whole length of Gaul to the Rhine, and from thence proceeded by the Danube to Noricum or Austria, and were pointing towards Italy by the valley of Trent. The Consul Lutatius Catulus was stationed near the descent of the Alps to observe the motions of this body.

In another division, the Ambrones and the Teutones hung on the frontier of the Roman province in Gaul, between the Garonne and the Rhône, and gave out, that they meant, by the most ordinary route of the mountains, to join their allies in Italy.

Upon the approach of this formidable enemy, Marius took post on the Rhône at the confluence of that river with the Isère, and fortified his camp in the most effectual manner. The Barbarians, reproaching him with cowardice for having taken these precautions, sent, agreeably to their own notions of war, a formal challenge to meet them in battle; and having had for answer from Marius, That the Romans did not consult their enemies to know when it was proper to fight, they were confirmed in the contempt which they already entertained of his army, ventured to leave them behind, and proceeded in separate divisions towards Italy. Marius followed; and, with rapid marches, overtook them as they passed over the country without any precaution; some of them near to the Roman colony of Sextius<sup>23</sup>, and far removed from each other. Having found them under such disadvantage, and in such confusion as exposed them to slaughter, with scarcely any power of resistance, he put the greater part to the sword. Thus part of the hordes, who had for many

<sup>23</sup> Now Aix, in Provence.

C H A P.  
V.

years been so formidable to the Romans, were now entirely cut off. Ninety thousand prisoners, with Teutobochus, one of their kings were taken, and two hundred thousand were said to be slain in the field <sup>24</sup>.

The news of this victory arriving at Rome, while it was known that another division of the same enemy, not less formidable, was still in the field, it was not to be doubted that the command and office of Consul would be continued to Marius. The populace, incited by some of the factious Tribunes, joined, with the other usual marks of their attachment to his person, that of disrespect and insolence to those who were supposed to be his opponents and rivals. Of these Metellus Numidicus, whom he had supplanted in the command of the army against Jugurtha, was the chief. This respectable citizen, being now in the office of Censor, one Equitius, an impostor of obscure or slavish extraction, offered himself to be enrolled as a citizen, under the popular designation and name of Caius Gracchus, the son of Tiberius. The Censor, doubting his title, called upon Sempronia, the sister of Gracchus, to testify what she knew of this pretended relation; and, upon her giving evidence against him, rejected his claim. The populace, ill-disposed to Metellus, on account of his supposed difference with Marius, took this opportunity to insult him in the discharge of his office; attacked his house, and obliged him to take refuge in the Capitol. Even there the Tribune Saturninus would have laid violent hands on his person, if he had not been protected by a body of the Roman Knights, who had assembled in arms to defend him. This tumult was suppressed, but not without bloodshed.

While the popular faction were indulging in these marks of their dislike to Metellus, they proceeded to bestow the honours which they

U. C. 653.  
Caius Ma-  
rius 510.  
M. Aquilius.

<sup>24</sup> Plutarch. in Mario. Orofius, lib. v. c. 16. Florus, lib. iii. c. 3. Velleius. Eutropius.

B O O K  
II.

intended for Marius, and chose him for a fifth time Consul, in conjunction with M. Aquilius. His late splendid successes against one division of the wandering Barbarians justified this choice, and pointed him out as the fittest person to combat the other, which was still expected from the side of Noricum to attempt the invasion of Italy. Catulus, the late colleague of Marius, commanding the troops that were stationed on the Athesis, to cover the access to Italy from the valley of Trent, was destined to act in subordination to the Consul, who had given orders to hasten the march of his victorious army from the Rhone.

Catulus had taken post above Verona, thrown a bridge over the Athesis, and, in order to command the passage of that river, had fortified stations on both its banks. While he was in this posture, and before the junction of Marius, the enemy arrived in his neighbourhood. The amazing works which they performed fully served to confirm the report of their numbers. They obstructed with mounds of timber and earth the channel of the river, so as to force it to change its course; and thus, instead of passing the river, they threw it behind them in their march. They continued to float such quantities of wood on the stream above the bridge which Catulus had built, that the passage of the water being stopped, the bridge, with all the timber which was accumulated before it, was entirely carried off. The Roman army, on seeing such evidence of the numbers and strength of their enemy, were seized with a panic. Many deserted their colours, some fled even to Rome without halting. The Proconsul thought proper to order a retreat; and thus, by seeming to authorise what he could not prevent, he endeavoured to save in part the credit of his army.

The level country on the Po was in this manner laid open to the incursions of the Barbarians. The inhabitants of Italy were greatly alarmed: and the Roman People passed an act of attainder  
against

against all those who had abandoned their colours. Marius, who continued at Rome while the legions advanced on their march from Gaul, suspended the triumph which had been ordered him by the Senate, went to receive his army at the foot of the Alps, and to hasten its junction with Catulus.

Upon the junction of the two armies, those who had lately fled recovered their courage, and the generals determined, without loss of time, to hazard a battle. It is said that the Barbarians of this division were still ignorant of the disaster which had befallen their allies on the other side of the Alps, and had sent a defiance or a challenge to fight; but that being informed of this calamity when they were about to engage, they made their attack with less than their usual ferocity and confidence. Catulus received them in front. Marius made a movement to assail them in flank; but as they were hid by the clouds of dust which every where rose from the plain, he missed his way, or could not engage till after the enemy had been repulsed by Catulus, and were already put to flight. The rout was extremely bloody; an hundred and fifty thousand were said to be slain; sixty thousand submitted to be taken prisoners. The remainder of this mighty host, even the women and children, perished by their own hands; and the race of barbarous nations who had migrated through Europe, perhaps for ages before they encountered with the Romans, now appear to have been entirely extirpated<sup>25</sup>.

On receiving the news of this victory at Rome, the city resounded with joy, and the People, in every sacrifice they offered up, addressed themselves to Marius as a God. He had been constantly attended in this war by Sylla, who, though already an object of his jealousy, still chose to neglect the preferments of the city, and to serve in the camp.

<sup>25</sup> Plutarch. in Mario & Sylla. Orosius, lib. v. c. 16. Florus, lib. iii. c. 3. Velleius, Eutrop. Appian in Celtica.

B O O K

II.

In the late victory Marius was no more than partner with Catulus. Upon the arrival of the armies at Rome, he did justice to Catulus in this particular, and admitted him to partake in his triumph. In this procession there were no carriages loaded with gold, silver, or any precious spoils of any sort; but, instead of them, the shattered armour and broken swords of an enemy; the surer marks of an honour justly won, and of a more important service performed. These were transported in loads, and piled up in the Capitol.

## C H A P. VI.

*Character and immoderate Ambition of Marius.—Death of Nonius.—Re-election of the Tribune Saturninus.—His Sedition and seizing the Capitol.—Death of Saturninus.—Reverse in the State of Parties.—Recal of Metellus.—Violent Death of the Tribune Furius.—Birth of Gaius Julius Cæsar.—Lex Cæcilia Didia.—Blank in the Roman History.—Sylla offers himself Candidate for the office of Prætor.—Edict of the Censors against the Latin Rhetoricians.—Bullion in the Roman Treasury.—Present of a Groupe in golden Figures from the King of Mauritania.—Acts of Livius Drusus.—Revolt of the Italian Allies.—Policy of the Romans in yielding to the Necessity of their Affairs.—The Læres of Plantius.*

UPON the extinction of the wandering nations which had now for some time molested the empire, there was no foreign enemy to endanger the peace of Italy. The wars in Thrace and in Spain had no effect beyond the provinces in which they subsisted. The insurrection of the slaves in Sicily, by the good conduct of Aquilius the Consul, to whom that service had been committed, was near being quelled.

Marius, being now returned to the city, might have quitted the paths of ambition with uncommon distinction and honour. An ordinary Consulship, after his having been so often called upon in times of danger, as the person most likely to save his country, could make no addition to his glory. His being set aside in times of security and leisure, would even have been the most honourable and flattering comment that could have been made on his former elections.

B O O K  
II.

But immoderate thirst of power, and extreme animosity to his rivals, not elevation of mind, were the characteristics of Marius. His ambition had hitherto passed for an aversion to aristocratical usurpations. But his contempt of family distinctions, the offspring of a vanity which made him feel the want of such honours, by clashing with the established subordination of ranks in his country, became a source of disaffection to the State itself. He formed views upon the Consulate yet a sixth time; and instead of the moderation, or the satiety of honours with which he pretended to be actuated when he hoped to be pressed into office, he employed all his influence, even his money, to procure a re-election; and accordingly prevailed, together with Valerius Flaccus. He had warmly espoused the interest of this candidate against Metellus, more from animosity to the competitor, whose great authority, placed in opposition to himself, he dreaded, than from any regard or predilection for Flaccus. Being chosen, in order the more to strengthen himself in the exercise of his power, he entered into concert with the Tribune Apuleius Saturninus, and, it is probable, agreed to support this factious demagogue in his pretensions to remain in office for another year; a precedent which had taken place only in the most factious times of the republic, and which was in itself more dangerous than any other re-election whatever. The person of the Tribune being sacred, his will was absolute, there was no check to his power besides the fear of being called to account at the expiration of his term; and if this fear were removed by the perpetuity of office, it was a power yet more formidable than that of the Dictator, and to be restrained only by the divisions which might arise among those who were joined together in the exercise of it.

U. C. 653.  
Caius Marius 6to,  
L. Val. Flaccus.

The faction that was formed by Marius and the Tribune Saturninus, with their adherents, was farther strengthened by the accession of the Prætor Glaucia. This person, while in office, and as he sat in judgment,



ment, had received an affront from Saturninus, in having his chair of state broken down, for presuming to occupy any part in the attention of the People, while an assembly called by the Tribune was met. He nevertheless chose to overlook this insult, in order to be admitted a partner in the consideration which was now enjoyed by these popular leaders.

Upon the approach of the tribunitian elections, the Senate and Nobles exerted themselves to prevent the re-election of Saturninus; and nine of the new candidates were, without any question, declared to be duly elected in preference to him. The tenth place too was actually filled by the election of Nonius Sufenas, whom the aristocracy had supported with all its influence. But the party of Apuleius, enraged at their disappointment, had recourse to violence, forced Nonius, though already vested with the sacred character of Tribune, to take refuge in a work-shop, from whence he was dragged by some of the late soldiery attached to Marius, and slain. The assembly broke up, and sober persons, though reputed of the popular party, retired under the strongest impressions of affliction and terror.

Marius had reason to apprehend some violent resolution from the Senate, and was in no haste to assemble that body. Mean time Glauca, in the night, with a party armed with daggers, took possession of the Capitol and place of assembly, and, at an early hour in the morning, having gone through the forms of election, announced Apuleius again Tribune, in the place that was vacated by the murder of Nonius. This furious demagogue was accordingly reinstated in the sacred character, which, though recently violated by himself, was still revered by the bulk of the People. He was continually attended by a new set of men who infested the streets, freemen of desperate fortune, whom Marius, contrary to the established forms of the constitution, had admitted into the legions, and who were grown fierce and insolent, as partners in the victories of that general, and who were made to expect that, in case the popular party should

B O O K  
II.

prevail, they themselves should have estates in land and comfortable settlements.

Under the terror of so many assassins, who considered the Nobles as enemies to their cause, Marius with his faction were become masters of the commonwealth. The better sort of the People were deterred from frequenting the public assemblies, and no one had courage to propose, that any enquiry should be made into the death of the Tribune Nonius, in whose person the sacred law was again set at nought<sup>1</sup>.

Lex Agraria

Apuleius hastened to gratify his party by proposing popular laws. One to seize, in name of the Public, those lands on the Po which had lately been desolated by the migrations of the barbarous nations, and to distribute them in lots to the poorer citizens<sup>2</sup>.

Another, by which it was resolved, that in the province of Africa a hundred jugera a man should be distributed to the veterans<sup>3</sup>: that new settlements should be made in Greece, Macedonia, and Sicily: and that the money taken from the temple at Tolosa<sup>4</sup> should be employed in the purchase of lands for a like purpose: that wherever these colonies should be planted, Marius should have a power to inscribe, at each of the settlements, three aliens into the list of citizens<sup>5</sup>. That the price, hitherto paid for corn by the People at the public granaries, should be remitted, and that corn should be distributed gratis.

Lex Frumentaria.

Upon the intention to obtain the last of those laws being known, Q. Servilius Cæpio, one of the Quæstors, represented, that if such a law should pass, there would be an end of industry, good order, and government; and that the treasury of Rome would not be sufficient to defray the expence. He exhorted the Senate to employ every

<sup>1</sup> Appian de Bell. Civil. lib. i. Plutarch. in Mario, lib. lxix. Valer. Max. lib. ix. c. 7. Orosius, lib. v. c. 57. Florus, lib. iii. c. 16.

<sup>2</sup> Appian de Bell. Civil. lib. i.

<sup>3</sup> Aut. de Viris Illustribus in Saturnino.

<sup>4</sup> Now Thouloufe.

<sup>5</sup> Aut. de Viris Illustribus in Saturnino.

measure to defeat the motion. And this body accordingly made a resolution, that whoever attempted to obtain the law in question should be deemed an enemy to his country. But Apuleius was not to be restrained by the terrors of this resolution. He proceeded to propose the law in the usual form, and had planted the rails and balloting urns for the People to give their votes, when Cæpio, with a body of his attendants, had the courage to attack the Tribune, broke down the steps, and overfet the balloting urns; an action for which he was afterwards impeached upon an accusation of treason, but by which, for the present, he disappointed the designs of the faction<sup>6</sup>.

Apuleius, to extend the power of the popular assemblies, and to remove every impediment from his own designs, brought forward a number of new regulations. One to confirm a former statute, by which the acts of the Tribes were declared to have the force of laws. Another, declaring it to be treason for any person to interrupt a Tribune in putting a question to the People. A third, obliging the Senate to confirm every act of the Tribes within five days after such act had passed, and requiring every Senator, under pain of a fine, and of being struck off the rolls, to take an oath to abide by these regulations. While these motions were in debate, some one of the party who opposed them, in order to stop the career of this factious Tribune, observed, that it thundered; a circumstance which, upon the ordinary maxims of the Roman Augurs, was sufficient to suspend any business in which the People were engaged, and to break up their assembly. “If you be not silent,” said Apuleius to the person who observed that it thundered, “you will also find that it hails.” The assembly accordingly, without being deterred by this interposition of the auspices, passed acts to these several purposes. The power

<sup>6</sup> Aut. Rhetorici ad Herennium.

of the Senate was intirely suppressed, their part of the legislature was reduced to a mere form, and even this they were not at liberty to withhold. Marius called them together, and proposed that they should consider what resolution they were to take with respect to a change of so much importance, and particularly with respect to the oath which was to be exacted from the members. The old warrior is said, on this occasion, to have practised an artifice by which he imposed on many of the members, and which afterwards furnished him with a pretence for removing his enemy Metellus from their councils. He declared himself with great warmth against taking the oath, and by his example led other Senators to express their sentiments. Metellus, in particular, assured the assembly, that it was his own resolution never to come under such an engagement.

While the Senators relied on the concurrence of Marius in refusing the oath, the time appointed for administering it nearly approached; and this Consul, after the third day was far spent, assembled the Senate, set forth the dangerous state of the commonwealth; at the same time expressed his own fears of the disturbances that might arise if the Senate refused to gratify the People in this matter; and while multitudes were assembled in the streets to know the issue of their councils, he required that the oath should be administered. He himself took it, to the astonishment of the Senate, and the joy of the populace assembled by Apuleius, who sounded applause through every part of the streets. Metellus alone, of all who were present, refused to comply, and withstood all the intreaties of his friends, who represented the danger with which he was threatened. *“ If it were always safe to do right,”* he said, *“ who would ever do wrong? But good men are distinguished, by choosing to do right even when it is least for their safety to do so.”*

On the following day the Tribune Saturninus entered the Senate, and, not being stopped by the negative of any of his own colleagues, the

the only power that could restrain him, dragged Metellus from his place, and proffered an act of attainder and banishment against him, for having refused the oath which was enjoined by the People. Many of the most respectable citizens offered their aid to defend this illustrious Senator by force, but he himself declined being the subject of any civil commotion, and went into exile.

While the act, which afterwards passed for his banishment was preparing, he was heard to say, "If the times should mend, I shall recover my station; if not, it is a happiness to be absent from hence." He fixed his abode at Smyrna, conducted his retirement with great dignity during his exile, and probably felt as he ought, that any censure inflicted by men of a vile and profligate character was an honour.

In these transactions elapsed the second year, in which Apuleius filled the office of Tribune; and, being favoured by a supineness of the opposite party contracted in a seeming despair of the republic, he prevailed yet a third time in being vested with this formidable power. To court the favour of the People, he affected to credit what was alleged concerning the birth of Equitius; and, under the name of Caius Gracchus, son of Tiberius, had this impostor associated with himself in the office of Tribune. The name of Gracchus, in this station, awakened the memory of former hopes and of former resentments. The party had destined Glaucia for the Consulship, and appear to have left Marius out of their councils. This will perhaps account for the conduct with which he concluded his administration in the present year.

At the election which followed, the interest of the Nobles was exerted for Marcus Antonius and C. Memmius. The first was declared Consul, and the second was likely to prevail over Glaucia; when, in the midst of the crowds that were assembled to vote, a sudden tumult arose; Memmius was beset and murdered; and the  
People,

B O O K  
II.

People, alarmed at so strange an outrage, were seized with a panic, and fled.

In the night Glaucia, Saturninus, and the *Questor* Saufeius, being known to be met in secret conference, all the citizens who yet retained any regard for the commonwealth crowded together, in fear of what so desperate a faction might attempt. All the voices were united against Saturninus, the supposed author of so many disorders and murders. It was proposed, without delay, to seize his person, either living or dead: but being put on his guard, by the appearance of a storm so likely to break on his head, he thought proper, with the other leaders of his party and their retainers in arms, to seize the Capitol, and there to secure themselves, and to overawe the assembly of the People. It was no longer to be doubted that the republic was in a state of war. Marius, who had fomented these troubles from aversion to the Nobles, now remained undetermined what part he should act. But the Senate being assembled, gave the usual charge to himself and his colleague to avert the danger with which the republic was threatened; and both these officers, however much they were disposed to favour the sedition, being in this manner armed with the sword of the commonwealth, were obliged to employ it in support of the public peace. The Senators, the Knights, and all the citizens of rank repaired in arms to their standard. Antonius, Consul elected for the following year, in order to hinder the partizans of the faction from resorting to the city, was stationed in the suburbs with an armed force<sup>7</sup>. The Capitol was invested in form, and appears to have held out some days; at the end of which, in order to oblige the rebels to surrender, the pipes that supplied them with water were cut off. This had the intended effect. They submitted to such terms as were proposed to them; and Marius still inclined to treat them

<sup>7</sup> Cicero pro C. Rabirio.

with favour, had them confined to the hall of the Senate till farther orders. In the mean time a great party of citizens, who were in arms for the defence of the republic, impatient of delay, and thinking it dangerous to spare such daring offenders, beset them instantly in their place of confinement, and put the whole to the sword<sup>8</sup>.

C H A P.  
VI.

It was reported, though afterwards questioned upon a solemn occasion<sup>9</sup>, that Caius Rabirius, a Senator of distinction, having cut off the head of Apuleius, carried it as a trophy agreeable to the manners of those times, and had it presented for some days at all the entertainments which were given on this occasion, and at which he was a guest.

This was the fourth tribunitian sedition raised to a dangerous height, and quelled by the vigour and resolution of the Nobles. Marius, who had been obliged to act as the instrument of the Senate on this occasion, saw his projects baffled and his credit greatly impaired. Plutarch relates, that he soon after chose to leave the city for some time, on pretence of a desire to visit the province of Asia, where his active spirit formed the project of new wars, for the conduct of which he was much better qualified than for the administration of affairs in peace.

Upon the suppression of this dangerous sedition, the commonwealth was restored to a state which, compared to the late mixture of civil contention and military execution, may have deserved the name of public order. One office of Consul was still vacant; and the election proceeding without disturbance, Postumius Albinus was joined to Antonius. Most of the other elections had also been fa-

U. C. 652.  
M. Antonius,  
A. Postumius  
Albinus.

<sup>8</sup> Plut. in Mario. Appian de Bell. Civil. lib. i. Oros. lib. v. c. 17. Flor. lib. iii. Aut. de Viris Illust. Cicero in Sextiana in Catal. lib. i. Philip. lib. viii. & pro Caio Rabirio. <sup>9</sup> At the trial of Rabirius, when, some years afterwards, he was accused of having killed Saturninus.

vourable to the Nobles; and the majority even of the Tribunes of the People were inclined to respect the Senate and the Aristocracy, as principal supports of the government.

The first effect of this happy recovery was a motion to recall Metellus from banishment. In this motion two of the Tribunes, Q. Pompeius Rufus and L. Porcius Cato concurred. But Marius having opposed it with all his influence, and Publius Furius, another of the Tribunes, having interposed his negative, it could not at that time be carried into execution. Soon after, however, the same motion being renewed by the Tribune Callidius, and Furius having repeated his negative, Metellus, son of the exile, in presence of the People, threw himself upon the ground, and, embracing the Tribune's knees, beseeched him not to withstand the recall of his father. The young man, from this action, afterwards acquired the Surname of *Pius*; and the Tribune, insolently spurning him as he lay on the ground, served his cause by that act of indignity perhaps more effectually than he could have done by lending a favourable ear to his request. The People, ever governed by their present passions, were moved with tenderness and with indignation. They proceeded, without regard to the negative of Furius, under emotions of sympathy for the son, to recall the exiled father. The messenger of the republic charged with the intimation of this resolution to Metellus, found him at Tralles in Lydia, among the spectators at a public show. When the letters were delivered to him, he continued to the end of the entertainment without opening them; by this mark of indifference, treating the favour of a disorderly populace with as much contempt as he had shown to their censure.

The Senate, now become the supreme power at Rome, by the distaste which all reasonable men had taken to the violence of the opposite party, were gratified, not merely with the test of superiority they had gained in the recall of Metellus, but likewise in the downfall of



some of the Tribunes who had been active in the late disorders. Publius Furius, now become an object of general detestation, fell a sacrifice to the law of Apuleius, which declared it treason to interrupt a Tribune in putting a question to the People. Being accused by Canuleius, one of his colleagues, of violating this law, he was by the populace, who are ever carried by the torrent, and prompt for execution, prevented from making his defence; and, though a Tribune, put to death. Decianus, another of the Tribunes, in supporting the charge against Furius, happened to speak with regret of the death of Saturninus, a crime for which he incurred a prosecution, and was banished<sup>10</sup>. So strong was the tide of popularity now opposite to its late direction, and so fatal even to their own cause frequently are the precedents or the rules by which violent men think to obtain discretionary power to themselves. The murder of Nonius was a precedent to justify the execution of Apuleius, and both were followed by that of Furius. The law which made it treason to interrupt the proceedings of Apuleius, was employed to prevent any interruption to the operations of his enemies against himself and his faction.

Amidst these triumphs of the aristocratical party, Sextus Titius, one of the Tribunes, still had the courage to move a revival of the Agrarian law of Gracchus. The proposal was acceptable in the assembly of the People<sup>11</sup>. And the edict was accordingly passed; but it was observed, that while the People were met on this business, two ravens fought in the air above the place of assembly, and the college of Augurs, on pretence of this unfavourable omen, annulled the decree<sup>12</sup>. Titius, the author of it, was soon after condemned for having in his house the statue of Saturninus<sup>13</sup>.

The Consul Acquilius returned from Sicily; and having had an ovation or procession on foot for the reduction of the Sicilian slaves,

<sup>10</sup> Val. Max. lib. viii. c. 1.

<sup>11</sup> Julius Obsequens.

<sup>12</sup> Cicero de Legibus, lib. ii.

<sup>13</sup> Ibid. pro C. Rabirio. Ibid. de Orator. lib. ii. c. 28.

B O O K  
II.

was on the following year brought to trial for extortion in his province. He called no exculpatory evidence, nor deigned to court the favour of his judges. But when about to receive sentence, M. Antonius, who had pleaded his cause, tore open the vest of his client, and displayed to the court and the audience the scars which he bore in his breast, and which were the marks of wounds received in the service of his country. Upon this spectacle, a sudden emotion of pity or respect decided against the former conviction of the court, and unfixed the resolution, which a few moments before they had taken to condemn the accused.

Among the events which distinguished the Consulate of M. Antonius and A. Postumius Albinus, may be reckoned the birth of Caius Julius Cæsar, for whose ambition the seeds of tribunitian disorder now sown were preparing a plentiful harvest. This birth, it is said, was ushered in with many presages and tokens of future greatness. If indeed we were to believe, that nature in this manner gives intimation of impending events, we should not be surpris'd that her most ominous signs were employed to mark the birth of a personage who was destined to change the whole face of the political world, and to lay Rome herself, with all the nations she had conquered, under a perpetuated military government.

B. C. 655.  
Q. Cæcilius  
Metellus  
Nepo,  
T. Didius.

Antonius and Albinus were succeeded in office by Q. Cæcilius Metellus and Titus Didius. The war still continued in Spain, and fell to the lot of Didius. Upon his arrival in the Province, Dolabella, the Proprætor, set out on his return to Rome, and, for his victories in Spain, obtained a triumph. Metellus remained in the administration of affairs in Italy.

Lex Cæcilia  
Didia.

The administration of the present year is distinguished by an act in which both Consuls concurred, and which is therefore marked in the title with their joint names. The Roman People had frequently experienced the defect of their forms in the manner of enacting

enacting laws. Factious Tribunes had it in their power to carry motions by surprize, and to pass in the same law a variety of clauses; and, by obliging the people to pass or reject the whole in one vote, frequently obtained, under the favour of some popular clauses, acts of a very dangerous tendency. To prevent this abuse, it was now enacted, upon the joint motion of the Consuls Cæcilius and Didius, that every proposed law should be made public three market days before it could receive the assent of the People: that all its different clauses should be separately voted: and that it should be lawful for the People to pass or reject the whole or any part of it<sup>14</sup>.

This law had a salutary tendency; and, though far from sufficient to prevent a return of the late evils, it served for a time to stop the current of tribunitian violence; but while the source was open, any mere temporary stagnation could only tend to increase the force with which it occasionally burst over every impediment of law or good order that was placed in its way. And the inefficacy of measures taken upon the suppression of any dangerous sedition to eradicate the evil, shows the extreme difficulty with which men are led, in most cases, to make any great and thorough reformation.

It is somewhat singular, that about this time, in the midst of so much animosity of the People to the Senate and Nobles, this superior class of the citizens were the patrons of austerity, and contended for sumptuary laws, while the popular Tribunes contended for licence. “What is your liberty,” said the Tribune Dronius to the People (while he moved for a repeal of the sumptuary law of Fannius), “if you may not consume what is your own; if you must be restrained by rule and measure; if you must be stinted in your pleasures? Let us shake off, I pray you, these musty remains of antiquity, and make free to enjoy what we and our fathers have gained<sup>15</sup>.”

<sup>14</sup> Cic. Philip. v. Pro domo sua. Epist. ad Atticum, lib. ii.      <sup>15</sup> Val. Max. lib. ii. c. 9.

B O O K  
 II.  
 U. C. 656.  
 Cn. Corne-  
 lius Lentulus,  
 P. Licinius  
 Craſſus.

For the petulance of theſe expreſſions, this Tribune was, by the judgment of the Cenſors, on the following year, expelled from the Senate; and he took his revenge by proſecuting the Cenſor Antonius for bribery in canvaffing for his office.

Cn. Cornelius Lentulus and Publius Licinius Craſſus being raiſed to the office of Conſul, the latter was appointed to relieve Didius in Spain, and the other to ſucceed Metellus in Italy. There is, during ſome years, a conſiderable blank in the materials from which we collect this hiſtory; little more is recorded than the ſucceſſion of Conſuls with the number of years, and a few particulars that ill ſupply the interval in our accounts of what paſſed in the city, or in the ſeries of important affairs abroad. So far as theſe particulars, however, can be referred to their reſpective dates, it will be proper, while we endeavour to mark the lapſe of time, to record them in the order in which they are ſuppoſed to have happened.

U. C. 656.

In the preſent year are dated two remarkable acts of the Senate; one to condemn the uſe of magic, another to prohibit human ſacrifices<sup>16</sup>: the firſt proceeding, perhaps, from credulity in the authors of the law, the other implying ſome remains of a groſs and inhuman ſuperſtition, which was ſtill entertained by the People though rejected by the Government<sup>17</sup>.

In the following Conſulate the kingdom of Cyrené was bequeathed to the Romans by Ptolomy Appion, the late king. But, as this People profeſſed themſelves to be the general patrons of liberty, where this bleſſing was not forfeited by ſome act of ingratitude or perfidy in their allies, they did not avail themſelves of this legacy, leaving the ſubjects of Cyrené to retain for ſome time the independence of their nation with a ſpecies of popular government; and in this form they were allowed to remain as a ſeparate State, until, in a general

<sup>16</sup> Plin. lib. xxx. c. 1.

<sup>17</sup> Dion. Caſſius, lib. xlii. p. 226.

arrangement made of all the dependencies of the empire, they came to be reduced to the form of a province.

The following Consuls gave its name and its date to an act of the People nearly of the same tenour with some of those formerly passed for the exclusion of aliens. The inhabitants of Italy still continued the practice of crowding to Rome, in expectation of obtaining in a body the prerogative of citizens, or at least of intruding themselves, as many of them separately did, into some of the Tribes, by which persons of this description, from voting at elections, came themselves by degrees to be elected into the higher offices of State.

Times of faction were extremely favourable to this intrusion of strangers. Different leaders connived at the enrolment of those who were likely to favour their respective parties. And the factious Tribunes, in whatever degree they may have favoured the general claim of the allies to be admitted as Romans, treated the subject as matter of opposition to the Senate. They expected to raise the storm of popular animosity and tumult with the more ease, in proportion as the numbers of the People increased. By the act of Licinius and Mucius, nevertheless, a scrutiny was set on foot, and all who, without a just title, ventured to exercise any privilege of Roman citizens, were remitted to their several boroughs<sup>18</sup>.

In this Consulate is likewise dated the trial of Servilius Cæpio, for his supposed misconduct about ten years before in his command of the army against the Cimbri. He had exasperated the popular faction, by opposing the act of Saturninus for the gratuitous distribution of corn, and his enemies were now encouraged to raise this prosecution against him. The People gave sentence of condemnation, and violently drove from the place of assembly two of the Tribunes who ventured to interpose their negative in his favour. Authors, accord-

C H A P.  
VI

U. C. 657.  
L. Licinius  
Crassus,  
Q. Mucius  
Scevola.  
Lex Licinia  
Mucia de Ci-  
vibus regen-  
dis.

<sup>18</sup> Aſcon. in Orat. pro Cornelio Majest. reo.

B O O K  
II.

ing to Valerius Maximus, have differed in their accounts of the sequel; some affirming that Cæpio, being put to death in prison, his body was dragged through the streets as that of a traitor, and cast into the river; others, that he was, by the favour of Antifilius, one of the Tribunes, rescued, or enabled to make his escape<sup>19</sup>.

C. Norbanus, who was said to be author of the riot which occasioned the condemnation of Cæpio, and the supposed cruel execution of that citizen, was on the following year brought to trial himself for mal-administration and sedition in office; but, by his own popularity, and the address of the orator Antonius, who pleaded his cause, was acquitted<sup>20</sup>.

The war in Spain still continued; and the Romans, having gained considerable victories, sent ten commissioners, to endeavour, in concert with Crassus and Didius, to make such arrangements as might tend to the future peace of those provinces: but in vain; hostilities were again renewed in the following year.

U. C. 660.  
C. Val. Flaccus, M. Hierrennius.

L. Cornelius Sylla, who had been Quæstor in the year of Rome six hundred and forty-six, now, after an interval of about fourteen years, and without having been Edile, stood candidate for the office of Prætor. Whether his neglect of political honours, during this period, proceeded from idleness, or from want of ambition, is uncertain. His character will justify either construction, being equally susceptible of dissipation, and of the disdain of ordinary distinctions. The people, however, refused to gratify him in his desire of passing on to the office of Prætor without being Edile; as they were resolved to be gratified with the magnificent shows of wild beasts, which his supposed correspondence with the king of Mauritania enabled him to furnish. But to remove this objection to his preferment, he gave out, that as Prætor he was to exhibit the same shows which were expected from

<sup>19</sup> Val. Max. lib. iv. c. 7.

<sup>20</sup> Cicero de Orator. lib. ii.

him as Edile: and having, in the following year, persisted in his suit, he was accordingly elected, and fulfilled the expectations of the People; insomuch, that he is said to have let loose in the Circus a hundred maned or male lions, and to have exhibited the method of baiting or fighting them by Mauritanian huntsmen<sup>19</sup>. Such was the price which candidates for preferment at Rome were obliged to pay for public favour.

In this variable scene, where so many particular men excelled in genius and magnanimity, while the State itself was subject to the government of a capricious and disorderly multitude, P. Rutilius, late Quæstor in Asia, exhibited a spectacle sufficient to counterbalance the lions of Sylla; and, if it were permitted in any case whatever to treat our country with disdain, an instance to be applauded of the just contempt with which the undeserved resentments of corrupt and malicious men ought to be received. Having reformed many abuses of the equestrian tax-gatherers in the province which he governed, he was himself brought before the tribunal of an equestrian jury, to be tried for the crime he had restrained in others. In this situation he declined the aid of any friend, told the judges he would make no defence; but stated the particulars by which he had offended his prosecutors, left the court to decide, and, being condemned, retired to Smyrna, where he ever after lived in great tranquillity, and could not be prevailed on, even by Sylla in the height of his power, to return to Rome<sup>20</sup>. Great as the State and Republic of Rome was become, unmerited disgrace was certainly a just object of contempt or indifference.

The Proconsuls, Didius and Crassus, were permitted to triumph for victories obtained in Spain, but had not been able to establish the peace of that country. The war which broke out afresh in one of the provinces

<sup>19</sup> Plin. lib. viii. c. 16.

in Bruto. Pædianus in Divinationem. Vel-  
leius, lib. ii.

<sup>20</sup> Val. Max. lib. vi. c. 17. Liv. lib. lxx.  
Orosius, lib. v. c. 17. Cic. de Orator. &

B O O K  
H.

was committed to Valerius Flaccus, and the care of the other to Perperna, one of the Consuls. Flaccus, near the town of Belgida, obtained a great victory, in which were slain about twenty thousand of the enemy; but he could not prevail on the canton to submit. Such of the People as were inclined to capitulate, deliberating on terms, were beset by their fellow-citizens, and the house in which they were assembled being set on fire, they perished in the flames.

U. C. 661.  
C. Claudius  
Pulcher,  
M. Perperna.

The war having been likewise renewed with the Thracians on the frontiers of Macedonia, Geminius, who commanded there in the quality of Proprætor, was defeated, and the province over-run by the enemy.

The Prætor Sylla, at the expiration of his office, was sent into Asia with a commission to restore Ariarathes to the kingdom of Cappadocia, which had been seized by Mithridates, and to restore Pylamenes to that of Paphlagonia, from which he had been expelled by Nicomedes king of Bythia. The Prætor having successfully executed both these commissions, continued his journey to the Euphrates, where he had a conference, and concluded a treaty with an ambassador from Ariarathes king of the Parthians<sup>21</sup>.

From an edict of the Censors, Cn. Domitius Ahenobarbus and C. Licinius Crassus, condemning the schools of Latin rhetoric<sup>22</sup>, it appears that the Romans, during this period, still received with reluctance the refinements which were gradually taking place in the literary as well as in the other arts. "Whereas information," said the Censors in their edict, "has been lodged before us that schools are kept by certain persons, under the title of Latin rhetoricians, to which the youth of this city resort, and at which they pass idle days in frivolity and sloth; and whereas our ancestors have deter-

<sup>20</sup> Plutarch. in Sylla. Appian. in Mithridatico. Justin, lib. xxxiii. Strabo, lib. xii.

<sup>22</sup> Cicer. de Orator. lib. iii. c. 24.



“ mined what their children should learn, and what exercises they  
 “ ought to frequent: these innovations on the customs and manners  
 “ of our forefathers being, in our opinion, offensive and wrong, we  
 “ publish these presents, that both masters and scholars, given to these  
 “ illicit practices, may be duly apprised of our pleasure<sup>23</sup>. Cicero  
 being now fourteen years of age, and employed in learning that  
 eloquence for which he became so famous, was probably involved  
 in this censure, as frequenting the schools which, by this formal edict  
 of the magistrate, were condemned.

In the Consulate of Marcus Philippus and Sext. Julius Cæsar, according to Pliny, there were in the Roman treasury sixteen hundred and twenty-eight thousand eight hundred and twenty-nine pondo<sup>24</sup> of gold<sup>25</sup>, or between sixty and seventy or eighty millions sterling. In the same year a present sent from the king of Mauritania had nearly produced a civil war in the commonwealth, and greatly inflamed the passions from which that calamity soon after arose. Bocchus, in order to remind the Romans of the merit he had acquired by delivering Jugurtha into their hands, had caused this scene to be represented in a groupe of images of gold, containing his own figure, that of Jugurtha, and that of Sylla, to whom the unhappy prince was delivered up. Marius, under whose auspices this transaction had passed, being provoked at having no place in the representation of it, attempted to pull down the images after they had been erected in the place of their destination in the Capitol. Sylla was equally solicitous to have them remain; and the contest was likely to end in violence, if matters of greater moment had not arisen to occupy the ardent and vehement spirit of these rivals.

The expectations of all parties at Rome, and throughout Italy, were now raised by the projects of Livius Drusus, an active Tribune, who,

<sup>23</sup> A. Gellius, lib. xv. c. 11.

<sup>25</sup> Plin. Harduen, lib. xxxiii. c. 3.

<sup>24</sup> The Roman pondo of ten ounces.

B O O K  
II.

Lex de Judi-  
ciis.

in order to distinguish himself, brought forward many subjects of the greatest concern to the public. He acted at first in concert with the leading men of the Senate, and was supported by them in order to obtain some amendment in the law as it then stood with respect to the courts of justice. The Equestrian order had acquired exclusive possession of the judicature. The Senators wished to recover at least a share in that prerogative; and Drusus, in order to gratify them, moved for an act of which the tendency was, to restore the judicative power of the Senate: to prevent opposition from the Equestrian order, he proposed, at once, to enrol three hundred knights into the Senate; and that the Senators, who appear at this time to have amounted to no more than three hundred, might not withstand this increase of their numbers, he left to each the nomination of one of the new members; proposing, that from the six hundred so constituted, the lists of judges should be taken<sup>25</sup>. Many of the knights were reconciled to this arrangement, by the hopes of becoming Senators; but the order, in general, seem to have considered it as a snare laid to deprive them of their consequence in the government of their country; and individuals refused to accept of a place in the Senate, at the hazard of so great and so sudden a change in the condition of their own order, and of the constitution of the State<sup>26</sup>.

Lex Numma-  
ria.

This Tribune likewise proposed an act to debase the silver coin, by mixing an eighth of alloy. But the part of his project which gave the greatest alarm, was that which related to the indigent citizens of Rome, and to the inhabitants of Italy in general.

Lex de Colo-  
niis.

With a view to gratify the poorer citizens he proposed, that all the new settlements, projected by the law of Caius Gracchus, should now be carried into execution. The Consul, Marcus Perperna,

<sup>25</sup> Appian. de Bell. Civ. lib. i. Aut. de Viris Illustribus, c. 66. Cicero pro Clientio.

<sup>26</sup> Ibid.

having

having ventured to oppose this proposal, he was, by order of the Tribune, taken into custody; and so roughly treated in the execution of this order, that, while he struggled to disengage himself, the blood was made to spring from his nostrils. “It is no more than the pickle of the turtle-fish<sup>27</sup>,” said the Tribune, a species of delicacy, in which, it seems, among other luxuries of the table, this Consul was supposed frequently to indulge himself.

C H A P.  
VI.

For the allies of Italy, Livius Drusus proposed to obtain the favourite object on which they had been so long intent, the privileges and powers of Roman citizens. In all his other proposals, he had the concurrence of some party in the commonwealth, and by persuasion, or force, had obtained his purpose; but in this he struck at the personal consideration of every citizen, and was opposed by the unanimous voice of the whole People.

Lex de Civi-  
tate Sociis  
danda.

This Tribune used to boast, that he would exhaust every fund from which any order of men could be gratified, and leave to those who came after him nothing to give, but the air and the earth<sup>28</sup>. The citizens in general, however, were become tired of his favours, and the people of Italy were ill-disposed to requite the merit of a project which he had not been able to execute. Soon after the motion, which he made in favour of the Italians, had been rejected, Drusus was suddenly taken ill in the public assembly, and Papirius Carbo, another of the Tribunes, made a short speech on the occasion; which, among a people prone to superstition, and ready to execute whatever they conceived to be awarded by the gods, probably hastened the fate of his falling colleague: “O Marcus Drusus!” he said, “the father I call, not this degenerate son; thou who usedst to say, “The commonwealth is sacred, whoever violates it is sure to be punished. The temerity of the son has evinced the wisdom of

<sup>27</sup> Ex turdis maria. Aut. de Viris Illustribus, in L. Druf. Val. Max. lib. ix. c. 5. Florus.

<sup>28</sup> Florus, lib. iii. c. 17.

BOOK  
II.

“the father.” A great shout arose in the assembly, and Drufus<sup>29</sup>, being attended to his own house by a numerous multitude, received in the crowd a secret wound of which he died<sup>30</sup>. All his laws were soon after repealed, as having passed under unfavourable auspices. But the inhabitants of Italy were not to be appeased under their late disappointment, and discontents were breaking out in every part of the country, which greatly alarmed the republic.

In this state of public uneasiness, some prosecutions were raised by the Tribunes, calculated to gratify their own private resentments, and tending to excite animosities. Q. Varius Hybrida obtained a decree of the People, directing, that inquiry should be made by whose fault the allies had been made to expect the freedom of the city. In consequence of an inquest set on foot for this purpose, L. Calphurnius Bestia, late Consul, and M. Aurelius Orator, and other eminent men, were condemned<sup>31</sup>. Mummius Achaicus was banished to Delos. Emilius Scaurus, who had long maintained his dignity as Princeps, or first on the roll of the Senate, was cited on this occasion before the People as a person involved in the same guilt. Quintus Varius, the Tribune, who accused him, being a native of Spain, Scaurus was acquitted upon the following short defence: “Q. Varius, from the banks of the Sucro, in Spain, says, That M. Emilius Scaurus, first in the roll of the Senate, has encouraged your subjects to revolt; Varius maintains the charge; Scaurus denies it; there is no other evidence in this matter: chuse whom you will believe<sup>32</sup>.”

The year following, Varius himself was tried, and condemned agreeably to his own act; and while the prosecutions suspended all other

<sup>29</sup> Cicero in Bruto, p. 63.

<sup>30</sup> Velleius, lib. ii. c. 13, 14. Appian. Florus, lib. iii. c. 17.

<sup>31</sup> Appian. Val. Max. lib. viii. c. 6. Ci-

cero in Bruto.

<sup>32</sup> Cicero pro M. Scauro filio. Aut. de Viris Illustribus, c. 72. Quintilian. lib. v. c. 12. Val. Max. lib. iii. c. 7.

civil affairs, and even the measures required for the safety of the public, the inhabitants of Italy were forming dangerous combinations, and were ready to break out in actual rebellion. They were exasperated with having their suit not only refused, but in having the abettors of it at Rome considered as criminals. They sent deputies to meet at Corfinium, and to deliberate on a plan of operations. Their deputies were to form a Senate, and to chuse two executive officers, under the denomination of Consuls.

The Romans took their first suspicion of a dangerous design in agitation among their allies, from observing that they were exchanging hostages among themselves. The Proconsul Servilius, who commanded in the Picenum, having intelligence to this purpose from Asculum, repaired thither, in order, by his presence, to prevent any commotion; but his coming, in reality, hastened the revolt. His remonstrances and his threats made the inhabitants sensible that their designs were known, and that the execution of them could no longer in safety be delayed. They accordingly took arms, and put to the sword the Proconsul Servilius, with his lieutenant, and all the Roman citizens who happened to be in the place. The alarm immediately spread throughout all the towns that were concerned in the plot; and, as upon a signal agreed, the Marsi, Peligni, Vestini, Marcini, Picentes, Ferentanae, Hirpini, Pompeiani, Venusini, Apuli, Lucani, and Samnites, took arms, and sent a joint deputation to Rome to demand a participation in the privileges of Roman citizens; of which they had, by their services, contributed so largely to encrease the value.

In answer to this demand they were told by the Senate, That they must discontinue their assemblies, and renounce their pretensions; otherwise, that they must not presume to send any other message to Rome.

War being thus declared, both parties prepared for the contest. The allies mustered a hundred thousand men, in different bodies, and under

U. C. 653.  
L. Julius Cæsar, P. Rutilius Lupus.

under different leaders. The Romans found themselves in an instant brought back to the condition in which they had been about three hundred years before; reduced to a few miles of territory round their walls, and beset with enemies more united, and more numerous than ever had assailed them at once on the same ground. But their city was likewise enlarged, their numbers increased, and every individual excellently formed to serve the State, as a warrior and a citizen. All of them assumed, upon this occasion, the sagum, or military dress; and being joined by such of the Latins as remained in their allegiance, and by such of their colonies, from different parts of Italy, as continued to be faithful, together with some mercenaries from Gaul and Numidia, they assembled a force equal to that of the allies.

The Consuls were placed at the head of the two principal armies; Lucius Julius Cæsar, in the country of the Samnites<sup>33</sup>, and Rutilius, in that of the Marfi<sup>34</sup>. They had under their command the most celebrated and experienced officers of the republic; but little more is preserved to furnish out the history of this war than the names of the Roman commanders, and those of the persons opposed to them. Rutilius was attended by Pompeius Strabo, the father of him who afterwards bore the title of Pompey the Great; Cæpio, Perperna, Messala, and Caius Marius, of whom the last had already so often been Consul. Cæsar had, in the army which he commanded, Lentulus, Didius, Crassus, and Marcellus. They were opposed by T. Afranius, P. Ventidius, Marcus Egnatius, Q. Pompeidius, C. Papius, M. Lamponius, C. Judacilius, Hircus, Assinius, and Vetius Cato, at the head of the allies. The forces were similar in discipline and in arms. The Romans were likely to be inferior in numbers and in resources, but had the advantage in reputation, authority, and in the

<sup>33</sup> Now part of the kingdom of Naples.

<sup>34</sup> Contiguous part of the Ecclesiastical State.

same of their leaders, inured to command in the highest stations. But so well had the allies taken their measures, and with so much animosity did they support a quarrel, which they had been meditating for some years, that the Romans appeared at first unequal to the contest, and were surpris'd and overcome in many encounters.

The detail of these operations is imperfectly recorded; and does not furnish the materials of a relation either interesting or instructive. We must therefore content ourselves with a list of actions and events, and with the general result.

One of the Consuls, Lucius Cæsar, in the first encounter of the war, was defeated by Vetius Cato near Efernia, and had two thousand men killed in the field. The town of Efernia was immediately invested, and some Roman officers of distinction were obliged to make their escape in the disguise of slaves. Two Roman cohorts were cut off at Venafrum, and that colony fell into the hands of the enemy. The other Consul, Rutilius, was likewise defeated by the Marfi, and fell in the field, with eight thousand men of his army. His colleague was called to the city to preside at the election of a successor; but being necessarily detained with the army, the office continued vacant for the remainder of the campaign, while the army acted under the direction of the late Consuls, Marius and Cæpio.

The corpse of Rutilius, and of other persons of rank, being brought to public funeral at Rome, so alarmed and sunk the minds of the People, that the Senate decreed, that, for the future, the dead should be buried where they fell.

In the mean time, Lucius Cæsar obtained a victory in the country of the Samnites; and the Senate, in order to restore the confidence of the People, as if this victory had suppressed the revolt, resolv'd, that the sagum, or military dress, should be laid aside<sup>35</sup>.

<sup>35</sup> Liv. lib. lxxiv. Appian. Orosius, lib. v. c. 18. Florus, lib. iii. c. 18. Velleius. Eutropius.

B O O K  
II.

U. C. 664.  
Cn. Pomp.  
Strabo,  
L. Porcius  
Cato.

The usual time of the Consular elections being come, Cn. Pompeius Strabo and Porcius Cato were named.

Pompey gained a complete victory over the Marfi; and, notwithstanding an obstinate defence, reduced the city of Asculum, where hostilities at first had commenced, and where the Romans had suffered the greatest outrage. The principal inhabitants of the place were put to death, the remainder were sold for slaves. The other Consul, Cato, was killed in an attack upon the entrenchments of the Marfi; and although Marius and Sylla, in different quarters, had turned the fortune of the war against the allies, yet the event still continued to be extremely doubtful.

The Umbrians, Etruscans, and inhabitants of other districts of Italy, who had hitherto hesitated in the choice of their party, took courage from the perseverance and success of their neighbours, and openly joined the revolt. The more distant parts of the empire were soon likely to seize the contagion: they were already, by the obstruction they met with in carrying supplies of provisions or revenue, severed from the capital, and the allegiance they owed as conquered provinces, whenever they saw their opportunity to withdraw it, was likely to vanish like a dream or ideal existence.

Mithridates, the king of Pontus, did not neglect the occasion that was offered to him; he put all his forces in motion, expelled Nicomedes from Bythinia, and Ariobarzones from Cappadocia, and made himself master of the greater part of the Lesser Asia.

In this extremity it appeared necessary to comply with the demands of the allies; but the Senate had the address to make this concession seem to be an act of munificence and generosity, not of weakness or fear.

The Latins, who had continued in their allegiance, were, in consideration of their fidelity, admitted to all the privileges of Roman citizens. The Umbri and Tuscans, who either had not yet declared,



clared, or who had been left forward in the war, were next comprehended; and the other inhabitants of Italy, observing, that they were likely to obtain by favour what they endeavoured to extort by force, grew remiss in the war, or withdrew from the league, that they might appear to be forward in the general return to peace.

The Marfi, Samnites, and Lucanians, who had been the principal authors of the revolt, or who had acted with most animosity in the conduct of it, continued for some time to be excluded from the privilege of Romans. But the civil war, which soon after broke out among the citizens themselves, terminated either in the extirpation of those aliens, and in the settlement of Roman colonies in their stead, or gave them an opportunity, under favour of the party they espoused, of gaining admittance to the privilege to which they aspired: so that, in a few years, all the inhabitants of Italy, from the Rubicon to the Straits of Messina, were become citizens of Rome; and a constitution of state, which had been already overcharged by the numbers that partook of its sovereignty, was now altogether overwhelmed; or if this change alone were not sufficient to destroy it, was not likely long to remain without some notable and fatal revolution. Assemblies of the People, already sufficiently tumultuary, being now considered as the collective body of all the Italians, were become altogether impracticable, or could be no more than partial tumults raised in the streets of Rome, or the contiguous fields, for particular purposes: insomuch that when we read of the authority of the Senate being set aside by an order of the People, we may venture to conceive all government suspended at the instance of that party, who had then the populace of Rome at their call.

Licinius Crassus and L. Julius Cæsar were chosen Censors, in order to make up the new rolls of the People. This, it is likely, was found to be a difficult and tedious work. It became necessary to scrutinize the rolls of every separate borough, in order to know who

B O O K  
II.

were entitled to be added to the list of Roman citizens; and this difficulty was farther encreased in consequence of a law devised about this time by Papirius Carbo, in which it was enacted, that not only the natives and antient denizens of Italy, but all who should, for the future, obtain the freedom of any Italian borough, if they had a residence in Italy, and had given in their claim to the Prætor sixty days, should, by that act, become citizens<sup>36</sup>: so that the prerogative of the Roman People continued to be in the gift of every separate corporation, as well as in that of the State itself.

The number of the aliens admitted on the rolls, at this muster, is not recorded; but it was probably equal to that of the antient citizens, and might have instantly formed a very powerful and dangerous faction in the State, if effectual measures had not been taken to guard against the effect of their influence. For this purpose, they were not mixed promiscuously with the mass of the People, but confined to eight particular Tribes<sup>37</sup>; by this means they could only influence eight votes in thirty-five<sup>38</sup>; and the antient citizens were still possessed of a great majority. But this artifice did not long escape the attention of those who were aggrieved by it, and became the subject of a new dispute.

While the Romans were meditating, or actually making this important change in the state of the commonwealth, they found leisure for matters of less moment, in which they endeavoured to provide for the peace of the city, and the administration of justice.

Lex Plotia de  
Judiciis.

Plautius, one of the Tribunes, obtained a new law for the selection of judges, by which it was enacted, That each Tribe should annually elect fifteen citizens, without any distinction of rank; and that, from

<sup>36</sup> Cicero pro Archia Poëta.

<sup>37</sup> Velleius Paterculus, lib. ii. c. 20.

<sup>38</sup> Historians mention this particular, as if eight new Tribes were added to the former

thirty-five; but the continual allusion of Roman writers, to the number thirty-five, will not allow us to suppose any augmentation. Cicero de Lege Agraria 2da, c. 8.

the whole so named, the judges in all trials that occurred within the year should be taken <sup>39</sup>. This law appeared to be equitable, as it gave, with great propriety, to all the different classes of men in the State, an equal right to be named of the juries; and to every party concerned, an equal chance of being tried by his peers.

C H A P.  
VI.

The same Tribune likewise obtained a law for the preservation of the public peace, by which it was declared capital to be seen in public with a weapon, or instrument of death; to occupy any place of strength in the city; to offer violence to the house of any person, or to disturb any company; to interrupt any meeting of the Senate, assembly of the People, or court of justice. To these clauses Catulus subjoined another, in which he comprehended persons surrounding the Senate with an armed force, or offering violence to any magistrate <sup>40</sup>.

Lex Plotia de  
Vi.

<sup>39</sup> Peditanus in Cornelianam Ciceronis.

<sup>40</sup> Cicero pro Cælio, et Aruspicum Responso.

## C H A P. VII.

*Triumph of Pompeius Strabo.—Progress of Sylla.—War with the king of Pontus.—Rise of that Kingdom.—Appointment of Sylla to command.—Policy of the Tribune Sulpicius.—Sylla's Commission recalled in Favour of Marius.—His March from Campania to Rome.—Expels Marius and his Faction from the City.—His Operations in Greece.—Siege of Athens.—Battle of Chæronea.—Of Orchomenos.—Transactions at Rome.—Policy of Cinna.—Marius recalled.—Cinna flies, and is deprived.—Recovers the Possession of Rome.—Treaty of Sylla with Mithridates.—He passes into Italy.—Is opposed by numerous Armies.—Various Events of the War in Italy.—Sylla prevails.—His Proscription, or Massacre.—Named Dictator.—His Policy.—Resignation.—and Death.*

BOOK  
II.

THE social war, though far from being successful, concluded with a triumphal procession; and the Senate, though actually obliged to yield the point for which they contended, thought proper, under pretence of advantages gained on some particular occasions, to erect a trophy. They singled out Pompeius Strabo for the pageant in this ceremony; either because he had reduced Asculum, where the rebellion first broke out, or because a victory obtained by him had most immediately preceded the peace. But the most remarkable circumstance in this procession was, its being, in shew, a triumph of the old citizens over the new, but in reality a triumph of the latter. Ventidius Bassus, being a prisoner in the war, and led as such in the present triumph, came in the form of a captive to share in the prerogatives of a Roman; he was, in the sequel, pro-

moted to all the honours of the State ; and himself, in the capacity of a victorious general, led a procession of the same kind with that in which he had made his first entry at Rome as a captive <sup>1</sup>.

Sylla, by his conduct and his successes wherever he had borne a separate command in this war, gave proof of that superior genius by which he now began to be distinguished. By his magnanimity on all occasions, by his great courage in danger, by his imperious exactions from the enemy, and by his lavish profusion to his own troops, he obtained, in a very high degree, the confidence and attachment of his soldiers ; and yet in this, it is probable, he acted from temper, and not from design, or with any view to what followed. With so careless and so bold a hand did this man already hold the reins of military discipline, that Albinus, an officer of high rank, and next in command to himself, being killed by the soldiers in a mutiny, he treated this outrage as a trifle, saying, when the matter was reported to him, That the troops would atone for it when they met with the enemy <sup>2</sup>.

With the merits he had recently displayed in this war, he repaired to the city, laid claim to the Consulship, and was accordingly chosen in conjunction with Quintus Pompeius Rufus.

U. C. 665.  
L. Corn. Sylla,  
Q. Pompeius  
Rufus, Cons.

It was thought necessary still to keep a proper force under arms in Italy, until the public tranquillity should be fully established. The army, which had acted under Cneius Pompeius Strabo, Consul of the preceding year, was destined for this service ; and Quintus Rufus was appointed to the command of it.

The war with Mithridates, king of Pontus, however, was the principal object of attention ; and this province, together with the army then lying in Campania, fell to the lot of Sylla.

<sup>1</sup> Val. lib. vi. c. 9. Gellius, lib. xv. c. 4. Plin. lib. 7. c. 43. Dio Cassius, 43. line

<sup>2</sup> Plutarch. in Sylla.

B O O K  
II.

The monarchy of Pontus had risen upon the ruins of the Macedonian establishments in Asia; and, upon their entire suppression, was become one of the most considerable kingdoms of the East.

Mithridates had inherited from his ancestors a great extent of territory, reaching in length, according to the representation of his own ambassador in Appian, twenty thousand stadia, above two thousand miles. He himself had joined to it the kingdom of Colchis, and other provinces on the coasts of the Euxine sea. His national troops amounted to three hundred thousand foot, and forty thousand horse, besides auxiliaries from Thrace, and from that part of Scythia which lies on the Mæotis and the Tanais, countries over which he had acquired an ascendant approaching to a sovereignty. He had pretensions likewise on the kingdoms of Bithynia and Cappadocia, which he had hitherto relinquished from respect to the Romans; or of which he had deferred the effect until he should be prepared to cope with this formidable power. All his pretensions indeed, like those of other monarchs, were likely to extend with his force, and to receive no limitation but from the defect of his power. And such were his resources, and his personal character, that, if he had encountered on the side of Europe with an enemy less able than the Romans were to withstand his progress, it is probable that in his hands the empire of Pontus might have vied with that of the greatest conquerors.

About the time that the social war broke out in Italy, Cassius Longinus, Manius Aquilius, and C. Oppius were, in different characters, stationed in the province of Asia, and took under their protection every power in that country that was likely to oppose the progress of Mithridates.

Nicomedes, who had been recently restored to the crown of Bithynia, made hostile incursions under the encouragement of these Roman generals, even into the kingdom of Pontus. Mithridates, having

having made fruitless complaints to them on this subject; and thinking that the distracted state of Italy furnished him with a favourable opportunity to slight their resentment, he sent his son Ariarathes into Cappadocia with a force to expel Ariobarzanes, though an ally of the Romans, and to possess that kingdom. He took the field himself, and sent powerful armies, under his generals, against Nicomedes, and against the Romans, who had assembled all the force of their province and of their allies, to the amount of an hundred and twenty thousand men, in different bodies, to defend their own frontier, or to annoy their enemy.

Mithridates fell separately upon the several divisions of his enemies forces; and having defeated Nicomedes, and afterwards Manius, obliged the Roman officers, with their ally, to retire; Cassius to Apamea, Manius towards Rhodes, and Nicomedes to Pergamus. His fleet, likewise, consisting of three hundred gallies, opened the passage of the Hellespont, took all the ships which the Romans had stationed in those straits; and he himself soon after in person traversed Phrygia and the Lesser Asia, to the sea of Cilicia and Greece. In all the cities of the Lesser Asia, where the people now openly declared their detestation of the Roman dominion, he was received with open gates. He got possession of the person of Oppius, by means of the inhabitants of Laodicea, where this general had taken refuge with a body of mercenaries. The mercenaries were allowed to disband; but Oppius himself was conducted as a prisoner to the head-quarters of Mithridates, and, in mockery of his state as a Roman governor, was made to pass through the cities in his way, with his fasces or ensigns of magistracy carried before him.

Manius Acquilius likewise fell into the hands of the enemy, and was treated with similar scorn; and with a barbarity which nothing but the most criminal abuse of the power he lately possessed could have deserved or provoked. Being carried round the cities of Asia

B O O K  
II.

on an ass, he was obliged at every place to declare, that his own avarice was the cause of the war; and he was at last put to death by the pouring of melted gold into his throat.

While Mithridates thus overwhelmed his enemies, and was endeavouring to complete his conquest of Asia by the reduction of Rhodes, he ordered his general Archelaus to penetrate by the way of Thrace and Macedonia into Greece.

Such was the alarming state of the war when the Romans, having scarcely appeased the troubles in Italy, appointed L. Cornelius Sylla, with six legions that lay in Campania, to embark for Greece, in order, if possible, to stem a torrent which no ordinary bars were likely to withstand.

But before Sylla or his colleague could depart for their provinces disorders arose in the city, which, without waiting the approach of foreign enemies, brought armies to battle in the streets, and covered the pavements of Rome with the slain.

Publius Sulpicius, Tribune of the People, with a singular boldness and profligacy, ventured to tamper with the dangerous humours which were but ill suppressed in the event of the late troubles; and, as if the State had no experience of civil wars and domestic tumults, lighted the torch anew, and kindled the former animosity of the popular and Senatorian parties. The severe measures hitherto taken by the Senate and Magistrates against the authors of sedition had, in some instances, been effectual to snatch the republic out of the hands of lawless men, and to suspend for a while the ruin of the commonwealth; but the examples so given, instead of deterring others from a repetition of the same crimes, appear only to have admonished the factious leaders to take proper precautions, and to make the necessary preparations before they embarked in designs against the State. They accordingly improved and refined by degrees on the measures which they successively took against the Senate; and



and when the Tribune Sulpicius began to act, he made his arrangements equal to a system of formal war. This Tribune, according to Plutarch, had three thousand gladiators in his pay, and in despite of the law of Plautius, had ever at his back a numerous company of retainers, armed with daggers and other offensive weapons; these he called his *Anti-senate*; and retained to support him in an attempt, which he was at no pains to disguise, against the authority of the Senate itself. He moved the People to recal from exile all those who had fled from the city on occasion of the former disorders, and to admit the new citizens and enfranchised slaves to be enrolled promiscuously in all the Tribes without regard to the late wise limitation of the Senate's decree, by which they were restricted to four. By the change which he now proposed, the citizens of least consideration might come to have a majority, or a great sway in the public deliberations. The Tribunes would become masters in every question, and fill up the rolls of the people in the manner that most suited their interest.

This presumptuous man himself undertook to procure the freedom of the city for every person that applied to him, and boldly received premiums in the streets for this prostitution of the privileges and powers of his fellow-citizens.

The more respectable citizens, and the magistrates, in vain withstood these abuses. They were overpowered by force, and frequently driven from the place of assembly. In this extremity they had recourse to superstition, and by multiplying holy-days, endeavoured to stop or to disconcert their antagonists. But Sulpicius, with his party, laid violent hands on the Consuls, in order to force them to recal these appointments. Young Pompey, the son of the present Consul, and son-in-law to Sylla, was killed in the fray. Sylla himself, who had withdrawn from the tumult, feeling that he was in the power of his enemies, and being impatient to get into a situation in

which he could more effectually resist them, chose for the present to comply with their demands<sup>3</sup>.

In the midst of these violences, the city being under an actual usurpation or tyranny, Sylla repaired to the army in Campania, with a resolution to pursue the object of his command in Asia, and to leave the Tribunitian forms at Rome to spend their force. But soon after his departure, it appeared, that Marius was no stranger to the councils of Sulpicius; and that he hoped, by means of this Tribune, to gratify an ambition which outlived the vigour of his faculties and the strength of his body. His first object was to mortify his rival Sylla, in revoking, by a decree of the People, the appointment of the Senate, and to supersede him in the command of the army against Mithridates. A decree to this purpose was accordingly with ease obtained by Sulpicius, in one of those partial conventions, which took upon them to represent the People of Italy in the streets of Rome; and Marius, now appointed general of the army in Campania, sent the proper officers to intimate his appointment to Sylla, and to receive from him, in behalf of his successor, the charge of the army, and the delivery of the stores. Sylla had the address to make the troops apprehend that this change was equally prejudicial to them as to himself; that Marius had his favourite legions whom he would naturally employ; and that the same act of violence, by which he had supplanted the general, would bring other officers and other men to reap the fruits of this lucrative service in Asia. This persuasion, as well as the attachment which the army already bore to their general, produced its effect<sup>4</sup>.

The officers, who intimated the appointment of Marius, on declaring their commission, found that violence could take place in the camp as well as in the city. Their orders were received with

<sup>3</sup> Plutarch. in Mario, p. 526. edit. Londin. 4to.

<sup>4</sup> Appian. de Bell. Civil. lib. i.

feorn. A tumult arose among the soldiers; and citizens vested with a public character, formally commissioned to intimate an order of the Roman People, and delivering their commands to this purpose, were slain in the camp. In return to this outrage some relations and friends of Sylla were murdered in the city, and such retaliations were not likely soon to end on either side<sup>5</sup>.

C H A P.  
VII.

Faction is frequently blind, and does not see the use that may be made of its own violent precedents against itself. Although Sylla is said to have hesitated, yet he was not a person likely to shrink from the contest, in which his own enemies, and those of the State, had engaged him. Stung with rage, and probably thinking that force would be justified in snatching the republic out of such violent hands, he proposed to the army that they should march to Rome. The proposal was received with joy; and the army, without any of the scruples, or any degree of that hesitation which is ascribed to their commander in adopting this measure, followed where he thought proper to lead them.

On this new and dangerous appearance of things, not only Marius and Sulpicius, with the persons most obnoxious on account of the insults offered to Sylla and other respectable citizens, were seized with consternation; but even the Senate and the Nobles were justly alarmed.

A faction, it is true, had assumed the authority of the Roman People, to violate the laws, and to overawe the State; but armies, it was thought, are dangerous tools in political contests; and no good intention on the part of their leaders, no magnanimity or moderation in the execution of their intentions, can compensate the ruinous tendency of a precedent which brings force to be employed as an ordinary resource in political divisions. Even the present state of the republic did not appear so desperate as to justify such a measure.

<sup>5</sup> Plutarch. in Mario, Edit. Lond. p. 526.

B O O K  
II.

The Senate accordingly sent a deputation to Sylla with entreaties, and with commands, that he would not advance to the city. This deputation was received by him within a few miles of the gates. He heard the remonstrance that was made to him with patience, and seemed to be moved. He gave orders, in the hearing of the deputies, that the army should halt; sent the proper officers to mark out a camp, and suffered the commissioners to return to their employers, full of the persuasion that he was to comply with their request. But as soon as he thought this intelligence had reached the city, and had lulled his antagonists into a state of security, he sent a detachment close on the heels of the deputies, with orders to seize the nearest gate; and he himself, with the whole army, speedily followed to support them.

The gate was accordingly seized. The People, in tumult, endeavoured to recover it; Marius secured the Capitol, and summoned every man, whether freemen or slaves, to repair to his standard. His party, as they assembled, were drawn up in the streets. Sylla, in the mean time, at the head of his army, rushed through the gate, which his vanguard still maintained, against the multitudes by whom they were pressed. He was greatly annoyed from the battlements and windows as he passed, and might have been repulsed by the forces which Marius had assembled, if he had not commanded the city to be set on fire, in order to profit by the confusion into which the People were likely to be thrown in avoiding or extinguishing the flames. By this expedient he drove Marius from all the stations he had occupied, forced him to abandon the city, and obliged his adherents to separate.

While the army was distributed in different quarters of a city, deformed with recent marks of bloodshed and fire, their general assembled the Senate, and desired them to deliberate on the present state of affairs. Among the measures he suggested on this occasion, was a law by which Marius, with his son, and twelve of his fac-

tion, who had secreted themselves, were declared enemies of their country. This sentence was accompanied with a public injunction to seize or kill them wherever they could be found. The reasons upon which this act of attainder was granted were, that they had violated the laws of the republic, and seduced the slaves to desert from their masters, and to take arms against the State <sup>6</sup>.

C I I A P.  
VII.

While the officers of justice were dispersed in execution of this decree, and many others were busy in search of their private enemies, thus laid at their mercy, the Tribune Sulpicius, having fled to the marshes on the coast near Laurentum, was dragged from thence and slain. His head, severed from the body, as that of a traitor, who had surpassed every leader of faction in the outrages done to the laws and the government of his country, was exposed on one of the rostra; an example afterwards frequently imitated, and which, though it could not make any addition to the evil of the times, became an additional expression of the animosity and rancour of parties against each other <sup>7</sup>.

Marius, upon his expulsion from Rome, retired to his own villa at Salonium; and, being unprovided for a longer flight, sent his son to the farm of one Mutius, a friend in the neighbourhood, to procure what might be necessary for a voyage by sea. The young man was discovered at this place, and narrowly escaped in a waggon loaded with straw, which, the better to deceive his pursuers, was ordered to take the road to Rome. The father fled to Ostia, and there embarked on board a vessel which was provided for him by Numerius, who had been one of his partizans in the late troubles. Having put to sea, he was forced by stress of weather to Circeii, there landed in want of every necessary, and made himself known to

<sup>6</sup> Appian. de Bell. Civil. lib. i. p. 387. The names mentioned in this act of attainder or outlawry, were Sulpicius, Marius' father and son, P. Cethegus, Junius Brutus, Cneius and Pub. Granii, Albinovanus, Marcus Suetonius.

<sup>7</sup> Velleius Paterculus, lib. ii. c. 19.

B O O K  
 II.

some herdsmen, of whom he implored relief. Being informed of the parties that were abroad in pursuit of him, he concealed himself for the night in a neighbouring wood. Next day, as he was within a few miles of the town of Minturnæ, he was alarmed at the sight of some horsemen, ran with all the speed he could make to the shore, and, with much difficulty, got on board of a boat which was passing. The persons with whom he thus took refuge resisted the threats and importunities of the pursuers to have him delivered up to them, or thrown into the sea; but having rowed him to a supposed place of safety, at the mouth of the Liris, they put him on shore, and left him to his fate. Here he first took refuge in a cottage, afterwards under a hollow bank of the river, and, last of all, on hearing the tread of the horsemen, who still pursued him, he plunged himself to the chin in the marsh; but, though concealed by the reeds and the depth of the water, he was discovered and dragged from thence all covered with mud. He was carried to Minturnæ, and doomed by the magistrates of the place to suffer the execution of the sentence which had been denounced against himself and his partizans at Rome. He was, however, by some connivance, allowed to escape from hence, again put to sea, and, at the island Ænaria, joined some associates of his flight. Being afterwards obliged to land in Sicily for a supply of water, and being known, he narrowly escaped with the loss of some of the crew that navigated his vessel. From thence he arrived on the coast of Africa; but, being forbid the province by the Prætor Sextilius, continued to shift his abode among the islands or places of retirement on the coast<sup>8</sup>.

Marius was in his seventieth year when he made this attempt to overturn the Roman republic by means of popular tumults, and when he strove to obtain the command of an army in the busiest and most arduous service which the Roman empire had then to offer.

<sup>8</sup> Plutarch. in Mario, edit. Lond. p. 534.

Being forced, by his miscarriage in this attempt, into the state of an outlaw, he still amused the world with adventures and escapes, which historians record with the embellishments of a picturesque and even romantic description. A Gaulish or German soldier, who was employed at Minturnæ to put him to death, overawed by his aspect, recoiled from the task; and the people of the place, as if moved by the miracle, concurred in aiding his escape<sup>9</sup>. The presence of such an exile on the ground where Carthage had stood, was supposed to encrease the majesty and the melancholy of the scene. "Go," he said to the Lictor who brought him the orders of the Prætor to depart, "tell him that you have seen Marius sitting on the ruins of Carthage<sup>10</sup>."

C H A P.  
VII.  
C O N T I N U E D

The Senate, thus restored to its authority, and, by the suppression of the late sedition, masters of the city, took the proper measures to prevent, for the future, such violations of order introduced for popular government. They resolved that no question of legislation should be agitated in the assembly of the Tribes<sup>11</sup>; and Sylla, before he left the city, thought proper to dispatch the election of Consuls for the following year, but did not employ the power, which he now possessed, to make the choice fall on persons who were both of the senatorian party. Together with Octavius, who had the authority of the Senate at heart, he suffered Cinna, though of the opposite faction, to be chosen, and only exacted a promise from him not to disturb the public peace, nor, in his absence, to attempt any thing derogatory of his own honour<sup>12</sup>.

Having in this manner restored the commonwealth, Sylla set out with his army for their destination in Greece. Quintus Rufus, the other Consul of the preceding year, at the same time repaired to his

<sup>9</sup> Velleius Pater. lib. ii. c. 19.

<sup>10</sup> Plutarch. in Mario.

<sup>11</sup> Appian. de Bell. Civil. lib. i.

<sup>12</sup> L. Florus, lib. iii. c. 21. Appian. de Bell. Civil. lib. i.

B O O K  
II.

province in the country of the Marfi, where, as has been mentioned, he was to fucceed Cn. Strabo in the command of fome legions; but being lefs agreeable to thefe troops than his predeceffor, the foldiers mutinied upon his arrival, and put him to death. Cn. Strabo, though fufpected of having connived with them in this horrid tranfaction, was permitted to profit by it in keeping his ftation. So quick was the fucceffion of crimes which diftreffed the republic, that one diforder efaped with impunity, under the more atrocious effects of another which followed it.

U. C. 666.  
L. Corn. Cin-  
na, Cn. Oc-  
tavius, Coll.

When Sylla was about to depart from the city, Virgilius, one of the Tribunes, moved an impeachment againft him for the illegal fteps he had lately taken. But the ftate of the war with Mithridates was urgent, and Sylla took the benefit of the law of Memmius, by which perfons named to command had a privilege to decline anfwering any charge which fhould be brought againft them, when going on the fervice to which they were appointed.

The king of Pontus, notwithstanding he had been difappointed in his attempt upon Rhodes, was become mafter of the Leffer Asia, had fixed his refidence at Pergamus, and employed his officers, with numerous fleets and armies, to carry on the war in different quarters, making rapid acquifitions at once on the fide of the Scythian and Thracian Bofphorus in Macedonia and in Greece. His general, Archelaus, had reduced moft of the Greek iflands, and was haftening to make himfelf mafter of the Grecian continent. Delos had revolted, and thrown off the yoke of Athens, at the time that it fell into the hands of this general. The king propofed to make ufe of it as a decoy to bring the Athenians themfelves under his power. For this purpofe he pretended a defire to reftore the ifland, with the treafure he had feized there, to its former mafters; and fent Ariftion, a native of Athens, but now an officer in his own fervice, with an ef cort of two thoufand men, to deliver this treafure into their hands. Arif-



tion being, under this pretence, received into the Pyraeus, continued to hold this place, with the city of Athens itself, for Mithridates, and, by means of the forces he assembled in Attica, soon after overran Beotia, Achaia, and Laconia.

To these powerful encroachments on the Roman territory, and to the personal injuries done to such of their generals as had fallen into his hands, Mithridates had joined a barbarous outrage, that roused, in the highest degree, the resentment of the Roman People. He had sent orders to all his commanders in every town and station in Asia, on a day fixed, to begin a massacre of the Roman citizens that were any where settled in that country, and to publish a reward for the slaves of any Roman who should succeed in destroying their master. This order was executed with marks of insult, in which the instruments of cruelty are often apt to exceed their instructions. It is particularly mentioned, that at Ephesus, Pergamus, and other cities of Asia, intire families, taking refuge in the temples, and embracing the altars, infants with their parents, and without distinction of sex or age, were dragged from thence and murdered. The number of persons that perished in this massacre, if ever known, is no where mentioned<sup>12</sup>.

The resentment which was natural on this occasion, together with the real danger that threatned the empire, fully justified the contempt with which Sylla treated the impeachment of Virgilius, and the celerity with which he left the city of Rome. Having transported to Dyrrachium an army of six legions, he took the route of Thessaly and Ætolia; and having raised in these countries contributions for the pay and subsistence of his army, he received the submission of the Beotians, who had lately been obliged to declare for Mithridates, and advanced to Athens, where Aristion in the city, and Archelaus in the Pyraeus, were prepared to make a vigorous resistance. Mithri-

<sup>12</sup> Appian. de Bell. Mithrid. p. 585, 586

B O O K  
 II.

dates, who was master of the sea, collected together all the troops which he had distributed in the islands, and ordered a great reinforcement from Asia to form an army on the side of Beotia for the relief of Athens.

Sylla, to prevent the enemy, hastened the siege of this place. He first made an attempt to force his way into the Pyræus by scaling the walls; but being repulsed, had recourse to the ordinary means of attack. He erected towers, and raising them to the height of the battlements, got upon the same level with the besieged, and plied his missiles from thence. He shook the walls with battering engines, or undermined them with galleries, and made places of arms for his men, near to where he expected to open a breach. But the defence of the place was vigorous and obstinate, and so well conducted, that he was obliged, after many fruitless efforts, to turn the siege into a blockade, and to await the effects of famine, by which the city began already to be pressed.

It was in a little time brought to the last extremity. Those who were confined within the walls had consumed all the herbage, and killed all the animals that were to be found in the place; they were reduced to feed on the implements of leather, or other materials that could be turned into sustenance, and came at last to prey upon the carcases of the dead. The garrison was greatly diminished in numbers; and of those who remained, the greater part was dispirited and weak: but Aristion, expecting for himself no quarter from the Roman general, still showed no desire to capitulate; when Sylla, knowing the weak state to which the besieged were reduced, made a vigorous effort, stormed and forced the walls with great slaughter. Aristion, who had retired into the Acropolis, was soon afterwards taken and slain.

Archelaus, likewise greatly distressed in the Pyræus, found means to escape by water, and hastened to join the army that was forming

on

on the side of Thessaly; leaving the post he abandoned to fall into the hands of Sylla, who rased its fortifications to the ground.

C H A P.  
VII.

The army of Mithridates advanced into Beotia. Every part of it was sumptuously provided with all that was necessary for subsistence or parade. There was a numerous cavalry richly caparisoned; an Infantry of every description, variously armed, some to use missile weapons, others to engage in close fight; a large train of armed chariots, which, being winged with scythes, threatened to sweep the plains. The whole army amounted to about an hundred and twenty thousand men. But their master, with all his ability, it appears, relied, in the manner of barbarous nations, more on their numbers than he did on their order, or on the conduct of their officers. Sylla was to oppose them with thirty thousand men.

On this inferior enemy Archelaus continually pressed with all his forces, and endeavoured to bring on a general action, which Sylla cautiously avoided; waiting for an opportunity that might deprive the enemy of the advantage they had in the superiority of their numbers. The armies being both in Beotia, Archelaus inadvertently took post near Cheronea, on the ascent of a steep hill that was formed into terraces by ledges of rocks, and which terminated at last in a peak or narrow summit. On the face of this hill he had crowded his infantry, his cavalry, and his chariots, and trusted that, although the ground was unfavourable to such an army, it was still inaccessible, and could not be reached by an enemy.

While Archelaus believed himself secure in this position, Sylla continued to observe him from the post he had fortified at a little distance; and was told by some natives of the country, that the hill which the enemy had occupied might be ascended in their rear, and that any part of his army might be safely conducted to the summit. Upon this information he made a disposition to engage, placed his main body against the enemy in front, and, that he might throw

B O O K  
 II.

them into confusion by a double attack, sent a powerful detachment, with proper guides, to seize on the heights above their encampment.

The unexpected appearance of Sylla's detachment in the rear produced the alarm that was intended. Their impetuous descent from the hill drove in confusion all who came in their way from thence to the camp. The rear fell down on the front. A great uproar and tumult arose in every part. And in this critical moment Sylla began his attack, and broke into the midst of enemies, who were altogether unprepared to receive him. They were crowded in a narrow space, and mixed without any distinction of separate bodies of officers or men; and, under the disadvantage of their ground, could neither resist nor retire. In the centre, numbers being trod under foot by those who crowded around them, perished by violence or suffocation; or, while they endeavoured to open a way to escape, were slain by each others swords. Of an hundred and twenty thousand men, scarcely ten thousand could be assembled at Chalcis in Eubœa, the place to which Archelaus directed his flight. Of the Romans, at the end of the action, only fifteen men were missing, and of these two returned on the following day<sup>14</sup>.

Archelaus, even after this rout of his army, being still master at sea, drew supplies from Asia and from the neighbouring islands; and, being secure in his retreat in Eubœa, made frequent descents on the neighbouring coasts. While Sylla endeavoured to cover the lands of Beotia and Attica from these incursions, Mithridates made great efforts to replace his army in that country; and in a little time had transported thither eighty thousand fresh troops under Dorilaus, to whom Archelaus joined himself with those he had saved from the late disaster. The new army of Mithridates, consisting chiefly of

<sup>14</sup> For this fact Plutarch quotes the *Memoirs of Sylla*.

cavalry, was greatly favoured by the nature of the ground in Beotia, which was flat and abounding in forage. Sylla, though inclined to keep the heights on which he was least exposed to the enemy's cavalry, was obliged, in order to cover the country from which he drew his subsistence and forage, to descend to the plains in the neighbourhood of Orchomenos. There he took post among the marshes, and endeavoured to fortify himself with deep ditches against the enemy's horse. While his works were yet unfinished, being attacked by the Asiatic cavalry, not only the labourers, but the troops that were placed under arms to cover the workmen, were seized with a panic, and fled. Sylla, having for some time in vain endeavoured to rally them, laid hold of an ensign, and rushed in despair on the enemy. "To me," he said, "it is glorious to fall in this place: but for you, if you are asked where you deserted your leader, you may say, at Orchomenos." Numbers who heard this reproach returned to the charge with their general; and wherever they presented themselves, stopped the career of the enemy, and put them to flight. The Roman army at length recovered itself in every part of the field; and Sylla, remounting his horse, took the full advantage of the change of his fortune, pursued the enemy to their camp, and forced them to abandon it with great slaughter.

After the loss of this second army, Mithridates appears to have despaired of his affairs in Greece: he suffered Sylla to enter into quiet possession of his winter quarters in Thessaly, and authorized Archelaus to treat of peace.

Both parties were equally inclined to a treaty; the king of Pontus urged by his losses, and the Roman Proconsul by the state of affairs in Italy. Sylla, though commanding in Greece by authority from the Roman Senate, had been degraded, and declared a public enemy by a resolution of the People at Rome. An officer had been sent from Italy to supersede him; and a Roman army, independent of his orders,

B O O K  
II.

ders, was actually employed in the province. Mithridates too, while he had sustained such losses in Greece, was pressed by the other Roman army in Asia, under the command of Fimbria, who, with intentions equally hostile to Sylla as to Mithridates, advanced with a rapid pace, reduced several towns on the coast, and had lately made himself master of Pergamus, where the king himself had narrowly escaped falling into his hands. In these circumstances a treaty was equally reasonable for both.

Sylla had been absent from Rome about two years, during which time, having no supplies from thence, he had supported the war by the contributions which he had raised in Greece, Ætolia, and Thesaly, and with the money he had coined from the plate and treasure of the Grecian temples<sup>45</sup>. The republic, in the mean time, had been in the possession of his enemies, and the authority of the Senate was, in a great measure, suppressed. Soon after he left the city, Cinna, notwithstanding his engagements to Sylla, revived the project of keeping the more respectable citizens in subjection, under pretence of a government placed in the hands of the People.

The designation of the popular party was the same with that which had distinguished the followers of Tiberius and Caius Gracchus; but the object was changed, and the nominal popular faction itself was differently composed. Formerly this faction consisted of the populace of Rome and of the poorer citizens, opposed to the noble and the rich. The objects for which they at that time contended, were the distribution of corn, new settlements, or the division of lands. At present the parties consisted of the inhabitants of the country towns lately admitted, or still claiming to be admitted, on the rolls of the People on one side, and of the Senate and ancient citizens on the other. The object to which

<sup>45</sup> Plutarch. in Sylla & Lucullo.

the former aspired, was a full and equal participation in all the powers that belonged to the Roman People. They were far from being satisfied with the manner of their enrolment into a few particular Tribes, and laid claim to be admitted without distinction among the antient citizens, and to have consideration and power proportioned to their numbers. In this they were supported by Cinna, who made a motion in their favour in the assembly of the People, and at the same time proposed to recal Marius and the other exiles of that party from their banishment. The Consul Octavius, with the majority of the Senate and antient citizens, opposed these propositions; but Cinna was likely to have a powerful support in the new people that flocked to him from the country towns, and in the friends of the exiles. On the day of assembly, multitudes of the new citizens took possession of the place of meeting, and were observed to be armed with daggers or short swords. Octavius was attended at his house by a numerous assembly of the antient citizens, who were armed in the same manner, and waited to take such measures as the necessity of the case might require. Being told that the Tribunes who had forbidden the question were violently attacked, and likely to be forced from the assembly, they came forth into the streets, and drove their antagonists, with some bloodshed, through the gates of the city. Cinna endeavoured to make head against his colleague, and invited the slaves, under a promise of liberty, to his standard. But finding it impossible within the city, that was occupied by his opponents, to withstand their force, he withdrew to the country towns, and solicited supplies from thence. He passed through Tibur and Præneste to Nola, and openly implored the inhabitants to aid him against their common enemies. On this occasion he was attended by Sertorius, and by some other Senators who had embarked in the same ruinous faction. Their solicitations at any other time might perhaps have been fruitless; but now, to the misfortune of the republic, a num-

ber of armies were still kept on foot in Italy, to finish the remains of the social war. Cn. Strabo commanded one army in Umbria, Metellus another on the confines of Lucania and Samnium, and Appius Claudius a third in Campania. These armies consisted chiefly of indigent citizens, become soldiers of fortune, were very much at the disposal of their leaders, in whose name they had been levied, to whom they had sworn the military oath, and on whom they depended for the settlements and rewards which they were taught to expect at the end of their services. They were inclined to take part in the cause of any faction that was likely, by the expulsion and forfeiture of one part of the city, to make way for preferments and fortunes to the other.

Cinna distrusted Pompey and Metellus; but hoping for a better reception from Appius Claudius, he repaired to the camp of this general, and had the address to gain the troops who were under his command.

Octavius and  
Merula.

Mean time the Senate, without entering into any particular discussion of the guilt which Cinna had incurred in the late tumult at Rome, found that, by having deserted his station, he had actually divested himself of his office as Consul, and they obtained the election of L. Cornelius Merula in his place.

Marius, being informed that one of the armies in Italy, with a Roman Consul at its head, was prepared to support him, made haste from his exile in Africa: he landed in Tuscany, was joined by numbers, and had an offer of being vested with the ensigns of Proconsul. But intending to move indignation or pity, he declined every privilege of a Roman citizen, until the sentence of attainder or banishment, which had been pronounced against him, should be reversed. In the manner practised by suppliants, with a mean habit and ghastly figure, to which he was reduced by the distress of his exile, he presented himself to the People; but with a countenance, says his historian, which, being naturally stern, now rather



seemed terrible than piteous<sup>16</sup>. He implored the protection of the country towns, in whose cause he too pretended to have suffered, and whose interests were now embarked on the same bottom with his own. He had many partizans among those who had composed the legions which formerly served under his orders. He had reputation and authority, and soon assembled a considerable force, with which, in concert with Cinna, with Sertorius and Carbo, he advanced towards Rome.

They invested the city in three separate divisions. Cinna and Carbo lay before it, Sertorius took post on the river above, and Marius below it. The last, to prevent supplies from the sea, made himself master of the port of Ostia; the first had sent a detachment to Ariminum, to prevent any relief from the side of Gaul.

In this extremity the Senate applied to Metellus, requesting that he would make any accommodation with the Italian allies, and hasten to the relief of the city. The delays which he made in the execution of these orders enabled Cinna and Marius to prevent him in gaining the allies. The inhabitants of Italy at this time had it in their option to accept the privileges they claimed from either party; and, having chosen to join themselves with the popular faction, they threw their weight into that scale.

Metellus, however, advanced into Latium; and, being joined by the Consul Octavius, took post on the Alban Hill. Here they found that the troops, being inclined to favour their enemies, deserted apace. Metellus, being reduced to a few attendants, despaired of the cause, and withdrew into Africa. Octavius returned to his station in the city.

The army lately commanded by Pompeius Strabo, was now deprived of its general; he having been killed by lightning in his

<sup>16</sup> Plutarch. in Mario.

B O O K  
II.

camp. And the Senate was not inclined to repose any confidence in his men. He himself had some time hesitated between the parties; and the troops, at his death, were prepared to choose the side which was most likely to favour their interest. With so uncertain a prospect of support, the Senate thought it safer to enter into a treaty with Cinna and Marius, than to remain exposed to the necessity of being obliged to admit them by force. They offered to reinstate Cinna in the office of Consul, and to restore Marius, with the other exiles, to their condition of Roman citizens; only stipulating that they would spare the blood of their opponents, or proceed against them according to the laws of the commonwealth. While this treaty was in dependence, Marius, affecting the modesty of a person whom the law, according to his late sentence of banishment, had disqualified to take any part among citizens, observed a sullen and obstinate silence. Even when the treaty was concluded, and the gates were laid open to himself and his followers, he refused to enter until the attainder under which he lay should be taken off, and until he was replaced in his condition as a Roman. The People were accordingly assembled to repeal their former decree. But Marius, proposing to take his enemies by surprise, did not wait for the completion of the ceremony. While the ballots were collecting, he entered the city with a band of armed men, whom he employed in taking vengeance on all those who had concurred in the late measures against him. The gates, by his orders, were secured, but most of the Senators escaped. Sylla's house was demolished, many who were reputed his friends were slain, others assisted his wife and his children in making their escape. Among the signals by which Marius directed the execution of particular persons, it was understood that if he did not return a salute which was offered him, this was to be considered as a warrant for immediate death. In compliance with these instructions, some citizens of note were laid dead at his feet. And as the meanest retainers of his party had

had their resentments as well as himself, and took this opportunity to indulge their passions, the city resembled a place that was taken by storm, and every quarter resounded with the cries of robbery, murders, and rapes. This horrid scene continued without intermission five days and five nights.

The following are the names of a few of the principal Senators who suffered: the Consul Octavius was murdered in his robes of office, and in presence of his lictors; two Senators of the name of Cæsar, Caius and Lucius; two of the name of Crassus, the father and the son, who, attempting to escape, but likely to be taken, fell by their own hands; Attilius Serranus, Publius Lentulus, C. Numitorius, M. Bæbius, whose bodies, fastened on a hook, were dragged by a rope through the streets; Marcus Antonius, one of the first Roman Senators, who had betaken himself intirely or chiefly to civil arts, and is known therefore by the name of the Orator; this Senator being discovered in a place of concealment, was killed by assassins sent for the purpose. The heads of the others were exposed on the rostra; that of Antonius was placed on the table of Marius, who bore him, it seems, a peculiar degree of animosity and rancour. Catulus, once the colleague of Marius in the Consulate, partner in his last and most decisive victory over the Cimbri, and without question one of the most respectable Senators of the age, was included in the warrant for general execution. Marius being solicited in his favour, made answer, *He must die*. And this victim, choosing to avoid by a voluntary death the insults likely to be offered to him by his enemies, having shut himself up, with a brasier of burning coals, in a close chamber which was recently plaistered, perished by suffocation.

Merula, the Flamen Dialis, whose name, without his own knowledge, had been inscribed Consul in place of that of Cinna, now likewise, willing to maintain the dignity of his station, opened his arteries at the shrine of Jupiter, whose priest he was, sprinkled the

statue

statue of the god with his blood; on feeling the approach of death, he tore from his head the apex or crest of the order, which, by the maxims of religion, he always carried while alive, but with which on his head it would have been impious and ominous to die, and took those who were present to witness of the exactness with which he performed this duty.

Cinna himself became weary of the murders which were committed to gratify the avarice of mean and needy adventurers, or the rancour even of fugitive slaves against the masters they had deserted; he wished to terminate so horrid a scene, but it seems could not stop it otherwise than by the death of those who were employed in it. He caused great numbers of them accordingly to be surrounded and put to the sword. He proposed, in concert with Marius, to give some form or title to their government, by assuming the Consulship: and although there is no doubt that they could have easily obtained the sanction of an ordinary election, yet they chose to usurp the ensigns and powers of Consul without any such pretence<sup>17</sup>. Marius, while he took the title of Consul, continued to act like a chief of banditti, connived at the disorders that were committed by his military retainers, and continued still to superintend the execution of the orders which he had given on his first entry into the city, to put his opponents to death.

In the midst of these crimes, however, the name of Sylla, and the fame of his victories in Greece, gave continual presage of a just retribution. Marius was agitated with nocturnal fears, and gave signs of a distracted mind. Some one, he imagined, in the words of a poet, continually sounded in his ears, *Horrid is the dying lion's den*; which being applied to himself, seemed to announce his approaching dissolution. He took to the excessive use of wine, contracted a pleurisy,

<sup>17</sup> Livy, Epitome, lib. viii.

and died on the seventh day of his illness, in the seventeenth day of his last or seventh Consulship, and in the seventieth year of his age; leaving the tools he had employed in subverting the government of his country, to pay the forfeit of his crimes.

C H A P.  
VII.

Livy, it appears<sup>18</sup>, had made it a question, whether Marius had been most useful to his country as a soldier, or pernicious as a citizen. It has happened unfortunately for his fame, that he closed the scene of life with examples of the latter kind. In what degree he retained his genius or abilities cannot be known. His insatiable thirst of power, like avarice in the case of other persons, seemed to grow with age. His hatred of the Nobles, contracted in the obscurity of his early life, remained with him after he himself had laid the amplest foundations of Nobility in his own family. And he died in an attempt to extinguish all just or regular government in the blood of those who only were qualified or disposed to sustain it.

Upon the death of Marius, the government still continued to be usurped by Cinna. Many of the Senators, and other citizens, obnoxious to the prevailing party, took refuge with Sylla. This general himself was declared a public enemy; his effects were seized; his children, with their mother, having narrowly escaped the pursuit of his enemies, fled to the father in Greece.

Upon this occasion Sylla did not change his conduct in the war, nor make any concessions to the enemies of the State. He talked familiarly every day of his intention to punish his enemies at Rome, and to avenge the blood of his friends, but not till he had forced Mithridates to make reparation for the wrongs he had done to the Romans and to their allies in Asia.

Alarmed by these threats, Cinna took measures to strengthen his party; assumed, upon the death of Marius, Valerius Flaccus as his

<sup>18</sup> Livy, Epitome, lib. viii. Appian. de rus, lib. iii. c. 21. Velleius Pater. lib. ii. Bell. Civil. lib. i. Plutarch. in Mario. Flac- c. 19, &c. Dio. Cass. in Fragmentis.

B O O K  
II.

colleague in the office of Consul ; and, having assigned him the command in Asia, with two additional legions, trusted that with this force he might obtain possession of the Province.

But Flaccus, upon his arrival in Theffaly, was deserted by part of the army, which went over to Sylla ; and passing through Macedonia in his route to Asia with the remainder, a dispute arose between himself and his lieutenant Fimbria, which ended in the murder of the Consul Flaccus, and in the succession of Fimbria to the command. So little deference or respect did citizens pay, in the disorder of those unhappy times, even to the government they professed to serve.

Fimbria, with the troops he had seduced to his standard, after he had assassinated their general, made a rapid progress in Asia, and hastened, as has been observed, the resolution to which Mithridates was come, of applying for peace. To this crafty prince, urged by the necessity of his own affairs, the conjuncture appeared to be favourable, when so much distraction took place in the councils of Rome. He had experienced the abilities of Sylla ; he knew his eager desire to be gone for Italy, and to be revenged of his enemies ; and he expected to gain him by proffering assistance in the war he was about to wage with the opposite party at Rome.

Upon a message from Archelaus, Sylla readily agreed to an interview in the island of Delos ; and here being told, in the name of Mithridates, that he should have money, troops, and shipping to make a descent on Italy, provided he would enter into a confederacy with the king of Pontus, and make war on the Romans, by whom he was now proscribed, Sylla, in his turn, proposed to Archelaus to desert Mithridates, to deliver up the fleet and the army which was under his command, and to rely for protection and reward on the faith of the Romans. They will speedily seat you, he said, on the throne of Pontus. Archelaus having rejected this proposal with

horror, "And you," says Sylla, "the slave, or (if you prefer that title) the friend of a barbarous tyrant, will not betray your trust, and yet to me have the presumption to propose an act of perfidy. The fields of Charonea and Orchomenos should have made you better acquainted with the character of the Romans."

Upon this reply Archelaus saw the necessity of purchasing the treaty he was instructed to make, and accordingly made the following concessions :

That the fleet of Pontus, consisting of seventy Galleys, should be delivered up to the Romans.

That the garrisons should be withdrawn from all places which had been seized in the course of this war.

That the Roman province in Asia, together with Paphlagonia, Bithynia, and Cappadocia should be evacuated, and the frontier of Pontus, for the future, be the boundary of Mithridates's territory.

That the Romans should receive two thousand talents<sup>19</sup>, to reimburse their expence in the war.

That prisoners should be restored, and all deserters delivered up.

While these articles were sent to Mithridates for his ratification, Sylla in no degree relaxed the measures he had taken to secure and facilitate the passage of his army into Asia. He sent Lucullus<sup>20</sup> round the maritime powers of the East to assemble a fleet; and, after having made some incursions into Thrace, to gratify his army with the spoil of nations who had often plundered the Roman province, he continued his route to the Hellespont, and was met in his way by the messengers of Mithridates, who informed him that their master agreed to all the articles proposed, except to that which related to the cession of Paphlagonia; and at the same time made a merit of the preference he had given to Sylla in this treaty; as he

<sup>19</sup> About 386,000 l.

<sup>20</sup> Vide Plutarch. in Lucullo.

B O O K  
II.

might have obtained more favourable terms from Fimbria. “ That  
“ is a traitor,” said Sylla, “ whom I shall speedily punish for his  
“ crimes. As for your master, I shall know, upon my arrival in Asia,  
“ whether he chooses to have peace or war.”

Being arrived at the Hellespont, he was joined by Lucullus with a fleet which enabled him to pass that strait. Here he was met by another message from Mithridates, desiring a personal interview; which was accordingly held in the presence of both armies, and at which the king of Pontus, after some expostulations, agreed to all the conditions already mentioned. In this he probably acted from policy, as well as from the necessity he felt in the present state of his affairs. He still hoped, in consequence of this treaty, to turn the arms of Sylla against the Romans, and trusted that the peace he obtained for himself in Asia was to be the beginning of a war in Italy, more likely to distress his enemies than any efforts he himself could make against them. With this reasonable prospect he retired into his own kingdom of Pontus; and there, strengthening himself by alliances and the acquisition of territory on the northern coasts of the Euxine, he prepared to take advantage of future emergencies, and to profit by the state of confusion into which the affairs of the Romans were hastening.

Sylla having brought the Mithridatic war to an issue so honourable for himself, and having every where gratified his army with the spoils of their enemies, being possessed of a considerable sum of money and a numerous fleet, and being secure of the attachment of the soldiers, who had experienced his liberality, and rested their hopes of fortune on the success of his future enterprizes, prepared to take vengeance on his enemies, and those of the republic in Italy. He proceeded, however, with great deliberation and caution; and, as if the State at Rome were in perfect tranquillity, staid to reduce the army of Fimbria, to resettle the Roman province, and to effect the



restoration of the allies, Nicomedes and Ariobarzanes, to their several kingdoms of Cappadocia and Bithynia.

C H A P  
VII.

Fimbria being required by Sylla to resign a command which he had illegally usurped, retorted the charge of usurpation, and treated Sylla himself as an outlaw: but upon the approach of this general, being deserted by his army, he fled to Pergamus, and there put an end to his life by the hands of a slave, of whom he exacted this service. To punish the province of Asia for its defection to Mithridates, Sylla obliged the inhabitants to pay down a sum equal to five years ordinary tax. He sent Curio to replace on their thrones the kings of Cappadocia and Bithynia, who had persevered in their alliance with Rome, and sent an account of these particulars to the Senate, without taking any notice of the edict by which he himself had been stripped of his command, and declared an enemy<sup>21</sup>. Before he set sail, however, for Italy, he thought proper to transmit to Rome a memorial, setting forth his services and his wrongs, as well as the injury done to many Senators who had taken refuge in his camp, and concluding with menaces of justice against his own enemies and those of the republic, but assuring the citizens in general of protection and security. This paper being read in the Senate, struck many of the members with dreadful apprehensions; expedients were proposed to reconcile the parties, and to avert the evils which the republic must suffer from their repeated contentions. A message was sent to pacify Sylla, and earnest intreaties were made to Cinna, that he would suspend his levies until an answer could be obtained from the other. But Cinna, in contempt of these pacific intentions, took measures to prosecute the war; divided the fasces with Cn. Papirius Carbo, whom, without any form of election, he assumed for his colleague in the Consulate; and, in the partition of provinces, retained

U. C. 669.  
L. Cornelius  
Cinna 4to,  
Cn. Papirius  
Carbo.

<sup>21</sup> Appian. in Bell. Mithridat. Plutarch. in Syll.

B O O K  
II.

for himself the administration in Italy, while he assigned to Carbo the command in the neighbouring Gaul. These titular magistrates, with all the adherents of their faction, applied in great haste to the raising of men, and securing the fidelity of the towns within the several divisions which they had received in charge.

Carbo exacted hostages for their good behaviour from all the towns in his district; but as he had not authority from the Senate for this measure, he found himself unable to give it effect. To Castricius, the chief magistrate of Placentia, a person of great age, who refused to comply, he said, "Have not I your life in my power?" "And have not I," said the other, "already lived long enough?"

Cinna, however, having mustered a considerable force, intended to make head against Sylla in Thessaly, through which he was expected to pass in his way to Italy, and determined to transport his army thither. But the troops being averse to embark, he himself, endeavouring to force them, was killed in a mutiny. A general disorder and anarchy infected the whole party. The election of a successor to Cinna was twice interrupted by supposed unfavourable prefiges, and Carbo remained sole Consul.

At this time an answer arrived from Sylla to the proposals made by the Senate towards a reconciliation of parties; in which he declared, "That he never could return into friendship with persons guilty of so many and such enormous crimes. If the Roman People, however, were pleased to grant an indemnity, he should not interpose, but would venture to affirm, that such of the citizens as chose, in the present disorders, to take refuge in his camp, would find themselves safer than in that of his enemy's." He had embarked his army at Ephesus, and in three days reached the Pyraeus, the port of Athens. Here he was taken ill of the gout, and was advised to use

<sup>22</sup> Val. Max. lib. vi. c. 2.

the hot baths at Adipfus; at which he accordingly paffed fome time with great appearance of eafe, amufing himfelf with buffoons and ordinary company, as if he had no affair of any confequence in contemplation. His fleet, in the mean time, confifting of twelve hundred fhips, coafted round the Peloponnefus, and took on board the army which had marched by Theffaly to Dyrachium. Being apprehenfive that fome part of the legions, upon landing in Italy, and with fo near a profpect of returning to their homes, might desert, or, trufing to their confequence in a civil war, might become diforderly and diftreß the inhabitants, he exacted a fpecial oath, by which every man bound himfelf, upon his arrival in Italy, to abide by his colours, and to obferve the ftrictest order in his march through the country. The troops, wifhing to remove all the remains of a diftruff which had fuggefted this precaution, made a voluntary offer of a contribution towards the fupport of the war; and Sylla, without accepting the favour, fet fail with the additional confidence which this proof of attachment in the army infpired.

He had, according to Appian, five Roman legions, with fix thoufand Italian horfe, and confiderable levies from Macedonia and Greece, amounting in all to about fixty thoufand men. With this force he landed in Italy, in the face of many different armies, each of them equal or fuperior in number to his own. The oppofite party were fuppofed to have on foot, at different ftations, above two hundred thoufand men.

L. Cornelius Scipio and C. Junius Norbanus, who were its leaders, being in poffeffion of the capital and of the place of election, were named for Confuls. Norbanus, in name of the republic, commanded a great army in Apulia; Scipio, another on the confines of Campania. Sertorius, young Marius, with Carbo, in the quality of Proconful, and others (as Plutarch quotes from the memoirs of Sylla) to the number of fifteen commanders, had each their armies, amount-

ing

C H A P.  
VII.

U. C. 670.  
L. Corn. Sci-  
pio. C. Jun.  
Norbanus.

ing in all to four hundred and fifty cohorts<sup>23</sup>; of these different bodies none attempted to dispute the landing of Sylla, nor, for some days, to interrupt his march. He accordingly continued to advance as in a friendly country, and in the midst of profound peace. The inhabitants of Italy, considering the Roman nobility, in whose cause Sylla appeared, as averse to the claim they had made of being promiscuously enrolled in the Tribes of Rome, were likely to oppose him, and to favour the faction which had for some time prevailed in the State. To allay their animosity, or to prevent their taking an active part against him, Sylla summoned the leading men of the country towns as he passed, and gave them assurances that he would confirm the grants which had been made to them, if they did not forfeit these and every other title to favour, by abetting the faction which had subverted the government.

On his march he was joined by Metellus Pius, who, as has been observed, after a fruitless attempt, in conjunction with the Consul Octavius, to cover Rome from the attack of Marius and Cinna, had withdrawn to Africa; and being forced from thence by Fabius, returned into Italy. Being in Liguria, where he still retained the character of Proconsul, he endeavoured to keep some forces on foot, and to sustain the hopes of his party, when so great a change was made in their favour by the arrival of the army from Greece.

Sylla was likewise, about the same time, joined by Cneius Pompeius, son to the late Consul Pompeius Strabo, who, though too young for any public character, had assembled a considerable body of men to make himself of consequence in the present contest. Being now only about nineteen years of age, he was remarked for engaging manners, and a manly aspect, which procured him a general favour and an uncommon degree of respect<sup>24</sup>. This distinction being un-

<sup>23</sup> About 225,000 men.

<sup>24</sup> Plutarch, in Mario.

fought for, was possibly considered by him as his birth-right, and gave him an early impression of that superiority to his fellow-citizens which he continued to assume through the whole of his life. He had served in those legions with which Cinna intended to have carried the war against Sylla into Asia or Greece; but, being averse to the party, he withdrew when the army was about to embark, and disappearing suddenly, was supposed to have been murdered by the order of Cinna, a suspicion, which, among other circumstances, incited the soldiers to that mutiny in which the general was killed. Sylla appears himself to have been won by the promising aspect of this young man, and received him with distinguishing marks of regard.

Numbers of the Senate and Nobles, who had hitherto remained exposed at Rome to the insults of their enemies, now repaired to the camp of Sylla. The Consul Norbanus, being joined by young Marius, lay at Canusium. Sylla, while he was preparing to attack them, sent an officer with overtures of peace; these they rejected with marks of contempt. This circumstance had an effect which Sylla perhaps foresaw and intended. It roused the indignation of his army, and, in the action which followed, had some effect in obtaining a victory in which six thousand<sup>25</sup> of the enemy were killed, with the loss of only seventy men to himself.

Norbanus, after this defeat, retreated to Capua; and, being covered by the walls of that place, waited the arrival of Scipio, who intended to join him with the army under his command. Sylla marched to Tium to prevent their junction; and, on the approach of Scipio, proposed to negotiate. The leaders, with a few attendants, met between the two armies, and were nearly agreed upon terms of peace; but Scipio delayed his final consent until he should consult with Norbanus at Capua. Sertorius was accordingly dis-

<sup>25</sup> Plutarch. in Syll. edit. Londin. p. 83.

B O O K  
II.

patched to inform Norbanus of what had passed, and hostilities were to be suspended until his return; but this messenger, probably averse to the treaty, broke the truce, by seizing a post at Sueffa which had been occupied by Sylla; and the negotiation had no other effect than that of giving the troops of both armies, as well as their leaders, an opportunity of conferring together; a circumstance which, in civil wars, is always dangerous to one or other of the parties. In this case the popularity of Sylla prevailed; and the soldiers of his army, boasting of the wealth which they had acquired under their general, infected his enemies, and seduced them to desert their leader. Scipio was left almost alone in his camp; but Sylla, receiving the troops who deserted to him, made no attempt to seize their general, suffered him to escape, and, with the accession of strength he had acquired by the junction of this army, continued his march towards Rome. Norbanus at the same time evacuated Capua, and, by forced marches in a different route, endeavoured to prevent him.

About this time, Sertorius, who, before the war broke out, had, in the distribution of provinces, been appointed Proprætor of Spain, despairing of affairs in Italy, in which probably he was not sufficiently consulted, repaired to his province, and determined to try what the genius of a Roman leader could effect at the head of the warlike natives of that country.

The chiefs of the Marian party, who remained in Italy, made efforts to collect all the forces they could at Rome. Carbo, upon hearing that the army of Scipio was seduced to desert their general, said, "We have to do with a lion and a fox, of which the fox is "probably the more dangerous enemy of the two."

Norbanus, soon after his arrival in the city, procured an edict of the People, by which Metellus, and the others who had joined Sylla, were declared enemies to their country. About the same time a fire broke

broke out in the Capitol, and the buildings were burnt to the ground. Various suspicions were entertained of the cause; but as no party had any interest in this event, it was probably accidental, and served only to agitate the minds of the People, prone to superstition, and apt to find alarming presages in every uncommon event.

The remainder of the season was spent by both parties in collecting their forces from every quarter of Italy; and the term of the Consuls in office being nearly expired, Carbo procured his own nomination to succeed them, and inscribed the name of Marius, scarcely twenty years of age, as his colleague. This young man is by some said have been the nephew, by others the adopted son, of the late celebrated C. Marius, whose name had so long been terrible to the enemies, and at length not less so to the friends, of Rome.

At this time the Senate consented to have the plate and ornaments of the temples coined for the pay of the supposed Consular armies. They were, however, notwithstanding this act of obsequiousness, believed to incline to the opposite party, and not to be trusted in case the city were attacked. The members being assembled together by orders of the Prætors, Damasippus and Brutus, the most suspected, were taken aside and put to death; of this number, Quintus Mucius Scævola, Pontifex Maximus, flying to the temple in which he was accustomed to discharge his sacred office, was killed in the porch.

The military operations of the following spring began with an obstinate fight between two considerable armies commanded by Metellus and Carinas. The latter being defeated with great loss, Carbo hastened to the scene of action, in order to cover the remains of the vanquished army.

In the mean time Sylla, being encamped at Setia, and having intelligence that the young Marius was advancing against him, put his army in motion to meet him, forced him back to Sacriportum,

B O O K  
II.

near Præneste, where an action soon after ensued, in which Marius was defeated.

The routed army having fled in disorder to Præneste, the first who arrived were received into the place; but as it was apprehended the enemy might likewise enter in the tumult, the gates were shut, and many, being excluded, were slaughtered under the ramparts. Marius himself escaped, by a rope which was let down from the battlements to hoist him over the walls.

In consequence of this victory Sylla invested Præneste; and as great numbers were thus suddenly cooped up in a town, which was not prepared to subsist them, he had an immediate prospect of seeing them reduced to the necessity of surrendering at discretion. Committing the charge of the blockade to Lucretius Offella, he himself, with part of the army, proceeded to Rome. Metellus, in a second action, had defeated the army of Carbo, and Pompey that of Marius near Sena; and the party of Sylla being victorious in every part of Italy, the city was prepared to receive him as soon as he appeared at the gates. The partizans of the opposite faction withdrew, and left him master of the capital.

Sylla having posted his army in the field of Mars, he himself entered the city, and calling an assembly of the People, delivered an harangue, in which he imputed the disorder of the times to the injustice and cruelty of a few factious men, who had overturned the government, and sacrificed the best blood of the republic to their ambition and to their personal resentments. He exhorted all well-disposed men to be of good courage, and assured them that they should soon see the republic restored. In the mean time, he gratified his army with the spoils of the opposite party, declaring the effects of all those to be forfeited who had been accessory to the crimes lately committed against the State. After this first specimen of his policy in the city, leaving a sufficient force to execute his orders, he hastened to Clusium.



Clusium, where Carbo, being joined by a considerable reinforcement from Spain, was preparing to recover the metropolis, or to relieve his colleague Marius, who was reduced to great distress in Præneste.

The events which followed the arrival and operations of Sylla in Tuscany were various, but for the most part unfavourable to Carbo, whose force, by desertions and the sword, was declining apace. The issue of the war seemed to depend on the fate of Præneste, and the whole force of the party was therefore directed to the relief of that place. The Lucanians and Samnites, who had espoused the cause of Marius, and who, by his favour, had obtained the freedom of Rome, apprehending immediate ruin to themselves, in the suppression of a party by whom they had been protected, determined to make one great effort for the relief of Marius.

They were joined in Latium by a large detachment sent by Carbo, under Carinas and Marcius, and made an attempt to force the lines of the besiegers at Præneste, and to open the blockade of that place. But having failed in this design, they turned, with desperation, on the city of Rome, which was but slightly guarded by a small detachment which had been left for that purpose. Sylla being informed of their intention, with hasty marches advanced to the city, and found the enemy already in possession of the suburbs, and preparing to force the gates.

It was about four in the afternoon when he arrived, after a long march. Some of his officers proposed, that the troops, being fatigued, should have a little time to repose themselves; and that, for this purpose, they should remain on the ramparts until the following day. Sylla, however, proposing, by his unexpected presence, and by coming to action at an unusual hour, to surprize the enemy, gave orders for an immediate attack. The event for some time was doubtful; the wing that was led by himself gave way, or was forced

B O O K  
II.

from its ground ; but the other wing under Crassus had a better fortune, put the enemy to flight, and drove them to Antemnæ.

The action, though thus various in the different parts of it, became, in the event, completely decisive. Eighty thousand of the Marian party were killed in their flight, and eight thousand taken. Carbo, in despair of the cause, fled into Sicily. The troops that were blocked up in Præneste, having no longer any hopes of relief, surrendered themselves, and the whole party was dispersed or cut off. Marius attempted to escape by the galleries of a mine, and being prevented, killed himself. His head was carried to Sylla, and by his order exposed in the market-place. “ That boy,” he said, “ should have learnt to row before he attempted to steer !”

Sylla being now master of the republic, all men were in anxious expectation of the sequel ; nor was it long before they had a specimen of the measures he was likely to pursue. About six or eight thousand of those who were supposed to be the vilest instruments of the late usurpations and murders, being taken prisoners in the war, or surprisèd in the city, were, by his direction, shut up in the circus, and instantly put to death.

While this horrid scene was acting, he had assembled the Senate, at a little distance, in the temple of Bellona ; and as most of the members then present had either favoured, or at least tamely submitted to the late usurpation, he made them a speech on the state of the republic, in which he reproached many of them as accessory to the late disorders, and admonished them, for the future, to respect the legal government and constitution of their country. In the midst of these admonitions, the cries of those who were slaughtered in the circus reaching their ears, the assembly was greatly alarmed, and many of the members started from their seats. Sylla, with a countenance stern, but undisturbed, checked them as for an instance of levity. “ Be composed,” he said, “ and attend to the business for which you are  
“ called,

“ called. What you hear are no more than the cries of a few  
 “ wretches, who are suffering the punishment due to their crimes.”

C H A P.  
 VII.

From this interruption he resumed his subject, and continued speaking till the massacre of these unhappy victims was completed.

In a harangue which he afterwards delivered to the People, he spoke of his own services to the republic, and of the misdemeanour of others, in terms that struck all who heard him with terror. “ The  
 “ republic,” he said (if his opinion were followed), “ should be  
 “ purged ; but whether it were so or no, the injuries done to himself  
 “ and his friends should be punished.” He accordingly ordered military execution against every person who had been accessory to the late massacres and usurpations ; and while the sword was yet reeking in his hands, passed great part of his time, as usual, in mirth and dissipation with men of humourous and singular characters. He deigned not even to inquire into the abuses that were committed in the execution of his general plan. The persons who were employed in it, frequently indulged their own private resentment and their avarice in the choice of victims. Among these, Cataline, then a young man, had joined the victorious party ; and he plunged, with a singular impetuosity, into the midst of a storm which now overwhelmed a part of the city. He is said, among other persons to whom he bore an aversion, or whose effects he intended to seize, to have murdered his own brother, with strange circumstances of cruelty and horror.

While these dreadful murders, mixed with many examples of a just execution, were perpetrated, a young man, C. Metellus, had the courage to address himself to Sylla in the Senate, and desired he would make known the extent of his design, and how far these executions were to be carried ? “ We intercede not,” he said, “ for  
 “ the condemned ; we only intreat that you would relieve out of  
 “ this

B O O K  
II.

“ this dreadful state of uncertainty all those whom in reality you  
“ mean to spare.”

Sylla, without being offended at this freedom, published a list of those he had doomed to destruction, offering a reward of two talents for the head of each, and denouncing severe penalties against every person who should harbour or conceal them. Hence arose the practice of publishing lists of the persons to be massacred, which, under the odious name of *proscription*, was afterwards imitated with such fatal effects in the subsequent convulsions of the State.

The present proscription, although it promised some security to all who were not comprehended in the fatal list, opened a scene, in some respects, more dreadful than that which had been formerly acted in this massacre. The hands of servants were hired against their masters, and even those of children against their parents. The mercenary of every denomination were encouraged, by a great premium, to commit what before only the ministers of public justice thought themselves entitled to perform; and there followed a scene, in which human nature had full scope to exert all the evil of which it is susceptible, treachery, ingratitude, distrust, malice, and revenge; and would have retained no claim to our esteem or commiseration, if its character had not been redeemed by contrary instances of fidelity, generosity, and courage, displayed by those who, to preserve their friends and benefactors, or even to preserve strangers, who took refuge under their protection, hazarded all the dangers with which the proscribed themselves were threatened.

In consequence of these measures, about five thousand persons of consideration were put to death, among whom were reckoned forty Senators, and sixteen hundred of the Equestrian order.

From these beginnings the Romans had reason to apprehend a tyranny, more sanguinary perhaps than any that ever afflicted mankind. “ If in the field you slay all who are found in arms

“ against you,” said Catulus <sup>26</sup>, “ and in the city you slay even the  
 “ unarmed ; over whom do you propose to reign ?”

C H A P.  
 VII.  
 {

These reproaches were by Sylla received as jests ; and the freedom and ease of his manners, as well as the professions he made of regard to the commonwealth, were imputed to insensibility, and to a barbarous dissimulation, which rendered his character more odious, and the prospect of his future intentions more terrifying.

In comparing the present with the late usurpations, men recollected, that Marius, from his infancy, had been of a severe and inexorable temper ; that his resentments were sanguinary, and even his frowns were deadly ; but that his cruelties were the effect of real passions, and had the apology of not being perpetrated in cold blood ; that every person on whom he looked with indifference was safe ; and that even when he usurped the government of the State, as soon as his personal resentments were gratified, the sword in his hand became an innocent pageant, and the mere ensign or badge of his power. But that Sylla directed a massacre in the midst of composure and ease : that as a private man he had been affable and pleasant, even noted for humanity and candour <sup>27</sup> ; that the change of his temper having commenced with his exaltation, there were no hopes that the shedding of blood could be stopped while he was suffered to retain his power. His daring spirit, his address, his cunning, and his ascendant over the minds of men, rendered the prospect of a deliverance, if not desperate, extremely remote. The republic seemed to be extinguished for ever ; and if the rage of blood, after the first heat of the massacre, appeared to abate, it was stayed only for want of victims, not from any principle of moderation, or sentiment of clemency.

<sup>26</sup> Probably the son of him who perished in the tyranny of Marius.

<sup>27</sup> Plutarch. in Sylla.

B O O K  
II.

Such was the aspect of affairs, and the grounds of terror conceived even by those who were innocent of the late disorders ; but to those who had reason to fear the resentment of the victor, the prospect was altogether desperate. Norbanus, having fled to Rhodes, received at that place an account of the proscriptions, and, to avoid being delivered up, killed himself. Carbo, being in Sicily, endeavoured to make his escape from thence, but was apprehended by Pompey, and killed. All the ordinary offices of State were vacated by the desertion or death of those who had filled or usurped them.

Sylla had hitherto acted as master, without any other title than that of the sword ; and it was now thought necessary to supply the defect. He retired from the city, that the Senate might assemble with the more appearance of freedom. To name an interrex was the usual expedient for restoring the constitution ; and proceeding to elections in a legal form after the usual time had elapsed, or when by any accident the ordinary succession to office had failed. Valerius Flaccus was named. To him Sylla gave intimation, that, to settle the commonwealth, a Dictator, for an indefinite term, should be appointed, and made offer of his own services for this purpose. These intimations were received as commands. Flaccus, having assembled the People, moved for an act to vest Sylla with the title of Dictator, which gave him a discretionary power over the persons, fortunes, and lives of all the citizens.

No example of this kind had taken place for a hundred and twenty years preceding this date. In the former part of this period, the jealousy of the aristocracy, and in the latter part of it, the negative of the Tribunes, had always prevented a measure from which they severally apprehended some danger to themselves. It was now revived in the person of Sylla with unusual solemnity, and ratified by an act of the People, in which they yielded up at once all their own claims to the sovereignty, and submitted to monarchy for

an indefinite time. Sylla having named Valerius Flaccus for his lieutenant or commander of the horse, returned to the city, presenting a fight that was then unusual, a single person, preceded by four-and-twenty licitors, armed with the axe and the rods; and it was not doubted that these ensigns of magistracy were to be employed, not for parade, but for serious execution, and were speedily to be stained with the blood of many citizens, whom the sword had spared. The Dictator, being attended likewise by a numerous military guard, in order that the city, in all matters in which it was not necessary for himself to interpose, might still enjoy the benefit of the usual forms, he directed the People to assemble, and to fill up the ordinary lists of office.

Lucretius Offella, the officer who had commanded in the reduction of Præneste, presuming on his favour with the Dictator, and on his consequence with the army, offered himself for the Consulate. Being commanded by Sylla to desist, he still continued his canvas, and was, by order of the Dictator, put to death, while he solicited votes in the streets. A tumult immediately arose; the Centurion, who executed this order against Offella, was seized, and, attended by a great concourse of people, was carried before the Dictator. Sylla heard the complaint with great composure, told the multitude who crowded around him, that Offella had been slain by his orders, and that the Centurion must therefore be released. He then dismissed them, with this homely but menacing apologue. “A coun-  
 “tryman at his plough, feeling himself troubled with vermin, once  
 “and again made a halt to pick them off his jacket; but being  
 “molested a third time, he threw the jacket, with all its contents,  
 “into the fire. Beware,” he said, “of the fire; provoke me not  
 “a third time<sup>28</sup>.” Such was the tone of a government, which,

<sup>28</sup> Appian. in Bell. Civil. lib. i. Plutarch. in Sylla.

B O O K  
 II.  
 U. C. 672.  
 M. Tullius  
 Decala.  
 C. C. Corn.  
 Dolabella.

from this example, was likely to be fatal to many who had concurred in the establishment of it, as well as to those of the opposite party.

Sylla, soon after his elevation to the station of Dictator, proceeded to make his arrangements and to new-model the commonwealth. The army<sup>29</sup> appeared to have the first or preferable claim to his attention. He accordingly proposed to reward them by a gift of all the lands which had been forfeited by the adherents of the opposite party. Spoletum, Interamna, Prænestæ, Fluentia, Nola, Sulmo, Volaterra, together with the countries of Samnium and Lucania, were depopulated to make way for the legions who had served under himself in the reduction of his enemies. In these new inhabitants of Italy, whose prosperity depended on his safety, he had a guard to his person, and a sure support to his power. By changing their condition from that of soldiers to land-holders and peasants, he dispelled, at the same time, that dangerous cloud of military power, which he himself or his antagonists had raised over the commonwealth, and provided for the permanency of any reforms he was to introduce into the civil establishment. The troops, from soldiers of fortune, became proprietors of land, and interested in the preservation of peace. In this manner, whatever may have been his intention in this arbitrary act of power, so cruel to the innocent sufferers, if there were any such, the measure had an immediate tendency to terminate the public confusion. Its future consequences, in pointing out to new armies, and to their ambitious leaders, a way to supplant their fellow-citizens in their property, and to practise usurpations more permanent than that of Sylla, were probably not then foreseen.

The next act of the Dictator appears more intirely calculated for the security of his own person. A body of ten thousand men, lately

<sup>29</sup> It appears that Livy reckoned forty-seven legions, Epitom. lib. lxxxix.



the property of persons involved in the ruin of the vanquished party, having their freedom and the right of citizens conferred on them, were enrolled promiscuously in all the Tribes; and as the enfranchised slave took the name of the person from whom he received his freedom, these new citizens became an accession to the family of the Corneli, and in every tumult were likely to be the sure partizans of Sylla, and the abettors of his power. They had received a freedom which was connected with the permanency of his government, and foresaw, that, if the leaders of the opposite party, in whose houses they had served, should be restored, they themselves must return into the condition of slaves; and they accordingly became an additional security to the government which their patron was about to establish.

So far Sylla seemed to intend the security of his own person, and the stability of his government; but in all his subsequent institutions, he had a view to restore the aristocracy in its legislative and judicative capacity, to provide a proper supply of officers for conducting the accumulated affairs of the commonwealth, to furnish hands for every department, and to guard against the growing depravity of the times, by extending and securing the execution of the laws. He began with filling up the rolls of the Senate which had been greatly reduced by the war, and by the sanguinary policy of the parties who had prevailed in their turns. He augmented the number of this body to five hundred; taking the new members from the Equestrian order, but leaving the choice of them to the People.

The legislative power of the Senate, and the judicative power of its members were restored. The law that was provided for the last of these purposes consisted of different clauses. By the first clause it was enacted, that none but Senators, or those who were intitled to give their opinion in the Senate<sup>29</sup>, should be put upon any jury or list

Lex de Ju-  
diciis.

<sup>29</sup> All the Officers of State, even before they were put upon the rolls, were intitled to speak in the Senate.

of the judges'. By the second, that, of the judges so selected, the parties should not be allowed to challenge or reject above three.

By a third clause it was provided, that judgment, in trials at law, should be given either by ballot, or openly, at the option of the defendant; and by a separate regulation, that the nomination of officers to command in the provinces, with the title of Proconsul, should be committed to the Senate.

During the late tribunitian usurpation, the whole legislative and executive power had, under pretence of vesting those prerogatives in the assembly of the Tribes, been seized by the Tribunes. But Sylla restored the ancient form of assembling the People by Centuries, and reduced the Tribunes to their defensive privilege of interposing by a negative against any act of oppression; and he deprived them of their pretended right to propose laws, or to harangue the People. He moreover added, that none but Senators could be elected into the office of Tribune; and, to the end that no person of a factious ambition might chuse this station, he procured it to be enacted, that no one who had borne the office of Tribune could afterwards be promoted into any other rank of the magistracy.

With respect to the offices of State, this new founder of the commonwealth revived the obsolete law which prohibited the re-election of any person into the Consulate, till after an interval of ten years; and enacted, that none could be elected Consul till after he had been Quæstor, Ædile, and Prætor. He augmented the number of Prætors from six to eight; that of Quæstors to twenty; and, to guard against the disorders which had recently afflicted the republic, declared it to be treason for any Roman officer, without the authority of the Senate and People, to go beyond the limits of his province, whether with or without an army, to make war, or to invade any foreign nation whatever.

<sup>21</sup> Tacit. Anal. lib. xi. Cic. pro Cliento.

He repealed the law of Domitius relating to the election of priests, and restored to the college the entire choice of their own members. C II A P.  
VII.

He made several additions to the criminal law, by statutes against subornation, forgery, wilful fire, poisoning, rape, assault, extortion, and forcibly entering the house of a citizen; and a statute making it penal to be found with deadly weapons of any sort. To all these he added a sumptuary law, of which the tenor is not precisely known; but it appears to have regulated the expence at ordinary<sup>32</sup> meals and at funerals, and to have likewise settled the price of provisions.

These laws were promulgated at certain intervals, and intermixed with the measures which were taken to restore the peace of the empire. In order to finish the remains of the civil war, Pompey had been sent into Sicily and Africa, and C. Annius Luscus into Spain. In this province, Sertorius had taken arms for the Marian faction; but being attacked by the forces of Sylla, and ill supported at first by the Spaniards, he fled into Africa. From thence, hearing that the Lusitanians were disposed to take arms against the reigning party at Rome, he repassed the sea, put himself at their head, and in this situation was able, for some years, to find occupation for the arms of the republic, and for its most experienced generals.

Soon after the departure of Sylla from Asia, Murena, whom he had left to command in that province, found a pretence to renew the war with Mithridates; and, having ventured to pass the Halys, was defeated by that prince, and afterwards arraigned as having infringed the late treaty of peace. Sylla listened to this accusation, disapproved the conduct of Murena, and sent first A. Gabinius, and afterwards Minucius Thermus, to supersede him in the province.

Mean time Sylla himself exhibited a splendid triumph on account of his victories in Asia and Greece. The procession lasted two days.

<sup>32</sup> Gellius, lib. ii. c. 24.

B O O K  
II.

On the first, he deposited in the treasury fifteen thousand pondo of gold<sup>33</sup>, and an hundred and fifteen thousand pondo of silver<sup>34</sup>; on the second day, thirteen thousand pondo of gold<sup>35</sup>, and seven thousand pondo of silver<sup>36</sup>. There was nothing that had any reference to his victory in the civil war, except a numerous train of Senators, and other citizens of distinction, who, having resorted to his camp for protection, had been restored by him to their estates and their dignities, and now followed his chariot, calling him Father, and the Deliverer of his Country.

U. C. 673.  
L. Corn. syl-  
la. Q. Caecil.  
Metell. P. S.

Upon the return of the elections, Sylla was again chosen Consul, together with Q. Caecilius Metellus. The latter was destined, at the expiration of his office, to command against Sertorius in Spain. Sylla himself still retained the Dictatorial power, and was employed in promulgating some of the acts of which the chief have been mentioned.

Pompey having, in the preceding year, by the death of Carbo, and the dispersion of his party, finished the remains of the civil war in Sicily, was now ordered by the Senate to transport his army into Africa. There Domitius, a leader of the opposite faction, had erected his standard, assembled some remains of the vanquished party, and received all the fugitives who crowded for refuge to his camp. Pompey accordingly departed from Sicily, leaving the command of that island to Memmius, and embarked his army, consisting of six legions, in two divisions; one landed at Utica, the other in the bay of Carthage. Having come to an engagement with Domitius, who had been joined by Jarbas, an African prince, he obtained a complete victory over their united forces, and afterwards penetrated, without any resistance, into the kingdom of Numidia, which, though de-

<sup>33</sup> Reckoning the pondo at ten ounces, and 4 l. an ounce, this will make about 60,000 l.

<sup>34</sup> About 287,500 l.

<sup>35</sup> About 520,000 l.

<sup>36</sup> About 140,000 l. Plin. lib. xxxiii. initio.

pendant on the Romans, had not yet been reduced to the form of a province.

CHAP.  
VII.

The war being ended in this quarter, Sylla thought proper to supersede Pompey in the province, and ordered him to disband his army, reserving only one legion, with which he was to wait for his successor. The troops were greatly incensed at this order; and, thinking themselves equally entitled to settlements with the legions who were lately provided for in Italy, refused to lay down their arms. They earnestly intreated their general to embark for Rome, where they promised to make him master of the government. This young man, with a moderation which he continued to support in the height of his ambition, withstood the temptation, and declared to the army, that, if they persisted in their purpose, he must certainly die by his own hands; that he would not do violence to the government of his country, nor be the object or pretence of a civil war. If in reality he had encouraged this mutiny, it was only that he might thus have the honour of reclaiming the soldiers, and of rejecting their offer. The ambition of this singular person, as will appear from many passages of his life, led him to aim at consideration more than power.

While Pompey was endeavouring to bring the troops to their duty, a report was carried to Rome, that he had actually revolted, and was preparing, with his army, to make a descent upon Italy. “ It appears to be my fate,” said Sylla, “ in my old age, to fight with boys;” and he was about to recal the veterans to his standard, when the truth was discovered, and the part which Pompey had acted was properly represented. The merit of this young man on that occasion was the greater, that he himself was unwilling to disband the army before they should return into Italy to attend a triumph, which he hoped to obtain; and that the resolution he took to comply

with his orders, proceeded from respect to the Senate, and the authority of the State.

Sylla, won by the behaviour of Pompey on this occasion, was inclined to dispense with his former commands, and accordingly moved the assembly of the People, that the legions serving in Africa might return into Italy.

This motion was opposed by C. Herennius, Tribune of the People, who ventured to employ the prerogative of his office, however impaired, against the power of the Dictator. But Sylla persisted; obtained a law to authorise Pompey to enter with his army into Italy; and when he drew near the city, went forth with a numerous body of the Senate to receive him. On this occasion, it is said, that, by calling him the Great Pompey, Sylla fixed a designation upon him, which, in the Roman way of distinguishing persons by nicknames, whether of contempt or respect, continued to furnish him with a title for life. The times were wretched when armies stated themselves in the commonwealth as the partizans of their leader, and when the leader, by not betraying his country, was supposed to perform a great action.

Pompey, upon this occasion, laid claim to a triumph. Sylla at first opposed it as being contrary to the rule and order of the commonwealth, which reserved this honour for persons who had attained to the rank of Consul or Prætor; but he afterwards complied, being struck, it is said, with a mutinous saying of this aspiring young man, bidding him recollect, that there were more persons disposed to worship the rising than the setting sun.

In the triumph which Pompey accordingly obtained, he meant to have entered the city on a carriage drawn by elephants; but these animals could not pass abreast through the gates. His donation to the troops falling short of their expectation, and they having murmured, and even threatened to mutiny, he said, the fear of losing his triumph

triumph should not affect him; that he would instantly disband the legions, rather than comply with their unreasonable demands. This check, given to the presumption of the army by an officer so young and so aspiring, gave a general satisfaction. P. Servilius, a Senator of advanced age, said, upon this occasion, "That the young man had at last deserved his triumph and his title."

C. H. A. P.  
VII.

Pompey, by his vanity in demanding a triumph contrary to the established order of the commonwealth, had impaired the lustre of his former actions; by this last act of magnanimity, in restraining the insolence of the troops, he forfeited the affections of the army; and in both these circumstances together, gave a complete specimen and image of his whole life. With too much respect for the republic to employ violent means for its ruin, he was possessed by a vanity and a jealousy of his own personal consideration, which, in detail, perpetually led him to undermine its foundations.

Upon the return of the elections, Sylla was again destined for one of the Consuls; but he declined this piece of flattery, and directed the choice to fall on P. Servilius and Appius Claudius. Soon after these magistrates entered on the discharge of their trust; the dictator appeared, as usual, in the Forum, attended by twenty-four lictors: but, instead of proceeding to any exercise of his power, made a formal resignation of it, dismissed his retinue, and, having declared to the People, that, if any one had any matter of charge against him, he was ready to answer it, continued to walk in the streets in the character of a private man, and afterwards retired to his villa near Cumæ, where he exercised himself in hunting<sup>27</sup>, and other country amusements.

U. C. 674.  
P. Servilius,  
Ap. Claudius.

This resignation throws a new light on the character of Sylla, and leads to a favourable construction of some of the most exceptionable

<sup>27</sup> Appian. Bell. Civil. lib. i.

B O O K  
 II.

parts of his conduct. When, with the help of the comment it affords, we look back to the establishments he made while in power, they appear not to be the acts of a determined usurper, but to be fitted for a republican government, and for the restoration of that order which the violence and corruption of the times had suspended.

That he was actuated by a violent resentment of personal wrongs, cannot be questioned; but it is likewise evident, that he felt on proper occasions for the honour and preservation of his country, in the noblest sense of these words. In his first attack of the city with a military force, his actions showed, that he meant to rescue the republic from the usurpations of Marius, not to usurp the government himself. When he returned into Italy from the Mithridatic war, the state of parties already engaged in hostilities, and the violence done to the republic by those who pretended to govern it, will abundantly justify his having had recourse to arms. For the massacre which followed, it may be shocking to suppose that the evils of human life can require such a remedy: but the case was singular, exposed to disorders which required violent remedies, beyond what is known in the history of mankind. A populous city, the capital of a large country, whose inhabitants still pretended to act in a collective body, of whom every member would be a master, none would be a subject, become the joint sovereigns of many provinces, ready to spurn at all the institutions which were provided for the purposes of government over themselves, and at all the principles of justice and order which were required to regulate this government of others: where the gangrene spread in such a body, it was likely to require the amputation-knife. Men rushed into crimes in numerous bodies, or were led in powerful factions to any species of evil which suited their demagogues. Whatever may have been Sylla's choice among the instruments of reformation and cure, it is likely that the sword alone was that on which he could rely; and



he used it like a person anxious to effect its purpose, not to recommend his art to those on whom it was to be practised.

C H A P.  
VII.

In his capacity of a political reformer, he had to work on the dregs of a corrupted republic; and although the effect fell short of what is ascribed to fabulous legislators and founders of states, yet to none ever were ascribed more tokens of magnanimity and greatness of mind. He was superior to the reputation even of his own splendid actions; and, from simplicity or disdain, mixed perhaps with superstition, not from affected modesty, attributed his success to the effects of his good fortune and to the favour of the gods. While he bestowed on Pompey the title of Great, he himself was content with that of Fortunate. He was a man of letters, and passed the early part of his life in a mixture of dissipation and study. He wrote his own memoirs, or a journal of his life, often quoted by Plutarch, and continued it to within a few days of his death. A work possibly of little elegance, and even tainted, as we are told, with superstition; but more curious surely than many volumes corrected by the labours of retired study.

When tired of his youthful amusements, he sued for the honours of the State; but with so little appearance of any jealous or impatient ambition, that, if he had not been impelled by provocations into the violent course he pursued, it is probable that he would have been contented with the usual career of a prosperous Senator; would have disdained to encroach on the rights of his fellow-citizens, as much as he resented the encroachments that were made on his own, and never would have been heard of but on the Rolls of the Consuls, and in the record of his triumphs. But fortune destined him for a part still more conspicuous, and in which it may be thought, that, although none ever less studied the unnecessary appearances of humanity or a scrupulous morality, none ever more essentially served the persons with whom he was connected.

B O O K  
II.

With respect to such a personage, circumstances of a trivial nature become subjects of attention. His hair and eyes, it is said, were of a light colour, his complexion fair, and his countenance blotched. He was, by the most probable accounts, four years old at the time of the sedition of Tiberius Gracchus, and seventeen at the death of Caius Gracchus; so that he might have perceived at this date the effect of tribunitian seditions, and taken the impressions from which he acted against them. He served the office of *Questor* under Marius in Africa at thirty-one; was *Consul* for the first time at forty-nine or fifty<sup>38</sup>; was *Dictator* at fifty-six; resigned when turned of fifty-eight; and died yet under sixty, in the year which followed that of his resignation.

There remained in the city, at his death, a numerous body of new citizens who bore his name: in the country a still more numerous body of veteran officers and soldiers, who held estates by his gift: numbers throughout the empire, who owed their safety to his protection, and who ascribed the existence of the commonwealth itself to the exertions of his great ability and courage: numbers who, although they were offended with the severe exercise of his power, yet admired the magnanimity of his resignation.

When he was no longer an object of flattery, his corpse was carried in procession through Italy at the public expence. The fasces, and every other ensign of honour, were restored to the dead. Above two thousand golden crowns were fabricated in haste, by order of the towns and provinces he had protected, or of the private persons he had preserved, to testify their veneration for his memory. Roman matrons, whom it might be expected his cruelties would have affected with horror, lost every other sentiment in that of admiration, crowded to his funeral, and heaped the pile with perfumes<sup>39</sup>. His obsequies were performed in the *Campus Martius*. The tomb was

<sup>38</sup> Vel. Pater. lib. ii. c. 17.

<sup>39</sup> Appian. de Bell. Civ. lib. i. Plutarch. in Sylla.

marked by his own directions with the following characteristical inscription: "Here lies Sylla, who never was outdone in good offices C H A P.  
VIC.  
" by his friend, nor in acts of hostility by his enemy <sup>40</sup>." His merit or demerit in the principal transactions of his life may be variously estimated. His having slain so many citizens in cold blood, and without any form of law, if we imagine them to have been innocent, or if we conceive the republic to have been in a state to allow them a trial, must be considered as monstrous or criminal in the highest degree: but if none of these suppositions were just, if they were guilty of the greatest crimes, and were themselves the authors of that lawless state to which their country was reduced, his having saved the republic from the hands of such ruffians, and purged it of the vilest dreg that ever threatened to poison a free State, may be considered as meritorious. To satisfy himself, who was neither solicitous of praise nor dreaded censure, the strong impulse of his own mind, guided by indignation and the sense of necessity, was probably sufficient.

<sup>40</sup> Plutarch. in Sylla, sine.



Map  
Representing the Relative position  
of the  
PRINCIPAL KINGDOMS AND STATES  
on the Coasts of the  
MEDITERRANEAN SEA  
At the time that the Romans began their  
Conquests beyond the Limits of Italy.



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