

Augury:

Livius I 6

[1] At the beginning of the fray Numitor exclaimed that an enemy had invaded the city and attacked the palace, and drew off the active men of the place to serve as an armed garrison for the defence of the citadel; and when he saw the young men approaching, after they had dispatched the king, to congratulate him, he at once summoned a council, and laid before it his brother's crimes against himself, the parentage of his grandsons, and how they had been born, reared, and recognised. [2] He then announced the tyrant's death, and declared himself to be responsible for it. The brothers advanced with their band through the midst of the crowd, and hailed their grandfather king, whereupon such a shout of assent arose from the entire throng as confirmed the new monarch's title and authority.

[3] The Alban state being thus made over to Numitor, Romulus and Remus were seized with the desire to found a city in the region where they had been exposed and brought up. And in fact the population of Albans and Latins was too large; besides, there were the shepherds. All together, their numbers might easily lead men to hope that Alba would be small, and Lavinium small, compared with the city which they should build. [4] These considerations were interrupted by the curse of their grandsires, the greed of kingly power, and by a shameful quarrel which grew out of it, upon an occasion innocent enough. Since the brothers were twins, and respect for their age could not determine between them, it was agreed that the gods who had those places in their protection should choose by augury who should give the new city its name, who should govern it when built. Romulus took the Palatine for his augural quarter, Remus the Aventine.

Livius I 7

7. Remus¹ is said to have been the first to receive an augury, from the flight of six vultures. The omen had been already reported when twice that number appeared to Romulus. Thereupon each was saluted king by his own followers, the one party laying claim to the honour from priority, the other from the number of the birds. [2] They then engaged in a battle of words and, angry taunts leading to bloodshed, Remus was struck down in the affray. The commoner story is that Remus leaped over the new walls in mockery of his brother, whereupon Romulus in great anger slew him, and in menacing wise added these words withal, "So perish whoever else shall leap over my walls!"² [3] Thus Romulus acquired sole power, and the city, thus founded, was called by its founder's name.

His first act was to fortify the Palatine, on which³ he had himself been reared. To other gods he sacrificed after the Alban custom, but employed the Greek for Hercules, according to the institution of Evander. [4] The story is as follows: Hercules, after slaying Geryones, was driving off his wondrously beautiful cattle, when, close to the river Tiber, where he had swum across it with the herd before him, he found a green spot, where he could let the cattle rest and refresh themselves with the abundant grass; and being tired from his journey he lay down himself. [5] When he had there fallen into a deep sleep, for he was heavy with food and wine, a shepherd by the name of Cacus, who dwelt hard by and was insolent by reason of his strength, was struck with the beauty of the animals, and wished to drive them off as plunder. But if he had driven the herd into his cave, their tracks would have been enough to guide their owner to the place in his search; he therefore chose out those of the cattle that were most remarkable for their beauty, and turning them the other way, dragged them into the cave by their tails. [6] At daybreak Hercules awoke. Glancing over the herd, and perceiving that a part of their number was lacking, he proceeded to the nearest cave, in

case there might be foot-prints leading into it. When he saw that they were all turned outward and yet did not lead to any other place, he was confused and bewildered, and made ready to drive his herd away from that uncanny spot. [7] As the cattle were being driven off, some of them lowed, as usually happens, missing those which had been left behind. They were answered with a low by the cattle shut up in the cave, and this made Hercules turn back. When he came towards the [p. 29]cave, Cacus would have prevented his approach with⁴ force, but received a blow from the hero's club, and calling in vain upon the shepherds to protect him, gave up the ghost. [8] Evander, an exile from the Peloponnese, controlled that region in those days, more through personal influence than sovereign power. He was a man revered for his wonderful invention of letters,⁵ a new thing to men unacquainted with the arts, and even more revered because of the divinity which men attributed to his mother Carmenta, whom those tribes had admired as a prophetess before the Sibyl's coming into Italy. [9] Now this Evander was then attracted by the concourse of shepherds, who, crowding excitedly about the stranger, were accusing him as a murderer caught red-handed. When he had been told about the deed and the reason for it, and had marked the bearing of the man and his figure, which was somewhat ampler and more august than a mortal's, he inquired who lie was. [10] Upon learning his name, his father, and his birth-place, he exclaimed, "Hail, Hercules, son of Jupiter! You are he, of whom my mother, truthful interpreter of Heaven, foretold to me that you should be added to the number of the gods, and that an altar should be dedicated to you here which the nation one day to [11] be the most powerful on earth should call the Greatest Altar, and should serve according to your rite." [12] Hercules gave him his hand, and declared that he accepted the omen, and would fulfil the prophecy by establishing and dedicating an altar. Then and there men took a choice victim from the herd, and for the first time made sacrifice to Hercules. [13] For the ministry and the banquet they employed the Potitii and the Pinarii, being the families [p. 31]of most distinction then living in that region. It so⁶ fell out that the Potitii were there at the appointed time, and to them were served the inwards; the Pinarii came after the inwards had been eaten, in season for the remainder of the feast. [14] Thence came the custom, which persisted as long as the Pinarian family endured, that they should not partake of the inwards at that sacrifice. The Potitii, instructed by Evander, were priests of this cult for many generations, until, having delegated to public slaves the solemn function of their family, the entire stock of the Potitii died out. [15] This was the only sacred observance, of all those of foreign origin, which Romulus then adopted, honouring even then the immortality won by worth to which his own destiny was leading him.⁷

Augury:

Livius I 17

17. The senators meanwhile were engaged in a struggle for the coveted kingship. So far it had not come to a question of any one person, for nobody stood out with special prominence in the new nation; instead, a strife of factions was waging between the two stocks. [2] Those of Sabine origin, having had no king on their side since the death of Tadius, feared that despite their equal rights they might lose their hold upon the sovereign power, and hence desired that the king should be chosen from their own body. [3] The original Romans spurned the idea of an alien king. Various, however, as were men's inclinations, to be ruled by a king was their universal wish, for they had not yet tasted the sweetness of liberty. [4] Then the senators became alarmed, lest the state wanting a ruler and the army a leader, and many neighbouring states being disaffected, some violence might be offered from without. [5] All therefore were agreed that there should be some head, but nobody could make up his mind to yield to his fellow. And so the hundred senators shared the power among themselves, establishing ten decuries and appointing one man for each decury to preside over the administration.

[6] Ten men exercised authority; only one had its insignia and lictors. Five days was the period of his power, which passed in rotation to all; and for a year the monarchy lapsed. This interval was called, as it was, an interregnum, a name which even yet obtains. [7] Murmurs then arose among the plebs that their servitude had been multiplied; that a hundred masters had been given them instead of [p. 63]one. No longer, it seemed, would they endure¹ anything short of a king, and a king, too, of their own choosing. [8] Perceiving that such ideas were in the wind, the senators thought it would be well to proffer spontaneously a thing which they were on the verge of losing, and obtained the favour of the people by granting them supreme power on such terms as to part with no greater prerogative than they retained. [9] For they decreed that when the people should have named a king, their act should only be valid in case the senators ratified it. Even now, in voting for laws and magistrates, the same right is exercised, but is robbed of its significance; before the people can begin to vote, and when the result of the election is undetermined, the Fathers ratify it. [10] On the present occasion the interrex summoned the assembly and spoke as follows: "May prosperity, favour, and fortune attend our action! Quirites, choose your king. Such is the pleasure of the Fathers, who, in their turn, if your choice fall upon one worthy to be called Romulus' successor, will confirm your election." [11] This so pleased the plebs, that, unwilling to appear outdone in generosity, they merely resolved and ordered that the senate should decree who should be king in Rome.

Livius I 18

18. A great reputation for justice and piety was enjoyed in those days by Numa Pompilius. Cures, a town of the Sabines, was his home, and he was deeply versed, so far as anyone could be in that age, in all law, divine and human. [2] The teacher to whom he owed his learning was not, as men say, in default of another name, the Samian Pythagoras; for it is well established that Servius Tullius was king at Rome, more than a hundred years after this [p. 65]time, when Pythagoras gathered about him, on the¹ farthest coasts of Italy, in the neighbourhood of Metapontum, Heraclea, and Croton, young men eager to share his studies.² [3] And from that country, even if he had been contemporary, how could his fame have reached the Sabines? Again, in what common language could he have induced anyone to seek instruction of him? Or under whose protection could a solitary man have made his way through so many nations differing in speech and customs? [4] It was Numa's native disposition, then, as I incline to believe, that tempered his soul with noble qualities, and his training was not in foreign studies, but in the stern and austere discipline of the ancient Sabines, a race incorruptible as any race of the olden time. [5] When Numa's name had been proposed, the Roman senators perceived that the Sabines would gain the ascendancy if a king were to be chosen from that nation; yet nobody ventured to urge his own claims in preference to those of such a man, nor the claim of any other of his faction, nor those, in short, of any of the senators or citizens. [6] And so they unanimously voted to offer the sovereignty to Numa Pompilius. Being summoned to Rome he commanded that, just as Romulus had obeyed the augural omens in building his city and assuming regal power, so too in his own case the gods should be consulted. Accordingly an augur (who thereafter, as a mark of honour, was made a priest of the state in permanent charge of that function) conducted him to the citadel and caused him to sit down on a stone, facing the south. [7] The augur seated himself on Numa's left, having his head covered, and holding his in right hand the crooked staff without a knot [p. 67]which they call a lituus. [8] Then, looking out over the³ City and the country beyond, he prayed to the gods, and marked off the heavens by a line from east to west, designating as 'right' the regions to the south, as 'left' those to the north, and fixing in his mind a landmark opposite to him and as far away as the eye could reach; [9] next shifting the crook to his left hand and, laying his right hand on Numa's head, he uttered the following prayer: "Father Jupiter, if it is Heaven's will that this man Numa Pompilius, whose head I am touching, be king in Rome, do thou exhibit to us unmistakable signs within those limits which I have set." [10] He then specified the

auspices which he desired should be sent, and upon their appearance Numa was declared king, and so descended from the augural station.

Fetiales

Livius I 32

32. On the death of Tullus, the government¹ reverted, in accordance with the custom established in the beginning, to the senators, who named an interrex. This official called together the comitia, and the people elected Ancus Marcius king, a choice which the Fathers ratified. Ancus Marcius was a grandson, on the mother's side, of King Numa Pompilius. [2] When he began to rule he was mindful of his grandfather's glory, and considered that the last reign, excellent in all else, had failed to prosper in one respect, owing to neglect or misconduct of religious observances. Deeming it therefore a matter of the utmost consequence to perform the state sacrifices as Numa had established them, he bade the pontifex copy out all these from the commentaries of the king and display them in public on a whitened table. This act led the citizens, who were eager for peace, [p. 115]and also the neighbouring nations, to hope that he² would adopt the character and institutions of his grandfather. [3] Hence the Latins, with whom a treaty had been made in the time of Tullus, plucked up courage, and raided Roman territory, and when called on by the Romans to make restitution, returned an arrogant answer, persuaded that the Roman king would spend his reign in inactivity amid shrines and altars. But the character of Ancus was well balanced, and he honoured the memory of Romulus, as well as Numa. [4] And besides having a conviction that peace had been more necessary to his grandfather's reign, when the nation had been both young and mettlesome, he also believed that the tranquillity, so free of attack, which had fallen to the lot of Numa would be no easy thing for himself to compass; his patience was being tried, and when proved would be regarded with contempt, and in short the times were better suited to the rule of a Tullus than a Numa. [5] In order however that, as Numa had instituted religious practices in time of peace, he might himself give out a ceremonial of war, and that wars might not only be waged but also declared with some sort of formality, he copied from the ancient tribe of the Aequicoli the law, which the fetials now have,³ by which redress is demanded.

[6] When the envoy has arrived at the frontiers of the people from whom satisfaction is sought, he covers his head with a bonnet —the covering is of wool —and says: "Hear, Jupiter; hear, ye boundaries of" —naming whatever nation they belong to; —"let righteousness hear! [7] I am the public herald of the Roman People; I come duly and religiously commissioned; let my words be credited," Then he [p. 117]recites his demands, after which he takes Jupiter to⁴ witness: "If I demand unduly and against religion that these men and these things be surrendered to me, then let me never enjoy my native land." [8] These words he rehearses when he crosses the boundary line, the same to what man soever first meets him, the same when he enters the city gates, the same when he has come into the market-place, with only a few changes in the form and wording of the oath. [9] If those whom he demands are not surrendered, at the end of three and thirty days —for such is the conventional number —he declares war thus: "Hear, Jupiter, and thou, Janus Quirinus, and hear all heavenly gods, and ye, gods of earth, and ye of the lower world; I call you to witness that this people" —naming whatever people it is —"is unjust, and does not make just reparation. [10] But of these matters we will take counsel of the elders in our country, how we may obtain our right." Then the messenger returns to Rome for the consultation. [11] Immediately the king would consult the Fathers, in some such words as these: "Touching the things, the suits, the causes, concerning which the pater patratus of the Roman People of the Quirites has made demands on the pater patratus of

the Ancient Latins, and upon the men of the Ancient Latins, which things they have not delivered, nor fulfilled, nor satisfied, being things which ought to have been delivered, fulfilled, and satisfied, speak," —turning to the man whose opinion he was wont to ask first, — "what think you?" Then the other would reply: "I hold that those things ought to be sought in warfare just and righteous; and so I consent and vote." [12] The others were then asked the question, in their order, and when the majority [p. 119] of those present went over to the same opinion, war had been agreed upon. [13] It was customary for the fetial to carry to the bounds of the other nation a cornet-wood spear, iron-pointed or hardened in the fire, and in the presence of not less than three grown men to say: "Whereas the tribes of the Ancient Latins and men of the Ancient Latins have been guilty of acts and offences against the Roman People of the Quirites; and whereas the Roman People of the Quirites has commanded that war be made on the Ancient Latins, and the Senate of the Roman People has approved, agreed, and voted a war with the Ancient Latins; I therefore and the Roman People declare and make war on the tribes of the Ancient Latins and the men of the Ancient Latins." [14] Having said this, he would hurl his spear into their territory. This is the manner in which at that time redress was sought from the Latins and war was declared, and the custom has been received by later generations.