

App. Civ. 1,27-32

Text Übersetzung:

(Übersetzung Horace White)

[28] About this time the consul Scipio [Nasica] demolished the theatre begun by Lucius Cassius, and now nearly finished, because he considered this also the source of new seditions or because he thought it not altogether desirable that the Romans should become accustomed to Grecian pleasures. The censor, Quintus Cæcilius Metellus, attempted to degrade Glaucia, a senator, and Apuleius Saturninus, who had already been a tribune, on account of their disgraceful mode of life, but was not able to do so because his colleague would not agree to it. Accordingly Saturninus, a little later, in order to have revenge on Metellus, became a candidate for the tribuneship again, seizing the occasion when Glaucia held the office of prætor and presided over the election of the tribunes; but Nonius, a man of noble birth, who used much plainness of speech in reference to Saturninus and reproached Glaucia bitterly, was chosen for the office. As they feared lest he should punish them as tribune, they made a rush upon him with a crowd of ruffians just as he was going away from the comitia, pursued him into a certain inn, and stabbed him. As this murder had a pitiful and shocking aspect, the adherents of Glaucia came together early the next morning, before the people had assembled, and declared Saturninus elected tribune. In this way the killing of Nonius was hushed up, since everybody was afraid to call Saturninus to account because he was a tribune. [29] Metellus was banished by them at the instigation of Gaius Marius, who was then in his sixth consulship, and was the secret enemy of Metellus. Thus they all helped each other. Saturninus brought forward a law to divide the land which the Cimbri (a Celtic tribe lately driven out by Marius) had seized in the country now called Gaul by the Romans, and which was considered as no longer Gallic but Roman territory. It was provided also in this law that if the people should enact it the senators should take an oath within five days to obey it, and that any one who should refuse to do so should be expelled from the Senate and should pay a fine of twenty talents for the benefit of the people. Thus they intended to punish those who should take it with a bad grace, and especially Metellus, who was too high-spirited to submit to the oath. Such was the proposed law. Saturninus appointed the day for holding the comitia and sent messengers to summon from the country districts those in whom he had most confidence, because they had served in the army under Marius. As the law gave the larger share to the Italian allies the city people were not pleased with it. [30] Sedition broke out in the comitia. Those who attempted to prevent the passage of the laws proposed by the tribunes were assaulted by Saturninus and driven away from the rostra. The city folks exclaimed that thunder was heard in the assembly, in which case it is not permitted by Roman custom to finish the business that day. As the adherents of Saturninus persisted nevertheless, the city people girded themselves, seized whatever clubs they could lay their hands on, and dispersed the rustics. The latter were rallied by Saturninus; they attacked the city folks with clubs, overcame them, and passed the law. When this was done Marius, in his capacity as consul, forthwith proposed to the Senate that they consider concerning taking the oath. Knowing that Metellus was a man of fixed opinion and firm in whatever he might believe or commit himself to, he gave his own opinion publicly, but deceitfully, saying that he would never willingly take this oath himself. When Metellus had agreed with him in this, and the others had praised them both, Marius adjourned the Senate. On the fifth day thereafter (the last day prescribed in the law for taking the oath) he called them together in haste about the tenth hour, saying that he was afraid of the people because they were so zealous for the law. He saw a way, however, to avoid it, and he proposed the following trick--to swear that they would obey the

law as far as it was a law, and thus at once disperse the country people by stratagem. Afterward it could be easily shown that this thing, which had been enacted by violence and in spite of thunder, contrary to the custom of their ancestors, was not a law.

[31] After speaking thus he did not wait for the result, but while all were in silent amazement at the plot, and confused because there was no time to be lost and no opportunity for thinking, he rose and went to the temple of Saturn, where the quæstors were accustomed to administer oaths, and took the oath first with his friends. The rest followed his example, as each one feared for his own safety. Metellus alone refused to swear, but stood fearlessly by his first determination. Saturninus proceeded against him at once on the next day. He sent an officer for him and dragged him out of the senate-house. As the other tribunes defended him Glaucia and Saturninus hastened to the country people and told them that they would never get the land, and that the law would not be executed, unless Metellus were banished. They proposed a decree of banishment against him and directed the consuls to interdict fire and water and shelter to him, and appointed a day for the ratification of this decree. Great was the indignation of the city people, who constantly escorted Metellus, carrying daggers. He thanked them and praised them for their good intentions, but said that he could not allow any danger to befall the country on his account. After saying this he withdrew from the city. Saturninus got the decree ratified, and Marius made proclamation that it was a part of the law.

[32] In this way was Metellus, a most admirable man, sent into banishment. Thereupon Saturninus was made tribune a third time and he had for a colleague one who was thought to be a fugitive slave, but who claimed to be a son of the elder Gracchus. The multitude supported him in the election because they regretted Gracchus. When the election for consuls came on Marcus Antonius was chosen as one of them by common consent. The aforesaid Glaucia and Memmius contended for the other place. Memmius was the more illustrious man by far, and Glaucia and Saturninus were fearful of the result. So they sent a gang of ruffians to attack him with clubs while the election was going on. They fell upon him in the midst of the comitia and beat him to death in the sight of all. The assembly was broken up in terror. Neither laws nor courts nor sense of shame remained. The people ran together in anger the following day intending to kill Saturninus, but he had collected another mob from the country and, with Gaius Saufeius, the quæstor, seized the Capitol. The Senate voted them public enemies. Marius was vexed; nevertheless he armed some of his forces reluctantly, and, while he was delaying, some other persons cut off the water-supply from the Capitoline temple. Saufeius was near perishing with thirst and proposed to set the temple on fire, but Glaucia and Saturninus, who hoped that Marius would assist them, surrendered first, and after them Saufeius. As everybody demanded that they should be put to death, Marius shut them up in the senate-house as though he intended to deal with them in a more legal manner. The crowd considered this a mere pretext. They tore the tiles off the roof and stoned them to death, including a quæstor, a tribune, and a prætor, who were still wearing their insignia of office.