Trials in the Late Roman Republic,
149 BC to 50 BC

Records of criminal and civil trials offer scholars a wealth of information about legal practices and principles, social history, and the conventions of rhetoric. For Roman historians court records as we know them today do not exist. To fill that gap Michael C. Alexander has tabulated, as exhaustively as possible, the scattered information available about the 391 known trials, criminal and civil, dating from the last century of the Roman Republic (149 BC to 50 BC).

For each case Alexander provides as many pieces of legal data as are available, including wherever possible the date of the trial, the charge, the verdict, and the names of all involved: defendant, defense speaker, prosecutor or plaintiff, presiding magistrate, jurors, and witnesses. The entry for each trial also contains citations of relevant ancient sources and modern scholarship. Footnotes make the reader aware of any dubious or controversial points which relate to the formal aspects of the trial. Also included are a general index of names, plus separate indexes by role, and an index of procedures.

For Roman historians and scholars in the fields of Roman law and Latin rhetoric, this volume is an invaluable reference work for the study of the judicial system of ancient Rome in the last one hundred years of the Republic.

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Finally, I wish to acknowledge my debt to the late Professor G.V. Sumner of the University of Toronto, to whose memory this book is dedicated. My dissertation, written under his supervision, contains an appendix covering trials from the years 81 to 50 BC. As I have worked on this project in the years following, I have realized how much I owe to him.
INTRODUCTION

In this work I have attempted to tabulate, as exhaustively as possible, the known legal facts pertaining to the 391 trials and possible trials, criminal and civil, which date from the last century of the Roman Republic, and about which some information has survived. The purpose of this work is to convey the sort of information which we might expect to find in court records, although, of course, it is not in reality such a documentary source, and should not be treated as one. I hope that this designedly austere recitation of the facts which we know about the Late Republic will prove to be of use to scholars working in Roman political history, legal history, and rhetoric.

The model which I have followed, mutatis mutandis, is Broughton's *Magistrates of the Roman Republic*. Like *MRR*, this work takes a general body of previously known information and, by compressing it into a standardized format, seeks to make it easier for other scholars to use. Whether this work accomplishes that goal as successfully as Broughton's has done, and whether the subject matter here is of as encompassing an interest and importance as that which *MRR* covers, are different questions entirely. But if this book provides to some extent the kind of help which *MRR* has provided to scholars, I will be well satisfied.

The following types of data are recorded for each trial when it is available, although in virtually all cases some of these categories are not represented because of a lack of information:

1. date
2. charge or claim: procedure (offense[s])
3. defendant
4. advocate(s): speaker(s) for the defendant and/or the plaintiff (includes *procurator* and *cognitor*)
5. prosecutor(s) or plaintiff(s)
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presiding magistrate (includes praetor, urban praetor, peregrine praetor, aedile, iudex quaestionis, quaesitor, and duumvir perduellionis)

jurors (includes advisory council and arbiter)

witnesses (includes informer, character witness, advocatus, laudator, supplicator, and delator)

party (parties) to a civil suit, where it is not known who is the defendant and who the plaintiff

other individuals directly involved in the trial, or miscellaneous information (see below)

verdict

Wherever one or more of these items is absent, the implication is that information on that item (or those items) is not available. In the text, individuals are listed by praenomen, nomen, and cognomen, and by the identifying number from the Real-Encyclopädie., e.g., M. Tullius Cicero (29). (In the indexes, to allow computer-driven alphabetization, the order nomen, praenomen, and cognomen is used, e.g., Tullius [29], M. Cicero.)

In the case of senators, I have followed the standard practice of listing the year in which they held the consulate (and also the year they held the censorship, if that office was reached). If a senator did not reach the consulate, I list the highest political office that senator attained. This information helps identify the individual, and also, because of the nature of the Roman political system, provides the reader with some idea of the political stature of any senator at the time of the trial.

In addition, any office relevant to the trial, or held during the year of the trial, is listed. The date when an office was held is given, unless the office was held during the year of the trial. Equites Romani are also identified as such. For Italians the city of origin is listed. After this information the reader will find citations of ancient sources, first the directly relevant sources, and second (following the suggestion 'see also'), sources which provide indirectly relevant material. In some cases further bibliographic references are then given to scholarly works not mentioned in the footnotes, and finally, in most cases, there are footnotes on difficult and disputed details. Following the text there is a bibliography of works cited, and indexes of all individuals and legal procedures. Trials which took place outside Rome (such as before a provincial governor) and trials falling under military or religious jurisdictions are not included. I have made an exception for the three trials of the Vestals apud pontifices (cases #38, #39, and #40), since
they provide necessary background for the following four trials (cases #41, #42, #43, and #44). I have also included case #167, also *apud pontifices*, as possibly relevant background to case #236, and the two companion cases to #167, cases #168 and #169.

As much as possible, I have used English words to designate the roles which the participants have in the trials (defendant, prosecutor, etc.). However, there may be many readers, especially those whose first language is not English, who will feel more at home with the Latin terms which these English words approximate, and so I include a list of the translations which I have chosen:

- advisory council: *concilium*
- advocate: *patronus*
- character witness: *advocatus*
- defendant: *reus*
- informer: *index*
- juror: *iudex*
- legate: *legatus*
- plaintiff: *petitor*
- prosecutor: *accusator*
- witness: *testis*

I have not translated the following Latin terms: *arbiter, cognitor, duumvir perduellionis, laudator, procurator, quaesitor*, and *triumviris capitalis*. The term 'party' has been used when we know that an individual was involved in a trial, criminal or civil, either as a plaintiff or prosecutor, or as a defendant, but we do not know which of those roles he played.

The rubrics of 'charge' (for criminal matters) and 'claim' (for civil matters) call for special comment. I have divided this material into two sections, first the *procedural* aspect of the case, and then (inside parentheses) the *substantive* aspect of the case. For criminal cases, the procedural aspect is usually defined by the statute under which the trial was held. Thus, for example, the entry 'charge: lex Acilia de repetundis (misconduct as gov. Macedonia 115)' should be understood to mean 'charge was laid against the defendant under the provisions of the lex Acilia de repetundis, for alleged misconduct as governor of Macedonia in 115 BC.' If there is reason to believe that a legal sanction against a certain type of crime existed, but we do not know the name of its specific statute, the procedural aspect is listed generically, e.g., *ambitus*. Thus, the entry 'charge: ambitus (campaign for consulate of 115)' should be understood to mean 'charge was laid against the defendant under some provision against ambitus, for alleged viola-
tions committed in a campaign for the consulate of 115.'

If the name of the statute is known, the charge is indexed under Procedures, both by the name of that statute (e.g., lex Cornelia de repetundis) and generically, according to the type of legislation (e.g., repetundae). Obviously, if the name of the statute is not known, then the charge is only indexed generically. I have used generic indexing even where we do know the name of the statute for the benefit of readers who wish to study a particular type of crime.

I should add that, if I were to follow the view which I expressed in Alexander (1982) in its most extreme form, I would not have included, in the case of trials before quaestiones perpetuae, the substantive allegations, for I argued that they may not have been formally defined and thus would not be relevant to this work. Considering that my view is not necessarily applicable to all quaestiones, however, and considering that my view can hardly be described as a communis opinio, I have included under 'charge' the substantive allegations in this reference work, since they are generally thought to have been formally defined. In the case of iudicia populi, I have indicated that the trial took place before a iudicium populi, along with any other procedural fact of which we know, and then put the substantive allegations in parentheses. Thus, for example, 'charge: iudicium populi, for perduellio (treasonous dealings with Gauls)' should be understood to mean 'charge was laid against the defendant before a iudicium populi on perduellio, for having allegedly committed treasonous dealings with the Gauls.' For civil cases, I have described the claim first procedurally, and then substantively. Thus, for example, 'claim: actio furti (theft of vase)' should be understood to mean 'claim was laid against the defendant under the actio furti, for having allegedly stolen a vase.'

For some trials, I include a category of 'other' to include material which pertains to the formal aspects of the trial, but which does not appear regularly enough to justify its own rubric.

The work begins with trials in 149 BC and ends with trials in 50 BC. The reason for the latter date is fairly obvious; Caesar's crossing of the Rubicon, and the ensuing civil war, marked the end of normal functioning of Republican institutions, even if they had already begun to break down in the 50s. The beginning date of 149 BC is a somewhat less obvious choice. It is the year in which a lex Calpurnia established the first quaestio perpetua, or standing criminal court, an institution which expanded over the next seventy years, until it constituted the dominant element in Roman criminal jurisdiction. Admittedly, the date 149 has little importance for civil law, but since most of the trials
listed here are criminal, it seemed appropriate to use this date as the
beginning of the period which the book covers.

The footnotes are designed to make the reader aware of any dubi­
ous or controversial points which relate to the formal aspects of the
trial. In those instances where I have an original contribution to put
forward, I have expressed it as concisely as possible, but normally I
simply cite publications of other scholars (or occasionally my own) as
the places to find discussion of these points, and summarize the views
very briefly. I also cite publications which are relevant either to the
trial as a whole or to aspects of it at the bottom of the listing for that
trial. For the sake of brevity, however, I do not repeat there a citation
to an article or book which I have already cited in the notes. There­
fore, the reader should consider that both the citations in the notes
and those at the bottom of the listing comprise the list of publications
relevant to the formal aspects of these trials.

The trials are listed in chronological order with trials of unknown
or very indefinite date listed at the end. Cases #1 to #351 are listed
chronologically; cases #352 to #391 are of indefinite date. Because of
the Roman system of annual magistracies, it is usually possible to date
a trial to a particular year. Since extortion trials figure quite promi­
nently in this period, readers should be aware that they are often dat­
ed to the year after the defendant held provincial office. This is a rea­
sonable surmise, but, if there is no other information dating the trial,
not a known fact. It is often very difficult to date a trial to a particular
day or month. Trials consisted of several stages, and some trials last­
ed longer than others. For example, the nominis delatio for trial A
might occur before that of trial B, but the actual hearing of trial A
might end after that of trial B; in this case, it would be difficult to say
whether trial A preceded or followed trial B. One might suggest
using one stage in each trial, say the nominis delatio, as the criterion by
which the trials are to be chronologically ordered, but this procedure
would not be practical, in view of the fact that for one trial we may
know something about the date of one stage, and for another trial the
date of another stage. Therefore, the order of trials is often based on
limited evidence for dating, and should be viewed as giving merely a
relative indication of the chronological order of trials within any given
year.

I have not included what I consider to be inherently speculative
matter. By 'inherently speculative' I do not mean questions which are
speculative because relevant facts which would have decided the
questions no longer survive. Rather, I mean questions which would
have been speculative even at the time of the trial, such as possible political forces behind a prosecution or the political consequences of a verdict, no matter how plausible or well-founded such speculation may be. Since I have excluded inherently speculative matters from the presentation of information about the trials, it makes sense not to cite modern publications which deal solely with those matters. I should therefore emphasize that this book does not attempt to cite all the bibliography on any given trial, but includes only those works which pertain to the formal and legal aspects of the trial. The exclusion of other works should not be seen as a reflection on their value, but as dictated by considerations of relevance.

There is nonetheless one piece of information which is often a matter of speculation now, and probably was at the time of the trial, which I have included in this list under the 'other' category, and that is allegations of bribery. I did so for two reasons. First, such information is not inherently speculative, since it involves a question of fact, such as the sale of a juror's vote, even if such an act is usually hard to detect. Second, it does pertain to the legal aspects of the trial, for bribery could lead to hearings and judgments of praevaricatio or calumnia.

Some readers will doubtless be surprised to see these trials divorced from the political context in which they are usually discussed. The reason is not that I reject out of hand any connection between law and politics, especially in view of the fact that in most of these trials the defendant and many other participants were politicians. Rather, I believe that in the absence of extant court records, such as the sort most scholars of legal history have at their disposal, Roman historians can profit from this distillation of what we actually know about each trial. This work serves as a basis for further research in legal or political history. In order to exclude any bias which our preconceptions might impart to the study of late Republican legal history, I have not highlighted or distinguished those trials which political histories of the Late Republic generally view as crucial.

The use of '?' within the entries calls for comment. Because of the limits and gaps in our sources, there are many pieces of information in this volume which represent guesses, however educated and plausible these guesses may be. For these data, I have set a '?' immediately to the right of the relevant word, phrase, or number. In case #62, for example, the date 104, the charge and procedure, and the date of the prosecutor's tribunate, are all in question, and this uncertainty is indicated by question marks. Further information should be sought either in notes, when they accompany the particular piece of information, or,
especially in the case of prosopographical information, in standard reference works such as MRR or Sumner's Orators.

I would like to make one other point about the purpose of this book. Its focus is on the trials of the period, not on the individuals who participated in them; in this respect, it is different from Magistrates of the Roman Republic, which obviously focuses on individual careers. Although I do record the highest magistracy acquired, in order to identify senators and help place them in terms of their careers, the book is not meant to be a prosopographical analysis of those individuals who happen to participate in trials. But a considerable amount of prosopographical information is included in the text and footnotes, and if there is doubt about a magistracy, I so indicate with a question mark in the text and/or footnote. In the case of a consulate, there is usually no doubt, and the entry is simple, e.g., 'M. Tullius Cicero (29) cos. 63.' But especially when a senator reaches only a lower-level magistracy, there may be some dispute about what magistracy was held, or when it was held, or who held it. In many cases, this dispute is relevant to an aspect of the trial itself. For example, the identity of the praetor in case #173 is relevant to the date of the trial. In many other cases, however, the highest office held by an individual may have no bearing on the trial. For example, the date when T. Albucius was praetor has no bearing on when he prosecuted Q. Mucius Scaevola in case #32. Nevertheless, if there is a question about the highest office held by an individual, I provide at least minimal references to the prosopographical sources, so that the reader does not take as given what is in fact open to question. I hope that prosopographical information of this type will not distract the reader from the information which is relevant to the trials.

There are several standard works which are so fundamental to this project that it would have been otiose to refer to them at each point where I have consulted them, or where the reader might want to consult them. These are the many prosopographical articles in the Real-Encyclopädie, especially those written by F. Münzer, and T.R.S. Broughton's Magistrates of the Roman Republic, a work which, as I have mentioned, served as a model and inspiration to me in writing this volume. Also to be mentioned in this regard are G.V. Sumner's The Orators in Cicero's Brutus: Prosopography and Chronology, Drumann/Groebe's still useful Geschichtte Roms, and, for equites Romani, the second volume of C. Nicolet's L'Ordre équestre à l'époque républicaine. Most of all, in spite of the apolitical nature of this work, my debt to the publications of Erich S. Gruen, especially to his two books Roman Politics
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and the Criminal Courts, 149-50 B.C. and The Last Generation of the Roman Republic will be obvious to all scholars in the field. One additional point is that, in citations of articles from the Real-Encyclopädie, I cite the date of publication of the RE volume.

This work does not attempt to cite all fragmenta of forensic orations. For those individuals who made forensic speeches, a citation is made, next to their name, either to Malcovati's Oratorum Romanorum Fragmenta, or, for Cicero, to Crawford's M. Tullius Cicero, the Lost and Unpublished Orations; further consultation can be made to Schoell's or Puccioni's collections of Cicero's fragmenta.

Although a version of this manuscript was originally submitted in the fall of 1984, I have had the opportunity to make several revisions. The current version incorporates all publications available to me as of June 1988. Unfortunately, it has not been possible for me to consult D.R. Shackleton Bailey's new Onomasticon.

Readers will likely find errors and omissions in this book. As it is possible that I will be able to publish revisions at some point, I would be very grateful if suggestions for changes could be sent to me at the following address:

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ABBREVIATIONS

For Latin sources the OLD abbreviations have been used; for Greek sources the OCD (2nd ed.) abbreviations have been used. 'C' stands for 'condemnation,' 'A' for 'acquittal,' 'NL' for 'non liquet,' 'nom. del.' for nominis delator and 'subscr.' for subscriptor. The following abbreviations have been used for modern works; complete bibliographic citations of these works, as well as of other works referred to in this book, can be found in the Works Cited.

Badian, Studies E. Badian, Studies in Greek and Roman History
Cichorius, Untersuch. Lucil. C. Cichorius, Untersuchungen zu Lucilius
Crawford, RRC M.H. Crawford, Roman Republican Coinage
D.-G. Drumann Geschichtte Roms\(^2\), rev. Groebe
Douglas, Brutus Cicero, Brutus, ed. A.E. Douglas
FTP Niccolini, I fasti dei tribuni della plebe
Gabba, Appian Appian, Bellorum Civilium Liber Primus, ed. E. Gabba
Gabba, RR E. Gabba, Republican Rome, the Army, and the Allies
Gruen, LGRR E.S. Gruen, The Last Generation of the Roman Republic
Gruen, RPCC E.S. Gruen, Roman Politics and the Criminal Courts, 149-78 B.C.
Magie, RRAM D. Magie, Roman Rule in Asia Minor
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<th>Author, Title</th>
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<tr>
<td>Marshall, Asconius</td>
<td>Bruce A. Marshall, <em>A Historical Commentary on Asconius</em></td>
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<td>Mommsen, StR.</td>
<td>Th. Mommsen, <em>Römisches Staatsrecht</em></td>
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<td>Mommsen, Strafr.</td>
<td>Th. Mommsen, <em>Römisches Strafrecht</em></td>
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<td>MRR</td>
<td>T. Robert S. Broughton, <em>The Magistrates of the Roman Republic</em></td>
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<tr>
<td>Nicolet, <em>Ordre équestre</em></td>
<td>C. Nicolet, <em>L'Ordre équestre à l'époque républicaine</em></td>
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<td>ORF</td>
<td><em>Oratorum Romanorum Fragmenta liberae rei publicae⁴</em>, ed. H. Malcovati</td>
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<td>RE</td>
<td><em>Paulys Real-Encyclopädie der classischen Altertumswissenschaft</em></td>
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<td>RP</td>
<td>R. Syme, <em>Roman Papers</em></td>
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<td>Shackleton Bailey, CLA</td>
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<tr>
<td>Shackleton Bailey, CLF</td>
<td><em>Cicero, Epistulae ad Familiares</em>, ed. D.R. Shackleton Bailey</td>
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<tr>
<td>Shackleton Bailey, CQF</td>
<td><em>Cicero, Epistulae ad Quintum fratrem et M. Brutum</em>, ed. D.R. Shackleton Bailey</td>
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<td>Shackleton Bailey, Studies</td>
<td>D.R. Shackleton Bailey, <em>Two Studies in Roman Nomenclature</em></td>
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<td>Sumner, Orators</td>
<td>G.V. Sumner, <em>The Orators in Cicero's Brutus: Prosopography and Chronology</em></td>
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<td>Wilkins, De Oratore</td>
<td><em>Cicero, De oratore libri tres</em>, ed. A.S. Wilkins</td>
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Trials in the Late Roman Republic
The Trials

1
date: 1491
charge: *quaestio extraordinaria* (proposed)2 (misconduct as gov. Lusitania 150)
defendant: Ser. Sulpicius Galba (58) cos. 144 spoke *pro se* (ORF 19.II, III)
advocate: Q. Fulvius Nobilior (95) cos. 153, cens. 136
prosecutors: 
   L. Cornelius Cethegus (91)
   M. Porcius Cato (9) cos. 195, cens. 184 (ORF 8.LI)
   L. Scribonius Libo (18) tr. pl. 149 (*promulgator*)
outcome: proposal defeated

Cic. *Div. Caec.* 66; *Mur.* 59; *de Orat.* 1.40, 227-28; 2.263; *Brut.* 80, 89; *Att.* 12.5b; *Liv.* 39.40.12; *Per.* 49; *Per. Oxy.* 49; *Quint. Inst.* 2.15.8; *Plut. Cat.* *Mai.* 15.5; *Tac. Ann.* 3.66; *App. Hisp.* 60; *Fro. Aur.* 1. p. 172 (56N); *Gel.* 1.12.17, 13.25.15; see also *V. Max.* 8.1. abs. 2; [Asc.] 203St; *Vir. Ill.* 47.7 Ferguson (1921); see also Buckland (1937); Richardson (1987) 2 n. 12

1 On the date see Cic. *Att.* 12.5b.

2
date: 145
charge: *iudicium populi*, for *perduellio*1 (failure as commander in Farther Spain)
4 The Trials

defendant: C. Plautius (9) pr. 146
outcome: C, exile

Diod. Sic. 33.2; see also Liv. Per. 52; App. Hisp. 64

1 So Bauman (1967) 22. However, the phrase used by Diodorus (epi tōi tetapeinōkenai tēn archēn) is a translation of maiestatem minuere.

3

date: uncertain
charge: iudicium populi
defendant: C. Laelius Sapiens (3) cos. 140, spoke pro se (ORF 20.II)
outcome: A?

Fest. 198.5, 210.5, 416.21L; see also Cic. Tusc. 5.54

1 Fraccaro (1912) 349-50 argues that the fragments preserved are more likely to refer to the warfare of the defendant's praetorship (145) than to the tranquillity of his consulate. Therefore, a date of 144 would be likely. Note, however, that a comitial trial for extortion would be somewhat odd (though not impossible) when a quaestio for the crime had already been established. Perhaps, as Fraccaro notes, the trial pertained to his unsuccessful candidature in 142 for the consulate of 141. See Gruen, RPCC 56 n. 54.

4

date: by 142
charge: uncertain (matricide)
defendant: an unnamed female
praetor: M. Popillius Laenas (22) pr. by 142, cos. 139
outcome: neither C nor A

V. Max. 8.1. ambust. 1
date: 141
charge: *quaestio extraordinaria* (money accepted as bribe when praetor, judging cases *inter sicarios*)
defendant: L. Hostilius Tubulus (26) pr. 142
outcome: self-exile before trial, suicide when recalled

Cic. *Att.* 12.5b; *Scaur.* frag. k; *Fin.* 2.54, 4.77, 5.62; *N.D.* 1.63 = Lucil. 1312M, 3.74; *Asc.* 23C; *Gel.* 2.7.20
Mommsen, *Stafr.* 71 n. 1, 197 n. 2; 203 n. 1; 633 n. 4; Münzer (1912) 167-68; *Hermes* 1920 427f.; Richardson (1987) 11

1 The charge was to be investigated by a *quaestio extraordinaria* under consul Cn. Servilius Caepio (46), according to a plebiscite passed by P. Mucius Scaevola (17) cos. 133 as tr. pl.

---

date: early 140
charge: *iudicium populi* (for irregularities in performing *lustrum* as cens. 142)
defendant: P. Cornelius Scipio Aemilianus (335) cos. 147, 134, cens. 142, spoke *pro se* (ORF 21.V)
prosecutor: Ti. Claudius Asellus (63) tr. pl.
outcome: almost certainly A
other: Scipio delivered at least five orations against Claudius Asellus.

Cic. *de Orat.* 2.258?; 2.268; *Gel.* 2.20.6; 3.4.1; 4.17.1 = Lucil. 394M, 6.11.9; Fest. 360.29-32L?
Fraccaro (1912) 376-82; Scullard (1960) 69; Astin (1967) 127, 175-77, 256

1 See Astin (1967) 256 #22 on whether the interchange between Scipio and Asellus recorded in *de Orat.* 2.258 should be attributed to this trial, or to a *recognitio equitum*, in which Scipio as censor attempted to have Asellus deprived of his horse.
6 The Trials

7
date: 140
charge: lex (Calpurnia?) de repetundis (misconduct as gov. Macedonia)
defendant: D. Iunius Silanus Manlianus (161) pr. 141
outcome: trial halted by investigation conducted by defendant's father, who found his son guilty; suicide by son

Cic. Fin. 1.24; Liv. Per. 54; Per. Oxy. 54; V. Max. 5.8.3
Richardson (1987) 9, 11

1 Morgan (1974) 195-98 argues that his praetorship and governorship must have occurred in 142 in order for the Macedonian envoys to have gathered evidence and appeared in Rome by early 140.
2 The defendant's father referred to here is his natural father, T. Manlius Torquatus (83) cos. 165, who had emancipated him.
3 The trial might have continued after the suicide (see lex Acilia line 29); if we can judge by this later law, a continuation of the trial would appear to be necessary if the injured parties were to receive monetary compensation.

8
date: 138?
charge: lex (Calpurnia?) de repetundis (misconduct as consul and proconsul in Hither Spain)
defendant: Q. Pompeius (12) cos. 141, cens. 131 (ORF 30.II)
witnesses:
   L. Caecilius Metellus Calvus (83) cos. 142
   Q. Caecilius Metellus Macedonicus (94) cos. 143, cens. 131
   Cn. Servilius Caepio (46) cos. 141
   Q. Servilius Caepio (48) cos. 140
outcome: A

Cic. Font. 23, V. Max. 8.5.1
Cichorius, Untersuch. Lucil. 139 n. 1

1 Gruen, RPCC 37 n. 65 suggests a date of 139 on the basis of App. Hisp. 79. However, allowance must be made for Q. Servilius Caepio to return from Lusitania to Rome to testify, probably in 138. See Münzer RE 2 (1923) 1783,
date: 138
charge: lex (Calpurnia?) de repetundis (gravissima crimina)
defendant: L. Aurelius Cotta (98) cos. 144
advocate: Q. Caecilius Metellus Macedonicus (94) cos. 143, cens. 131
prosecutor: P. Cornelius Scipio Aemilianus (335) cos. 147, 134, cens. 142
outcome: A, after eighth actio
other: bribery of jurors by defendant widely suspected

Cic. Div. Caec. 69; Font. 38; Mur. 58; Brut. 81; Liv. Per. Oxy. 55; V. Max. 8.1. abs. 11; App. BCiv. 1.22; Tac. Ann. 3.66

1 Liv. Per. Oxy. 55 gives a date of 138. However, Cicero (Div. Caec. 69) wrongly claims that the trial took place after Scipio Aemilianus had twice been consul, and in the Pro Murena (58) makes the same claim, and also the claim that Scipio had destroyed Numantia (therefore after 133). See Kornemann (1904) 104-6, Badian, Studies 105-6 and n. 4, and Richardson (1987) 12. Crawford, RRC 1.72 is wrong to use this error as an example of Cicero's inability to provide accurate historical information; the error only shows that, in his speeches, Cicero takes liberties with the facts.

2 V. Max. 8.1. abs. 11 mistakenly puts the trial apud populum.

3 On the identity of the defendant as L. Aurelius Cotta (98) rather than L. Aurelius Cotta (99) cos. 119, see Gruen, RPCC 297.
thereafter Ser. Sulpicius Galba (58) cos. 144 (ORF 19.IV)

quaesitores:
P. Cornelius Scipio Nasica Serapio (354) cos. 138
D. Iunius Brutus (57) cos. 138

outcome: A

Cic. Brut. 85-88
Fraccaro (1912) 351-56; Münzer (Hermes 1920) 429

1 The slaves and free workers were associated with a company described as societatis eius, quae picarias de P. Cornelio L. Mummio censoribus redemisset.

11

date: 138
charge: iudicium populi
defendants:
C. Matienus (3)
others
prosecutor: tr. pl.
outcome: C, flogged and sold into slavery for one sesterce

Liv. Per. 55; Per. Oxy. 55; Fron. Str. 4.1.20

1 Mommsen, Strafr. 43 n. 2, 561 believes that this trial constitutes an appeal to the tribunes against consular coercitio.

12

date: 136?¹
charge: iudicium populi (military failure as proconsul in Spain in 137)
defendant: M. Aemilius Lepidus Porcina (83) cos. 137
prosecutor: unknown, but certainly not L. Cassius Longinus Ravilla (72) cos. 127, cens. 125²
outcome: C, fine

V. Max. 8.1. damn. 7; App. Hisp. 83; Oros. 5.5.13; see also Liv. Per. 56

¹ See MRR 1.488 n. 4.
9 The Trials

2 Pace V. Max. 8.1. damn. 7, who confuses this trial with a censorial proceeding which resulted in a nota placed against the name of Lepidus in 125 by Cassius during the latter's censorship (Vell. 2.10.1).

13

trial only threatened
date: 133
claim: sponsio
party: T. Annius Luscus (63, 64) cos. 153 (ORF 17.1)
opposing party: Ti. Sempronius Gracchus (54) tr. pl. 133
outcome: challenge not taken up, no trial

Plut. Ti. Gracch. 14.4-5; see also Liv. Per. 58

1 On this procedure see Crook (1976), especially 133; Lintott (ZPE 1976) 212.
2 See Fraccaro (1914) 144; Badian Studies 248; MRR Suppl. 16.

14

date: 133
defendant: T. Annius Luscus (63, 64) cos. 153
prosecutor: Ti. Sempronius Gracchus (54) tr. pl. 133
outcome: dropped

Fraccaro (1914) 144

1 Apparently, Gracchus was planning to initiate a four-part tribunician prosecution in a judicium populi, perhaps for having summoned a tr. pl. into court (see case #13).

15

date: 132
charge: quaestio extraordinaria (for parricidium: killing of father? or for association with Ti. Gracchus)
defendant: C. Villius (2)
10 The Trials

quaesitores:
  P. Popillius Laenas (28) cos.
  P. Rupilius (5) cos.
juror?:¹ C. Laelius Sapiens (3) cos. 140
outcome: C, execution (by culleus as if for parricidium?)²

Plut. Ti. Gracch. 20.3; cf. Cic. Amic. 37; V. Max. 4.7.1

¹ Cic. Amic. 37, quod aderam Laenati et Rupilio consulibus in consilio...
² See Mommsen, Strafr. 922; Brecht (1938) 247-48, n. 62.

16
date: 132
charge: quaestio extraordinaria (for association with Ti. Gracchus?)
defendants:
  Diophanes (4)
  many others (approx. 200)
quaesitores:
  P. Popillius Laenas (28) cos.
  P. Rupilius (5) cos.
juror?:¹ C. Laelius Sapiens (3) cos. 140
outcome: C, execution

Plut. Ti. Gracch. 20.3; Oros. 5.9.3; cf. Cic. Amic. 37; V. Max. 4.7.1

¹ See #15, n. 1.

17
date: 132
charge: quaestio extraordinaria (association with Ti. Gracchus?)
defendant: C. Blossius (1) of Cumae
quaesitores:
  P. Popillius Laenas (28) cos.
  P. Rupilius (5) cos.
juror?:¹ C. Laelius Sapiens (3) cos. 140
outcome: fled, probably before trial

¹ See #15, n. 1.
11 The Trials

Cic. Amic. 37; V. Max. 4.7.1; Plut. Ti. Gracch. 20.3-4

1 See #15, n. 1.

18
date: 132
charge: senatorial *quaestio*¹ (homicide of Ti. Gracchus)
defendant: P. Cornelius Scipio Nasica Serapio (354) cos. 138 (ORF 38.III [addenda A.2])
prosecutor: M. Fulvius Flaccus (58) pr. by 128
outcome: trial ended when defendant sent on *libera legatio*
other: P. Mucius Scaevola (17) cos. 133 rejected as juror

Cic. de Orat. 2.285; Plut. Ti. Gracch. 21.2; see also V. Max. 5.3.2e
Magie, RRAM 2.1033, n. 1

1 When the prosecutor was objecting to Scaevola as juror, he was addressing senators. Gruen, RPCC 63 correctly interprets *iudicem ferre* in a legal sense, pace Wilkins, de Oratore ad loc.; cf. Cic. de Orat. 2.263, Q. Rosc. 45.

19
date: between 132 and 127
charge: *quaestio extraordinaria* (the same *quaestio* as for cases #15, #16, #17?) (for association with Ti. Gracchus?)
defendant: Vettius (2) Sabinus¹
advocate: C. Sempronius Gracchus (47) tr. pl. 123, 122 (ORF 48.I)

Plut. C. Gracch. 1.3

1 He is referred to in Quint. Inst. 1.5.56 = Lucil. 1322M. So Cichorius, Untersuch. Lucil. 349.

20
date: 131
12 The Trials

charge: appeal to *iudicium populi* concerning fine imposed on defendant as *flamen Martialis* by *pontifex maximus* P. Licinius Crassus Dives Mucianus (72) cos.
defendant: L. Valerius Flaccus (175) cos. 131, *flamen Martialis* 154—outcome: remission of fine

Cic. *Phil.* 11.18

trial unlikely¹
charge: *lex Sempronia ne de capite civium Romanorum iniussu populi iudicetur* (123 BC)
defendant: P. Rupilius (5) cos. 132, the 'defendant,' had probably died by 130 BC

Vell. 2.7.4

¹ The trial probably never occurred. Velleius is the only source which claims that Rupilius along with Popillius (see case #25) was tried under this law. See Münzer *RE* 1A (1914) 1230.

date: 127 or 126?¹ 121?²
claim: civil suit (mismanagement of ward's affairs)
advocate for defendant: Cn. Octavius (18) cos. 128
advocate for plaintiff: M. Plautius Hypsaeus (21) cos. 125
praetor: M. Licinius Crassus (Agelastus) (57)
juror: P. Mucius Scaevola (17) cos. 133

Cic. *de Orat.* 1.166-67

¹ The argument in favor of this date is that only Octavius (not Plautius) is referred to as *consularis*. See Münzer, *RE* 13 (1926) 269, *RE* 17 (1937) 1814. However, Wilkins, *de Oratore* (p. 159) may be right that Cicero probably described Octavius as *consularis* to contrast his legal ineptitude with his high rank.
2 Wilkins, *de Oratore* (see n. 1, above) argues that Cicero's account implies that Q. Mucius Scaevola (21) cos. 117 was away at the time, and therefore the trial must have occurred in 121 when he was governor of Asia.

23

date: 125 or 124
charge: *lex* (Iunia?) de repetundis?, or *quaestio extraordinaria* (receipt of bribes from Mithridates)
defendant: M'. Aquillius (10) cos. 129
prosecutors:
  P. Cornelius Lentulus (202) cos. suff., princeps sen. 162 (nom. del.)
  C. Rutilius Rufus (33) (subscr.)
outcome: A

Cic. *Div. Caec.* 69; *Font.* 38; App. *Mith.* 57; BCiv. 1.22; [Asc.] 204St
Richardson (1987) 12

1 On date see Badian (*Foreign Clientelae* 1958) 183 n. 9. Aquillius returned to Rome to celebrate a triumph on Nov. 11, 126. See Gruen, *RPCC* 77 n. 164, Morgan (1974) 197 n. 63. Cicero's description of Lentulus (*Div. Caec.* 69) as *is qui princeps senatus fuit* may merely serve to identify which P. Cornelius Lentulus prosecuted the defendant, rather than to state that he was *princeps senatus* at the time when he was prosecutor.

2 See Jones (1972) 54.

24

date: 124
charge: *judicium populi,* for *perduellio?* (involvement in revolt of Fre-gellae)
defendant: C. Sempronius Gracchus (47) tr. pl. 123, 122, spoke *pro se?* (ORF 48.VI)
outcome: A

Plut. *C. Gracch.* 3.1; *Vir. Ill.* 65.2
Fraccaro (1913) 87-88
1 This was not a formal trial, according to Badian, *Foreign Clientelae* (1958) 180 n. 3.

25
date: 123
charge: perhaps a *quaestio extraordinaria*?¹ (involvement in tribunal aimed against supporters of Ti. Gracchus; see also cases #15, #16, and #17)
defendant: P. Popillius Laenas (28) cos. 132
prosecutor: C. Sempronius Gracchus (47) tr. pl. 123, 122
outcome: voluntary exile, at Nuceria (possibly before the trial)

*Cic. Clu. 95; Red. Sen. 37; Red. Pop. 6; Dom. 82, 87; Balb. 28; Brut. 128; Vell. 2.7.4; Plut. C. Gracch. 4.2; Gel. 11.13.1; Schol. Bob. 111St; Fest. 220, 1L*

¹ Possibly the trial was held under the *lex de provocazione*. See Siber (1936) 10-11; Miners (1958) 242; Ewins (1960) 97; Kunkel (1962) 28 n. 89; Weinrib (1970) 431; Stockton (1979) 119.

26
date: 121?, shortly after death of C. Gracchus
claim: *actio rei uxoriae* (failure on the part of Licinia, wife of C. Gracchus, to get *res dotales* returned)
plaintiff: Licinia (180)
other: P. Mucius Scaevola (17) cos. 133 gave a *sententia* as jurisconsult for Licinia

*Plut. C. Gracch. 17.5; Javol. dig. 24.3.66 pr.*
*Daube (1965); Waldstein (1972); Bauman (1978) 238-43*

27
date: 120
charge: *lex Sempronia ne de capite civium Romanorum iniussu populi iudicetur*,¹ tribunician prosecution (murder of C. Gracchus and followers)
defendant: L. Opimius (4) cos. 121
advocate: C. Papirius Carbo (33) cos. 120 (ORF 35.II)
prosecutor: P. Decius Subolo (9) tr. pl. 120, pr. 115 (ORF 36.I)²
outcome: A
other: M. Antonius (28) cos. 99, cens. 97 was present.

Cic. Sest. 140; de Orat. 2.106, 132, 165, 169, 170; Part. 106; Brut. 128; Liv. Per. 61

1 The charge was *quod indemnatos cives in carcerem coniecisset* (Livy. Per. 61), or
in carcerem necasset, or in carcerem coniectos necasset (Mommsen, StR. 2.111 n. 2).
2 See Fraccaro (1912) 444-45; Badian (JRS 1956) 92. Badian (JRS 1956) 91 sug-
gests that the form 'Subulo' for the cognomen may also be possible. Livy
Per. 61 incorrectly gives the praenomen as 'Quintus.'

trial uncertain¹
date: 120
defendant: P. Cornelius Lentulus (202) cos. suff. 162, princeps sen.
outcome: threat of trial avoided by *libera legatio*

V. Max. 5.3.2f

1 Münzer RE 4 (1900) 1375 believes that this case might be a doublet of case
#18, and of the fate of P. Scipio Nasica Serapio; contra Gruen, RPCC 106.

date: ca 119?
charge: lex (Acilia?) de repetundis (misconduct as promag.?)
defendant: (M'.?)¹ Valerius Messalla (248) pr. and promag.? ca 120, in
Asia?
prosecutor: Q. Caecilius Metellus Numidicus (97) cos. 109, cens. 102
(ORF 58.IV)

Gel. 15.14.1-3
1 Syme suggests this praenomen. See Historia 1955, 70-71 = RP 1.290-91 and JRS, 1955, 158 = RP 1.265-66. Reynolds (1982) 67-68 is also relevant to the stemma of the Valerii Messallae, specifically to the son of this man. See also Münzer RE 8A (1955) 125 and MRR Suppl. 213. Syme notes, on the basis of OGIS 460, an apparent hereditary connection between the province of Asia and the Valerii Messallae, that is, the family traditionally looked after Asian interests.

date: 119
charge: lex Acilia de repetundis?¹
defendant: C.² Papirius Carbo (33) cos. 120
prosecutor: L. Licinius Crassus (55) cos. 95, cens. 92 (ORF 66.I)
praetor: Q. Fabius Maximus Eburnus (111)³ cos. 116, cens. 108
outcome: C, suicide

Cic. 2 Ver. 3.3; de Orat. 1.40, 121, 154; 2.170; 3.74; Brut. 103, 159; Fam. 9.21.3; V. Max. 3.7.6, 6.5.6; Tac. Dial. 34.7
Münzer (1912) 169

¹ Fraccaro (1912) 445-48 makes this suggestion, since there were iudices and it was not a quaestio extraordinaria, or inter sicarios. Maiestas has also been suggested (see Mommsen [1888-94] 2.126). The identity of the law under which this trial was held depends upon the number of quaestiones existing at this time; see Kunkel RE 24 (1963) 737-40 s.v. 'quaestio.' The fact that a slave of Carbo brought Crassus a scrinium full of material damaging to the defendant (V. Max. 6.5.6) suggests a crime in which records would be crucial, such as extortion.
² V. Max. 6.2.3 and 6.5.6 have 'Cn.'
³ So MRR 1.526, contra Gruen, RPCC 108 n. 9.

31

date: 119?
charge: either lex Acilia de repetundis or lex Sempronia ne quis iudicio circumveniatur
defendant: P. Decius (9) Subolo tr. pl. 120, pr. 115
outcome: A
1 Badian (JRS 1956) 92-93 argues that Decius was charged with extortion, in a trial separate from that of Opimius (case #27), with the charge being that he had taken money to conduct the prosecution of Opimius. Gruen, RPCC 110 counters with the observation that, whereas the receipt of money *ob accusandum vel non accusandum* did constitute a violation of the lex Iulia de repetundis, there is no evidence that the same sort of provision existed under the lex Acilia. (Of course, our text of the statute is fragmentary.) He suggests that this may have been a comitial trial under the lex Sempronia *ne quis iudicio circumveniat*, possibly the same as the lex Sempronia *ne de capite civium Romanorum iniusu populi iudicetur*.

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32
date: 119\(^1\)
charge: lex Acilia de repetundis (misconduct as gov. Asia, 119; homicide accusations also made)
defendant: Q. Mucius Scaevola (21) cos. 117 (ORF 50.1) spoke *pro se*
prosecutor: T. Albucius (2) pr. 107? 105?\(^2\)
witnesses:
  - Aemilius (not in *RE*)
  - Albius (2) q. 120 or L. Atilius Nomentanus?\(^3\) (44) leg. or pref. Asia 120?
other: account books of Albius (2) q. 120? perhaps used as evidence
outcome: A

Lucil. II 55-94M; Cic. *de Orat.* 2.281; Brut. 102; Orat. 149; Fin. 1.9

2 See Gruen (1964) 104; Badian (*Klio* 1984) 306-9; MRR Suppl. 14, 166.
3 See Crawford, *RRC* 1.261, #225.

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33

trial uncertain\(^1\)
date: 117?
defendant: Q. Marcius Rex (91) cos. 118
advocate?: M. Antonius (28) cos. 99, cens. 97
Cic. *de Orat.* 2.125

1 Quite possibly this case did not come to trial. Cf. case #64, n. 1.

34
date: 116  
charge: *ambitus* (in campaign for consulate)  
defendant: M. Aemilius Scaurus (140) cos. 115, cens. 109 (*ORF* 43.I)  
prosecutor: P. Rutilius Rufus (34) cos. 105 (*ORF* 44.I)  
outcome: A

*Cic.* *Brut.* 113; see also *de Orat.* 2.280

35
date: 116  
charge: *ambitus* (in campaign for consulate)  
defendant: P. Rutilius Rufus (34) cos. 105  
prosecutor: M. Aemilius Scaurus (140) cos. 115, cens. 109 (*ORF* 43.I)  
present for defendant: C. Canius (a, *RE* Supp. 1, p. 274) e.R.
outcome: A

*Cic.* *de Orat.* 2.280; *Brut.* 113; see also *Tac.* *Ann.* 3.66.2

1 Badian, *Studies* 106-7 claims that Mam. Scaurus (cos. AD 21) did not cite this case when he prosecuted C. Iunius Silanus for *maiestas* in AD 22; see *Tac.* *Ann.* 3.66.2. See case #94, n. 2.

36
date: 116, after elections for praetor  
charge: *ambitus* (help alleged to have been provided by friend of Cassius Sabaco [85] sen. held against defendant)  
defendant: C. Marius (14, *RE* Supp. 6) pr. 115, cos. 107, 104-100, 86  
witness: C. Herennius (5)\(^1\)  
outcome: A on tie vote
19 The Trials

V. Max. 6.9.14; Plut. Mar. 5

Herennius claimed that Marius had been his client, and that therefore he could not be required to bear witness against Marius. Although Herennius would have been a hostile witness, Marius claimed that his own holding of an aedilship had severed the patron/client bond, and that Herennius should be permitted to testify. See Mommsen, Str. 3.69 n. 2, 78; Mommsen, Strafr. 402 n. 2; T.F. Carney (1959) 232-34.

37

date: after 115
charge: lex Acilia de repetundis
defendant: M. Aemilius Scaurus (140) cos. 115, cens. 109 (ORF 43.II)
(spoke pro se)
prosecutor: M. Iunius Brutus (50) (ORF 56.I) e.R.?
outcome: A

Cic. Font. 38; Fron. Str. 4.3.13; Char. 164.10; 272.3
Bloch (1909) 26-27, 35

We know that the case occurred after the triumph of Scaurus in 115 (Char. 272.3), if Scaurus is referring to his own triumph. Klebs RE 1 (1893) 586 and Münzer RE 10 (1917) 972 entertain the possibility that this Brutus, along with Caepio, prosecuted Scaurus in 92 (see case #96). According to this view we would then place in close proximity the two cases in which we know that Brutus took part (#96 and #98). For the possibility that the charge in this trial involved misconduct by Scaurus while holding a praetorian command before 116, see Marshall (AJP 1977) 417-19; Marshall, Asconius 125. However, the apparent mention of Scaurus' triumph tells against Marshall's view that Scaurus was prosecuted in 117 or 116. On the other hand, it is possible that Scaurus referred to the triumph celebrated in 122 by L. Aurelius Orestes (180) cos. 126, under whom Scaurus served in some capacity (Auct. Vir. Ill. 72.3). See also MRR Suppl. 10.

38

date: 114, condemned on XV Kal. Ian.
charge: incestum, apud pontifices
defendant: Aemilia (153)
informer: slave (perhaps named Manius [not in RE]) of T. Betucius Barrus (Betitius 1) e.R.¹
outcome: C

Fenestella 21 fr. 11 Peter = Macr. 1.10.5; Liv. Per. 63; Asc. 45-46C; Plut. Quaest. Rom. 83; Dio 26, fr. 87; Porphyrian ad Hor. S. 1.6.30; Obsequens 37; Oros. 5.15.22

1 See Porphyrion. His nomen is variously given as Betucius, Betutius, and Veturius. He is possibly related to, or even identical to, the prosecutor in case #88. See Sumner, Orators 102, Marshall, Asconius 197. Gruen, RPCC 130 implies that Barrus, who was Aemilia's lover, was also instrumental in bringing information against the Vestals. But, as J.I. McDougall has pointed out to me, Dio says that Manius, slave of Barrus, was angry at his master for not giving him his freedom, and therefore could not have been acting at his master's instigation.

date: 114, acquitted XIII Kal. Ian.
charge: incestum, apud pontifices
defendant: Licinia (181)
informer: slave (perhaps named Manius [not in RE]) of T. Betucius Barrus (Betitius 1) e.R.¹
outcome: A

Fenestella 21 fr. 11 Peter = Macr. 1.10.6; Liv. Per. 63; Asc. 45-46C; Plut. Quaest. Rom. 83; Dio 26, fr. 87; Obsequens 37; Oros. 5.15.22

1 See case #38, n. 1.

date: Dec. 114¹
charge: incestum, apud pontifices
defendant: Marcia (114)
informer: slave (perhaps named Manius [not in RE]) of T. Betucius Barrus (Betitius 1) e.R.²
21 The Trials

outcome: A

Liv. Per. 63; Asc. 45-46C; Plut. Quaest. Rom. 83; Dio 26, fr. 87; Obsequens 37; Oros. 5.15.22; Crawford, RRC no. 413, 428

1 The date is incorrectly given as 115 by Münzer RE 14 (1930) 1601.
2 See case #38, n. 1.
3 Crawford believes that this coin is relevant, as does Taylor (1966) 35-36 on no. 413; contra Nicolet (1959) 206-7.

41

date: 113
charge: quaestio extraordinaria (on scandal of Vestal Virgins)
defendant: Licinia (181)
advocate: L. Licinius Crassus (55) cos. 95, cens. 92 (ORF 66.III)
quaesitor: L. Cassius Longinus Ravilla (72) cos. 127, cens. 125
outcome: C

Cic. Brut. 160; N.D. 3.74; Liv. Per. 63; V. Max. 3.7.9, 6.8.1; Asc. 46C; Plut. Quaest. Rom. 83; Dio 26 fr. 87; Crawford, RRC 413, 428

1 V. Max. (3.7.9) calls him 'praetor.' Gruen (RhM 1968) 59-61 maintains that Valerius Maximus is using anachronistic post-Sullan terminology for a presiding magistrate, and on this basis refutes an interpretation (given by Carney [1962] 303-4) of this trial which relies on this misinformation.
2 See case #40, n. 3.

42

date: 113
charge: quaestio extraordinaria (on scandal of Vestal Virgins)
defendant: Marcia (114)
quaesitor: L. Cassius Longinus Ravilla (72) cos. 127, cens. 125
outcome: C

Cic. Brut. 160; N.D. 3.74; Liv. Per. 63; V. Max. 3.7.9, 6.8.1; Asc. 46C; Plut. Quaest. Rom. 83; Dio 26 fr. 87; Crawford, RRC 413, 428

1
The date is given incorrectly as 114 by Münzer RE 14 (1930) 1601.

See case #41, n. 1.

See case #40, n. 3.

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date: 113
charge: *quaestio extraordinaria* (on scandal of Vestal Virgins)\(^1\)
defendant: M. Antonius (28) cos. 99, cens. 97 (spoke *pro se*)
*quaesitor*: L. Cassius Longinus Ravilla (72) cos. 127,\(^2\) cens. 125
witness: slave of defendant
outcome: A

Cic. *N.D.* 3.74; V. Max. 3.7.9, 6.8.1; Crawford, *RRC* 413, 428\(^3\)

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1 Antonius could have claimed a privilege granted by the *lex Memmia*, which forbade the presiding magistrate of a *quaestio* from entering the name of someone absent *rei publicae causa* as a defendant. But he waived this right. See Weinrib (1968) 37-38.

See case #41, n. 1.

See case #40, n. 3.

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date: 113?
charge: *quaestio extraordinaria* (on scandal of Vestal Virgins)
defendant?: Ser. Fulvius Flaccus (64) cos. 135\(^1\)
advocate: C. Scribonius Curio (9) pr. 121? (*ORF* 47.I)
outcome: A

*ad Her.* 2.33; Cic. *inv.* 1.80; *Brut.* 122, 124; *N.D.* 3.74; Schol. Bob. 85St

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1 We know that the defendant was a Ser. Fulvius. Ser. Fulvius Flaccus is considered a possible identification by Münzer *RE* 7 (1910) 248. Gruen, *RPCC* 130 n. 141 thinks that he was probably too old (in his sixties) to be a likely suspect in a case of this sort.
date: 113
charge: lex Acilia de repetundis (misconduct as gov. Macedonia)
defendant: C. Porcius Cato (5) cos. 114
outcome: C, exile, litis aestimatio of only 8,000 sesterces

Cic. 2 Ver. 3.184, 4.22; Vell. 2.8.1

1 Sherwin-White (1952) 44-45 satisfactorily refutes the contention of Henderson (1951) 85 that this case is the same as #55.
2 Velleius gives a figure of 4,000 sesterces; Cicero, 8,000. Possibly, the damages were calculated at the former figure, and then the amount paid by the defendant was double that amount. See lex Acilia, line 59. But manuscript error is a possibility; see D.-G. 5.162 n. 11.

date: 113? after defendant's return from Sicily
charge: lex Acilia de repetundis? (misconduct as gov. Sicily)
defendant: M. Papirius Carbo (39) pr. 114?, governor in Sicily
prosecutor: P. (Valerius?) Flaccus (183)
outcome: C

Cic. Fam. 9.21.3

1 Since the defendant is described as fur, a charge de repetundis is possible.
2 The fact that he was monetalis in 122 (Crawford, RRC no. 276) perhaps indicates the date of his praetorship; see Sumner, Orators 59.
3 The prosecutor was not a Fulvius: Kroll, RE 18 pt. 3 (1949) 1031, Shackleton Bailey, CLF 2.329; contra Gruen, RPCC 132 n. 153.

date: 112?
charge: perduellio? (defeat fighting Cimbri)
defendant: Cn. Papirius Carbo (37) cos. 113
prosecutor: M. Antonius (28) cos. 99, cens. 97
outcome: A?
Cic. *Fam.* 9.21.3; Apul. *Apol.* 66

1 Malcovati (1955) 217-18 suggests *perduellio*, pointing to the case of C. Papirius Carbo (#30) as a parallel.

2 The phrase *sutorio atramento absolutus* has given rise to debate. Malcovati (1955) suggests that the defendant committed suicide by drinking copper sulphate. Note that, at least under the lex Acilia, line 2, death did not produce automatic acquittal (see Venturini [1980] 161-63). Shackleton Bailey, *CLF* 2.330 suggests that the phrase may have been a proverbial one to signify a corrupt acquittal. Perhaps there was a way in which *sutorium atramentum*, which could be produced in different shades (Plin. *Nat.* 34.123-27), was used to mark the jurors' ballots.

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48

date: 114? or 111? 110?
charge: lex Acilia de repetundis (misconduct either as praetor, consul, or proconsul)
defendant: L. Calpurnius Piso Caesoninus (88) pr. by 115, cos. 112
advocates:
  ? M. Aemilius Scaurus (140) cos. 115, cens. 109
  L. Licinius Crassus (55) q. by 109, cos. 95, cens. 92
prosecutor: C. Claudius Pulcher (302) cos. 92
witnesses:
  ? Aquillius Gallus sen.? (M. Sergius?) Silus (42) q. 116 or 115
outcome: A?

Cic. *de Orat.* 2.265; 2.285; V. Max. 8.1. abs. 6?
Gruen (*Athenaeum* 1971) 55-56

1 The date is presumably either the year after the defendant's praetorship or after his consulship, and by his death in 107. See *MRR* Suppl. 47.
2 See Fraccaro *Opuscula* 2.139.
3 He was quaestor probably in 111 or 110. See Sumner, *Orators* 96-97, *MRR* Suppl. 118.
4 Syme (1956) 133-34 (= *RP* 1.303) connects an anecdote in V. Max. with this trial, emending L. Claudius Pulcher to C. Claudius Pulcher. See also case #378.
Badian (1961) 495-96 suggests that he was probably an Aquillius Gallus, and almost certainly a senator.

On the date of his quaestorship, see Crawford, RRC no. 286; MRR 2.13 has q. 94. See MRR Suppl. 193.

date: 111
charge: *iudicium populi*, for *perduellio*?¹
prosecutor: C. Memmius (5) tr. pl., pr. between 107 and 102²
witness?: Iugurtha (1)
outcome: veto by C. Baebius (10) tr. pl.

Sal. Jug. 31.25-34

¹ Gruen, RPCC 141 maintains that this was a *iudicium populi* on a charge of *perduellio*.
² See Sumner, Orators 85-86.

date: 110
charge: *apud praetorem peregrinum* or *apud triumvirum capitalem*¹ (for murder of Massiva)
defendant: Bomilcar (5)
outcome: none (defendant smuggled away)

Sal. Jug. 35.6-9; App. Nom. fr. 1
Paul (1984) 107

¹ Kunkel (1962) 49 n. 186 and Gruen, RPCC 141 n. 26 suggest that the *praetor peregrinus* probably presided over the trial.

date: 111? or 106?¹
charge: lex Acilia de repetundis (misconduct as promag. 111? or as procos. Numidia 108-106)
defendant: Q. Caecilius Metellus Numidicus (97) pr. by 112, cos. 109, cens. 102 (spoke pro se, ORF 58.1)
iudices: equites
outcome: A
other: Jurors, who were of equestrian rank, refused to inspect defendant's records.

Cic. Att. 1.16.4; Balb. 11; V. Max. 2.10.1

1 Gruen, RPCC 133 argues for the year after the defendant's praetorship (when, according to Gruen, the defendant may have been governor [see 2 Ver. 3.209]). Carney (1962) 308 and Badian, Imperialism (1968) 103 n. 19 argue for 107 or 106. The controversy revolves around two issues: 1) does Valerius Maximus' statement quid plus tribuit consuli imply that the defendant was consul or that he was not consul ('to him as consul' or 'to a consul'); and 2) does this prosecution and outcome accord with the friendly reception given to the defendant in 107, as reported by Sallust Jug. 88.1? The act of prosecution was unfriendly, but the jurors' conduct was very friendly. See MRR 1.539 n. 3, and MRR Suppl. 40. As stated in the latter, if the trial occurred after the defendant's consular command, it must have been after his triumph in 106 and before the passage of the lex Servilia Caepionis in 106.

52
date: 109
charge: quaestio extraordinaria (under lex Mamilia) (treason with Jugurtha)
defendant: C. Sulpicius Galba (51) sacerdos1 by 109
quaesitores: three, one of whom was M. (Aurelius?)2 Scaurus (215) cos. suff. 108
jurors: Gracchani (i.e., probably equestrian) jurors
outcome: C

Cic. Brut. 127-28; Sal. Jug. 40

1 Brut. 128 identifies the defendant as sacerdos. It is highly unlikely that he is the augur condemned for extortion mentioned in ad Her. 1.20, if that augur is indeed a historical figure; see Münzer RE 4A (1931) 755, MRR 1.547, and case #72.
2 Sallust *Jug.* 40.4 (cf. 28.5) makes it clear that he believes that M. Aemilius Scaurus (140), cos. 115, was a *quaesitor* in this court. But he also appeared as an *advocatus* for Bestia (case #54, *de Orat.* 2.283). Four solutions have been formulated to avoid the apparently anomalous situation where the same man appears as *quaesitor* and *advocatus*:

a) Bloch (1909) 68. There were three separate courts. Scaurus must have appeared at a court presided over by another *quaesitor*.

b) Fraccaro (1911) 174 = *Opuscula* 2.129 n. 10. There was one court, presided over by each *quaesitor* in succession.

c) Wilkins, *de Oratore* 374. Scaurus appeared at a different trial of Bestia.

d) Sumner (1976). Sallust has confused M. Aemilius Scaurus with M. Aurelius Scaurus; the latter served as *quaesitor*. See *MRR*, Suppl. 10.

It should be noted that the Roman courts were not as punctilious about a separation of judicial roles as their modern counterparts are. A modern judge cannot appear as an attorney at a trial presided over by another judge. But Cicero, while serving as the praetor in the extortion court in 66, appeared as advocate on behalf of Cluentius in the homicide court (case #198).

53
date: 109
charge: *quaestio extraordinaria* (under lex Mamilia) (treason with Jugurtha)
defendant: L. Opimius (4) cos. 121
*quaesitores*: M. (Aurelius?) Scaurus (215) cos. suff. 108, and two others

1 jurors: *Gracchani* (i.e., probably equestrian) jurors
outcome: C, exile, at Dyrrachium?

Cic. *Sest.* 140; *Pis.* 95; *Planc.* 69, 70; *Brut.* 128; *Vell.* 2.7.3; *Asc.* 17C; *Plut.* C. *Gracch.* 18.1; see also Cic. *N.D.* 3.74; Sal. *Jug.* 40.1

1 See case #52, n. 2.
2 The defendant was buried there (*Sest.* 140).

54
date: 109
charge: *quaestio extraordinaria* (under lex Mamilia) (treason with Jugurtha)
defendant: L. Calpurnius Bestia (23) cos. 111
prosecutor: C. Memmius (5) pr. between 107 and 102
*quaesitores*: M. (Aurelius?) Scaurus (215) cos. suff. 108, and two others
jurors: *Gracchani* (i.e., probably equestrian) jurors
*advocatus*: M. Aemilius Scaurus (140) cos. 115, cens. 109
outcome: C?

*Cic. de Orat. 2.283; Brut. 128; Sal. Jug. 40.5*

1 See case #49, n. 2.
2 For a reference, see case #52, n. 2.

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date: 109
charge: *quaestio extraordinaria* (under lex Mamilia) (treason with Jugurtha)
defendant: C. Porcius Cato (5) cos. 114
*quaesitores*: M. (Aurelius?) Scaurus (215) cos. suff. 108, and two others
jurors: *Gracchani* (i.e., probably equestrian) jurors
outcome: C, exile at Tarraco

*Cic. Balb. 28; Brut. 128*

1 See case #45, n. 1.
2 See case #52, n. 2.

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date: 109
charge: *quaestio extraordinaria* (under lex Mamilia) (treason with Jugurtha)
defendant: Sp. Postumius Albinus (45) cos. 110, procos. Africa and Numidia 109
*quaesitores*: M. (Aurelius?) Scaurus (215) cos. suff. 108, and two others
jurors: *Gracchani* (i.e., probably equestrian) jurors
outcome: C

Cic. Balb. 28; Brut. 128
Cic. Brut. 128

1 See case #52, n. 2.

trial uncertain¹

date: 109

charge: quaeestio extraordinaria (under lex Mamilia) (treason with Jugurtha)

defendant: (A.?) Postumius Albinus (32) pr. by 111?,² leg. 110 (? = A. Postumius Albinus [33] cos. 99)

quaesitores: M. (Aurelius?) Scaurus (215) cos. suff. 108, and two others³

jurors: Gracchani (i.e., probably equestrian) jurors

outcome: A?

Sal. Jug. 36.3, 37-39, 44.4; Liv. Per. 64; Flor. Epit. 1.36.9; Eutrop. 4.26.3; Oros. 5.15.6

1 We do not know that this trial took place. Münzer RE 22 (1953) 908-9 assumes that Postumius (32) must have stood trial because of his overwhelming guilt. If Postumius (32) = Postumius (33), then his continued career constitutes evidence for acquittal, if the trial did take place. See MRR Suppl. 173.

2 See Sumner, Orators 84.

3 See case #52, n. 2.

58

date: 109

charge: ambitus¹

defendant: (L.or Q.?) Hortensius (2) cos. des.?² 108

outcome: C

Fast. Cap. (Degrassi) p. 73; Chronogr. of 354³
Bloch (1909) 79-80; D.-G. 3.77; Cichorius, Untersuch. Lucil. 351; de Franciscis (1950) 129-30; MRR 1.548; MRR Add. and Corr. 2.645
1 Sumner (1976) 75 suggests as a possibility prosecution before the *quaestio Mamilia*. In that case, for *quaesitores*, see other trials before this *quaestio*.

2 Since a magistrate in office could not be prosecuted, it seems likely that he was convicted before taking office. See Atkinson (1960) 462 n. 108; Swan (1966) 239-40; and Weinrib (1971) 145 n. 1.

3 646 A.U.C. The name is listed as 'Kotensio.'

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59
date: 107? 106?¹
charge: *iudicium populi*, for *perduellio*² (disgraceful treaty with Tigurini)
defendant: C. Popillius Laenas (19) leg. 107
prosecutor: C. Coelius Caldus (12) tr. pl., cos. 94³
outcome: C, exile at Nuceria (later restored)

*ad Her.* 1.25, 4.34; *Cic. Inv.* 2.72-73; *Balb.* 28; *Leg.* 3.36; *Oros.* 5.15.24

1 The year depends on the date of the prosecutor's tribunate, which in turn depends on how quickly the trial could have taken place after the defeat of L. Cassius Longinus (62) cos. 107. See *FTP* 187.

2 Cicero's statement (*Leg.* 3.36) that the trial was for *perduellio* should be preferred to the statement (*ad Her.*) that *maiestas* was the charge. Last's attempt (*CAH* 9 [1932] 159) to square the evidence by positing an acquittal for *perduellio* and then a later trial under the lex Appuleia de maiestate is unnecessary; see Gruen, *RPCC* 151 n. 79, and Bauman (1967) 38.

3 He introduced the *lex tabellaria* for secret ballot in such trials.

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60
date: 106¹
charge: *lex Acilia de repetundis?*
defendant: C. Memmius (5) pr. between 107 and 102² (spoke *pro se*)
witness: M. Aemilius Scaurus (140) cos. 115, cens. 109
outcome: A

*Cic. Font.* 24; *V. Max.* 8.5.2
Passerini (1934) 133 n. 4; D'Arms (1972) 84; Gabba RR 227 n. 89
1 Sumner, *Orators* 86 points out that, whereas Cicero (*Font.* 26) says that the jurors in case #61 were *equites*, he fails to say this about this trial. Therefore, he argues, this trial might date from the brief period (106-104? 101? 100?) when, under Caepio's *lex Servilia*, *equites* were excluded from the extortion courts. But V. Max. 8.5.2 says that the two defendants were both tried *eadem lege*, and if he does not merely mean that both were tried for extortion, his statement would imply that the two trials took place when *equites* staffed the extortion courts, either before 106 or after the passage of Glaucia's *lex Servilia* (104? 101? 100?). Since M. Gratidius, the prosecutor in the trial of Fimbria (case #61), died in 102 (see *MRR* 1.569, *MRR Suppl.* 92), the earlier date and a trial under the *lex Acilia* are the more likely choices. Memmius' actions as praetor in 107 (a possible date for his praetorship) and Fimbria's actions as praetor by that date could have provided the grounds for an extortion trial. However, a date of 104 or 103 for Glaucia's *lex Servilia* would allow for these two trials to have been held under that law. See Nicolet, *Ordre équestre* 1.541.

2 For a reference, see case #49, n. 2.

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**61**

date: 106?

charge: *lex Acilia de repetundis*?

defendant: C. Flavius Fimbria (87) cos. 104

prosecutor: M. Gratidius (2) e.R.

witness: M. Aemilius Scaurus (140) cos. 115, cens. 109

jurors: *equites*

outcome: A

Cic. *Font.* 24, 26; *Brut.* 168; V. Max. 8.5.2

1 See case #60, n. 1.

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**62**

date: 104?

charge: *iudicium populi*? (abuse of power *ius vitae ac necis*? or for killing of son, who was suspected of either immorality or parricide)

defendant: Q. Fabius Maximus Eburnus (111) cos. 116, cens. 108

prosecutor: Cn. Pompeius Strabo (45) tr. pl. 104?,³ cos. 89
outcome: C, exile at Nuceria

Cic. Balb. 28; V. Max. 6.1.5; [Quint.] Decl. 3.17; Oros. 5.16.8
Rowland (1968) 213-14

1 Shortly after the battle of Arausio. See Gruen (1964) 102 n. 14.
2 Mommsen, Strafr. 614 n. 1, followed by Jones (1972) 5, assumes that the phrase diem dicere is used by Orosius (5.16.8) in a technical sense for a trial before the comitia. But Kunkel (1962) 47 n. 179 argues that a technical sense should not be pressed; contra Badian (Klio 1984) 308 n. 66. Cloud (1971) 40 argues that the trial took place inter sicarios. To date his tribunate, Badian uses the argument that for this case, Pompeius prosecuted while tr. pl.
3 On the date, see Badian (Klio 1984) 306-9, MRR Suppl. 166.

63
date: 104? after Dec. 10?\(^1\)
charge: iudicium populi (illegal war poorly conducted by defendant against Cimbri, injury to Aegritomarus)\(^2\)
defendant: M. Iunius Silanus (169) cos. 109
prosecutor: Cn. Domitius Ahenobarbus (21) tr. pl. 104? 103? cos. 96, cens. 92 (ORF 69.II)
outcome: A, by large majority (only tribes Sergia and Quirina voted to condemn)\(^3\)

Cic. Div. Caec. 67; 2 Ver. 2.118; Corn. fr. 2.7; Asc. 80-81C

1 Sumner, Orators 98-99 maintains that the date given by Velleius (2.12.5) for the tribunate of Domitius, 103, can be squared with Asconius' (80-81C) date of 104 for the trial by postulating a trial at the end of 104, after Domitius had become tr. pl., but while Marius and Fimbria were still consuls. See Marshall, Asconius 277-78, MRR Suppl. 82.
2 Aegritomarus is not listed in RE The name could be Aegritomarius. The injury may have been a cause for the prosecution, rather than grounds for the charge. Also, there is some question whether Cicero and Asconius are referring to the same trial. See Marshall (AJP 1977) 419-23.
3 Marshall (LCM 1977) tentatively suggests the possibility that the prosecutor issued a 'rigged' voting tablet. See also Gruen (1964) 108-10.
date: 103
charge: *iudicium populi* (defeat at Arausio under the command of defendant and Caepio [see case #66])
defendant: Cn. Mallius Maximus (13) cos. 105
advocate?: M. Antonius (28) cos. 99, cens. 97 *(ORF 65.III)*
prosecutor: uncertain
outcome: C, exile

*Cic. de Orat. 2.125; Liv. Per. 67; Gran. Licin. 13 Flemisch.*

1 The evidence that M. Antonius served as *patronus* in this trial is the phrase *Cn. Manli, Q. (Marci) Regis commiseratio* *(de Orat. 2.125*, so interpreted by Münzer, *RE* 14 [1928] 912; see also Münzer [1920] 388). But Meyer's view (1842) 290, which is followed by Wilkins in his note ad loc., is preferable, that the phrase may have formed part of Antonius' defense of Norbanus (see case #86), in order to arouse pity for Mallius' two sons lost at Arausio and anger against Caepio, the prosecutor in that case, whose father was also in command along with Mallius. Note that Mallius' loss of his two sons (Oros. 5.16.2) was a standard *exemplum* illustrating the theme of the father bereft of his sons.

2 Badian, *Studies* 35 claims that Saturninus prosecuted this defendant. But the evidence (Gran. Licin. 13 Flemisch) shows only that Saturninus passed the bill establishing the *quaestio* before which Mallius and Caepio were prosecuted; the prosecutor of Caepio (case #66) was someone else, i.e., Norbanus, and the prosecutor of Mallius could also have been someone else.

trial uncertain
date: 103
charge: *quaestio extraordinaria, peculatus?* (on theft of *aurum Tolosanum*)
defendants: Q. Servilius Caepio (49) cos. 106 and others
outcome: A? C?*

*Cic. N.D. 3.74; Liv. Per. 67; vir. ill. 73.5; Dio 27 fr. 90; Oros. 5.15
MRR 1.566 n. 8*
1 According to Lengle (1931), Caepio was either acquitted or assessed a pecuniary penalty.

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date: 103, after case #65
charge: *judicium populi?* (over defeat at Arausio, defendant as procors. 105 shared command with Mallius, see case #64)¹
defendant: Q. Servilius Caepio (49) cos. 106 spoke *pro se* (ORF 62.1)
prosecutor: C. Norbanus (5) tr. pl. 103,² cos. 83
outcome: C, confiscation of goods, retraction of *imperium*, threat of execution?, exile at Smyrna³
other: tr. pl. L. Aurelius Cotta (100) pr. ca. 95 and tr. pl. T. Didius (5) cos. 98 driven off from veto

*ad Her.* 1.24; *Cic.* Balb. 28; *Brut.* 135; *Liv.* Per. 67; *Strab.* 4.1.13; *V.* Max. 4.7.3, 6.9.13; *Gran.* Licin. 13 Flemisch

¹ See Lengle (1931).
² On the date of the prosecutor's tribunate and of the trial, see MRR 1.565-66, n. 7.
³ V. Max. (6.9.13) claims that the defendant was executed at some time, but contradicts himself at 4.7.3; *contra* *Cic.* Balb. 28, Strabo 4.1.13, V. Max. 4.7.3. See Münzer (1912) 170-71.

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date: ca 103¹
case: *lex Servilia* (Caepionis?) *de repetundis* (misconduct as gov. Sardinia)
defendant: T. Albucius (2) pr. 107? 105²²
prosecutor: C. Iulius Caesar Strabo Vopiscus (135) aed. cur. 90
witnesses: Sardinians
outcome: C, exile at Athens³
other: Cn. Pompeius Strabo (45) q. ca. 106,⁴ cos. 89 was rejected as prosecutor.

*Cic.* Div. Caec. 63; *Pis.* 92; *Scaur.* 40; *Off.* 2.50; *Tusc.* 5.108; *Suet.* Jul. 55.2; see also Apul. *Apol.* 66.4; *[Asc.]* 203St
1 See Sumner, *Orators* 77-78, 104; also Rowland (1968) 213-14.
2 For references that discuss the date of his praetorship, see case #32, n. 2.
   For the three errors which Apuleius (*Apol. 66.4*) makes, see Apuleius, *Apolo­
3 Carney (1958) 243 suggests the outcome was merely a censorial *nota* on the
   basis of Cic. *Prov.* 15; this suggestion is refuted by Gruen (1964) 101 n. 11.
4 Thompson (1969) suggests that Caepio's lex Servilia made *praevericatio* easier;
   therefore, there were three attempts by ex-quaestors to prosecute the
   governor under whom they had served (this case, #70, #91).

68
date: 103?¹
charge: *iudicium populi* (for failure to perform properly duties as priest
[augur?]?)²
defendant: M. Aemilius Scaurus (140) cos. 115, cens. 109
prosecutor: Cn. Domitius Ahenobarbus (21) tr. pl. 104? 103? cos. 96,
cens. 92 (ORF 69.I)³
outcome: A (32 tribes by a narrow margin for acquitted, 3 for condem­
ination)

Cic. *Scaur.* fr. c; *Deiot.* 31; *V. Max.* 6.5.5; *Plut. De capienda ex
inimicis utilitate* 91D; *Dio* 27 fr. 92; see also Suet. *Nero* 2.1
Gruen (1964) 107-8

1 See case #63, n. 1.
2 Sumner, *Orators* 99, following Badian (1968) 29, argues that the priesthood
   of Scaurus was the augurate; *contra* MRR 1.562 n. 7. Sumner's view is
   Suppl. 11-12.
3 Plutarch incorrectly says that Scaurus prosecuted Domitius.

69
date: 102?
charge: lex Servilia (Caepionis?) *de repetundis?¹ peculatus?* (miscon­
duct during command in Sicily against slaves in 103)
defendant: L. Licinius Lucullus (103) pr. 104
prosecutor: (M.?) Servilius (12) augur²
outcome: C
other: Q. Caecilius Metellus Numidicus (97) cos. 109, cens. 102 refused to be laudator of defendant.

Cic. 2 Ver. 4.147; Prov. 22; Ac. 2.1; Off. 2.50; Diod. Sic. 36.8.5, 36.9.1-2; Plut. Luc. 1; Quint. Inst. 12.7.4; Vir. Ill. 62.4


2 There is no agreement as to whether Servilius the augur is the same person as C. Servilius pr. 102. Münzer, RE 2A (1923) 1762-63, ORF p. 308 n. 1, and MRR 1.573 n. 6 lean to identification. Klein (1878) 56, van Ooteghem (1959) 14-15 n. 4, and Gruen, RPCC 177 n. 94 argue against identification.

Van Ooteghem argues: a) Diodorus does not mention that Servilius had prosecuted Lucullus, though to do so would have been relevant in the context; b) Plutarch does not say that the prosecutor succeeded the convicted defendant as governor, as would have been natural, had this been the case, and thus Servilius should be identified as augur to distinguish him from the praetor; c) Servilius the augur was acquitted (of maiestas? see Plut. Luc. 1), but Servilius the praetor was condemned for some sort of malfeasance. In my opinion, while there may not be the discrepancy in the charges which van Ooteghem claims, there is a discrepancy in the verdicts. See Badian (Klio 1984) 302, (PBSR 1984) 59; and d) Servilius the augur is C. Servilius Vatia (91) according to Mommsen (1860) 535-36, followed by Gruen, RPCC 178. Münzer RE 2A (1923) 1812 holds that the praetor of 102 was his son. For a stemma of the Servilii, see Crawford RRC 1.270, modified by Badian (PBSR 1984). By means of complex argument (59-62), Badian proposes that one M. Servilius Augur was the first cousin of C. Servilius, praetor in Sicily in 102.

3 The argument that the defendant went into exile at Heraclea (D.-G. 4.214 n. 4) is based on Arch. 8 and on an emended reading of Arch. 6. But these two passages (as emended) mention the activities only of the defendant's son M. Lucullus.

70

date: 101?1
charge: lex Servilia (Glauciae?) de repetundis? (misconduct as gov. Sicily)
defendant: C. Servilius (11, cf. 12)2 pr. 102?
37 The Trials

other: L. (Sempronius?) Pit(h)io? L. (Veturius?) Philo?\(^3\) (Veturius 21)
q. 102? rejected as prosecutor.
outcome: C, exile

Cic. *Div. Caec.* 63; [Asc.] 203St; Diod. Sic. 36.9.1

1 Gruen, *RPCC* 178 n. 104 and Sumner, *Orators* 80 are probably wrong to interpret the word *propiora* in [Asc.] 203St in a chronological sense. Therefore, that passage does not tell us anything about the chronological relationship between this case, case #67, and case #91. The scholiast is pointing out that Cicero in *Div. Caec.* saves his closest (qualitative, not chronological) parallel for last. On this point see Sumner, *Orators* 82. Sumner, *Orators* 80-81 notes that the last securely identifiable L. Philo is the cos. of 206, and that the trial should perhaps be much earlier. But that *nomen* may be irrelevant. See below, n. 3. On the other hand, the existence of the *divinatio* to select the prosecutor points to an extortion law after the lex Acilia, probably the lex Servilia of Caepio according to Serrao (1956) 500.

2 See case #69, n. 3.

3 See Badian (*Klio* 1984) 291-96. Preserving the manuscript reading, Badian suggests that this individual is the son or grandson of L. Sempronius Pitio (74) *monetalis* 148. Previously, the rejected prosecutor had been named as L. Veturius Philo, with the *nomen* 'Veturius' supplied on the basis of the *cognomen* 'Philo,' which is itself a doubtful emendation.

71

date: after case #69\(^1\)
defendant: (M.?) Servilius (12) augur\(^2\)
prosecutors:
   L. Licinius Lucullus (104) cos. 74 (*ORF* 90.I)
   M. Terentius Varro Lucullus (Licinius 109) (*ORF* 91.I)\(^3\) cos. 73
outcome: A\(^4\)
other: This case is perhaps the same as case #72.\(^5\)

Cic. *Prov.* 22; *Ac.* 2.1; *Off.* 2.50; Quint. *Inst.* 12.7.4; [Asc.] 222St; see also Cic. *Arch.* 6\(^6\)

1 Badian (*Klio* 1984) 304 suggests a date of 91.
2 On his identity see case #69, n. 2.
3 [Asc.] 222St has the Luculli prosecuting L. Cotta.
4 See case #72, n. 3, for the possibility of condemnation.
5 Cicero's rhetorical question (Prov. 22), *quae fuerunt inimicitiae in civitate graviores quam Lucullorum atque Servilii?* implies that only one Servilius was involved in a feud with the Luculli. This might seem to be an argument for identifying the two Servilii. But since there is no direct evidence that the Luculli were involved in the prosecution of Servilius the praetor (case #70), this passage does not help us decide whether Servilius the augur is the same man as Servilius the praetor.
6 'L. Lucullo' has been emended to 'M. Lucullo.' See D.-G. 4.214 n. 4.

72

trial uncertain¹
date: by 81²
charge: *lex Servilia? (Glauciae?) de repetundis*
defendant: augur
outcome: C
other: = ? case #71.³

*ad Her.* 1.20
Marx (1894) 108

1 It is possible that this case is merely a fictional, schoolbook example of a legal problem, since the author does not mention specific names.
2 The *terminus ante quem* would be the latest possible date of composition of *ad Her.*
3 It is tempting to connect this case with case #71. However, the outcome is different. On the other hand, if case #71 = case #72, then perhaps Plutarch is wrong to record that Servilius the augur was acquitted.

73

date: after 104,¹ before 91
claim: *sponsio (ni vir bonus esset)*
party: M. Lutatius Pinthia (21) e.R.
juror: C. Flavius Fimbria (87) cos. 104
outcome: juror refused to adjudicate

*Cic. Off.* 3.77; *V. Max.* 7.2.4
1 V. Max. refers to the juror as *consularis*. But if he does so only to distinguish him from the C. Flavius Fimbria active in the 80s, then the term *consularis* does not provide a *terminus post quem*.

74
date: 101
charge: *quaestio extraordinaria?* (violation of immunity of envoys)
defendant: L. Appuleius Saturninus (29) tr. pl. 103, 100, tr. pl. des. for 99
jurors: senators
outcome: A

*Diod. Sic. 36.15*

1 See *MRR Suppl.* 21-22.

75
date: 101
charge: *iudicium populi?* for parricide (killing of mother)
defendant: Publicius Malleolus (17)
outcome: C, execution by being thrown into sea in leather sack

*ad Her.* 1.23; *Liv. Per.* 68; *Oros.* 5.16.23
Cloud (1971) 44

76
date: 100
claim: civil suit (for retention of dowry: *retentio propter mores*)
defendant: C. Titinius (8) of Minturnae
plaintiff: Fannia (21)
juror: C. Marius (14, *RE Supp.* 6) cos. 107, 104-100, 86
outcome: Fannia allowed to recover all but a token amount (one sesterce) from her ex-husband

V. Max. 8.2.3; *Plut. Mar.* 38.3-5
trial uncertain

date: 100?

charge: *iudicium populi* for *perduellio*? *lex Appuleia de maiestate*?

defendant: Q. Caecilius Metellus Numidicus (97) cos. 109, cens. 102

prosecutor: L. Appuleius Saturninus (29) tr. pl. 103, 100, tr. pl. des. for

outcome: exile to Rhodes, Tralles

Cic. Clu. 95; Dom. 82, 87; Sest. 37, 101; Pis. 20; Planc. 89; Leg. 3.26; Liv. Per. 69; Vell. 2.15.4; V. Max. 3.8.4; Amp. 18.14; Plut. Cat. Min. 32.3; Mar. 29.4-8; Dio 38.7.1; *Vir. Ill.* 62.2, 73.8; Schol. Bob. 168, 174St; Flor. *Epit.* 2.4.3, 2.5.3; Oros. 5.17.4

1 The legal details of this trial are not at all clear; in fact, it is not at all clear that a trial actually took place, or was even threatened. Metellus refused to swear the oath required by Saturninus’ agrarian law; the penalty for this failure was expulsion from the Senate and a fine of 20 talents (= ca HS 480,000; see Gabba, *Appian* p. 104 on c. 29). This penalty, while high, would not have bankrupted Numidicus. Two sources (Liv. Per. 69 and Oros. 5.17.4) imply that a trial at least began, by using the phrase *diem dicere*. Gabba (1951) 21-23 suggests that Saturninus prosecuted Numidicus under the *lex Appuleia de maiestate*. Brecht (1938) 297-301 and Gruen (*Latomus* 1965) suggest a *perduellio* trial before the *comitia*. Crifo (1961) 275-88 suggests that no trial occurred. It seems clear that the *aqua et ignis interdiction* could not be a penalty, but merely confirmed the exile of Numidicus, which, the sources agree, was voluntary. Perhaps it was voluntary in the sense that Numidicus could have paid the fine, but refused. Alternatively, perhaps Saturninus persuaded the people to pass the interdiction, which the *Periochae* and Orosius perceived as a trial.

2 For references to a third election to the tribunate, see case #74, n. 1.
defendant?: L. Valerius Flaccus (178) cur. aed. 99? 98?, cos. suff. 86
prosecutor: C. Appuleius Decianus (21) tr. pl. 99? 98?
outcome: A

Cic. Flac. 77; Schol. Bob. 95, 105St

1 Münzer RE 8A (1955) 26 accepts the suggestion of Seidel (1908) 46 that the prosecution might have taken place between Dec. 10 and Dec. 31, 99, when Flaccus was still aedile, but Appuleius was already tribune.
2 See Gruen (Historia 1966) 37 n. 31.
3 See Sumner, Orators 81.
4 If the defendant was the future consul of 86, then his advancement is evidence for acquittal. See Gruen (Historia 1966) 37 n. 28.

date: 99 or 98
charge: iudicium populi (acts as tribune)
defendant: P. Furius (22) tr. pl. 100 or 99
prosecutors:
   C. Appuleius Decianus (21) tr. pl. 99 or 98
   C. Canuleius (3) tr. pl. 99?
outcome: killed by mob before verdict was delivered

Cic. Rab. Perd. 24-25; V. Max. 8.1 damn. 2; App. BCiv. 1.33; Dio 28 fr. 95.3

1 The trial took place the year after Furius was tribune, and the year when Appuleius was tribune. See FTP 204, MRR 2.2, 2.4, Seager (1967), and Tyrell (1978) 124-25 for the later date; see also Gabba, Appian 1.33 p. 114, Gruen (Historia 1966) 35, Badian (Chiron 1984) 133, and MRR Suppl. 22 for the earlier date.
2 It is disputed whether there was only one prosecution by one man, in which case Canuleius would be a confusion on Appian's part for Appuleius (so FTP 209), one prosecution by two men (so Gruen [Historia 1966] 35), or two separate prosecutions with the first ending in acquittal (so Münzer RE 7 [1910] 317, MRR 2.6 n. 5, and Badian Chiron [1984] 130-33).
3 See MRR Suppl. 21-23.
4 V. Max. (8.1. damn. 2) says that the defendant was not condemned; whereas Appian (BCiv. 1.33) says that he was killed by a mob while under indict-
ment. If the same trial is in question, the evidence can be squared by assuming that the mob acted during the course of the trial before the conclusion was reached. Note that Dio says that the defendant was killed in the assembly.

80
date: 98?
charge: lex Appuleia de maiestate?¹
defendant: Sex. Titius (23) tr. pl. 99
jurors: equites
witness: M. Antonius (28) cos. 99, cens. 97 (ORF 65.IV)
outcome: C, exile

Cic. Rab. Perd. 24-25; de Orat. 2.48, 2.253, 2.265; V. Max. 8.1. damn. 3

¹ Gruen (Historia 1966) 38 n. 36 suggests a maiestas trial for seditious conduct, although V. Max. claims that the trial took place in a contio (i.e. a tribunician prosecution apud populum). Cicero, however, clearly states that the defendant was condemned by equites (i.e. as iudices), and therefore before a quaestio.

81
date: 98 or 97²
charge: uncertain²
defendant: C. Appuleius Decianus (21) tr. pl. 99 or 98
outcome: C, exile to Pontus

Cic. Rab. Perd. 24; Flac. 5, fr. 3, 77; V. Max. 8.1. damn. 2; Schol. Bob. 95, 105St

¹ The date is the year after the defendant's tribunate.
² Gruen (Historia 1966) 38 suggests a maiestas trial for seditious behavior as tribune.
date: after 98
defendant: Q. Caecilius Metellus Nepos (95) cos. 98 (possibly spoke pro se)
prosecutor: C. Scribonius Curio (10) cos. 76, cens. 61 (ORF 86.I)
outcome: C?

Asc. 63C; Apul. Apol. 66; see also Cic. Brut. 206

1 If condemnation was the outcome, a date after the defendant's consulate is dictated. Gruen (Historia 1966) 42 n. 61 suggests the early 90s because the prosecutor (born ca 124/3, according to Sumner, Orators 110) was young at the time (Apul. Apol. 66). But the other exempla in this error-ridden passage allow for Curio to be as old as 31 (the age of Antonius when he prosecuted Carbo); thus, the year could have been 93, and perhaps later.

2 This may be the Metellus for whom L. Aelius Stilo composed a speech (ORF 74.I), and this trial may be the occasion when the speech was delivered (Cic. Brut. 206). Asconius' testimony shows that Butler and Owen (comm. on Apuleius Apol. 131) cannot be correct in suggesting that Q. Caecilius Metellus Celer (85) was tribune in 90.

3 See MRR Suppl. 186.

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date: second half of 97, or 96
charge: ambitus (for misconduct as candidate for censor)
defendant: M. Antonius (28) cos. 99, cens. 97
prosecutor: M. Duronius (3) tr. pl. by 97
witness: C. Coelius Caldus (12) cos. 94
outcome: A, or dropped

Cic. de Orat. 2.257, 2.274; see also V. Max. 2.9.5

1 The trial took place after the censors had expelled the prosecutor from the Senate. Münzer RE 5 (1905) 1862 claims that the trial took place during the defendant's censorship. Gruen (Historia 1966) 41 n. 58 suggests a trial during Antonius' campaign for the censorship. But Cicero (de Orat. 2.274) claims that Antonius was censor when prosecuted, and perhaps it was possible to prosecute a censor, whose status was different from that of other
magistrates; see Shackleton Bailey (1970) 163.

2 Perhaps the alleged failure of one Antonius to keep accurate records (2 Ver. 1.60) can be connected with this trial.

84
date: 97?¹
charge: lex Servilia (Glauciae) de repetundis²
defendant: M'. Aquillius (11) cos. 101, procos. Sicily 100-99
advocate: M. Antonius (28) cos. 99, cens. 97 (ORF 65.V)
character witness: C. Marius (14, RE Supp. 6) cos. VI 100, VII 86
prosecutor: L. Fufius (5) tr. pl. 91 or 90?³ (ORF 75.I)
outcome: A

Cic. 2 Ver. 5.3; Flac. 98; de Orat. 2.124, 188, 194-96; Off. 2.50; Brut. 222;
Liv. Per. 70; Quint. Inst. 2.15.7; Apul. Apol. 66

¹ Liv. Per. 70 gives 98, but see Badian Studies 45-46, Gruen (Historia 1966) 39.
² Liv. Per. 70; MRR 2.2 gives peculates.
³ See Sumner (1963) 350 n. 57. Apuleius gives the name as C. Furius.

85
date: 96?
advocate: P. Sulpicius Rufus (92) tr. pl. 88

Cic. de Orat. 2.88¹

¹ Münzer RE 4A (1931) 844 suggests a possible connection between this passage and case #88. But Gabba (1953) 264 n. 4 argues that the trial of Caepio could not be the causa parvula to which Cicero here refers. A civil case, similar to #126, in which Cicero spoke for Quinctius, is more likely at the start of Sulpicius' forensic career.

86
date: not before 96¹
charge: lex Appuleia de maiestate (seditious conduct as tr. pl. 103)
defendant: C. Norbanus (5) cos. 83
advocate: M. Antonius (28) cos. 99, cens. 97 (ORF 65 VI)
prosecutor: P. Sulpicius Rufus (92) tr. pl. 88 (ORF 76.11)
witness: M. Aemilius Scaurus (140) cos. 115, cens. 109
outcome: A

Cic. de Orat. 2.89, 107, 124, 164, 167, 197-204; Off. 2.49; Part. 104; V. Max. 8.5.2; Apul. Apol. 66

1 Antonius (cens. 97) was an ex-censor (de Orat. 2.198).
2 See Gruen (CP 1966), Badian Studies 49-50, 84-86, and MRR Suppl. 149.

87
date: by 91
defendant: M. (Claudius?) Marcellus (226) pr. at an uncertain date
witness: L. Licinius Crassus (55) cos. 95, cens. 92 (ORF 66.XV) (against defendant)
outcome: A

Cic. Font. 24; V. Max. 8.5.3

1 Badian, Studies 44, 53 suggests a date around 95, and a charge of extortion. There is, in fact, no direct evidence about date or charge other than 91 as the year of Crassus' death. See Münzer RE 3 (1899) 2760, Gruen (Historia 1966) 51, Sumner, Orators 91.
2 On the question of the relationship of this individual to M. Claudius Marcellus (227) aed. cur. 91, see Badian, Studies, 53, Sumner, Orators 91, and MRR Suppl. 55.

88
date: 95
charge: lex Appuleia de maiestate (misconduct as q. 100)
defendant: Q. Servilius Caepio (50) pr. 91? (ORF 85.IV) 90
advocates:
L. Licinius Crassus (55) cos. 95, cens. 92 (ORF 66.VI)
? P. Sulpicius Rufus (92) tr. pl. 88? (ORF 76.II)
prosecutor: T. (Betutius?) Barrus (Betitius 1), (perhaps e.R.) (ORF 84.I)³

*ad* Her. 1.21, 2.17; Cic. Brut. 162; see also *ad* Her. 4.35; Sal. Hist. 1.62M; Cic. de Orat. 2.88; Brut. 169

1 Gruen (*JRS* 1965) 63 n. 48, (*Historia* 1966) 45 maintains that this trial was the occasion for which L. Aelius Stilo composed a speech for Caepio (ORF 74.II), and Caepio delivered the speech *pro se*; contra Münzer (1920) 301, Douglas *Brutus* 130, who maintain that Aelius' speech must have been written for a prosecution of Caepio under the lex Varia (see case #106).

2 It is doubtful whether this is the *causa parvula* (de Orat. 2.88) in which Sulpi­cium spoke (see case #85).

3 Gabba (1953) 271 (see also 264 n. 4) connects this prosecutor with this case on political grounds; Badian (Studies 66 n. 85) denies that there is any evi­dence that this case was politically important. Sumner, *Orators* 102 dis­tinquishes Betucius from the *eques* who was a witness in the Vestal scandal (cases #38, #39, #40).

89
date: 95

charge: *quaestio extraordinaria* (challenge to citizenship under lex Lici­nia Mucia)

defendant: T. Matrinius (3) of Spoletium e.R.¹

advocate: C. Marius (14, *RE* Supp. 6) cos. 107, 104-100, 86²

prosecutor: L. Antistius (12) (ORF 77.I)

outcome: A

*Cic. Balb.* 48-49

1 See Nicolet, *Ordre équestre* 2.950.

2 Brunt (1965) 106 is wrong to conclude from *Balb.* 49 that Crassus defended Matrinius; see Badian (*Historia* 1969) 491.

90
date: 95
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charge: lex Servilia (Glauciae) de repetundis? (misconduct as praetor [in Africa?] by 96) (ORF 70 frags. 15, 16, [17]?)
defendant: L. Marcius Philippus (75) cos. 91, cens. 86
prosecutor: Q. Hortensius Hortalus (13) cos. 69 (ORF 92.1)
juror: L. Aurifex (1) e.R.

Cic. de Orat. 2.220, 245, 249; 3.228-29; Quint. Inst. 6.3.81

1 On the basis of jokes reported in the de Oratore, especially 2.220 (cf. Quint. Inst. 6.3.81), Münzer RE 14 (1930) 1563 claims that this was an extortion case. See also Gruen (Historia 1966) 49-50.

2 Since the defendant went on to hold the consulate, he was probably acquitted.

date: shortly after 95?1
charge: lex Servilia (Glauciae) de repetundis (provincial malfeasance after governorship of Asia in 95? 94?)
defendant: L. Valerius Flaccus (178) pr. 96? 95?, cos. suff. 86
outcome: A2

other: M. Aurelius Scaurus (cf. 215)3 q. ca 95? 94? former quaestor of defendant, rejected as prosecutor.

Cic. Div. Caec. 63; 2 Ver. 1.85; [Asc.] 203St

1 Sumner, Orators 80-82, following Münzer, RE 8A (1955) 26-27, argues that, rather than create an otherwise unknown Scaurus q. ca. 103, we should set the case in the late 90s, and record the man who later became cos. suff. as the defendant. The fact that Scaurus' quaestorship is described by Cicero in 70 as nuper (2 Ver. 1.85), he argues, is not an insurmountable obstacle to this view (cf. Off. 2.58). Sumner's view, now accepted by Badian (Klio 1984) 298-99, is the most economical. See MRR Suppl. 32, 212. Previously, it had been thought that the three cases mentioned together in Cic. Div. Caec. 63 (this one, and cases #67 and #70) must have all occurred in the last years of the second century BC; see Badian Studies 86-87.

2 The defendant's later election to consulate would indicate acquittal.

3 Son of M. Aurelius Scaurus (215) cos. suff. 108.
date: 95? 93? 91?¹
charge: lex Servilia (Glauciae) de repetundis² (misconduct as gov. Cilicia)
prosecutor: C. Marcius Censorinus (43) leg. 82 (ORF 82.1)
outcome: charges dropped

Plut. Sull. 5; Firm. Mat. 1.7.28

¹ The trial presumably followed the defendant's command in Cilicia. This Badian (Studies 169-170) has dated to 96-95, and given this date, the trial would have occurred in late 95 or in 94. Keaveney (1980) 149-57 defends Badian's dating, though for somewhat different reasons. Sumner (Athenaeum 1978) dates Sulla's praetorship to 95 and his Cilician command to 94. He argues that Sulla must have run in 99 for the praetorship of 98, and having been defeated, ran in the same year for the aedileship of 98, which he held. Sherwin-White (CQ 1977, JRS 1977, 72) argues that Sulla restored Ariobarzanes of Cappadocia in the late nineties. See MRR Suppl. 74.

² MRR 2.18 refers to the acceptance of bribes. But Gruen (Historia 1966) 51 n. 116 correctly points out that the force of Sallust's words contained in Firm. Mat. 1.7.28, spoliatae provinciae crimen, means that extortion was the charge.
1 Judging by *Brut.* 145, both advocates were consulars, but Crassus was not yet a censor. If Badian (*Athenaeum* 1956) 104-12 is right that Scaevola was procos. Asia in 94 rather than 97, then 94 would probably be impossible. See *MRR* Suppl. 145-46 for sources and summary of the chronological problem.

2 The issue was whether Curius, the residuary heir, could receive an inheritance, given that the precise legal conditions for so doing had not been met; the testator's son had not actually died, for the testator had had no son. See Wilkins, *de Oratore* 11-12, Vaughn (1984).

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94

date: 92
charge: lex Servilia (Glauciae) de repetundis (misconduct as legate to Asia)¹

defendant: P. Rutilius Rufus (34) cos. 105 (*ORF* 44.III) spoke *pro se*
advocates:
  Q. Mucius Scaevola (22) cos. 95 (*ORF* 67.II)
  C. Aurelius Cotta (96) cos. 75 (*ORF* 80.I)
prosecutor: Apicius (1)²
outcome: C, exile to Asia (Mytilene and Smyrna),³  loss of property

Posidonius in Athen. 4.66, 168DE = *FGrH* 2A.27, 233; Cic. *Font.* 38; *Balb.* 28; *Pis.* 95; *Rab. Post.* 27; *de Orat.* 1.229-30; *Brut.* 85, 115; *N.D.* 3.80, 86; *Diod. Sic.* 37.5.1; Liv. *Per.* 70; Vell. 2.13.2; V. *Max.* 2.10.5, 6.4.4; Sen. *Ben.* 5.17.2, 6.37.2; *Ep.* 24.4; Quint. *Inst.* 11.1.13; Tac. *Ann.* 4.43; Dio 28, fr. 97; [Asc.] 202St; *Flor. Epit.* 2.5.3; *Oros.* 5.17.12-13; see also Tac. *Ann.* 3.66.2
Pais (1918) 46-49

1 Ps.-Asconius incorrectly refers to the defendant as quaestor, 202St. Badian's argument (*Studies* 101 n. 94) for a late date (94-93) both for his legateship and for the proconsulship of Q. Mucius Scaevola has been challenged by Marshall (1976), who argues for an earlier date, 97. See also Sumner (*GRBS* 1978) 147-48, Marshall, *Asconius* 110-12.

2 The prosecutor was not M. Aemilius Scaurus (140) cos. 115, cens. 109, contrary to what his great-grandson claimed (Tac. *Ann.* 3.66.2); see Badian *Studies* 108.

3 V. *Max.* 6.4.4 notes that the defendant refused to return to Rome *ne quid*
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adversus leges faceret. Dio says that he was under compulsion to leave Rome.

95

date: 92
charge: perhaps ambitus
defendant: L. Marcius Philippus (75) cos. 91, cens. 86
prosecutor: Q. Servilius Caepio (50) pr. 91?

Flor. Epit. 2.5.5

1 Note, however, that Florus goes on to make the incorrect statement that Caepio accused Scaurus of ambitus; see case #96.

96

date: late 92 or early 91
charge: lex Servilia (Glauciae) de repetundis
defendant: M. Aemilius Scaurus (140) cos. 115, cens. 109 (ORF 43.II?, III)
prosecutors:
   Q. Servilius Caepio (50) pr. 91?
   Cn. Cornelius Dolabella (135) pr. 81
   ? M. Iunius Brutus (50)
outcome: A (or none)
other: two actiones

Cic. Font. 38; Scaur. fr. d; Plin. Nat. 36.116; Asc. 21C; Fron. Str. 4.3.13; Flor. Epit. 2.5.5

1 The trial occurred just before, or during the early part of, the tribunate of M. Livius Drusus.
2 The charge did not stem, contrary to general belief (Badian [Athenaeum 1956] 117-22, and others), from the defendant's actions as legate to Asia; the phrase legatio Asiatica refers to Rutilius and to his service as assistant to Scaevola (Asc. 21C). See Alexander (1981) and MRR Suppl. 11. The accusation made pro rostris that he had received a bribe from Mithridates (V. Max. 3.7.8) may be irrelevant here. The charge was not ambitus, contrary to
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the statement of Florus (Epit. 2.5.5). See Sumner, Orators 117.

3 Brutus may have prosecuted Scaurus in a separate extortion case (see case #37). The passage from Frontinus probably refers to the discipline displayed by Scaurus' troops when he was consul in 115. For that reason Bloch (1909) 26-27 and Gruen, RPCC 125 place that prosecution in 114. But this passage could also have served as part of Scaurus' defense in the late 90s, and in that case Brutus would have served as subscriptor with Caepio. See Klebs RE 1 (1893) 586, Gelzer RE 10 (1917) 972.

4 Scaurus went on to be politically active in this year, and was later accused under the lex Varia (see case #100).

5 These were either in this case or in case #37; see Char. 186.30.

97

date: late 92 or early 91
charge: lex Servilia (Glauciae) de repetundis, not ambitus
defendant: Q. Servilius Caepio (50) pr. 91? (ORF 85.II)
prosecutor: M. Aemilius Scaurus (140) cos. 115, cens. 109 (ORF 43.III)
outcome: A (or none)
other: two actiones?

Cic. Scaur. fr. d; Asc. 21C

1 See case #96, n. 1. By requesting a shorter period for an inquisitio, Scaurus managed to have the trial of Caepio occur before his own, even though Caepio brought his case first. See n. 3 below.

2 Münzer (1920) 300 suggests an ambitus charge. Sumner, Orators 117 points out that this must be an extortion trial, since Scaurus launched the prosecution in order to delay case #96, in which he was the defendant on an extortion charge; therefore, this case and case #96 must involve the same type of charge.

3 There is no evidence to show that Caepio spoke pro se, pace ORF p. 295. Malcovati perhaps relies on the phrase causam dicere, which, however, merely means 'to be a defendant' (cf. Cic. S. Rosc. 13, where causam dicere is used of a defendant who almost certainly does not speak in his own defense).

4 Gruen (Historia 1966) 56 n. 149 concludes, on the basis of a quotation recorded in Char. 186.30, that the case went into the second (and final) actio, and that therefore a verdict was reached; this verdict would have been an acquittal, since Caepio saw service in the Social War. This recon-
struction is quite possible, but the quotation of Charisius may also come from the prosecution of Scaurus by Caepio (case #96), if Scaurus was going to speak pro se on that occasion. In that case, that trial could have come to a verdict, even if this trial (of Caepio) had been dropped by Scaurus. But, on the other hand, Scaurus was evidently trying to delay the trial in which he was the defendant, and would be unlikely to drop his prosecution. Gruen is right to attack Bloch's belief (1909) 30 that the trial of Scaurus must have been postponed till Caepio died in battle. See Marshall, *Asconius* 136.

98
date: after 101? and before 91\(^1\)
charge: quaestio
defendant: Cn. (Munatius?) Plancus or Plancius (Plancius 2) e.R.
advocate: L. Licinius Crassus (55) cos. 95, cens. 92 (ORF 66.XII)
prosecutor: M. Iunius Brutus (50)
jurors: equites
outcome: A\(^2\)


1 Gruen (*Historia* 1966) 59-60 argues against definitely placing the trial in the late 90s.
2 On the basis of *de Orat.* 2.225, *refutatum esse Brutum*, it is clear that the defendant was acquitted.

99
date: 91 (late summer)\(^1\)
claim: civil suit (repayment of debt)
urban praetor: Q. Pompeius Rufus (39) cos. 88
on advisory council: L. Licinius Crassus (55) cos. 95, cens. 92

Cic. *de Orat.* 1.168

1 The date is inferred from the phrase *in his paucis diebus*, before the death of Crassus, Sept. 20, 91.
The legal problem raised by this trial is whether it took place before a quaestio staffed by jurors, or as a tribunician prosecution apud populum. The latter explanation is suggested by the following passages:

a) Asc. 22C says that Q. Varius tr. pl. summoned Scaurus. The language appears too formal to allow for the hypothesis of Gruen (JRS 1965) 63 that Varius was using a contio to whip up feeling against Scaurus.

b) V. Max. 3.7.8 says that the trial took place pro rostris, and Scaurus addressed his audience as Quirites. V. Max. connects the trial with a charge of having accepted a bribe from Mithridates. A connection between a trial under the lex Varia and such a trial is easy to believe (see Fraccaro Opuscula 2.142).

c) Vir. Ill. 72.11 says that the trial occurred apud populum.

The most economical explanation of this evidence is that trials under the lex Varia were apud populum until the passage of the lex Plautia (see case #109, n. 3). It is possible that Caepio merely served as subscriptor. See Pais (1918) 156-64. But Appian (BCiv. 1.37) implies that Mummius (see case #102) was convicted by equites, that is, before a quaestio. It is also possible that there were two trials, one apud populum, and then one before a quaestio (Fraccaro Opuscula 2.140-44). Note that this possibility does not raise the question of double jeopardy, because it is clear that no verdict was reached in the trial apud populum (Gruen [JRS 1965] 62). If there was a separate trial before a quaestio, acquittal is likely to have been the verdict.

2 On the outcome, see Gruen (JRS 1965) 63.
date: 90
charge: lex Varia
defendant: Q. Pompeius Rufus (39) cos. 88 (spoke pro se)\(^1\) (ORF 83.I).
witness: L. Marcius Philippus (75) cos. 91, cens. 86, against defendant\(^2\)
outcome: \(A\)^\(^3\)

Cic. Brut. 206, 304

1 The speech may have been written by L. Aelius Stilo (144) (ORF 74.IV).
2 Gruen (JRS 1965) 65 n. 84 is correct to refute the suggestion of van Ooteghem (1961) 134 that Philippus spoke for the defense.
3 Acquittal is suggested by the defendant's future election to the consulate.

date: 90
defendant: L. Memmius (13) *monetalis* 109 or 108
jurors: *equites*
witness: L. Marcius Philippus (75) cos. 91, cens. 86, against defendant (ORF 70.III)
outcome: C? exile to Delos?\(^1\)

Sis. Hist. 3, fr. 44 Peter (Nonius 393L); Cic. Brut. 304 (see also 136); App. BCiv. 1.37

1 The sources for this trial raise two related problems: 1) when did the tribunate of L. Memmius occur (if he did hold that office)? 2) is the 'Mummius the conqueror' whom Appian mentions the same as this Memmius? If Memmius had been tr. pl. in 90, as the position of the statement in Book III of Sisenna's *Histories* implies, he could not have been prosecuted till 89. Yet Appian seems to place the trial in 90, and therefore Memmius would have had to be tried and acquitted in 90 to hold office in 89. Therefore, he would not be the same as Mummius, who, Appian writes, was convicted, and went into exile. However, according to Biedl (1930), followed by Wiseman (CQ 1967) 164-65, and Frassinetti (1972) 90 n. 70, the relevant passage from Nonius should be read so as to apply tr. pl. to C. Scribonius Curio (10) cos. 76, who was indeed tr. pl. in 90. Thus, Memmius could have been tried in 90, as Appian states, and one does not need to resort to
Gruen's suggestion (*JRS* 1965, p. 67), attacked by Wiseman, that Memmius had been tr. pl. in 91 while advising Drusus. It is very difficult to decide whether Appian's 'Mummius' was this Memmius. Biedl accepts identification, but Münzer (*RE* 15 [1931] 621), Gabba, *Appian* p. 125 and Badian (*Historia* 1969) 469 n. 65 argue for retaining the manuscript reading in Appian. Badian points out that there were Mummii in the first century BC. It may well be, then, that we are dealing with two trials here: one of Memmius, of which we do not know the verdict, and another of Mummius, which ended in conviction. See *MRR Suppl.* 142.

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<table>
<thead>
<tr>
<th>Date</th>
<th>Charge</th>
<th>Defendant</th>
<th>Outcome</th>
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<tbody>
<tr>
<td>90</td>
<td><em>lex Varia</em></td>
<td>C. Scribonius Curio (10) tr. pl., cos. 76, cens. 61¹</td>
<td>no trial</td>
</tr>
</tbody>
</table>

*Sis. Hist.* 3, fr. 44 Peter (Nonius 393L); cf. *Asc.* 74C

¹ See case #82, n. 3.

104

<table>
<thead>
<tr>
<th>Date</th>
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<th>Defendant</th>
<th>Outcome</th>
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<tbody>
<tr>
<td>90</td>
<td><em>lex Varia</em></td>
<td>L. Calpurnius Bestia (23) cos. 111</td>
<td>went into exile after trial began</td>
</tr>
</tbody>
</table>

*App. BCiv.* 1.37
*Gruen (JRS 1965)* 64-65

105

<table>
<thead>
<tr>
<th>Date</th>
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<th>Defendant</th>
<th>Outcome</th>
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<tbody>
<tr>
<td>90</td>
<td><em>lex Varia</em></td>
<td>C. Aurelius Cotta (96) cos. 75 (spoke <em>pro se</em>)¹ (ORF 80.II)</td>
<td>C, exile before vote of jurors taken</td>
</tr>
</tbody>
</table>

¹ (ORF 80.II)
Cic. *de Orat.* 3.11; *Brut.* 205, 207, 303, 305; App. *BCiv.* 1.37
Gruen (*JRS* 1965) 64

1 The speech was written by L. Aelius Stilo (144) (*ORF* 74.III).

106

trial uncertain

date: 90
charge: *lex Varia*
defendant: Q. Servilius Caepio (50) pr. 91?, promag. 90 (spoke *pro se*)
prosecutor: T. (Betutius?) Barrus (Betitius 1) (perhaps e.R.)

Cic. *Brut.* 169, 206

1 Gruen (*JRS* 1965) 63 argues that this trial did not occur, since Servilius was killed in battle in 90.
2 The speech was written by L. Aelius Stilo (144).

107

date: 90? 89?1
charge: *ambitus*
defendant: P. Sextius (9) pr. des.2
prosecutor: T. Iunius (32) tr. pl. between ca 95 and ca 853
outcome: C

Cic. *Brut.* 180

1 Münzer, *RE* 10 (1917) 965 and Gruen, *RPCC* 300 tentatively suggest a date of 90 for the trial.
3 See Sumner, *Orators* 109. He notes that Cicero's language does not necessarily imply that T. Iunius had already been tribune when he was prosecutor.
date: 90? 89?
charge: lex Varia
defendant: M. Antonius (28) cos. 99, cens. 97, leg.? 90, leg. 87 (spoke pro se) (ORF 65.X)
outcome: A?¹

Cic. Brut. 304; Tusc. 2.57
Seager (1967)

1 Klebs (RE 1 [1894] 2591) and Gruen (JRS 1965) 68 interpret aberat (Brut. 304) to mean that Antonius had been acquitted, and perhaps was serving in the Social War, as he did later in 87 (Gran. Licin. 19). Badian (Historia 1969) 457-58 argues that we know too little about the trial to determine the outcome. See MRR Suppl. 19.

date: 89¹
charge: lex Varia²
defendant: Q. Varius Severus Hibrida (7) tr. pl. 90
jurors: 15 from each tribe³
outcome: C, exile⁴

Cic. Brut. 305; N.D. 3.81; V. Max. 8.6.4

1 On the basis of the pluperfect excesserat (Brut. 305), Badian (Historia 1969) 461 argues for a trial early in the year.
2 Münzer (Adelsparteien 1920) 301 believes that the defendant's doubtful citizenship constituted the basis for prosecution; Gruen (JRS 1965) 69 argues that passage of the lex Varia in the face of tribunician intercession was the reason. But, as Badian (1969) 461-62 has ingeniously noted, a prosecution on that basis would involve the claim that the lex Varia was defective, and therefore all trials held under it would be defective.
3 Gruen (JRS 1965) 69 argues that Varius was tried before the passage of the lex Plautia, because his trial occurred before that of Cn. Pompeius Strabo (cos. 89, case #110), who could have been tried only in 88. But Badian (Historia 1969) 466, 474-75 justifiably notes the incongruity involved in positing a condemnation of Varius by the equites. He solves the problem by 1) posit-
The Trials

The passage of the lex Plautia (establishing juries drawn from the tribes [Asc. 79C]) early in 89 (i.e., before the trial of Varius) and 2) changing Pompeius to Pomponius Strabo (tr. pl. 90), who could have been tried early in 89. See case #110. According to this suggestion, even if Appian (BCiv. 1.37) is right that Varius was tightly allied with the equestrian order, the equites on the juries could have been outvoted by the other members of the jury, now chosen from the entire citizenry.

4 The defendant was not executed. Badian (1969) 463 is right to maintain that the phrase domesticis laqueis constrictum (V. Max. 8.6.4) is metaphorical.

110
date: 89
charge: lex Varia
defendant: Cn. Pomponius (3) tr. pl. 90

Asc. 79C

1 The manuscript reading is Pompeius, i.e., Cn. Pompeius Strabo (45), cos. 90. Badian (1969) 474 convincingly points out the difficulties involved in this reading. See Marshall, Asconius 273-74, MRR Suppl. 166, and case #109, n. 3.

111
date: early 80s?
charge: lex Aquilia (de damno iniuria dato?)
defendant: L. Sabellius (1)
prosecutor: L. Caesulenus (1)

Cic. Brut. 131

1 Cicero heard this case being argued when the plaintiff was already an old man. Sumner, Orators 77 suggests a date in the early 80's, pointing to Brut. 303-4, where Cicero describes his entrance into the forum at that time.

2 The manuscript reading is vexed at this point, making it difficult to identify the law under which this trial was held. Mommsen Strafr. 826 n. 4 argues that the case must have been held under a different lex Aquilia, since Cicero speaks of the plaintiff seeking a multa, whereas the lex Aquilia
The Trials

de damno iniuria dato did not prescribe a *multa*. On the other hand, it did prescribe monetary damages, so perhaps Cicero, writing loosely, could have used the phrase *multam petere* of a case under this law. It was a very well-known statute, with which Cicero could have expected his readers to be familiar; this was probably not true of any other lex Aquilia.

3 Badian (1967) 227 suggests 'L. Saleuius' as a possibility, and argues (*Studies* 247) against 'Saufeius'.

112
date: before 87
charge: uncertain, described as *gravissimum crimen*
defendant: Sextilius (1), = ? P. Sextilius (12)\(^1\) pr. 92?, promag. by 90-87?\(^2\)
advocate: C. Iulius Caesar Strabo Vopiscus (135) aed. cur. 90
outcome: A

V. Max. 5.3.3

1 Carney (1962) 324 identifies the two; the identification is refuted by Gruen, *RPCC* 299.
2 So Badian in *Studies* 71-72 and (1965) 113; see *MRR Suppl.* 198.

113
date: early 87
charge: *iudicium populi* (perhaps the illegal execution of P. Sulpicius Rufus without trial)\(^1\)
defendant: L. Cornelius Sulla (392) cos. 88, 80
prosecutor: M. Vergilius (4) tr. pl. 87\(^2\)
outcome: none, Sulla went east

Cic. *Brut.* 179; Plut. *Sull.* 10.4; see also *ad Her.* 1.25

1 See Bennett (1923) 7, Weinrib (1968) 42, and also Gundel *RE* 8A (1955) 1019.
2 Plutarch (*Sull.* 10.4) has 'Verginius'; Badian (*Studies* 85 and 100 n. 87) considers this reading plausible.
date: 87
charge: *iudicium populi*
defendant: Ap. Claudius Pulcher (296) promag. 87, cos. 79
prosecutor: unnamed *tribunus plebis* 87
outcome: C in absence, exile

Cic. *Dom.* 83
Bennett (1923) 29; *FTP* 236; Weinrib (1968) 43 n. 45

date: late 87
charge: *iudicium populi*, for *perduellio?*
defendant: Q. Lutatius Catulus (7) cos. 102
prosecutor: M. Marius Gratidianus (42) tr. pl. 87 or 86, pr. 85? and 82?¹
outcome: suicide²

Cic. *de Orat.* 3.9; *Brut.* 307; *Tusc.* 5.56; *N.D.* 3.80; Diod. 39.4.2; Vell. 2.22.4; V. Max. 9.12.4; Plut. *Mar.* 44.5; App. *BCiv.* 1.74; Flor. *Epit.* 2.9.15; Schol. Bern. on Lucan 2.173; Schol. Bob. 176St; August. *C.D.* 3.27
Brecht (1938) 301

1 On these dates of the prosecutor's career, see Sumner, *Orators* 118-19, and *MRR* Suppl. 140-41.
2 On the suicides of this period, see Weinrib (1968) 43, n. 45.

date: late 87
charge uncertain¹
defendant: L. Cornelius Merula (272) cos. suff. 87
outcome: suicide²

*Fast. Cap.* Degrassi, p. 75; V. Max. 9.12.5; Vell. 2.22.2; Tac. *Ann.* 3.58; App. *BCiv.* 1.74; Flor. *Epit.* 2.9.16; Dio 31, fr. 102.11a?; August. *C.D.* 3.27
Brecht (1938) 301

1 Bennett (1923) 27 suggests that Cinna's removal from the consulate was illegal, and that Merula may have been put on trial for having replaced him illegally.
2 See case #115, n. 2.

117

date: 86
charge: *iudicium populi*
defendants:
   Sex. Lucilius (15) tr. pl. 87
two other former tribunes
prosecutor: P. Popillius Laenas (27) tr. pl.
outcome: C; Lucilius thrown from Tarpeian rock, the other two suffered *aquae et ignis interdictio*

Vell. 2.24.2; Plut. *Mar.* 45.1; see also Dio 31 fr. 102.12
*FTP* 235-36; Weinrib (1968) 43 n. 45

118

trials uncertain
prosecutor: C. Marius (15) cos. 82
outcome: one tr. pl. decapitated, another tr. pl. thrown from Tarpeian rock, two praetors deprived of fire and water

Dio 31 fr. 102.12

1 The relationship between these trials, if they were indeed trials, and case #117 is difficult to determine from Dio's account.

119

date: 86
charge: *iudicium populi*
defendant: Q. Mucius Scaevola (22) cos. 95
prosecutor: C. Flavius Fimbria (88) q.? 86, leg. 86-85
outcome: dropped by prosecutor

Cic. S. Rosc. 33; V. Max. 9.11.2

1 Strabo (13.1.27) says that the prosecutor was quaestor. For the theory of quaestorian prosecution see Weinrib (1968) 43 n. 45; Lintott (1971) 696-98. Bauman (1974) 251 n. 34 argues that Weinrib is wrong to suggest that Fimbria could have been a quaestor parricidii.

120
date: 86? 85?1
claim: civil procedure relating to inheritance?2
defendant: Cn. Pompeius Magnus (31) cos. 70, 55, 52
advocates:
   Q. Hortensius Hortalus (13) cos. 69 (ORF 92.III)
   L. Marcius Philippus (75) cos. 91, cens. 86 (ORF 70.IV)3
   Cn. Papirius Carbo (38) cos. 85, 84, 82
aedile or iudex quaestionis: P. Antistius (18) aed. 86?, iudex quaestionis 85
outcome: A

Cic. Brut. 230; V. Max. 5.3.5, 6.2.8; Sen. Con. 7.2.6; Plut. Pomp. 4.1-3
Gelzer KS 2.125-26

1 See Sumner, Orators 111. P. Antistius was ex-aedile in 82 (Vell. 2.26.2). Having been tribune in 88, he is likely to have been aedile in 86. If he presided over the court as iudex quaestionis, rather than as aedile, the likely date for the trial would be 85, in spite of Plutarch's statement that the trial took place immediately upon the death of Pompey's father (87). But in these troubled and abnormal years, a trial presided over by an aedile should not be ruled out; the year 86 therefore remains a possibility.
2 See Shatzman (1972) 194-95. The case seems to have been a civil one, not a criminal case involving peculatus, an issue which would not pertain to the general's use of booty, and which would probably not involve a general's son; contra Bona (1960) 163-64. Griffin (CQ 1973) 111 n. 1, taking this as a peculatus trial, accepts 86 as a terminus ante quem for the quaestio de peculatu (see also Kunkel RE 24 [1963] 739 'quaestio') because iudices gave a binding decision, and because of the presence of a iudex quaestionis.
3 It is not certain that Philippus did speak in this case; unfortunately, the correct reading in *Brut.* 230 is obscure. If *Antonio* and *Philippo* are parallel in that sentence, then the sentence cannot mean that Philippus spoke for Pompey in this case, since M. Antonius, having died in 87, could not have appeared in this case. Münzer, *RE* 14 (1930) 1565 admits the possibility that Philippus' speech on behalf of Pompey (Plut. *Pomp.* 2.2) might have occurred at a later date. However, Cicero's comment that Hortensius was *princeps* in that case makes more sense if another speaker is mentioned in the same passage. The phrase *cum Philippo sene* (if that should be read) must be construed in the sense of 'accompaniment,' and so Philippus must have appeared in this case.

121

date: 83
claim: civil suit for *missio in possessionem*
defendant: P. Quinctius (16)
advocate: M. Iunius Brutus (52) tr. pl.
*procurator*: Sex. Alfenus (1) e.R.
plaintiff: Sex. Naevius (6)
praetor: P.? Burrenus? (1)\(^1\)
outcome: granted

*Cic.* Quinct. 22-29

1 The *praenomen* and *nomen* are uncertain. On the name see Shackleton Bailey, *Studies* 19 and *CQF* 192-93, MacAdam and Munday (1983), and *MRR* Suppl. 35.

122

date: 83 or after
charge: *incendium* (burning of *tabularium*, probably the *tabularium* on the Capitolium in 83)
defendant: Q. Sosius (3) of Picenum, e.R.
outcome: C

*Cic.* *N.D.* 3.74
123
date: 83 or after?  
charge: peculatus? (destruction of tabularium by fire?)¹  
defendant: C. Curtius (5) e.R.  
outcome: A

Cic. Rab. Perd. 8; see also Rab. Post. 3-4, 45, N.D. 3.74

¹ Mommsen, Strafr. 767 n. 1 suggests that there might possibly be a connection between this case and case #122.

124
threat

date: 80s? by 81  
charge: lex Cornelia de sicariis et veneficis? (murder of M. Aurius [5])¹  
prosecutor: A. Aurius Melinus (2)  
outcome: none, accusator proscribed

Cic. Clu. 24, 25

¹ Presumably the prosecution would eventually have been made under this charge, if it had taken place, although this law had not yet been passed at the time when a prosecution was being threatened.

125
date: fifteen¹ years before case #166  
claim: lex Aquilia (de damno iniuria dato; for murder of slave Panurgus, who was owned jointly by the plaintiff and cognitor)  
defendant: Q. Flavius (22) of Tarquinii  
plaintiff: Q. Roscius Gallus (16) e.R.  
cognitor: C. Fannius Chaerea (17)  
outcome: defendant gave up farm worth 100,000 sesterces

Cic. Q. Rosc. 32, 38, 53-55  
Frier, RRJ 66
The Trials

1 See Q. Rosc. 37. The number of years is emended by some editors from fifteen to four.

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126

date: spring of 81¹
claim: sponsio (dispute over partnership)
defendant: Sex. Naevius (6)
advocate (of defendant): Q. Hortensius Hortalus (13) cos. 69 (ORF 92.IV)
character witness (for defendant): L. Marcius Philippus (75) cos. 91, cens. 86
plaintiff: P. Quinctius (16)
advocate (of plaintiff): M. Tullius Cicero (29) cos. 63 (Sch. 1)
judge: C. Aquillius Gallus (23) pr. 66
jurors (on advisory council):
   M. Claudius Marcellus (226) pr. uncertain date, = ? M. Claudius Marcellus (227) aed. cur. 91²
   L. Lucilius Balbus (19) = ? L. Lucilius (8) pr. 91³
   P. Quinctilius Varus (2)⁴
witness: L. Albius (6)
outcome: against plaintiff⁵
other: M. Iunius (23), perhaps the same as M. Iunius Brutus (52) tr. pl. 83, withdrew as advocate for the plaintiff.

Cic. Quinct.; Gel. 15.28.3 (Fenestella #17 Peter, Asc. xv-xvi KS); Tac. Dial. 37.6; see also Quint. Inst. 12.6.4
Greenidge LP App. II.1

1 For the date 81 see Gell. 15.28.3, Kinsey (1967), Shatzman (1968) 345-47, Hinard (1975) 94, and Badian FC 297, who argue against 80, the date suggested by Carcopino (1931). The dispute between Quinctius and Naevius dated back to September 83 (see case #121). In 81 the praetor Cn. Cornelius Dolabella (135) had ruled that the sponsio should occur.
2 See case #87, n. 2.
3 He was gov. Asia 90 and beginning 89. See Sumner (GRBS 1978) 149-50, MRR Suppl. 128.
4 Cicero's praise of Varus does not demonstrate that Varus was a senator, pace Sumner (CP 1978) 161; see MRR Suppl. 177.
5 See Kinsey's comment in his edition of Cicero's pro Quinctio, p. 5.
The Trials

127

date: 81
claim: civil suit
defendant: C. Volcacius (Volcatius 3)
urban praetor: Cn. Cornelius Dolabella (135)
outcome: against reus

Cic. Corn. (Asc. 74C)

128

date: after 86?,¹ before case #129
charge: under lex Cornelia? de sicariis et veneficis
iudex quaestionis: M. Fannius (15) pr. 80

Cic. S. Rosc. 11

¹ The year 86 is the date of the plebeian aedileship of Fannius. See MRR Suppl. 90.

129

date: late 81-early 80¹
charge: lex Cornelia de sicariis et veneficis (parricidium, murder of father Sex. Roscius [6])²
defendant: Sex. Roscius (7)
advocate: M. Tullius Cicero (29) cos. 63 (Sch. 2)
prosecutors:
  C. Erucius (2) (ORF 79.I)
  T. Roscius Magnus (18)
praetor: M. Fannius (15)
witnesses:
  T. Roscius Capito (12)
  T. Roscius Magnus (18)
outcome: A?³

Cic. S. Rosc.; Off. 2.51; Brut. 312; Orat. 107; Quint. Inst. 12.6.4; Plut. Cic. 3.2-4; Gel. 15.28; Vir. Ill. 81.2; Schol. Gronov. D 301-316St
Cloud (1971)

1 On the date, see Kinsey (1967) 64-67.
2 On the status of the father, see Sedgwick (1934), Kinsey (1966) and (1981), and Stroh (1975).
3 Despite the possibility of acquittal, Kinsey (1985) shows that Erucius had a real case to present against the defendant.

130

trial uncertain
date: 80?
charge: lex Cornelia de peculatu¹ (misconduct as q. 81)
defendant: P. Cornelius Lentulus Sura (240) cos. 71
outcome: A

Cic. Att. 1.16.9; Plut. Cic. 17.2-3

1 But Plutarch says that the trial (if indeed it was a trial) took place in the Senate.

131

date: 79¹
charge: lex Cornelia de repetundis (misconduct as gov. Sicily, 80)
defendant: M. Aemilius Lepidus (72) cos. 78
prosecutors:
   Q. Caecilius Metellus Celer (86) cos. 60 (ORF 199.I)
   Q. Caecilius Metellus Nepos (96) cos. 57 (ORF 120.I)
outcome: dropped, after legibus interrogari²

2 Ver. 3.212; [Asc.] 187St, 259St; see also Cic. 2 Ver. 2.8

1 This date is more probable than 80, when the defendant was still pro-magistrate, pace Münzer RE 3 (1897) 1209, s.v. 'Caecilius (86).'
2 The legibus interrogari procedure gave the defendant an opportunity to plead 'guilty' or 'not guilty' before the presiding magistrate, who decided whether the case would go to trial. See [Asc.] 207St, Berger RE 9 (1916) 1728-9.
132

= ? case #133
date: 79 or 78
claim: *legis actio sacramento (causa liberatis, free status of defendant)*
defendant: Arretina mulier
advocate: M. Tullius Cicero (29) cos. 63 (Crawford, Orations 1)
prosecutor: C. Aurelius Cotta (96) cos. 75 (ORF 80.III)
jurors: decemviri
outcome: for defendant in second *actio*

*Cic. Caec. 97; see also Dom. 79*

1 Harris (1971) 274-76 suggests these two dates as possibilities, arguing that *Sulla vivo* implies that Sulla was alive but not in office. See also Dunn (1902).
2 On the legal issue see Desserteaux (1907), Frier, *RRJ* 99-100.

133

= ? case #132
date: 79?
claim: *iudicium privatum*
defendant: Titinia (26)
advocates:
? C. Aurelius Cotta (96) cos. 75
M. Tullius Cicero (29) cos. 63 (Crawford, Orations 2)
prosecutors:
Ser. Naevius (5)
C. Scribonius Curio (10) cos. 76, cens. 61 (ORF 86.VI)

*Cic. Brut. 217; Orat. 129*

1 The fact that the prosecutors claimed that the defendant had cast a spell on them which made them forget their speech does not show that this was the substance of the charge against her. See Crawford, Orations 35-36.
2 The form *Cottae* in Brut. 217 is probably genitive, i.e. 'Titinia (the wife) of Cotta;' thus Cotta probably appeared as *patronus.* See Douglas, Brutus p. 158.
3 For a reference, see case #82, n. 3.
date: 78
claim: civil suit for bonorum possessio
defendant: Cn. Cornelius (23)
plaintiff: Q. Caecilius Metellus Pius Scipio Nasica (99) cos. 52
urban and peregrine praetor: L. Cornelius Sisenna (374)
outcome: for plaintiff

Asc. 74C
Lintott (1977)

date: 78
charge: lex Cornelia de repetundis (misconduct as gov. Cilicia, 80-79)
defendant: Cn. Cornelius Dolabella (135) pr. 81
prosecutor: M. Aemilius Scaurus (141) pr. 56 (ORF 139.I)
wick: C. Verres (1) pr. 74
outcome: C, litis aestimatio of HS 3,000,000
other: the advocate was not Q. Hortensius Hortalus (13) cos. 69, pace
[Asc.] 194;1 (ORF 92.V).

Cic. 1 Ver. 11; 2 Ver. 1.41-42, 63, 72, 77, 95-100; 2 Ver. 2.109; 2 Ver. 3.177;
Scaur. 45; Asc. 26, 74C; Juv. 8.105; [Asc.] 194, 206, 208, 234, 242St;
Schol. Gronov. B 325, 329, 333St

1 See [Asc.] 234St; Münzer RE 8 (1913) 2472; D.-G. 2.485-86; Gruen (AJP 1966)
347 n. 52; Twyman (1972) 855-56.

date: before 77 or 76
claim: lex testamentaria
defendant: L. (Alenus?)(not in RE)
outcome: C?

Cic. N.D. 3.74
date: 77\(^1\)
charge: homicide (murder of Asuvius [1])
defendant: Avillius (2)
judge (*triumvir capitalis*): Q. Manlius (34)\(^2\)
delatores: *liberti Asuvi et non nulli amici*
outcome: confession, case dropped in exchange for defendant's testimony against Oppianicus

Cic. *Clu.* 36-38

1 Sometime before 74, i.e., the date of case #149
2 Shackleton Bailey, *Studies* 50 argues that the *triumvir* is not the same as the *tr. pl.* 69.

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date: 77\(^1\)
charge: homicide (murder of Asuvius [1])
defendant: Statius Albius\(^2\) Oppianicus (10) e.R.? 
judge (*triumvir capitalis*): Q. Manlius (34)\(^3\)
delator: Avillius (2)
outcome: A or dismissal
other: Cicero claims bribery by defendant.

Cic. *Clu.* 36-39

1 The trial occurred sometime before 74, i.e., the date of case #149.
2 Nicolet *Ordre équestre* 2.756 n. 1 gives the name as Abbius.
3 See case #137, n. 2.

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date: 77
charge: lex Cornelia de repetundis? (misconduct as gov. Hither Spain 78)
defendant: Q. Calidius (5) pr. 79
prosecutor: Q. (Lollius? [14]) e.R.\(^1\)
outcome: C
other: suspicion of bribery of jurors by prosecution

Cic. 1 Ver. 38; 2 Ver. 3.63; [Asc.] 219St

1 Cicero gives the prosecutor's name as Lollius; ps.-Asconius as Gallus. Münzer RE 13 (1927) 1388 argues that [Asc.] 219St has confused this prosecutor with the prosecutor of his son M. Calidius (see case #330).

140
date: 77
charge: lex Cornelia de repetundis (misconduct as gov. Macedonia 80-77)
defendant: Cn. Cornelius Dolabella (134) cos. 81 (spoke pro se, ORF 94.1)
advocates:
  C. Aurelius Cotta (96) cos. 75 (ORF 80.V)
  Q. Hortensius Hortalus (13) cos. 69 (ORF 92.VII)
prosecutor: C. Iulius Caesar (131) cos. 59, 48, 46, 45, 44
witnesses: from Greek cities
other: trial consisted of divinatio and two actiones.
outcome: A

Cic. Brut. 317; Vell. 2.43.3; V. Max. 8.9.3; Quint. Inst. 12.6.1, 12.7.3-4; Asc. 26C; Plut. Caes. 4.1; Tac. Dial. 34.7; Gel. 4.16.8; Suet. Jul. 4, 49, 55; [Asc.] 194, 234St; Vir. Ill. 78.2
Taylor (1941) 119; Gruen (AJP 1966) 387-89

1 Tac. Dial. 34.7 mistakenly puts this trial in Caesar's twenty-first year, i.e., 79; see Sumner, Orators 149.

141
date: 76
claim: probably a civil suit (actions committed as prefect in Greece by 84)
defendant: C. Antonius (19) cos. 63
plaintiffs: Graeci
advocate (of plaintiffs): C. Iulius Caesar (131) cos. 59, 48, 46, 45, 44 (ORF 121.II)
peregrine praetor: M. Terentius Varro Lucullus (Licinius 109) cos. 73
outcome: defendant lost case, some goods sold, appeal made to tribunes

Cic. Tog. Cand. fr. 2; Q. Cic.? Com. Pet. 8; Asc. 84, 87C; Quint. Inst. 12.6.1, 12.7.3, 4; Plut. Caes. 4.1; Juv. 8.105
Mommsen, Strafr. 711 n. 5, 722 n. 3; Taylor (1941) 119

1 Buckland (1937) 43 argues that the defendant did not possess imperium at the time of the acts of which the Greeks complained.

date: 76
claim: civil suit
defendant: Safinius Atella (1) (or his pupillus?)
advocate: C. Aelius Paetus Staienus1 (Staienus [1]) q. 77
other: suspicion that Staienus used bribery

Cic. Clu. 68, 99

1 On the name, see Shackleton Bailey, Studies 101.

trial only threatened
date: 75
defendant: C. Verres (1) pr. 74
outcome: dropped
other: suspicion that prosecutor had been bribed

Cic. 2 Ver. 1.101, 4.45
Shackleton Bailey (1970) 164
date: 75
charge: lex Cornelia de repetundis (misconduct as gov. Asia, or leg. Asia 82)¹
defendant: Terentius Varro (see 82) pr. 78?, promag. 77? = ? A. Teren­tius Varro (82) leg. in Asia 84?-82
advocate: Q. Hortensius Hortalus (13) cos. 69 (ORF 92.VIII)
p Praetor: L. Turius (2), or L. Furius (18)²
outcome: postponement³

Cic. Brut. 237; [Asc.] 193, 218St; see also Cic. Att. 1.1.2; Hor. S. 2.1.49; [Acro] ad loc.

1 On the magistracy involved and its date, see Magie, RRAM 2.1125 n. 42, and MRR 2.91, 97.
2 On the name see MRR Suppl. 209-10.
3 See case #158, n. 1.

date: before 74
claim: actio liberalis? (Roman citizenship of Martiales of Larinum)
for citizenship: Statius Albius¹ Oppianicus (10) e.R.
against citizenship: A. Cluentius Habitus (4) e.R.
outcome: perhaps in favor of citizenship²

Cic. Clu. 43-44

1 See case #138, n. 2.
2 Cicero's failure to mention the outcome may indicate that his client Cluentius was unsuccessful.

date: before 74 (the date of Cotta's command)
defendant: M. Canuleius (10)
advocates:
C. Aurelius Cotta (96) cos. 75 (ORF 80.IV)
Q. Hortensius Hortalus (13) cos. 69 (ORF 92.VI)

Cic. Brut. 317

147

date: 74
charge: lex Cornelia de sicariis et veneficis (attempt to poison Cluentius)
defendant: Scamander (3) libertus
advocate: M. Tullius Cicero (29) cos. 63 (Crawford, Orations 4)
prosecutors:
  P. Cannutius (2) (subscr.) (ORF 114.II)
  A. Cluentius Habitus (4) e.R. (nom. del.)
index quaestionis: C. Iunius (15) aed. 75
juror: C. Aelius Paetus Staienus (Staienus [1]) q. 77
witnesses:
  M. Baebius (18) sen.
  P. Quinctilius Varus (2)
other: one actio
outcome: C; all jurors voted C except Staienus, who voted A.

Cic. Clu. 46-56, 105; Quint. Inst. 11.1.74

1 For a reference, see case #142, n. 1.
2 See case #126, n. 4.

148

date: 74
charge: lex Cornelia de sicariis et veneficis (attempt to poison Cluentius)
defendant: C. Fabricius (2) of Alatrium
advocates:
  C. Caepasius (1) q. before 70 (ORF 115.I)
  L. Caepasius (1) q. before 70 (ORF 116.I)
prosecutors:
  P. Cannutius (2) (subscr.) (ORF 114.II)
  A. Cluentius Habitus (4) e.R. (nom. del.)
75 The Trials

*iudex quaestionis*: C. Iunius (15) aed. 75

jurors: all the same as in case #147

outcome: C, unanimous vote


149

*iudicium Iunianum*

date: 74

charge: lex Cornelia de sicariis et veneficis (poison attempts)

defendant: Statius Albius\(^1\) Oppianicus (10) e.R.

advocate: L. Quinctius (12) tr. pl. 74, pr. 68 (ORF 107.1)

prosecutors:

\(\text{P. Cannutius (2) (subscr.) (ORF 114.II)}\)

\(\text{A. Cluentius Habitus (4) e.R. (nom. del.)}\)

*iudex quaestionis*: C. Iunius (15) aed. 75\(^2\)

jurors (thirty-two in all):

\(\text{C. Aelius Paetus Staenus (Staenus [1]) q. 77 (voted C)\(^3\)}\)

\(\text{M'. Aquillius (not in RE) sen.}\)

\(\text{? M. Atilius Bulbus (34) sen. (voted C)\(^4\)}\)

\(\text{M. Caesonius (1) pr. by 66}\)

\(\text{L. Cassius Longinus (13)\(^5\) pr. 66 (voted NL)}\)

\(\text{C. Caudinus (not in RE)\(^6\) sen. (voted NL)}\)

\(\text{L. Caullius Mergus (not in RE) sen. (voted NL)}\)

\(\text{Q. Considius (7) sen. (voted NL)}\)

\(\text{Cn. Egnatius (8)\(^7\) sen. (voted C)}\)

\(\text{C. Fidiculanius Falcula (1, see also RE 17 [1937] 1443) sen. (voted C)}\)

\(\text{Ti. Gauta (1) sen. (voted C)}\)

\(\text{Cn. Heilulius? (Heius 3)\(^8\) sen. (voted NL)}\)

\(\text{? C. Herenius (7)\(^9\) sen. (voted C)}\)

\(\text{M. Minucius Basilus (39) sen. (voted C)}\)

\(\text{L. Octavius Balbus (45), = ? P. Octavius Balbus (46)\(^10\) sen. (voted NL)}\)

\(\text{? C. Popillius (3) sen. (voted C)\(^11\)}\)

\(\text{P. Popillius (10) sen. (voted C)}\)

\(\text{P. Saturius (1) sen. (voted NL)}\)

\(\text{P. Septimius Scaevola (51) sen. (voted C)}\)

outcome: C\(^{12}\)
Cic. 1 Ver. 29, 39; 2 Ver. 1.157; 2 Ver. 2.31, 79; Caec. 28, 29; Clu. 66-77, 105; Quint. Inst. 4.5.11; [Asc.] 206, 216, 219, 255, 263St; Schol. Gronov. B 339St; Schol. Pers. 2.19; see also Cic. Brut. 241, 244, 251

1 See case #138, n. 2.
2 He was condemned to pay a fine for failure to observe formalities correctly. See case #153.
3 On the name, see case #142, n. 1.
4 Cic. 1 Ver. 39 says that M. Atilius, C. Herennius, and C. Popillius had accepted bribes as jurors. See Syme (Historia 4 [1955] 63 = RP 2.564) and Shackleton Bailey, Studies 44. This could have been the trial. Staienus is surely the juror, mentioned at the end of this sentence, described as accepting bribes from both the prosecutor and defense.
5 See Shackleton Bailey, Studies 24, MRR Suppl. 50.
6 C. Caudinus was not a Cornelius Lentulus. See Wiseman (1971) 223, Gruen, LGRR 202 n. 155, Shackleton Bailey, Studies 25, MRR Suppl. 53.
7 See Syme (Historia 1955) 61 = RP 1.280-81, Shackleton Bailey, Studies 36.
8 The form 'Heiulius' is a suggestion made in Shackleton Bailey, Studies 43.
9 See n. 4 above.
10 These two names probably refer to one person with the praenomen Lucius. See Wiseman (1964) 124, Gruen, LGRR 202 n. 155, Shackleton Bailey, Studies 56, MRR Suppl. 151. This suggestion was originally put forward by Münzer in RE 17 (1937) 1828.
11 See n. 4 above.
12 One more vote for acquittal would have prevented condemnation (Cic. Caec. 29).

150

date: 74
claim: civil suit
advocate: C. Aelius Paetus Staienus (Staienus [1])2 q. 77

Cic. Clu. 74

1 This case was simultaneous with case #149.
2 For a reference, see case #142, n. 1.
151
date: 74
claim: civil suit (inheritance)
praetor: C. Verres (1)

2 Ver. 1.107-13, 118

1 The goods of P. Annius Asellus (31) had been granted to the reversionary heir, instead of to the deceased's daughter, Annia (102), by the retroactive application of the lex Voconia.

152
date: 74
claim: civil suit (inheritance)
praetor: C. Verres (1)

2 Ver. 1.115-17

1 The goods of deceased Minucius (not in RE) were to go to a man who claimed to be heir, rather than to the gens Minucia.

153
date: 74, end of year, before Dec. 10
charge: iudicium populi (failure to take oath or illegal seating of juror during tenure as index quaestionis)
defendant: C. Iunius (15) aed. 75
advocates:
   M. Pupius Piso Frugi (Calpurnianus) (10) cos. 61
   or L. Calpurnius Piso Frugi (98)? pr. 74
prosecutor: L. Quinctius (12) tr. pl. 74, pr. 68 (ORF 107.III)
outcome: C, multa

Cic. 1 Ver. 29; 2 Ver. 1.157-58; Cic. Clu. 89-96, 103, 108, 119, 139; [Asc.] 216St; Schol. Gronov. C 351St
date: 74, before Dec. 10
charge: *iudicium populi*, for *multa*
defendant: C. Fidiculanius Falcula (1, see also *RE* 17 [1937] 443) sen.
prosecutor: L. Quinctius (12) tr. pl. 74, pr. 68 (ORF 107.IV)
outcome: uncertain¹

Cic. *Caec.* 29; *Clu.* 103, 108

¹ The defendant was tried again in 73. See case #170.

date: around 74
charge: uncertain (misconduct as juror?)
defendant: M. Caesonius (1) pr. by 66
outcome: A

[Asc.] 216St; see also Cic. 1 *Ver.* 29

date: 74
claim: civil suit (over succession)
defendant: M. Octavius Ligus (69) sen.
advocate: L. Gellius Publicola (17) cos. 72, cens. 70 (ORF 101.II)
*procurator*: L. (Octavius) Ligus (68) sen.?  
plaintiff: Sulpicia (109)
urban praetor: C. Verres (1)

Cic. 2 *Ver.* 1.125-27, 133; 2 *Ver.* 2.119

date: 74
charge: lex Cornelia de tribunis plebis (*intercessio* contrary to this law)
defendant: Q. Opimius (11) tr. pl. 75
prosecutors?:¹
Q. Hortensius Hortalus (13) cos. 69
Q. Lutatius Catulus (8) cos. 78, cens. 65
C. Scribonius Curio (10) cos. 76, cens. 61²

urban praetor: C. Verres (1)
outcome: C, loss of civic status, property sold

Cic. 2 Ver. 1.155-57; [Asc.] 255St; Schol. Gronov. B 341

1 Cicero says that a few men (identified by ps.-Asconius as the above three) brought about the ruin of Opimius. Whether they did so as prosecutors themselves is open to question.
2 The participation of C. Scribonius Curio in this trial is particularly problematic, since he is thought to have been gov. Macedonia 75-73.

158
date: 74¹
charge: lex Cornelia de repetundis? (misconduct as gov. Asia 77 to early 75?)
defendant: (A.?) Terentius Varro (82) pr. 78?
advocate: Q. Hortensius Hortalus (13) cos. 69 (ORF 92.VIII)
prosecutor: Ap. Claudius Pulcher (297) cos. 54, cens. 50 (ORF 130.I)
praetor: P. Cornelius Lentulus Sura (240) cos. 71
outcome: A, with many charges of corruption (bribery, improperly colored voting tablets)²

Cic. Div. Caec. 24; 1 Ver. 17, 35, 40; Clu. 130; [Asc.] 193, 218St; Schol. Gronov. B 336St, C 349St; [Acro] on Hor. S. 2.1.49

1 The trial occurred after the iudicium Iunianum. See Magie, RRAM 2.1125, n. 42. See case #144, and also see Münzer RE 2.5 (1934) 679 for the suggestion that there were two hearings in 76 and 75.
2 For the argument that each juror received three voting tablets, one of which was improperly colored, see Vince (1893).
159
date: between 74 and 70
charge: lex Cornelia de maiestate (mutiny as q. 77 against Mam. Aemilius Lepidus [80] cos. 67)
defendant: C. Aelius Paetus Staenus (Staenus [1]) q. 77
prosecutors:
   P. Cominius (11) e.R. (ORF 143.I)
   C. (or L.?) Cominius (4 = ? 8)² e.R. (ORF 144.I)
witnesses: legati, praefecti, tr. mil. of Mam. Aemilius Lepidus (80) cos. 67
outcome: C

Cic. 2 Ver. 2.79; Clu. 99, 100; Brut. 241; [Asc.] 216St

1 On the name, see Shackleton Bailey, Studies 101.
2 See Münzer RE 4 (1900) 607-8.

160
date: between 74?¹ and 70
charge: lex Cornelia de maiestate (tampering with legion in Illyria)
defendant: M. Atilius Bulbus (34) sen.
witnesses: many
outcome: C

Cic. 1 Ver. 39; 2 Ver. 2.79; Clu. 71, 72, 75, 97
1 See case #162 n. 1.

161
date: between 74 and 70
charge: lex Cornelia de ambitu
defendant: Ti. Gutta (1) sen.
prosecutors: people condemned for electoral bribery (ambitus condem-nati)
outcome: C
date: between 74\textsuperscript{1} and 70
charge: lex Cornelia de peculatu (receiving bribe \textit{ob rem iudicandam} as juror in 74[?])
defendant: C. Herennius = ? C. Herennius (7) tr. pl. 88\textsuperscript{2} 80\textsuperscript{2}
outcome: C

\textit{Cic. 1 Ver. 39; Plut. Pomp. 18; see also Sal. Hist. 2.98.6M}

1 The trial possibly occurred before this date. Shackleton Bailey apparently now holds the view (described in \textit{MRR Suppl. 101}) that in 1 \textit{Ver. 39} the cases of C. Herennius (this case), C. Popillius (#175), and M. Atilius Bulbus (#160) are to be separated from the juror (clearly Staienus) who accepted bribes from both sides when Verres was praetor (74 B.C.). Therefore trials #160, #162, and #175 do not have to be dated to 74 B.C.

2 Münzer \textit{RE} 8 (1912) 663 identifies him with the legate who served under Sertorius, and died in battle in 76 or 75. Syme (\textit{Historia} 1955) 63 = \textit{RP} 1.282 distinguishes them.

date: 74, or shortly after
claim: civil suit (possibly \textit{condictio?}, i.e., a claim of obligation to give or do something)
defendant: C. Mustius (2) e.R.
advocate: M. Tullius Cicero (29) cos. 63 (Crawford, \textit{Orations} 5)
outcome: A

\textit{Cic. 2 Ver. 1.135-39; [Asc.] 252St}
D.-G. 5.271 n. 2

164

date: three years before case #166
claim: \textit{compromissum?} (claim of HS 50,000)
defendant: Q. Roscius Gallus (16) e.R.
plaintiff: C. Fannius Chaerea (17)
arbiter: C. Calpurnius Piso (63) cos. 67
outcome: defendant to pay HS 100,000 to plaintiff, but the latter to pay half of any damages received by him from Flavius (see case #165)

Cic. Q. Rosc. 12, 13, 37, 38

1 See case #166, n. 1.

165
date: three years before case #166
claim: civil suit (condictio? restipulatio?)
defendant: Q. Flavius of Tarquinii (22)
plaintiff: C. Fannius Chaerea (17)
juror: C. Cluvius (3) e.R.
outcome: HS 100,000 paid to Fannius

Cic. Q. Rosc. 42, 45

166
date: between 76 and 68
claim: civil suit (condictio certae pecuniae) for HS 50,000
defendant: Q. Roscius Gallus (16) e.R.
advocate of defendant: M. Tullius Cicero (29) cos. 63 (Sch. 3)
plaintiff: C. Fannius Chaerea (17)
advocate of plaintiff: P. Saturius (1) (ORF 106.1)
juror: C. Calpurnius Piso (63) cos. 67
witnesses:
   C. Fannius Chaerea (17)
   C. Luscius Ocrea (2) sen.
   C. Manilius (10), or T. Manlius (16) sen.
   M. Perperna (5) cos. 92, cens. 86

Cic. Q. Rosc.; see also Macr. 3.14.13
Baron (1880); Axer (Philologus 1977), (Eos 1977); Stroh (1975) 104-56
1 There are essentially three passages which help establish the date of this trial: Q. Rosc. 33, 37, and 44. According to the first, the defendant had bought the farm at a time of great economic uncertainty; these rei publicae calamitates could presumably fit any year between the Social War of 91 and Sulla's victory of 81. Since, according to the second passage, these events happened fifteen years before the trial, the two passages together yield a date between 76 and 66. Furthermore, the fact that Cicero speaks of mea adulescentia in the third passage may establish 66, the year of his praetorship, as a terminus ante quem. We can rule out 75, Cicero's year in Sicily. C. Piso was consul in 67 and praetor probably in 72. See Frier (1983) 224-25, and MRR Suppl. 46. Presumably Piso could not have served in the year of his praetorship, either as iudex in this trial, or as arbiter in case #164 three years earlier.

2 See Greenidge LP App. II.2.

3 See Sumner, Orators 131.

Date: 73

Charge: apud pontifices, for incestum (sexual relations with L. Sergius Catilina [23] pr. 68)²

Defendant(s): Fabia (172) Vestal Virgin (and others?)

Advocates:
Q. Lutatius Catulus (8) cos. 78, pont. by 73, cens. 65
M. Pupius Piso Frugi (Calpurnianus) (10) pr. 72?, cos. 61 (ORF 104.1)

Prosecutor?:³ P. Clodius Pulcher (48) aed. cur. 56

Outcome: A

Cic. Catil. 3.9; Brut. 236; Sal. Cat. 15.1; Q. Cic.? Com. Pet. 10; Asc. 91C; Plut. Cat. Min. 19.3; Schol. Gron. 287St; Oros. 6.3.1

1 See MRR 2.107-8.

2 Only Orosius provides evidence that Catiline himself was prosecuted (see Shackleton Bailey, CLA 1.319).

3 Moreau (1982) 233-39 attributes the Plutarch passage to Clodius' abuse of Fabia before a contio in 61 after case #236, rather than to a formal prosecution by Clodius in 73. If this interpretation is correct, it undermines the analysis of Epstein (1986) 232-3 on this trial.
168

date: 73?¹
charge: *apud pontifices*, for *incestum* (sexual relations with M. Licinius Crassus [68] cos. 70, 55, cens. 65)
defendant: Licinia (185) Vestal Virgin
advocate: M. Pupius Piso Frugi (Calpurnianus) (10) pr. 72?, cos. 61 (ORF 104.1)
prosecutor: Plautius (or Plotius?) (4), = ? Plautius (3) tr. pl. 70?²
outcome: A

Cic. *Catil.* 3.9; Plut. *Crass.* 1.2; see also comp. *Nicias Crass.* 1.2

1 The date is probably the same as the one for case #169.
2 See Taylor (1941) 121 n. 32; MRR 2.130 n. 4.

169

date: 73?¹
charge: *apud pontifices*, for *incestum*
defendant: M. Licinius Crassus (68) pr. 73?² cos. 70, 55, cens. 65
outcome: A³

Plut. *Crass.* 1.2; *de capienda ex inimicis utilitate* 6; see also comp. *Nicias Crass.* 1.2

1 The date is probably the same as the one for case #168.
2 See MRR Suppl. 120.
3 Plutarch's language in *Crassus* (*hupo tôn dikastôn apheithê*) implies a verdict, *pace* Shackleton Bailey, *CLA* 1.319.

170

date: 73
charge: *lex Cornelia de repetundis* (improper conduct as juror in case #149)
defendant: C. Fidiculanius Falcula (1) sen.
outcome: A, in first *actio*
date: 73\(^1\)
charge: *iudicium populi (de locis religiosis ac de lucis violatis)*\(^2\)
defendant: C. Rabirius (5) sen.
prosecutor: C. Licinius Macer (112) tr. pl. 73, pr. by 68 (ORF 110.II)
outcome: A


1 One cannot assume that Macer was tr. pl. when he conducted this prosecution (Vonder Mühll *RE* 1A [1914] 24). If not, then the trial may perhaps not have been a *iudicium populi*. But if he was tr. pl. at this time, then a tribunician prosecution is very plausible.

2 The defendant was charged with violating sacred places and groves.

date: 72
charge: *lex Cornelia de repetundis* (misconduct in Apulia?)\(^1\)
defendant: P. Septimius Scaevola (51) sen.
praetor: Q. Hortensius Hortalus (13) cos. 69
witnesses: Apulians
outcome: C
other: In *litis aestimatio*, high damages were assessed against defendant because of bribes allegedly accepted by him in *iudicium Iunianum* (case #149).

Cic. 1 *Ver*. 38; Clu. 115-16

1 Venturini (1979) 84 points out that the appearance of Apulians (by this time Roman citizens) in an extortion case suggests that Roman citizens could be the victims under the *lex Cornelia de repetundis*. 
date: 71?\(^1\)
claim: civil suit, *apud recuperares, damnum datum vi hominibus armatis* (land dispute)\(^2\)
defendant: P. Fabius (28)
advocate (for defendant): L. Quinctius (12) tr. pl. 74, pr. 68 (ORF 107.V)
plaintiff: M. Tullius (12)
advocate: M. Tullius Cicero (29) cos. 63 (Crawford, *Orations* 7)
prefetor: ? L. Caecilius Metellus (74) pr. 71, cos. 68\(^3\)
outcome: uncertain\(^4\)
other: two *actiones*

Greenidge (1901) App. II.3

1 The date 71 is more likely than 72 because Thurii was held by Spartacus in 72 (App. *BCiv.* 1.117); see *Tul.* 14, 19. However, L. Quinctius was a legate of Crassus in 71 (Fron. *Str.* 2.5.23; Plut. *Crass.* 11.4). See Frier (1983) 225, Frier, *RRJ* 52 n. 39.
2 See Frier, *RRJ* 79-80.
3 Another possible alternative for the presiding praetor is Q. Caecilius Metellus (Creticus) (87) pr. 73? cos. 69; see Balzarini (1968) 323 n. 2, and Frier (1983) 224-25.
4 Münzer *RE* (1939) 804 describes Cicero’s speech as ‘probably successful.’ But in fact we have no definite information on the outcome.

date: before 70, after 76?\(^1\)
charge: lex Cornelia de repetundis (misconduct as gov. Achaea 87-80?)
defendant: P. Gabinius (13) pr. 89?\(^2\)
prosecutor:
   L. Calpurnius Piso Caesoninus (90) cos. 58, cens. 50
or L. Calpurnius Piso Frugi (98) pr. 74\(^3\)
outcome: C
other: Q. Caecilius Niger (101) q. 73 defeated in *divinatio*\(^4\)
87 The Trials

Cic. Div. Caec. 64; Arch. 9; Fenestella fr. 18 Peter = Lactant. Div. Inst. 1.6.14
D.-G. 3.58

1 In 70, Cicero stated that this trial occurred nuper, which provides a vague terminus ante quem. A man named Gabinius was quindecimvir sacris faciundis, and therefore presumably free of condemnation, in 76 according to Lactantius.

2 The date of 89 is argued by Keaveney and Madden (1983) and accepted by MRR Suppl. 98, against the view of Badian, Studies 75-80, that 88 was the year of his praetorship.

3 Münzer RE 3 (1899) 1395 and Gruen (1968) 162 favor Frugi; Badian Studies 82 favors Caesoninus.

4 Marshall (Philologus 1977) 84 reasons that this case cannot be case #181, because the divinatio in this case occurred before the divinatio in the trial of Verres, whereas the divinatio in case #181 occurred after the trial of Verres.

175
date: by 70
charge: lex Cornelia de peculatu
defendant: C. Popillius (3) sen.
outcome: C

Cic. 1 Ver. 39

1 On the date see case #162 n. 1.

176
trial perhaps only threatened
date: 70
charge: lex Cornelia de repetundis (misconduct as gov. Sicily 73-71)
defendant: C. Verres (1) pr. 74
prosecutor: Q. Lollius (14) e.R.
outcome: dropped, Lollius killed on way to Sicily

Cic. 2 Ver. 3.61-63
Cicero claims that Lollius was killed on Verres' orders, because Lollius was about to prosecute Verres. Because neither of these assertions is provable, it is uncertain whether Lollius did intend to prosecute Verres.

date: ca Jan.-ca Oct. 70
charge: lex Cornelia de repetundis (misconduct as gov. Sicily 73-71)
defendant: C. Verres (1) pr. 74
advocates:
  Q. Caecilius Metellus Pius Scipio Nasica (99) cos. 52
  L. Cornelius Sisenna (374) pr. 78 (ORF 89.1)
  Q. Hortensius Hortalus (13) cos. 69 (ORF 92.I)²
prosecutor: M. Tullius Cicero (29) cos. 63 (Sch. 6-11, 123) (nom. del.)
praetor: M'. Acilius Glabrio (38) cos. 67, cens. 64?³
jurors:
  M. Caecilius Metellus (78) pr. 69
  M. Caesonius (1) pr. by 66
  L. Cassius Longinus (13) pr. 66⁴
  C. Claudius Marcellus (214) pr. 80
  Q. Cornificius (7) pr. by 66
  M. Crepereius (1) tr. mil. 69
  Q. Lutatius Catulus (8) cos. 78, cens. 65
  Q. Manlius (34) tr. pl. 69
  L.⁵ Octavius Balbus (45)
  P. Servilius Vatia Isauricus (93) cos. 79, cens. 55
  P. Sulpicius (15) q. 69⁶
  Q. Titinius (17) sen.
  Cn. Tremellius Scrofa (5) tr. mil. 69, pr. by early 50s⁷
jurors rejected by defense:
  C. Cassius (Longinus?) (58) cos. 73
  P. Cervius (1) leg. Sicily 72²⁶
  Q. Considius (7) sen.
  Q. Iunius (30) sen.
  Sex. Peducaeaus (5) pr. 77
  P. Sulpicius Galba (55) pr. 66⁹
jurors rejected by prosecution: M. Lucretius (9) sen.,¹⁰ and others¹¹
witnesses (in first actio):
  Apollodoros Pyragros (not in RE)
  L. Caecilius (Dio?) (not in RE)
Q. Caecilius Dio (52)
Charidemos of Chios (not in RE)
M. Cottius (not in RE)
P. Cottius (not in RE)
Diodoros of Melita (29)
L. Domitius (not in RE)
Cn. Fannius (11) e.R.
L. Flavius (16) e.R.
L. Fufius Calenus (8)
C. Heius of Messana (2)
Herakleios of Syracuse (4)
Q. Luceceius of Regium (9)
T. Manlius (41) = ? T. Manilius (16)
C. Matrinius (1) e.R.
Q. Minucius (26) e.R.
M. Modius (6)
Nikasio of Henna (1)
Numenios of Henna (3)
C. Numitorius (2) e.R.
L. (Octavius) Ligus (68) sen.?
M. Octavius Ligus (69) sen.
Sex. Pompeius Chlorus (27)
Cn. Pompeius Theodorus (46)
Posides Macro of Solus (not in RE)
Cn. Sertius (1) e.R.
Q. Tadius (2)
M. Terentius Varro Lucullus (Licinius 109) cos. 73 procos. Macedonia and Thrace 72-71
P. Tettius (3)
Theodoros of Henna (not in RE)
P. Titius (19) e.R.?
Q. Varius (5)
witnesses (to be heard in second actio):
Andron of Centuripa (not in RE)
Cn. Cornelius Lentulus Clodianus (216) cos. 72, cens. 70
Poleas of Messana (not in RE)
P. Vettius Chilo (10) e.R.
witnesses summoned but absent:
Epikrates of Bidis (not in RE)
Herakleios of Syracuse (3)
legates: from Aetna, Agyrium, Catina, Centuripa, Halaesa, Herbita, Melita, Panhormus
outcome: C, after actio prima\textsuperscript{12} 3,000,000 HS assessed at litis aestimatio
other: Q. Caecilius Niger (101), q. Sicily 73, was defeated in divinatio.
He was supported by L. Appuleius (30) pr. 59,\textsuperscript{13} and (A.?) Allienus (1) pr. 49,\textsuperscript{14} as subscriptores.
Cicero was granted 110 days to collect evidence.

Cic. Div. Caec.; Ver.; Plut. Cic. 7.3-8.1; Quint. Inst. 4.1.20, 4.2.113-14, 6.3.98, 7.4.33 and 36, 10.1.23; Juv. 8.106; [Asc.] 184-264St; Schol. Clun. 273St; Schol. Gronov. ABC 324-351St

1 On the date, see Marinone (1950) 8-14.
3 See MRR Suppl. 2.
4 For references, see case #149, n. 4.
5 His praenomen is not 'P.' See case #149, n. 9.
6 See Box (1942) 72, Gabba (1976) 60-61, and MRR Suppl. 200.
7 See MRR Suppl. 208.
8 See Marinone (1965-66) 238-46; MRR Suppl. 43, 53.
9 His curule aedileship in 69 and candidacy for consulate of 63 fix his praetorship to 66.
10 M. Lucretius was probably rejected by Cicero. Ps.-Asconius (229St) surmises, probably correctly, that Cicero would not have attacked Lucretius as he does (2 Ver. 1.18, admittedly in a fictitious speech), if Lucretius were still a juror in the case. So Münzer RE 13(1927) 1657; contra McDermott (1977) 69.
11 Cicero rejected some jurors (1 Ver. 16; 2 Ver. 1.18), but, pace McDermott (1977) 65 n. 4, we cannot be sure that he rejected the same number as the defense (i.e., six).
12 Verres remained in Rome during the late summer (2 Ver. 4.33; see Marinone [1950] 8-14, Alexander [1976] 51-52), but was condemned when he failed to appear at the second actio.
13 See Shackleton Bailey, Studies 14, MRR Suppl. 23.
14 See Shackleton Bailey, Studies 8.
threatened

date: 70
charge: lex Cornelia de peculatu (money taken as q. 84, and as gov. Sicily 73-71)
defendant: C. Verres (1) pr. 74
prosecutor: M. Tullius Cicero (29) cos. 63

Cic. 2 Ver. 1.11

trial only threatened

date: 70
charge: lex Cornelia de maiestate (military mismanagement as gov. Sicily 73-71)
defendant: C. Verres (1) pr. 74
prosecutor: M. Tullius (29) Cicero cos. 63

Cic. 2 Ver. 1.12, 5.79

trial only threatened

date: 70
charge: iudicium populi
defendant: C. Verres (1) pr. 74
prosecutor: M. Tullius Cicero (29) cos. 63

Cic. 2 Ver. 1.13-14; 2 Ver. 5.173, 179

date: 70¹
charge: lex Cornelia de repetundis (misconduct as gov. Macedonia, including Achaea)
defendant:
L. Hostilius (13) Dasianus? tr. pl. 68?
or Oppius? (4)
or Piso
or C. Scribonius Curio (10) cos. 76, cens. 61,² procos. Macedonia
75-72

prosecutors:
Q. Caecilius Metellus Nepos? (96) cos. 57
? Oppius (4)
Rupilius (2)

outcome: dropped³

other: The prosecutor was given 108 days to collect evidence, but he never went to the province.

Cic. 1 Ver. 6, 9; 2 Ver. 1.30; Sal. Hist. 4.55M; [Asc.] 207St, 232St; Schol. Gronov. B 331St

1 See case #182, and #174 n. 4. This prosecution was designed to precede, and thereby delay, the prosecution of Verres (#177).
2 For a reference, see case #82, n. 3.
3 Griffin (1973) 213 n. 165 argues that there is nothing to indicate that the case was not pursued to acquittal, but it is quite possible that the prosecutor, having failed to delay the trial of Verres (case #177), dropped the case.

182

= ? case #181¹

date: 70?

charge: lex Cornelia de repetundis (misconduct as gov. perhaps for Macedonia, including Achaea 75-72)
defendant: C. Scribonius Curio (10) cos. 76, cens. 61²
prosecutor: Q. Caecilius Metellus Nepos (96) cos. 57
outcome: dropped by mutual agreement

Asc. 62-64; [Asc.] 207, 232St; Schol. Gron. B 331St

¹ Münzer RE 2A (1921) 864-65, Gelzer (1969) 38 n. 27, and Marshall (Philologus 1977) suggest that this is case #181, by which the prosecution of Verres was to be delayed. Marshall correctly argues that McDermott (1972) 384-85 is wrong to believe that the case mentioned in 1 Ver. 6 cannot be this case because that case involved calumnia. He also attacks the objection of Zielin-
ski (1894) 256-57 n. 13 that Cicero's anonymous description of Curio here does not harmonize with his deferential description of him in 1 Ver. 18. Marshall believes that Cicero takes pains to minimize Curio's responsibility in the delaying tactic. In any case, Curio might have been quite an unwilling defendant, even if the prosecution was not intended to result in a conviction, and therefore Curio might have borne no responsibility in the affair.

2 For a reference, see case #82, n. 3.

183

date: 70?

claim: causa liberalis (see case #182)

outcome: dropped by mutual agreement between Q. Caecilius Metel-lus Nepos (96) cos. 57, who claimed a citizen as his slave, and C. Scribonius Curio (10) cos. 76, cens. 61, who furnished an assertor libertatis for this citizen.

Asc. 62-64C

1 See case #82, n. 3.

184

date: 70, post legem tribuniciam (de tribunicia potestate? lex Plotia de vi)

defendant: senator tenuissimus

outcome: C

Cic. 1 Ver. 46; [Asc.] 221St

185

date: between 70 and 66

charge: lex Cornelia de ambitu (misconduct in campaign for tribu-nate?)

defendant:

P. Popillius (10) sen.
or C. Popillius (4) tr. pl. 68? = ? C. Popillius (5) tr. mil. 72? 71?1
laudator: Cn. Cornelius Lentulus Clodianus (216) cos. 72, cens. 70²
outcome: C

Cic. Clu. 98, 131, 132; Quint. Inst. 5.10.108; see also CIL 1².2.744

1 See MRR Suppl. 168 (cf. 105), and case #175. Note that the codices at Clu. 131 give his praenomen as L.
2 See Shackleton Bailey, Studies 112.

186
date: 69?¹
charge: lex Cornelia de repetundis (misconduct as q. 84, as gov. Gaul 75-73 or 74-72)²
defendant: M. Fonteius (12) pr. 76? 75?
advocate: M. Tullius Cicero (29) cos. 63 (Crawford, Orations 10)
prosecutors:
   M. Fabius (26) (subscr.)
   M. Plaetorius Cestianus (16)³ pr. 64? (nom. del.)
witnesses:
   Indutiomarus (1)
   Cn. Pompeius Magnus (31) cos. 70, 55, 52
laudatores:
   Cn. Pompeius Magnus (31) cos. 70, 55, 52
   people of Narbo, Massilia
outcome: uncertain whether A or C⁴
other: two actiones

Cic. Font.; Att. 1.6.1; Sal. Hist. 3.46M; Quint. Inst. 6.3.51

1 The trial must have occurred after the lex Aurelia of 70 was passed, since equites, as well as senators, were in court (Font. 36).
2 On the offenses charged, see Jouanique (1960); Alexander (1982) 158. On the years, see Badian (1966) 911-12, and MRR Suppl. 93.
3 See Shackleton Bailey, Studies 123.
4 The fact that Fonteius (if that name is the correct reading) bought a house in Naples (from Cicero?) may suggest that he was acquitted, either because he had the money for the purchase, and/or because he was rewarding Cicero for a successful defense. But it could also imply exile from Rome due to condemnation.
date: 69
charge: lex Cornelia de peculatu? (theft of supplies, mutiny)
defendant: P. Oppius (17) q. 74
advocate: M. Tullius Cicero (29) cos. 63 (Sch. 69, 70)
jurors: partly equites
outcome: uncertain

Sal. Hist. 3.59M; Quint. Inst. 5.10.69, 5.13.17, 20-21, and 30, 6.5.10, 11.1.67; Dio 36.40.3-4; [Asc.] 236St
Ward (1968) 805

1 The trial occurred after the passage of the lex Aurelia, and before the trial of M. Aurelius Cotta (case #192). See D.-G. 5.367-68; Gruen (AJP 1971) 14 n. 61.
2 Oppius' disappearance from the political scene might suggest a condemnation, but we know nothing more which might indicate the outcome (see Münzer RE 18 [1939] 740).

date: 69 or 68?
defendant: Manilius Crispus (23) = ? C. Manilius (10) tr. pl. 66
advocate?: Cn. Pompeius Magnus (31) cos. 70, 55, 52
prosecutor: Cn. Calpurnius Piso (69) q. 65-64

V. Max. 6.2.4

1 See Gruen (CSCA 1968) 160-62.

date: 69?
claim: sponsio, unde vi hominibus coactis armatisve (dispute over land)
defendant: Sex. Aebutius (9)
advocate (for defendant): C. Calpurnius Piso (63) cos. 67 (ORF 108.1)
plaintiff: A. Caecina (6) of Volaterra (e.R.)
advocate (for plaintiff): M. Tullius Cicero (29) aed. pl. 69 (Sch. 13)
urban praetor: P. Cornelius Dolabella (140) pr. 69 or 68
jurors: recuperatores
jurisconsult (for defendant): ? Ser. Sulpicius Rufus (95) cos. 51
jurisconsult (for plaintiff): C. Aquillius Gallus (23) pr. 66
witnesses:
A. Atilius (10)
L. Atilius (17)
L. Caelius (8)
P. Caesennius (3)
Sex. Clodius Phormio (43)
C. Fidiculanius Falcula (1) sen. in 74
P. Memmius (17)
P. Rutilius (10)
A. Terentius (17)
P. Vetilius (2)
other: three actiones (two non liquet votes)
outcome: in favor of the plaintiff?

Cic. Caec.; Orat. 102; Quint. Inst. 6.3.56; see also Cic. Fam. 6.6.3; 6.9.1; 13.66.1
D.-G. 5.360; Greenidge LP App. II.4; Harris (1971) 276-84

1 The date 68 is also possible. See MRR 2.132, 2.142 n. 9. Nicosia (1965) 149-52 incorrectly argues for a date by 71; see also Frier (1983) 222-27 and RRJ 45-46; and MRR Suppl. 65.
2 The dating of this case depends on the dating of Dolabella's praetorship. See n. 1.
3 This name is the suggestion of Frier (RRJ 153-55) for the identity of the jurisconsult mentioned at Caec. 79. He also considers as possibilities P. Orbius (3) pr. 65 and A. Cascellius (4) q. before 73.
4 See Frier, RRJ 231-32.

190
defendant: C. Calpurnius Piso (63) cos. 67
outcome: aborted by bribery

Sal. Hist. 4.81M; Dio 36.38.3
Shackleton Bailey (1970) 164

date: before 67 (death of Sisenna)
defendant: C. Hirtilius (Hirtuleius 2)
advocate: L. Cornelius Sisenna (374) pr. 78 (ORF 89.II)
prosecutor: C. Rusius (1)

Cic. Brut. 259-60

192
date: 67 or after
charge: lex Cornelia de peculatu¹ or lex Cornelia de repetundis² (misconduct as gov. Bithynia-Pontus 73-70)
defendant: M. Aurelius Cotta (107) cos. 74
prosecutor: C. Papirius Carbo (35) pr. 62
outcome: C
other: Carbo received consular insignia as a reward³

V. Max. 5.4.4; Memnon 39.3-4 in FGrH 3B 367; Dio 36.40.3-4

¹ See Klebs RE 2 (1896) 2489.
² Borzsák RE 18 (1939) 1112.
³ Taylor (1949) 114 uses this piece of information in her analysis of praemia.
   Note, however, that this reward was granted not on the basis of a clause in a law, but after some debate, perhaps on the decision of the Senate or consuls. See Alexander (1985) 25.

193
date: 67?¹
charge: uncertain²
defendant: D. Matrinus (2)
advocate: M. Tullius Cicero (29) cos. 63 (Crawford, Orations 11)
jurors:
- C. Flaminius (4) aed. cur. 68 or 67
- M. Iunius (25) pr. 67?
- M. Plaetorius Cestianus (16)3 pr. 64?
- Q. Publicius (13) pr. 674

Cic. Clu. 126

1 See D.-G. 5.357 n. 7; MRR 2.150 n. 3; Crawford, Orations p. 59.
2 Mommsen (StR. 1.339 n. 5) claims that this is a Disciplinarprozess.
3 For a reference, see case #186, n. 3.
4 Frier (1983) 228 expresses doubt that he was praetor in this year.

194
date: before 66
claim: actio furti
defendants: servi of A. Cluentius Habitus (4) e.R.
plaintiff: Ennius1

Cic. Clu. 163

1 See RE 5 (1905) 2588.

195
date: 66, completed before July
charge: lex Cornelia de repetundis (misconduct as promagistrate 67?)
defendant: C. Licinius Macer (112) pr. by 68
praetor: M. Tullius Cicero (29) cos. 631
outcome: C, suicide

Cic. Att. 1.4.2; V. Max. 9.12.7; Plut. Cic. 9.1-2

1 See Crawford, Orations App. II.1.
date: 66
charge: lex Cornelia de peculatu (de pecuniis residuis)\(^1\) (money taken by father, L. Cornelius Sulla Felix (392) cos. 88, 80, from treasury) 
defendant: Faustus Cornelius Sulla (377) q. 54 
prosecutor: tr. pl. 66 
praetor: C. Orchivius (1) 
outcome: jurors refused case\(^2\)

Cic. Clu. 94; Mur. 42; Asc. 73C

1 See Bona (1960) 161-63; Gruen (Athenaeum 1971) 56-57.
2 It is rather surprising to read in Cic. Clu. 94 that it was the jurors who refused the case: *illi iudices statuerunt iniqua condicione reum causam dicere*.... According to Mommsen, Strafr. 372 n. 2, this particular prosecutor was rejected in a *divinatio*.

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date: 66
claim: *actio furti*
defendant: A. Cluentius Habitus (4) e.R.
prosecutor: Ennius\(^1\)
outcome: undecided at time of case #198

Cic. Clu. 163

1 For a reference, see case #194, n. 1.

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date: 66
charge: lex Cornelia de sicariis et veneficis ('judicial murder'\(^1\) and/or poison attempts) 
defendant: A. Cluentius Habitus (4) e.R. 
advocate: M. Tullius Cicero (29) pr. 66, cos. 63 (Sch. 15) 
prosecutors: Statius Albius\(^2\) Oppianicus (8) e.R. (nom. del.)
T. Attius3 (Accius 1a RE Supp. I) of Pisaurum e.R. (ORF 145.I) 
juror: P. Volumnius (6) sen.? 

witnesses:
L. Plaetorius (Cestianus?) (14) q. 714
Cn. Tudicius (1) sen.

laudatores:
Cn. Tudicius (1) sen.
people of Bovianum, Ferentum, Luceria, Marrucia, Samnium, Tea-

num
outcome: A

Cic. Clu.; Brut. 271; Quint. Inst. 2.17.21, 4.5.11, 11.1.61-63 and 74;
Tryph. Dig. 48.19.39; see also Plin. Ep. 1.20.8
Humbert (1938); Hoenigswald (1962); van Ooteghem (1969); Classen
(1972); Kumaniecki (1970)

1 Pugliese (1970) argues that this did not constitute a formal charge; Stroh
(1975) 228-42, that it did. See also Alexander (1982) 162-63.
2 See case #138, n. 2.
3 See Shackleton Bailey, Studies .
4 See Hersh and Walker (1984), Table 2.

199

date: 66, same time as case #198
charge: lex Calpurnia de ambitu
praetor: C. Aquillius Gallus (23)

Cic. Clu. 147

200

date: 66
charge: lex Calpurnia de ambitu (campaign for consulate of 65)
defendant: P. Autronius Paetus (7) cos. des. 65
prosecutor: L. Aurelius Cotta (102) cos. 65, cens. 64
praetor: C. Aquillius Gallus (23)
outcome: C
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Cic. Sul. 15; Sal. Cat. 18.2; Liv. Per. 101; Asc. 75, 88C; Suet. Jul. 9; Dio 36.44.3, 37.25.3

201

date: 66
charge: lex Calpurnia de ambitu (campaign for consulate of 65)
defendant: P. Cornelius Sulla (386) cos. des. 65
prosecutors:
   L. Manlius Torquatus (79) cos. 65 (nom. del.)
   L. Manlius Torquatus (80) pr. 50 or 49 (subscr.)
outcome: C

Cic. Sul. 15, 49, 50, 90; Fin. 2.62; Sal. Cat. 18.2; Liv. Per. 101; Asc. 75, 88C; Suet. Jul. 9; Dio 36.44.3, 37.25.3

1 Badian Studies 248, McDermott (1969) 242 n. 2, and Marshall, Asconius 262 accept the traditional view that Asconius has made an error, confusing the Torquati, father and son. However, Cicero's words do not necessarily conflict with the testimony of Asconius. Asconius says that L. Torquatus (the father) and L. Cotta had condemned (damnarant) their rivals in the consular elections in 66 for 65. Cicero in the pro Sulla refers to the attack from both Torquati, father and son, against P. Sulla. The phrase insignia honoris ad te (viz. the younger Torquatus) delata sunt (50) could refer to the consular insignia which, because of the prosecution and the second election, made their way to the family of the Torquati, rather than to praemia gained by a successful prosecution led by the younger Torquatus. Therefore, there is nothing in the Ciceronian passages which positively contradicts the apparent belief of Asconius that the father was the chief prosecutor. The son would have then been the subscriptor. See Mello (1963) 51 n. 59; Alexander (1985) 26-27 and n. 20. Münzer, in his articles on each Torquatus (79, 80: RE 14 [1928] 1201 and 1203), has the elder Torquatus as the principal accuser of Paetus (see case #200), and Cotta as the principal accuser of Sulla, the latter with help from the younger Torquatus as subscriptor. He is followed by Gray (1979) 64.

date: 66? (by 63)
charge: lex Calpurnia de ambitu
defendant: L. Vargunteius (3) sen.
advocate: Q. Hortensius Hortalus (13) cos. 69 (ORF 92.XIII)
praetor: C. Aquillius Gallus (23)
outcome: C?, expulsion from Senate

Cic. Sul. 6; see also Catil. 1.9; Sal. Cat. 28.1

1 According to Linderski (1963), Vargunteius was expelled from the Senate and then made an equestris; contra Nicolet, _Ordre équestre_ 2.1060-61.

203
date: 66
charge: lex Cornelia de maiestate (conduct as tr. pl. in assemblies)
defendant: C. Cornelius (18) tr. pl. 67
prosecutors:
   P. Cominius (11) e.R. (nom. del.)
   C. (or L.?)\(^1\) Cominius (4, = ? 8) of Spoletium (subscr.)
praetor: L. (or P.?)\(^2\) Cassius Longinus (64)
outcome: praetor failed to appear for case; mob violence against the Cominii forced them to drop case, giving rise to suspicions that they had been bribed to do so.

Cic. Brut. 271; Asc. 59-60C; Quint. Inst. 5.13.25
Griffin (1973)

1 Asc. 59.18C has 'C.'; Cic. Clu. 100 has 'L.' See Badian, _Studies_ 248, Marshall, _Asconius_ 222.
2 Asc. 82.7C has 'L.'; Asc. 59.17C has 'P.' Cf. Q. Cic.? _Comm. Pet._ 7, Crawford, _RCC_ 1.403 (#386). See Sumner, _Orators_ 49; Marshall, _Asconius_ 64.
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charge: lex Cornelia de peculatu? iudicium populi? (misconduct as q. or leg. 83)
defendant: M. Terentius Varro Lucullus (Licinius 109) cos. 73
prosecutor: C. Memmius (8) tr. pl. 66 or 65\(^1\) pr. 58 (ORF 125.1)
outcome: A

Plut. Luc. 37.1; see also Sul. 27.7
Gruen (Athenaeum 1971) 57-58; Jones (1972) 5

1 See Sumner, Orators 134.

205
date: last days of 66
charge: lex Cornelia de repetundis \((quo ea pecunia pervenerit?)\)\(^1\)
defendant: C. Manilius (Crispus?) (10) tr. pl. 66
praetor: M. Tullius Cicero (29) cos. 63 (Crawford, Orations 13)
outcome: incomplete

Q. Cic? Com. Pet. 51; Asc. 60C; Plut. Cic. 9.4-6; Dio 36.44.1-2
D.-G. 5.400 n. 8; Ward (1970); Phillips (1970); Fantham (1975) 439-40 n. 34; Marshall (CP 1977)

1 Ramsey suggests that this trial took place under the procedure \(quo ea pecunia pervenerit\), which allowed extorted funds which were in the hands of a party other than the defendant to be recovered. His reconstruction provides the most economical explanation of the evidence. This kind of procedure implies that this trial was subsidiary to a full-scale extortion trial, which, however, we cannot identify. See Ramsey (1980) 329 n. 27.

206
date: 66?\(^1\)
charge: lex Cornelia de peculatu or lex Cornelia de repetundis
(misappropriation of booty as procos. 73-63)
defendant: L. Licinius Lucullus (104) cos. 74
prosecutor: C. Memmius (8) tr. pl. 66 or 65\(^2\)
outcome: dropped
104 The Trials

Plut. Cat. Min. 29.3; Luc. 37.1-3; Serv. 1.161, 4.261
Gruen (Athenaeum 1971) 58; Shatzman (1972); Shatzman (1975) 379

1 The trial took place at least before the defendant's triumph in 63.
2 See Sumner, Orators 134.

207
date: 66 or 65
defendant: C. Fundanius (1) tr. pl. 68?
advocate: M. Tullius Cicero (29) cos. 63 (Sch. 73)
outcome: A

Q. Cic.? Com. Pet. 19; Quint. Inst. 1.4.14

208
date: summer of 65
claim: civil suit (res dolo malo mancipio acceptae)\(^1\)
defendant: (A.?) Caninius Satyrus (15)
plaintiffs:
  Q. Caecilius (23) e.R.
  Q. Caecilius Metellus Pius Scipio Nasica (99) cos. 52
  L. Licinius Lucullus (104) cos. 74
  L. Pontius (10)

Cic. Att. 1.1.3-4

1 The case involved fraud allegedly perpetrated on creditors.

209
date: 65
charge: lex Cornelia de maiestate (illegal actions as tr. pl. 67)
defendant: C. Cornelius (18) tr. pl. 67
advocate: M. Tullius Cicero (29) cos. 63 (Sch. 76-77)
prosecutors:
  C. (or L.?) Cominius (4, = ? 8)\(^1\) of Spoletium (subscr.) (ORF 143/144.II)
  P. Cominius of Spoletium (11) (nom. del.) (ORF 143/144.II)
praetor: Q. Gallius (6)
witnesses:
  Mam.\(^2\) Aemilius Lepidus Livianus (80) cos. 77, princeps sen.? 70, cens.? 64\(^3\)
  Q. Caecilius Metellus Pius (98) cos. 80
  Q. Hortensius Hortalus (13) cos. 69 (ORF 92.XII)
  Q. Lutatius Catulus (8) cos. 78, cens. 65 (ORF 96.V)
  P. Servilius Globulus (66) tr. pl. 67
  M. Terentius Varro Lucullus (Licinius 109) cos. 73\(^4\) (ORF 91.II)
outcome: A, by a wide margin
other: two actiones, four days of defense

Cic. *Orat.* 225; V. Max. 8.5.4; Asc. 57-81C; Quint. *Inst.* 5.13.18, 6.5.10, 8.3.3, 10.5.13; Plin. *Ep.* 1.20.8; see also Cic. *Brut.* 271
Kumaniecki (1970)

1 See Münzer *RE* 4 (1900) 607-8; and Marshall, *Asconius* 64, 222.
2 On the praenomen, see Sumner (1964), not refuted by Griffin (1973) 213. See also Shackleton Bailey, *CLA* 102, Syme (1970) 141, and *MRR* Suppl. 8.
3 See *MRR* Suppl. 8-9.
4 V. Max. 8.5.4 incorrectly adds L. Licinius Lucullus as witness; see Gelzer *RE* 7A (1939) 860.

210
date: 65
charge: lex Cornelia de maiestate (actions as tr. pl. 66)
defendant: C. Manilius (Crispus?) (10) tr. pl. 66
advocate?: M. Tullius Cicero (29) cos. 63 (Sch. 75)\(^1\)
prosecutor: Cn. Minucius (13)
praetor: C. Attius Celsus (not in *RE*)\(^2\)
outcome: C

Cic. *Corn.* fr. 10, 12; Asc. 60, 66C; Plut. *Cic.* 9.6; Schol. Bob. 119St; Schol. Gronov. 322St
Marshall (*CP* 1977)
106 The Trials

1 In spite of Nonius' citation (700L) of a speech by Cicero pro Manilio, Ramsey (Phoenix 1980) 332-36 argues that it should be regarded as a speech delivered before a contio ('de Manilio'), and that, therefore, Cicero probably did not speak at the trial of Manilius. See also Phillips (1970) 606.

211

date: 65
defendant: C. Orchivius (1) pr. 66
advocate: M. Tullius Cicero (29) cos. 63 (Crawford, Orations 15)
outcome: A

Q. Cic.? Com. Pet. 19

212

date: second half of 65\(^1\)
charge: lex Cornelia de repetundis (misconduct as gov. Africa 67-66)
defendant: L. Sergius Catilina (23) pr. 68
advocate: uncertain, but not M. Tullius Cicero (29) cos. 63\(^2\)
prosecutor: P. Clodius Pulcher (48) aed. cur. 56
character witness: L. Manlius Torquatus (79) cos. 65 (ORF 109.I)
witnesses: Africans
laudatores: consulares
outcome: A (senators for C, equites and tribuni aerarii for A)
other: praeviricatio\(^3\)

Cic. Att. 1.1.1, 1.2.1; Catil. 1.18; Sul. 81; Cael. 10, 14; Har. 42; Pis. 23; Q. Cic.? Com. Pet. 10; Asc. 9, 85, 89, 92

1 A jury was constituted shortly before July 17. It is possible that the prosecution of Catiline had already begun in 66; however, a separate trial in that year seems unlikely. See John (1876) 417-18; Mello (1963) 37; d'Ippolito (1965) 43; Sumner (1965) 227-28.
2 See Asc. 85C; contra Fenestella fr. 20 Peter.
3 Cicero's statement (Att. 1.2.1), written when he was considering defending Clodius in this trial, that the prosecutor was cooperative (summa accusatoris voluntate) has been taken to suggest that the prosecutor was working with
the defense to secure an acquittal. Gruen (*Athenaeum* 1971) 59-62, however, argues that Clodius did not commit *praevindicatio*.

213

date: before 64
claim: *actio furti*
defendant: Q. Mucius (Scaevola?)¹ Orestinus (12) tr. pl. 64
advocate: M. Tullius Cicero (29) cos. 63 (Crawford, *Orations* 16)
plaintiff: L. Fufius Calenus (8)
outcome: dropped by mutual agreement

Cic. *Tog. Cand.* 6, 13; Asc. 86C

¹ For 'Scaevola,' see Shackleton Bailey, *Studies* 122-23.

214

date: 64¹
charge: lex Calpurnia de ambitu (campaign for the praetorship of 65)
defendant: Q. Gallius (6) pr. 65
advocate: M. Tullius Cicero (29) cos. 63 (Sch. 74)
prosecutor: M. Calidius (4) pr. 57² (ORF140.1)
outcome: A?

Cic. *Brut.* 277-78; Q. Cic.? *Com. Pet.* 19; V. Max. 8.10.3; Asc. 88C; Quint. *Inst.* 11.3.155

¹ Asconius gives 64 as the date of the trial. Others (D.-G. 5.398-99 and Vonder Mühl *RE* 7 [1910] 672) suggest 66, on the ground that the year of his campaign is more likely to be the year of the trial. This is not necessarily the case, and, if it is not, then the defendant's praetorship in 65 cannot serve as evidence for an acquittal. See Balsdon (1963) 248-49, Gruen, *LGRR* 270 n. 33, and Ramsey (*Historia* 1980). Ramsey argues that the author of the *Com. Pet.* may have linked this trial to three earlier trials (cases #207, #209, and #211) because he is thinking of the date when Cicero agreed to take the case, not the date of the trial.

² Douglas (1966) 301-2 disputes this date; refuted by Sumner, *Orators* 147.
215

date: 64
charge: lex Cornelia de sicariis et veneficis (murder of Q. Lucretius Afella [25])
defendant: L. Bellienus (5) pr. 105
iudex quaestionis: C. Iulius Caesar (131) cos. 59, 48, 46, 45, 44
outcome: C

Asc. 91C; Suet. Jul. 11; App. BCiv. 1.101; Dio 37.10.2

1 The trial occurred before consular elections, about the same time as case #216.
2 Heraeus (1934) suggests the reading 'Afella' over 'Ofella'; his reading is accepted by Badian (1967) 227-28.
3 On the name, see Shackleton Bailey, CLF 1.489, and MRR Suppl. 34.
4 Gruen, LGRR 76 n. 124 argues that Caesar was accusator rather than iudex quaestionis.

216

date: 64
charge: lex Cornelia de sicariis et veneficis (three murders of people proscribed under Sulla)
defendant: L. Luscius (1) centurio
iudex quaestionis: C. Iulius Caesar (131) cos. 59, 48, 46, 45, 44
outcome: C

Asc. 90-91C; Suet. Jul. 11; Dio 37.10.2

1 The trial occurred before consular elections, about same time as case #215.
2 See case #215, n. 4.

217

date: 64, acquitted after consular elections
charge: lex Cornelia de sicariis et veneficis (murder of those proscribed under Sulla)
defendant: L. Sergius Catilina (23) pr. 68
**prosecutor:** L. Luccius (6) perhaps pr., date uncertain

**iudex quaestionis:** C. Iulius Caesar (131) cos. 59, 48, 46, 45, 44

**laudatores:** consulares

**outcome:** A

Cic. *Att.* 1.16.9; *Sul.* 81; *Pis.* 95; *Asc.* 91-92C; *Suet. Jul.* 11; *Dio* 37.10.3

Marshall (*SCI* 1976/77)

1. Marshall (*CQ* 1985) argues that the murder of M. Marius Gratidianus (42) may have been one of the charges against the defendant. He also maintains that the charge was false.

2. According to McDermott (1969), this was the son of Quintus (Q.f.), to be distinguished from the consular candidate in 60, the son of Marcus (M.f.) (*pace* Asconius). *Dio* 36.41.1-2 perhaps does not furnish evidence for his praetorship. See David and Dondin (1980), and *MRR Suppl.* 127-28.

3. See case #215, n. 4.

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**date:** 64 or 63

**defendant:** Q. Curius (7) q. by 71 (and II?)

= ? L. Turius (2) pr. 75

**outcome:** C

*Asc.* 93C

1. The trial occurred after Cicero delivered *In Toga Candida* in 64 BC.

2. Marshall (*AC* 1978 and *Asconius* 316-17) maintains that Q. Curius regained status by holding the quaestorship a second time.


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**date:** before 63

**defendant:** P. Cornelius Lentulus Sura (240) cos. 71

**other:** charges of bribery

**outcome:** A by two votes

Cic. *Att.* 1.16.9; *Plut. Cic.* 17.3
The Trials

220

date: first half of 63
charge: *iudicum populi,* for *perduellio* (rioting in 100 leading to the death of L. Appuleius Saturninus [29] tr. pl. 103, 100, tr. pl. des. for 99)\(^1\)
defendant: C. Rabirius (5) sen.
\textit{duumviri perduellionis}:
- C. Iulius Caesar (131) cos. 59, 48, 46, 45, 44
- L. Iulius Caesar (143) cos. 64, cens. 61
outcome: conviction, *provocatio,* trial stopped

Cic. \textit{Att.} 2.1.3; \textit{Rab. Perd.}; \textit{Pis.} 4; Suet. \textit{Jul.} 12; Dio 37.26-27; see also App. \textit{BCiv.} 1.32; Plut. \textit{Vir. Ill.} 73.12
Heitland's commentary (1882) on Cicero's speech; Strachan-Davidson (1912) 1.188-204; Ciaceri (1918) 169-95; Lengle (1933); van Ooteghem (1964); Bauman (1969) 9-21; Jones (1972) 40-44; Tyrrell (1973); Tyrrell (1974); Phillips (1974); Tyrrell (1978)

1 For reference, see case #74, n. 1.

221

date: 63, after trial #220
charge: possibly a pecuniary case before people in \textit{comitia tributa} (various offenses)\(^1\)
defendant: C. Rabirius (5) sen.
advocates:
- Q. Hortensius Hortalus (13) cos. 69 (\textit{ORF} 92.XIV)
- M. Tullius Cicero (29) cos. 63 (Sch. 20)
prosecutor: T. Labienus (6) tr. pl. 63 (\textit{ORF} 133.I), pr. by 59\(^2\)
outcome: aborted by fictitious enemy raid

For sources, bibliography, and further discussion, see case #220.

1 This case, along with #220, constitutes the most difficult legal conundrum of all the trials in this period. Only one possible solution has been presented here, according to which the extant speech of Cicero was delivered at this trial, which was ended by the raising of the flag on the Janiculum. This signified an enemy attack and the suspension of civilian business.
2 See MRR Suppl. 116 on his praetorship.

222

trial only threatened
date: 63 (before consular elections, July)
defendant: L. Sergius Catilina (23) pr. by 68
prosecutor: M. Porcius Cato (16) pr. 54

Cic. Mur. 51

223

date: after Oct. 21, 63
charge: lex Plautia de vi
defendant: L. Sergius Catilina (23) pr. 68
prosecutor: L. Aemilius Lepidus Paullus (81) cos. 50
outcome: incomplete

Cic. Vat. 25; Sal. Cat. 31.4; Dio 37.31.3-32.2; Schol. Bob. 149St

224

date: late November 63
charge: lex Tullia de ambitu (campaign for consulate of 62)
defendant: L. Licinius Murena (123) cos. 62
advocates:
   Q. Hortensius Hortalus (13) cos. 69 (ORF 92.XV)
   M. Licinius Crassus (68) cos. 70, 55, cens. 65 (ORF 102.I)
   M. Tullius Cicero (29) cos. 63 (Sch. 25)
prosecutors:
   M. Porcius Cato (16) pr. 54 (ORF 126.IV) (subscr.)
   C. Postumius (4, monetalis ca 74, candidate for praetorship of 62)
   Ser. Sulpicius Rufus (95) cos. 51 (nom. del.)
   Ser. Sulpicius Rufus (96) (subscr.) sen?
outcome: A
Cic. Mur.; Plut. Cat. Min. 21.3-5; Cic. 35.3; Plut. De capienda ex inimicis utilitate 91D
Ayers (1953/54); Michel (1972)

1 Speech given between Nov. 9 and Dec. 1.
2 So Sumner (1971) 254 n. 26 and Orators 144.

225
date: by Dec. 63
charge: lex Cornelia de repetundis (misconduct as gov. Cisalp. and Transalp. Gaul 66-65)
defendant: C. Calpurnius Piso (63) cos. 67
advocate: M. Tullius Cicero (29) cos. 63 (Crawford, Orations 17)
prosecutor?: C. Iulius Caesar (131) cos. 59, 48, 46, 45, 44
outcome: A

Cic. Flac. 98; Sal. Cat. 49.2

226
date: 62
charge: lex Plautia de vi (participation in conspiracy)
defendants: followers of Catiline
quaesitor: Novius Niger (12) = ? L. Novius (7) tr. pl. 58
informer: L. Vettius (6) e.R.
outcome: C

Suet. Jul. 17; Dio 37.41.2-4; see also Cic. Att. 2.24.2

1 quaestor in Suetonius

227
threatened
date: spring of 62
charge: lex Plautia de vi (participation in conspiracy)
defendant: C. Iulius Caesar (131) pr. 62, cos. 59, 48, 46, 45, 44
The Trials

quaesitor: Novius Niger (12), = ? L. Novius (7) tr. pl. 58
informer: L. Vettius (6) e.R.
outcome: aborted; Novius, Vettius put in prison

Suet. Jul. 17

1 quaestor in Suetonius

228

date: 62, before case #234
charge: possibly lex Plautia de vi
defendant: C. Cornelius (19) e.R.
outcome: C?

Cic. Sul. 6, 18, 51; Sal. Cat. 17, 28.1; see also [Sal.] Cic. 3

229

date: 62, before case #234
charge: lex Plautia de vi (participation in Catilinarian conspiracy, attempted murder of Cicero)
defendant: P. Autronius Paetus (7) cos. des. 65
witnesses:
  M. Tullius Cicero (29) cos. 63 (Crawford, Orations 24)
  'many people' (plerique Sul. 7)
  Allobroges
outcome: C, exile in Greece

Cic. Sul. 7, 10, 18, 71; see also Cic. Att. 3.2, 3.7.1

230

date: 62, before case #234
charge: lex Plautia de vi (participation in Catilinarian conspiracy)
defendant: P. Cornelius Sulla (385) sen.
outcome: C
The Trials

Cic. Sul. 6; Cic. Off. 2.29; Sal. Cat. 17.3

231
date: 62, before case #234
charge: lex Plautia de vi (participation in Catilinarian conspiracy)
defendant: M. Porcius Laeca (18) sen.
outcome: C

Cic. Catil. 1.9; Sul. 6; Sal. Cat. 17.3, 27.3

232
date: 62, before case #234
charge: lex Plautia de vi (participation in Catilinarian conspiracy)
defendant: L. Vargunteius (3) e.R.?
advocate: none
outcome: C?

Cic. Catil. 1.9; Sul. 6; Sal. Cat. 17.3

1 See case #202, n. 1.

233
date: 62, before case #234
outcome: C?

Cic. Sul. 6; Sal. Cat. 17.3, 47.1

234
date: 62
charge: lex Plautia de vi (participation in two Catilinarian conspiracies, in the [probably fictitious] one of 66 and in that of 63, attempt-
ed massacre at consular elections in 63 for 62, creating disturbance in Farther Spain)
defendant: P. Cornelius Sulla (386) cos. des. 65
advocates:
Q. Hortensius Hortalus (13) cos. 69 (ORF 92.XVI)
M. Tullius Cicero (29) cos. 63 (Sch. 26)
prosecutors:
Cornelius (7) (subscr.)
L. Manlius Torquatus (80) pr. 50 or 49² (nom. del.) (ORF 146.I)
present for defense: coloni of Pompeii; Pompeiani³
outcome: A
other: Cicero said to have profited financially from the defense (Gel. 12.12.2)

Cic. Sul.; Schol. Bob. 77-84St; Gel. 1.5.3, 12.12.2

1 M. Valerius Messalla Niger (266) cos. 61 is not referred to as consul-designate (Sul. 20, 42); therefore, the trial is likely to have taken place before the consular elections.
2 For references, see case #201, n. 2.
3 Sul. 60-61 says that coloni and Pompeiani were present. They were presumably in the corona.

date: 62
charge: lex Papia (illegal grant of citizenship)
defendant: A. Licinius Archias (Archias 20)
advocate: M. Tullius Cicero (29) cos. 63 (Sch. 27)
prosecutor: Grattius (1)
(urban?) praetor: Q. Tullius Cicero (31)
witnesses:
M. Terentius Varro Lucullus (Licinius 109) cos. 73
Heraclenses
outcome: A

Cic. Arch.; Schol. Bob. 175-179St; see also Cic. Att. 1.16.15; Div. 1.79
Husband (1913-14, 1914-15); Radin (1913-14, 1914-15); Dillon (1941-42)
date: 61, over by May 15
charge: *quiaetio extraordinaria* (sacrilege at rites of Bona Dea)\(^1\)
defendant: P. Clodius Pulcher (48) q. 61-60, aed. cur. 56
advocate: C. Scribonius Curio (10) cos. 76, cens. 61\(^2\) (ORF 86.IV)
prosecutors:
  - L. Cornelius Lentulus Crus (218) cos. 49 (nom. del.) (ORF 157.I)
  - Cn. Cornelius Lentulus Marcellinus (228) cos. 56 (subscr.)
  - L. Cornelius Lentulus Niger (234) pr. by 61 (subscr.)
  - C. Fannius (9) pr. by 54 or in 50 (subscr.)\(^3\)
jurors:\(^4\)
  - P. Cornelius Lentulus Spinther (238) cos. 57 (voted C)
  - (Iuventius?) Talna (26) (voted A)
  - Plautus (2) sen.? (voted A)
  - Spongia (2) (voted A)\(^5\)
witnesses:
  - Aurelia (248)
  - C. Causinius Schola (1) of Interamna, e.R.
  - Habra? (not in \textit{RE})\(^6\)
  - Iulia (546?)
  - C. Iulius Caesar (131) procos. Farther Spain 61, cos. 59, 48, 46, 45, 44\(^7\)
  - L. Licinius Lucullus (104) cos. 74
  - M. Porcius Cato (16) pr. 54
  - M. Tullius Cicero (29) cos. 63 (Crawford, \textit{Orations} 27)
outcome: A (twenty-five for C, thirty-one for A)\(^8\)
other: suspicion of bribery

\textit{Cic. Att.} 1.12.3, 1.16.1-6, 1.17.8; \textit{Har.} 37; \textit{Pis.} 95; \textit{Mili.} 46, 73, 87; \textit{Liv. Per.} 103; \textit{V. Max.} 4.2.5, 8.5.5, 9.1.7; \textit{Asc.} 49C; \textit{Sen. Ep.} 97.2-10; \textit{Quint. Inst.} 4.2.88; \textit{Suet. Jul.} 74; \textit{App. BCiv.} 2.14; \textit{Plut. Caes.} 10; \textit{Cic.} 29; \textit{Dio} 39.6.2; \textit{Schol. Bob.} 85-91 (\textit{in Clod. et Cur.})
Lacey (1974)

\(^1\) This sacrilege was treated by the Senate as if \textit{de incestu}; see Moreau (1982) 83-89.
\(^2\) For references, see case \#82, n. 3.
\(^3\) See \textit{MRR} 2.222. Sumner, \textit{Orators} 145 points out that his praetorship is not attested, though he admits that he was in some way senior.
Moreau (1982) 143 shows that they were fifty-six in number, on the basis of Cicero's statement (in Clod. et Cur. fr. 29) that only four votes were missing for a guilty verdict.

Tyrrell and Purser in their commentary on Cicero's Letters (Correspondence [1904] 1.214) argue that the names of the three jurors who voted for acquittal are fictitious, added for comical effect; contra, Münzer RE 21 (1951) 54, Shackleton Bailey, CLA 1.318, Moreau (1982) 147-50.

She was one of several ancillae of Pompeia (52) whose evidence was obtained under torture.

Gelzer (1968) 60 n. 3 argues that Caesar had already left for his province of Farther Spain by the time of the trial, and that his remark about his wife must have been uttered in the Senate, although Suetonius and Plutarch both specify that he was a witness; contra Moreau (1982) 199 n. 606.

So Cic. Att. 1.16.5. Plutarch gives the number thirty for votes of acquittal, but Cicero is probably more accurate. See Shackleton Bailey, CLA 1.317.

date: after 61
defendant: either L. Cornelius Lentulus Crus (218) cos. 49
or Cn. Cornelius Lentulus Marcellinus (228) cos. 56
or L. Cornelius Lentulus Niger (234) pr. by 61
advocate: P. Clodius Pulcher (48) aed. cur. 56
outcome: A?

V. Max. 4.2.5; Schol. Bob. 89St

date: 60, by early June
charge: lex Cornelia de ambitu (misconduct in campaign for suffect quaestorship held in 60)¹
defendant: Q. Caecilius Metellus Pius Scipio Nasica (99) q.? suff. 60, cos. 52
advocate: M. Tullius Cicero (29) cos. 63 (Crawford, Orations 34)
prosecutor: M. Favonius (1) pr. 49 (ORF 166.II)
outcome: A
Cic. *Att.* 2.1.9

1 See Sumner, *Orators* 112, who arrives at a quaestorship by a process of elimination, Crawford, *Orations* p. 115 n. 2, and *MRR* Suppl. 41-42.

Cic. *Att.* 2.3.1

1 See Shackleton Bailey, *CLA* 1.355. Malavolta (1977) 275 suggests that the defendant was M. Valerius Messalla Niger (266) cos. 61, cens. 55, and that he might have been accused for *ambitus* for his activities in the campaign of Afranius for the consulate of 60 (see *Att.* 1.16.12). The lateness of the trial in the year, however, tells against the idea that the trial arose out of a crime committed in 61.

Cic. *Flac.* 53

1 The entirety of what we know about this case is limited to Cicero's statement *vidi ego in quodam iudicio nuper Philodorum testem Trallianum, vidi Parrhasium, vidi Archidemum*....
date: 59
charge: lex Cornelia de maiestate, or lex Plautia de vi (complicity in Catilinarian conspiracy? incompetence as gov. Macedonia 62-60?)
defendant: C. Antonius (19) cos. 63, gov. Macedonia 62-60
advocate: M. Tullius Cicero (29) cos. 63 (Crawford, Orations 37)
prosecutors:
M. Caelius Rufus (35) pr. 48 (ORF 162.1)
either L. Caninius Gallus (3) tr. pl. 56
or L. Caninius Gallus (4) cos. 37
Q. Fabius Sanga (143) = ? Fabius Maximus (Sanga?) (108) cos. suff. 45
praetor: Cn. Cornelius Lentulus Clodianus (217)
outcome: C, exile to Cephallenia

1 The jury was already being empanelled in December of 60 (Att. 2.2.3), and the trial was taking place on the day in mid-April when Clodius received plebeian status (Att. 2.12.1; Dom. 41). This case precedes case #247.
2 There is no evidence against the belief that this lex Cornelia was the law under which the case was prosecuted. For possible links to Catiline see Cic. apud Asc. 87C, Plut. Cic. 11-12, Schol. Bob. 94, 126St. But note the Catilinarians' delight at the condemnation (Flac. 95), and Antonius' claim to be the victor over Catiline (Flac. 5, Dio 37.40.2). Military incompetence could apparently also provide grounds for a maiestas trial (Scaev. Dig. 48.4.4). Quintilian quotes from the speech of Caelius allegations that the defendant participated in drunken debauches while on campaign. See D.-G. 5.601-2; Austin 158-59.
3 This procedure was often used against Catilinarians (Cael. 15). See Heinze (1925) 210 n. 3, D.-G. 5.601-2. Extortion is unlikely as T. Vettius Sabinus was probably praetor in the extortion court (see case #247); contra Schol. Bob. 94St, Gruen (1973) 308-9, Crawford, Orations 124 n. 4, 125 n. 8, and MRR Suppl. 18, 67.
4 The possibility that the younger Caninius was prosecutor was noted by Münzer RE 3 (1899) 1477. But the prosecutor must be the man prosecuted by M. Colonius (see case #280).
5 Shackleton Bailey, CLA 1.348 accepts identification of the two Fabii; contra, Münzer RE 6 (1909) 1868.

6 In Dec. 60 P. Nigidius Figulus (3) pr. 58 was threatening any absent jurors with prosecution (Cic. Att. 2.2.3). Since there was a praetor at this trial, it is unnecessary to suppose that Nigidius was a iudex quaestionis (MRR Suppl. 147 considers this possibility). As Badian (1959) 83 points out, he could have been acting as a private citizen when he made his threat in 60.

242
date: 59, perhaps August
charge: lex Plautia de vi (participation in plot against Pompey)
defendant: L. Vettius (6) e.R.
prosecutor: P. Vatinius (3) tr. pl. 59, cos. 47
iudex quaestionis: P. Licinius Crassus Dives (71) pr. 57
outcome: defendant died in prison

Cic. Att. 2.24.4; Vat. 25, 26; Suet. Jul. 20.4; Plut. Luc. 42; App. BCiv. 2.12;
Dio 38.9; Schol. Bob. 139St

243
date: by 59 (many times)¹
claim: civil suit
defendant: L. Valerius Flaccus (179) pr. 63
suff. 40

V. Max. 7.8.7

¹ The defendant is said to have been compluribus privatis litibus vexatus.

244
date: 59?, after the defendant's promagistracy
charge: lex Cornelia de peculatu? or lex (Cornelia? Iulia?) de repetundis? (malfeasance as gov. Bithynia-Pontus)
defendant: C. Papirius Carbo (35) pr. 62, promag. 61-59?
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prosecutor: M. Aurelius Cotta (108)
outcome: C

V. Max. 5.4.4; Dio 36.40.4

245

date: 59, before cases #246 and #247
defendant:
either A. Minucius Thermus (61) = ? (60) pr. 67 = ? C. Marcius Figulus (63) cos. 64
or Q. Minucius Thermus (67) tr. pl. 62, pr. by 58? or 53?
advocate: M. Tullius Cicero (29) cos. 63 (Crawford, Orations 38)
outcome: A

Cic. Flac. 98

1 For the conjecture about this other possible identification with A. Minucius Thermus (61), see Shackleton Bailey, CLA 1.292, Studies 122.
2 The date 53 is suggested by Shackleton Bailey, Studies 54-55.

246

date: 59, after case #245 and before case #247
defendant:
either A. Minucius Thermus (61) = ? (60) pr. 67 = ? C. Marcius Figulus (63) cos. 64
or Q. Minucius Thermus (67) tr. pl. 62, pr. by 58? or 53?
advocate: M. Tullius Cicero (29) cos. 63 (Crawford, Orations 39)
outcome: A

Cic. Flac. 98

1 See case #245, n. 1.
2 See case #245, n. 2.
date: 59, by Sept.?¹
charge: lex Cornelia de repetundis² (misconduct as gov. Asia).
defendant: L. Valerius Flaccus (179) pr. 63, gov. Asia 62
advocates:
   Q. Hortensius Hortalus (13) cos. 69 (ORF 92.XVIII)³
   M. Tullius Cicero (29) cos. 63 (Sch. 28)
prosecutors:
   C. Appuleius Decianus (22) e.R. (subscr.)
   Caetra (1),⁴ = ? C. Fannius Chaerea (17) (subscr.)
   L. Cornelius⁵ Balbus (69) praefectus fabrum 62, 61-60?, 59, cos. suff. 40 (subscr.)
   D. Laelius (6) tr. pl. 54 (nom. del.)
   Lucoeius (2) (subscr.)
praetor: T. Vettius Sabinus (14)⁶
jurors:⁷
   L. Licinius Lucullus (104) cos. 74
   L. Peducaeus (2) pref.? 62, e.R. or trib. aer.⁸
   Sex. (Peducaeus?) Stloga (Stloga [1])
witnesses:
   L. Agrius Publicianus (2) e.R.
   Asclepiades (16) of Acmonia
   M. Ausfidius⁹ Lurco (27) sen. = ? (M. Ausfidius?) Lurco (25) tr. pl. 61
   Q. Caecilius Metellus Creticus (87) cos. 69
   M. Caelius (11)
   C. Cestius (2) e.R.
   Cn. Domitius Calvinus (43) tr. pl. 59, cos. 53, 40
   L. Eppius (1) e.R.
   Falcius (1) (not present, but mother there)
   Heraclides (34) of Temnos
   Hermobius (1) of Temnos
   Lysanias (5) of Temnos
   Maeandrius (2) of Tralles
   Mithridates (36) of Dorylaion
   Nicomedes (7) of Temnos
   Philippus (29) of Temnos
   P. Septimius¹⁰ (12 = 11) q., date uncertain
   P. Servilius Vatia Isauricus (93) cos. 79, cens. 55
   vicanus of Tmolus (Flac. 8)
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representatives of Achaea, Athens, Boeotia, Cyme, Dorylaion, Loryma, Massilia, Pergamum, Rhodes, Sparta, Thessalia

outcome: A
other: two actions

Cic. Flac.; Att. 2.25.1; Macr. 2.1.13; V. Max. 7.8.7; Schol. Bob. 93-108St du Mesnil (1883); Webster (1931)

1 This is the possible date of Att. 2.25.1. The trial occurred after the condemnation of C. Antonius (case #241), and after the two acquittals of A. Thermus (cases #245, #246); see Webster (1931) 111. On the length of the trial, see Clark (1927) 76.
2 The lex Iulia de repetundis was apparently not yet in effect (Flac. 13).
3 See Webster (1931) 109-10.
4 See Webster (1931) 56.
5 So Münzer RE 4 (1900) 1262, RE 12 (1924) 411; but D.-G. 5.614 has L. Laelius Balbus.
6 See Münzer RE 8A (1955) 34; Gundel RE 8A (1958) 1853. Gruen (1973) 308 n. 40 holds that he was a iudex.
7 The jury was composed of twenty-five senators, twenty-five equites Romani, twenty-five tribuni aerarii (Flac. 4).
8 See Nicolet, Ordre équestre vol. 2, no. 264.
9 See Mitchell (1979) on this family, also on Sestullii (not Sextilii). Linderski (1974) 472 and MRR Suppl. 29 argue for probable identification of the two Aufidii.
10 See Shackleton Bailey, Studies 65.
11 Contra Lezius (1901).

248

date: 59, late in the year
charge: lex Tullia de ambitu (campaign for the consulate of 58)
defendant: A. Gabinius (11) cos. 58
prosecutor: C. Porcius Cato (6) tr. pl. 56, pr. 55?1
outcome: praetor refused to accept case

Cic. Q. fr. 1.2.15; Sest. 18

1 For references, see case #283, n. 1.
The Trials

249

date: before Cicero's exile in 58
defendant: L. Calpurnius Bestia (25 = ? 24) aed. pl. ca 59?
advocate: M. Tullius Cicero (29) cos. 63 (Crawford, Orations 45)
outcome: A

Cic. Phil. 11.11; see also 13.26
Gruen (Athenaeum 1971) 69

1 MRR Suppl. 46 favors identification of RE 24 and RE 25.

250

date: after case #249, before Cicero's exile in 58
defendant: L. Calpurnius Bestia (25 = ? 24) aed. pl. ca 59?
advocate: M. Tullius Cicero (29) cos. 63 (Crawford, Orations 46)
outcome: A

Cic. Phil. 11.11; see also 13.26
Gruen (Athenaeum 1971) 69

1 See case #249, n. 1.

251

date: after case #250, before Cicero's exile in 58
defendant: L. Calpurnius Bestia (25 = ? 24) aed. pl. ca 59?
advocate: M. Tullius Cicero (29) cos. 63 (Crawford, Orations 47)
outcome: A

Cic. Phil. 11.11; see also 13.26
Gruen (Athenaeum 1971) 69

1 See case #249, n. 1.
The Trials

252
date: after case #251, before Cicero's exile in 58
defendant: L. Calpurnius Bestia (25, = ? 24) aed. pl. ca 59?\(^1\)
advocate: M. Tullius Cicero (29) cos. 63 (Crawford, *Orations* 48)
outcome: A

Cic. *Phil.* 11.11; see also 13.26
Gruen (*Athenaeum* 1971) 69

1 See case #249, n. 1.

253
date: 58
defendant: Sex. Propertius (1)
prosecutor: Aelius Ligus (83) tr. pl.
outcome: dropped\(^1\)

Cic. *Dom.* 49

1 A *nominis delatio* did occur, but there was no trial.

254
date: 66? 65? 58?
*iudex quaestionis*: C. Visellius Varro (3) aed. 67? 66? 59?\(^1\)

Cic. *Brut.* 264; see also Vitr. 2.8.9; Plin. *Nat.* 35.173

1 On his identity see Sumner (*CP* 1978) 163-64. Cicero says that he died while serving as *iudex quaestionis* the year after his aedileship. See Sumner, *Orators* 139, and MRR Suppl. 222.

255
date: 58, first half
The Trials

charge: lex Licinia et Iunia (promotion of laws confirming Pompey's acta)¹

defendant: P. Vatinius (3) leg. 58?, cos. 47
prosecutor: C. Licinius Macer Calvus² (113) (ORF 165.I)
praetor: C. Memmius (8)
outcome: defendant appealed to tr. pl. P. Clodius Pulcher (48), trial stopped by violence

Cic. Sest. 135; Vat. 33, 34; Quint. Inst. 6.3.60; 12.6.1; Tac. Dial. 21.2, 34.7;
Schol. Bob. 140, 150St
Greenidge (1901) 517

¹ Pocock (1926) 169-75 argues that Pompey's acts were ratified by a lex Vatini.
² The participation of Calvus is disputed by Gruen (HSCP 1966) 217-18. See Sumner, Orators 149.

date: perhaps 58, after quaestorship of defendant
charge: lex Licinia et Iunia
defendant: q. for 59 or 58¹ of C. Iulius Caesar (131) cos. 59
outcome: A?

Suet. Jul. 23

¹ Bauman (1967) 93-104 argues that this quaestor was P. Vatinius (3) tr. pl. 59. Gelzer (1968) 97, Badian (CQ 1969) 200 n. 5, and Badian (1974) 146-48 argue that the defendant was the former quaestor of 59. See Weinrib (1968) 44-45; Weinrib (1971) 150 n. 10; and Gruen (Athenaeum 1971) 62-67.

date: 58?¹ 56?²
charge: iudicium populi (defendant's acta as consul)
defendant: C. Iulius Caesar (131) cos. 59, 48, 46, 45, 44
prosecutor:
   either L. Antistius (13) tr. pl. 58³
   or L. Antistius Vetus (47) tr. pl. 56,⁴ cos. suff. 30
outcome: other tr. pl. stopped trial

Suet. Jul. 23
Jones (1972) 5

1 So Gruen (Athenaeum 1971) 62-64.
2 So Badian (CQ 1969) 200-4, (1974) 148-54, MRR Suppl. 17, 18, and, with res­
ervations, Shackleton Bailey, Studies 11-12.
3 See n. 1. If a date of 58, then this tr.pl.
4 See n. 2. If a date of 56, then this tr.pl.

258

date: after Sept. 58, before latter part of 57?
defendant: L. Livineius Regulus (2) pr. (uncertain date)
outcome: C

Cic. Fam. 13.60; see also Att. 3.17.1

259

date: before 57
claim: civil suit
parties: M. Tullius Cicero (29) cos. 63 spoke against M. Cispius (4) tr. pl. 57 and the latter's brother and father

Cic. Red. Sen. 21

260

date: 57 or before
charge: lex Cornelia de iniuriis
defendant: L. Sergius (15)
outcome: C

Cic. Dom. 13, 14, 21, 89; CIL 1.1882
date: early 57
charge: lex Plautia de vi (violence against Milo and followers)
defendant: P. Clodius Pulcher (48) aed. cur. 56
prosecutor: T. Annius Milo (67) tr. pl. 57, pr. 55
outcome: trial obstructed by Q. Caecilius Metellus Nepos (96) cos. 57, Ap. Claudius Pulcher (297) pr. 57, cos. 54, cens. 50, and by a tr. pl. 57

Cic. *Red. Sen.* 19; *Sest.* 85, 89; *Mil.* 35, 40; *Att.* 4.3.2 and 5; *Fam.* 5.3.2; Plut. *Cic.* 33.3; Dio 39.7; see also *Q. fr.* 2.1.2
*Meyer* (1922) 109 n. 3

date: after Nov. 23, 57
charge: lex Plautia de vi (violence)
defendant: P. Clodius Pulcher (48) aed. cur. 56
prosecutor: T. Annius Milo (67) tr. pl. 57, pr. 55
outcome: dropped because Clodius assumed aedileship

For sources and bibliography, see case #261

trial threatened in 58, never took place
date: set for 57
charge: lex Iulia de repetundis (misconduct as gov. Asia 61-58)
defendant: Q. Tullius Cicero (31) pr. 62
prosecutor?: Ap. Claudius Pulcher (298) cos. 38
praetor: Ap. Claudius Pulcher (297) cos. 54, cens. 50

*Cic. Dom.* 59; *Sest.* 68; *Att.* 2.4.2, 2.18.3, 3.8.2-4, 3.9.1, 3.13.2, 3.17.1; *Q. fr.* 1.3.5, 1.4.2 and 4-5
*Fallu* (1970)

264

trial threatened, never took place
date: Nov. or Dec. 57
charge: *quaestio extraordinaria* (violence against Cicero)

Cic. *Att.* 4.3.3; *Q. fr.* 2.1.2

265

date: before 56, the date of case #276
charge: *lex Tullia de ambitu*
prosecutor: L. Cornelius Balbus (69) cos. suff. 40
outcome: C, as award prosecutor allowed to enter *tribus Clustumina*¹

Cic. *Balb.* 57

¹ See Alexander (1985) 23.

266

date: 56¹
charge: *iudicium populi*² (misconduct as tr. pl. 57)
defendant: T. Annius Milo (67) pr. 55
advocate?: M. Claudius Marcellus (229) aed. cur. 56,³ cos. 51
prosecutor: P. Clodius Pulcher (48) aed. cur.
witness: P. Vatinius (3) cos. 47
character witness: Cn. Pompeius Magnus (31) cos. 70, 55, 52
outcome: dropped

Cic. *Sest.* 95; *Vat.* 40-41; *Fam.* 1.5b.1; *Q. fr.* 2.3.1-2; 2.6.4; Dio 39.18-19; Schol. Bob. 122St

¹ Hearings were held on Feb. 2, Feb. 7, Feb. 17, and May 7.
² Gruen, *LGRR* 298 n. 139 argues that there were three informal *contiones* and then a trial before a *quaesitio de vi*. However, Cicero's language (*Q. fr.* 2.3) strongly suggests that this was an *iudicium populi* held according to the procedure described in Cic. *Dom.* 45. See Lintott (1976) 242.
date: early in 56, before case #275  
charge: lex Plautia de vi (murder of Alexandrian ambassador)  
defendant: P. Asicius (1)  
advocate: M. Tullius Cicero (29) cos. 63 (Crawford, Orations 43)  
prosecutor: C. Licinius Macer Calvus (113) (ORF 165.IV)  
outcome: A  
other: possibly praevoricatio1 

Cic. Cael. 23-24, 51; Tac. Dial. 21.2

1 The prosecutor of Caelius (case #275) claimed that the acquittal had been due to collusion.

date: 56, Cicero’s speech on Feb. 11 
charge: lex Tullia de ambitu (campaign for praetorship of 56 or 55)1  
defendant: L. Calpurnius Bestia (25, = ? 24) aed. pl. ca 59?2  
advocate: M. Tullius Cicero (29) cos. 63 (Crawford, Orations 49)  
prosecutor: M. Caelius Rufus (35) pr. 48 (ORF 162.II)  
praetor or iudex quaestionis: ? Cn. Domitius Calvinus (43) cos. 53, 40 = ? Domitius (11) iud. quaest. 56?, pr.? 543  
outcome: A4

Cic. Cael. 1, 16, 26, 56, 76, 78; Phil. 13.26; Q. fr. 2.3.6; Plin. Nat. 27.4; Tac. Dial. 39.5

2 See case #249, n. 1.  
3 See MRR 2.208, Suppl. 81, Gruen, LGRR 166 n. 8, Shackleton Bailey, CQF 195.  
4 So Gruen, LGRR 300, 305 correctly; contra, Münzer RE 3 (1897) 1367.

date: 56, after case #2681
charge: lex Tullia de ambitu (misconduct in campaign for praetorship of 55)
defendant: L. Calpurnius Bestia (25, = ? 24) aed. pl. ca 59?2
prosecutor: M. Caelius Rufus (35) pr. 48 (ORF 162.II)
outcome: dropped3 or C4

Cic. Cael. 1, 16, 26, 56, 76, 78; Phil. 13.26; Plin. Nat. 27.4; Tac. Dial. 39.5

1 This case had begun, but was still pending, when Cicero spoke in case #275. See Gruen, LGRR 300 n. 146.
2 See case #249, n. 1.
3 That the case was dropped is the suggestion of Heinze (1925) 1195 n. 2, on the basis of Cic. Brut. 273, which mentions three prosecutions mounted by Caelius (of Antonius, #241; of Bestia, #268; and of Pompeius Rufus, #328). However, Cicero might be counting in a loose fashion the two prosecutions of Bestia as one. See Alexander (1982) 149.
4 Cicero's somewhat coy wording in Phil. 11.11 seems to imply a conviction. See Gruen (Athenaeum 1971) 68; Alexander (1982) 148 n. 23; Crawford, Orations 144-45.

date: 56, postulatio on Feb. 10
charge: lex Tullia de ambitu
defendant: P. Sestius (6) tr. pl. 57, pr. by 54?1
prosecutor: (Cn.?) Nerius (Pupinia?) (3) q. 49
witnesses:
   C. Cornelius (not in RE)
   Cn. Cornelius Lentulus Vatia (241) = ? Batiatus (209)2
outcome: A?

Cic. Q. fr. 2.3.5

1 See Badian (ZPE 1984) 106.
date: 56, *postulatio* on Feb. 10, verdict reached on March 14
charge: lex Plautia de vi (political violence in 57)
defendant: P. Sestius (6) tr. pl. 57, pr. by 54?\(^1\) (may have spoken *pro se*)\(^2\)
advocates:
- Q. Hortensius Hortalus (13) cos. 69 (ORF 92.XIX)
- M. Licinius Crassus (68) cos. 70, 55, cens. 65 (ORF 102.III)
- C. Licinius Macer Calvus\(^3\) (113) (ORF 165.II)
- M. Tullius Cicero (29) cos. 63 (Sch. 33)

character witness: Cn. Pompeius Magnus (31) cos. 70, 55, 52
prosecutors:
- P. Albinovanus (1, cf. 3) pont. min. before 69-after 57 (nom. del.)
- M. Tullius (13)\(^4\)
- T. Claudius (not in RE) (subscr.)\(^5\)
praetor: M. Aemilius Scaurus (141)

jurors:
- L. Cornelius Lentulus Niger (234) pr. by 61
- C. Cosconius (5) pr. 54?\(^6\)
- L. Cosconius (not in RE)
witnesses:
- L. Aemilius Lepidus Paullus (81) aed. cur. 56?, cos. 50
  (Cn.?Gellius (1) e.R.\(^7\)
- P. Vatinius (3) cos. 47
  *legati* from Capua
outcome: A (unanimous)

_Cic._ Sest.; _Vat._; _Fam._ 1.9.7; _Q. fr._ 2.3.5, 2.4.1; _Quint._ _Inst._ 11.1.73; _Plut._
_Cic._ 26.5; _Schol._ _Bob._ 125-144St

\(^1\) See case #270, n. 1.
\(^2\) Plut. _Cic._ 26.5 tells an anecdote about a trial of a Publius Sestius, represented by Cicero and others, who insisted on speaking for himself.
\(^3\) He may have been a witness instead of an advocate. See _D.-G._ 5.655.
\(^4\) He made the original *postulatio* (_Q. fr._ 2.3.5), but Albinovanus was the original _nominis delator_. Tullius either lost out to Albinovanus in the _divinatio_, or was a _subscriptor_; see Shackleton Bailey, _Studies_ 7 and _CQF_ 177.
\(^6\) See Sumner (1971) 251, _MRR_ Suppl. 77.
date: by March 56
defendant: Sevius? = ? Servius Pola (5)^1
outcome: C^2

Cic. Q. fr. 2.5.4

1 Shackleton Bailey (1955) 35, Studies 66, and CQF 182-83, and Gruen, LGRR 305 n. 167 maintain that this Sevius was different from Servius Pola, since the latter was active in 54 (see case #282), and could not have been condemned in 56. However, if Shackleton Bailey is right that Sevius was condemned 'for some private offence' (CQF 182-83), it is possible that the penalty was not so severe as to preclude him from political activity.

2 See Shackleton Bailey, CQF 183.

date: March 56
defendant: Sex. Cloelius (Clodius 12)^1
prosecutor?: T. Annius Milo (67)^2 pr. 55
outcome: A (by three votes; senators for A, tribuni aerarii for C, equites equally divided)

Cic. Q. fr. 2.5.4; Cael. 78

1 On the name see Shackleton Bailey, Studies 27.

2 Cicero in his letter says that Clodius was prosecuted by imbecilli accusatores, and holds Milo responsible for the acquittal. It is not absolutely clear that Milo himself prosecuted.

trial only threatened?^1
date: 56, during or after March
charge: lex Tullia de ambitu (perhaps for misconduct in campaign for praetorship of 55)
defendant: P. Vatinius (3) pr. 55, cos. 47
prosecutor: C. Licinius Macer Calvus (113) (ORF 165.I)
outcome: dropped?

Cic. Sest. 133; Vat. 10, 37, 39; Q. fr. 2.4.1; Catul. 53; Sen. Con. 7.4.6; Quint. Inst. 6.1.13, 6.3.60, 9.2.25; Tac. Dial. 21.2; Macr. 2.6.1

1 Gruen (HSCP 1966) 218-19 doubts that the trial actually occurred. It is very difficult to separate this prosecution of Vatinius by Calvus from the two others (cases #255 and #292).

275

date: 56, trial held on April 3 and 4¹
charge: lex Plautia de vi² (civil disturbance at Naples, assault on Alexandrians at Puteoli, property damage to Palla [3], murder of Dio [14], receiving gold for the murder of Dio, attack on a senator, plot to murder Clodia)
defendant: M. Caelius Rufus (35) pr. 48 (spoke pro se, ORF 102.III)
advocates:
   M. Licinius Crassus (107) cos. 70, 55, cens. 65 (ORF 102.IV)
   M. Tullius Cicero (29) cos. 63 (Sch. 34)
prosecutors:
   P. Clodius,³ = ? Pulcher [48] aed.cur. 56 (ORF 164.I) (subscr.)
   L. Herennius Balbus (18) (ORF 163.I) (subscr.)
   L. Sempronius Atratinus⁴ (26) cos. suff. 34 (nom. del.)
praetor or index quaestionis: Cn. Domitius (11) iud. quaest. 56?, pr.? 54
   = ? Cn. Domitius Calvinus (43) cos. 53, 40⁵
witnesses:
   ? C. Coponius (3) pr. 49
   ? T. Coponius (9)
   Q. Fufius Kalenus (10) cos. 47
   ? familiares Clodiae (66) (Cael. 66)
outcome: A

Cic. Cael.; Strab. 17.1.11; Quint. Inst. 4.2.27, 11.1.51 and 68; Suet. Gram. 26; Dio 39.14.3
Münzer (1909); Heinze (1925); Pacitti (1961); Linderski (1961); Liebs (1967) 126

1 The trial was held a few days after the acquittal of Sex. Cloelius, case #273.
   See Austin ed. and comm. on Cicero Pro Caelio App. IV, 151.
2 See Austin (n. 1 above) 42; Lintott (1968) 111-12; Stroh (1975) 238, n. 45
3 But the identification with the notorious Clodius is unlikely. See Heinze (1925) 196, Austin 155.
4 See Austin (n. 1 above) 154-55; Shackleton Bailey, Studies 129.
5 For references, see case #268, n. 3.

276
date: 56, after early summer
charge: lex Papia (illegal grant of citizenship under lex Gellia Cornelia) 2
defendant: L. Cornelius Balbus (69) cos. suff. 40
advocates:
  M. Licinius Crassus (68) cos. 70, 55, cens. 65 (ORF 102.V)
  Cn. Pompeius Magnus (31) cos. 70, 55, 52 (ORF 111.IX)
  M. Tullius Cicero (29) cos. 63 (Sch. 37)
prosecutor: someone from Gades who had lost caput (civic standing) through iudicium publicum
witnesses: legati from Gades
outcome: A

Cic. Balb.

1 This is the date of de provinciis consularibus, referred to in Balb. 56.
2 Brunt (1982) defends the orthodox view that the attack on the citizenship of Balbus was legally unjustified, against the arguments of Braunert (1966) and Angelini (1980) that Balbus ought to have been stripped of his citizenship.

277
date: ca 56
charge: sacrilegium?
defendant: C. Sallustius Crispus (10) q. 55?, pr. 46
outcome: A (by a few votes)

[Cic.] Sal. 15-16
1 The trial occurred just before quaestorship of defendant.
2 The case is dubious, since the source is unreliable.

278

date: c. 56?¹
charge: sacrilegium
defendant: P. Nigidius Figulus (3) pr. 58

[Cic.] Sal. 14; see also Cic. Vat. 14; Tim. 1; Apul. Apol. 42

1 See case #277, n. 2.

279

date: 56? after 57 and before case #293
charge: lex Tullia de ambitu? (campaign for tr. pl. 57?)
defendant: M. Cispius (4) tr. pl. 57
advocate: M. Tullius Cicero (29) cos. 63 (Crawford, Orations 57)
outcome: C

Cic. Planc. 75-77; Schol. Bob. 165St

280

date: by Sept. 55
defendant: L. Caninius Gallus (3) tr. pl. 56¹
advocate: M. Tullius Cicero (29) cos. 63 (Crawford, Orations 58)
prosecutor: M. Colonius (not in RE)
outcome: C²

Cic. Fam. 7.1.4; V. Max. 4.2.6

1 V. Max. says that M. Colonius successfully prosecuted a Caninius Gallus; Münzer RE 3 (1899) 1477 argues that this Caninius is the son, cos. 37.
2 The defendant was in Athens, and perhaps also in exile (Fam. 2.8.3). See Gruen, LGRR 313 n. 15.
281
date: uncertain¹
defendant: T. Ampius Balbus (1) pr. 59, procos. Asia 58² (spoke pro se)³
advocates:
   Cn. Pompeius Magnus (31) cos. 70, 55, 52 (ORF 111.XI)
   M. Tullius Cicero (29) cos. 63 (Crawford, Orations 59)
Cic. Leg. 2.6; Quint. Inst. 3.8.50

¹ Gruen, LGRR 314 gives a date of 55.
² See Magie, RRAM 2.1247; MRR Suppl. 15; Crawford, Orations 175.
³ The speech was written by Cicero.

282
date: 54, nominis delatio on Feb. 3 or 4, trial began on Feb. 13
defendant: M. Caelius Rufus (35) pr. 48
prosecutor: Servius Pola (5)
outcome: apparently case not completed
Cic. Q. fr. 2.12.2

¹ For references, see case #268, n. 3.

283
date: 54, verdict before July
charge: lex Licinia et Iunia (activity as tr. pl. 56)
defendant: C. Porcius Cato (6) tr. pl. 56, pr. 55?¹
prosecutors:
   ? C. Asinius Pollio (25)² cos. 40 (ORF 174.I)
   ? C. Licinius Macer Calvus (113)³
   M. Livius Drusus Claudianus (19) pr. or iudex 50⁴
outcome: A
other: praevicatio
Cic. \textit{Att.} 4.16.5, 4.15.4; Sen. \textit{Con.} 7.4.7


2. He was a prosecutor, either in this case, or in case #286, or in both. See Marshall, \textit{Asconius} 121.

3. Gruen (HSCP 1966) 223-24 and Linderski (1969) 296 n. 70 argue that Calvus was the \textit{patronus} of Cato. However, a more natural interpretation of \textit{rei sui} and \textit{accusatori suo} (Sen. \textit{Con.} 7.4.7) makes Calvus an \textit{accusator} along with Pollio--either in this case, or case #286, or in both. See Münzer \textit{RE} 13 (1927) 432; Marshall, \textit{Asconius} 121.

4. He may have been pr. in 55. See Taylor (1964) 23 n. 30. He may have committed \textit{praearicatio}; see case #291. The argument for \textit{praearicatio} is very complicated. See Linderski (1969); Alexander (1977) 128 n. 44.

284
date: 54, verdict reached on July 4
charge: \textit{lex Cornelia de sicariis et veneficis} (murder of \textit{paterfamilias})
defendant: Procilius (1)
advocate?: Q. Hortensius Hortalus (13) cos. 69 (ORF 92.XVI)
prosecutor?: P. Clodius Pulcher (48) aed. cur. 56 (ORF 137.VI)
outcome: C, by a vote of twenty-eight to twenty-two

Cic. \textit{Att.} 4.16.5; 4.15.4
Linderski (1969) 293-95; Shackleton Bailey, \textit{CLA} 2.208; Gruen, \textit{LGRR} 315 n. 25

1. There is no evidence that he was tr. pl. in 56. See \textit{MRR} Suppl. 175.

285
date: 54, verdict reached on July 4
charge: \textit{lex Tullia de ambitu?} (misconduct in campaign for praetorship of 55)
defendant: M. Nonius Sufenas (52) tr. pl. 56?, pr. 55?
outcome: A

Cic. \textit{Att.} 4.15.4; Plin. \textit{Nat.} 37.81; see also Dio 39.27.3

1 For arguments relating to the date of his praetorship, see *MRR* Suppl. 148.

**286**

date: 54, verdict reached on July 4¹
charge: lex Fufia (activities as tr. pl. 56)
defendant: C. Porcius Cato (6) tr. pl. 56, pr. 55?²
advocate: M. Aemilius Scaurus (141) pr. 56 (*ORF* 139.II)
prosecutors:
  ? C. Asinius Pollio (25)³ cos. 40 (*ORF* 174.I)
  ? C. Licinius Macer Calvus (113)⁴ (*ORF* 165.III)
outcome: A
other: *praevicitio?*

*Cic. Att.* 4.16.5, 4.15.4; *Asc.* 18, 19C; *Sen. Con.* 7.4.7
Linderski (1969)

1 See Marshall, *Asconius* 121.
2 For references, see case #283, n. 1.
3 See case #283, n. 2.
4 See case #283, n. 3.

**287**

date: before cases #288 and #289
defendant: C. Messius (2) aed. (cur.?)¹ 55
outcome: A?

*Sen. Con.* 7.4.8

1 See case #289, n. 2.
288

date: before case #289
defendant: C. Messius (2) aed. (cur.?)\(^1\) 55
outcome: A?

Sen. Con. 7.4.8

1 See case #289, n. 2.

289

date: summer 54, in progress on July 27
charge: lex Licinia de sodaliciis (perhaps for misconduct in campaign
for aedileship of 55)
defendant: C. Messius (2) aed. (cur.?)\(^1\) 55, leg. 54
advocates:
   C. Licinius Macer Calvus\(^2\) (113) (ORF 165.VI)
   M. Tullius Cicero (29) cos. 63 (Crawford, Orations 61)
praetor: P. Servilius Isauricus\(^3\) (67) cos. 48, 41
jurors: from *tribus* Maecia, Pomptina, and Velina\(^4\)
outcome: uncertain\(^5\)

Cic. Att. 4.15.9; Sen. Con. 7.4.8

1 See Shackleton Bailey, CLA 2.211-12.
2 See Gruen (*HSCP* 1966) 222. To be precise, we know that Calvus spoke for
   Messius in his third trial; conceivably, Cicero's defense could have
   occurred at one of the two previous trials (see Shackleton Bailey, CLA
   2.211). The case in which Cicero spoke occurred before a trial of Drusus
   (Att. 4.15.9), either #290 or #291. I am grateful to my colleague J.T. Ramsey
   for pointing out this sequence to me.
3 By edict he forced the defendant to return to Rome, although the defendant
   was a legate to Caesar.
4 See Badian (*ZPE* 1984) 104-5.
5 See Gruen, LGRR 316; Badian (*ZPE* 1984) 106.
date: 54 (defendant charged before July 1, rejection of jurors July 3, trial had not yet occurred on July 27)\(^1\)
defendant: M. Livius Drusus Claudianus (19) pr. or iudex 50\(^2\)
advocate: M. Tullius Cicero (29) cos. 63 (Crawford, *Orations* 62)
prosecutors:
  - C. Licinius Macer Calvus (113) (*ORF* 165.V)
  - Lucretius (1) = ? Q. Lucretius (12) sen.
outcome: A\(^3\)

Cic. *Att.* 4.16.5; 4.15.9; 4.17.5; *Q. fr.* 2.16.3; *Tac.* *Dial.* 21.2

1 Though case #291 might be the same as this one, this case is probably distinct. Case #291, involving *praevaticatio*, would probably not have employed the rejection of jurors, but would have used the same jurors as in the original trial (see *lex Acilia* 75 = 82). See Münzer *RE* (1926) 882, Gruen (*HSCP* 1966) 221, and Alexander (1977) 126-28.

2 See Taylor (1964) 23. n. 30.

3 Cicero (*Att.* 4.17.5, written Oct. 1) describes Drusus as having been acquitted, and probably refers to this case rather than case #291, if the two cases are indeed to be distinguished. Drusus' continued career in public life indicates that he was not convicted of any major crime.

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date: 54, after case #290; verdict reached by Aug., on the same day as Cicero's defense of Vatinius, case #292)
charge: *praevaticatio* (perhaps as a result of prosecution in case #283)
defendant: M. Livius Drusus Claudianus (19) pr. or iudex 50
outcome: A (by four votes, senators and *equites* for C, *tribuni aerarii* for A)

Cic. *Q. fr.* 2.16.3; see also *Att.* 4.15.9, 4.17.5

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date: late August 54, defense speech delivered by Cicero occurred on the same day as the verdict was given in case #291
142 The Trials

charge: lex Licinia de sodaliciis (misconduct in campaign for praetorship of 55)¹

defendant: P. Vatinius (3) pr. 55, cos. 47

advocate: M. Tullius Cicero (29)² cos. 63 (Sch. 100)

prosecutor: C. Licinius Macer Calvus (113) (ORF 165.1)

outcome: A

Cic. Fam. 1.9.4 and 19, 5.9.1; Q. fr. 2.16.3; [Sal.] Cic. 7; [Cic.] Sal. 12; V. Max. 4.2.4; Quint. Inst. 6.1.13, 6.3.60, 11.1.73; Asc. 18C; Schol. Bob. 160St; Hieron. Contra Ruf. 3.39

Gruen (HSCP 1966) 219-21

¹ See Schol. Bob. 160St. Since Roman laws could have a retroactive force (Weinrib [1970] 430-31), there is no reason to contradict the scholiast's assertion that he was tried under this law, which was passed in 55, even if the alleged violation of the law had occurred before its passage.

² The contention of Shackleton Bailey, CLF (1.309) that Cicero could not have been both the patronus and laudator of Vatinius is disproved by such a double role in the prosecution of Scaurus (#295) by both Cicero and Hortensius (Asc. 20, 28C).

date: 54, end of August or early September

charge: lex Licinia de sodaliciis (misconduct in campaign for aedileship of 54)

defendant: Cn. Plancius (4) aed. cur. 55? 54?¹

advocates:

Q. Hortensius Hortalus² (13) cos. 69

M. Tullius Cicero (29) cos. 63 (Sch. 39)

prosecutors:

L. Cassius Longinus (65) tr. pl. 44 (subscr.) (ORF 168.1)

M. Iuventius Laterensis (16) pr. 51 (nom. del.) (ORF 167.1)

praetor:³ C. Alfius Flavus (7)

jurors: from tribus Lemonia, Ufentina, Crustumina

outcome: A

other: tribus Maecia rejected as jurors by defendant

Cic. Planc.; Q. fr. 3.1.11; Schol. Bob. 152-69St

Jones (1972) 59; Grimal (1975)
1 Sumner (1971) 249 n. 12 supports a date of 54; in favor of 55 are Taylor (1964) 23 n. 30 and MRR Suppl. 158.
2 See Linderski (PP 1961).
3 He was perhaps *quaesitor* instead. See MRR 2.227 n. 3.

294
date: by 54, before case #295
charge: lex Iulia de repetundis?
defendant: C. Megabocchus (1)
witnesses: Sardinians

*Cic. Scaur.* 40

295
date: 54, *postulatio* July 6, trial ended Sept. 2
charge: lex Iulia de repetundis (misconduct as gov. Sardinia 55)
defendant: M. Aemilius Scaurus (141) pr. 56 (spoke *pro se*, *ORF* 139.III)
advocates:
- M. Calidius (4) pr. 57 (*ORF* 140.IV)
- M. Claudius Marcellus (229) cos. 51 (*ORF* 155.II)
- P. Clodius Pulcher (48) aed. cur. 56 (*ORF* 137.VII)
- Q. Hortensius Hortalus (13) cos. 69 (*ORF* 92.XXXII)
- M. Tullius Cicero (29) cos. 63 (Sch. 40)
- M. Valerius Messalla Niger (266) cos. 61, cens. 55 (*ORF* 124.I)
prosecutors:
- L. Marius (20), = ? Marius (4) q. 50 (subscr.)
- M. Pacuvius Claudius¹ (4) (subscr.)
- Q. Pacuvius Claudius² (5) (subscr.)
- P. Valerius Triarius (367) (nom. del.) (*ORF* 148.I)
praetor: M. Porcius Cato (16)
witnesses:
- Aris (not in RE)
- Valerius (10)
character witnesses:³
- Q. Caecilius Metellus Nepos (96) cos. 57
- L. Calpurnius Piso Caesoninus (90) cos. 58, cens. 50
144 The Trials

Faustus Cornelius Sulla (377) q. 54 (ORF 156.1)
? Cn. Domitius Sincaicus (82)
Q. Hortensius Hortalus (13) cos. 69
L. Marcius Philippus (76) cos. 56
M. Perperna (5) cos. 92, cens. 86
Cn. Pompeius Magnus (31) cos. 70, 55, 52
P. Servilius Vatia Isauricus (93) cos. 79, cens. 55
M. Tullius Cicero (29) cos. 63
L. Volcarius Tullus (8) cos. 66
? boni viri ex Sardinia

supplicatores:

M'. Acilius Glabrio (39)
L. Aemilius Buca (37) monetalis 44
L. Aemilius Lepidus Paullus (81) cos. 50
M. Aemilius Scaurus (141) pr. 56
T. Annius Milo (67) pr. 55
(L.? P.?) Cornelius Lentulus (205)
Faustus Cornelius Sulla (377) q. 54
C. Memmius (9) tr. pl. 54
C. Peducaeus (1) leg. 43
C. Porcius Cato (6) tr. pl. 56?, pr. 55?4
M. (Popillius?) Laenas Curtianus (not in RE)5

outcome: A, four out of twenty-two senators voted C, two out of twenty-three equites did so, and two out of twenty-five tribuni aera-rri did so.

other: Sixty days were granted for inquisitio.

Ten jurors voted that M. and Q. Pacuvius had committed calumnia, and three that L. Marius had done so.

Cic. Scaur.; Att. 4.16.6, 4.15.9, 4.17.4; Q. fr. 2.16.3, 3.1.11 and 16; V. Max. 8.1. abs. 10; Asc. 18-29C; Schol. Amb. 274-76St

1 On the name Claudius (or Caldus?) see Courtney (1961) 151; Gruen, LGRR 333 n. 107; Shackleton Bailey (1975) 442; Rawson (1977) 348-49; and Marshall, Asconius 123-24.

2 See n. 1.

3 Some were not present.

4 For references, see case #283, n. 1.

5 See Shackleton Bailey, Studies 125.
date: 54, postulatio by Sept. 20; nominis delatio Sept. 28; verdict reached on Oct. 23
charge: lex Cornelia de maiestate (restoration of Ptolemy contrary to SC)
defendant: A. Gabinius (11) cos. 58
advocate?: M. Calidius\(^1\) (4) pr. 57
prosecutor: L. Cornelius Lentulus (Cruscellio?) (197) pr. 44
praetor: C. Alfius Flavus (7)\(^2\)
jurors:
- L. Aelius Lamia (75) pr. 42?
- Cn. Domitius Calvinus (43) cos. 53, 40 (voted A)\(^3\)
- C. Porcius Cato (6)\(^4\) tr. pl. 56, pr. 55\(^5\)
witness: M. Tullius Cicero (29) cos. 63 (Crawford, Orations 64)
outcome: 32 votes for C, 38 for A
other: praetoricitio suspected

1 He tried to speak for Gabinius at some public meeting (Q. fr. 3.2.1). Fantham (1975) 433-34 points out that Valerius Maximus (8.1.3) tells of a public disturbance when C. Memmius was accuser, and suggests that, as tr. pl., Memmius led a iudicium populi against Gabinius; contra D.-G. 3.54 n. 4. Possibly, then, Calidius was patronus for Gabinius in at least one trial.
2 He was possibly quaesitor instead. See MRR 2.227 n. 3; Jones (1972) 59, and 128 n. 91.
3 For references, see case #268, n. 3.
5 For references, see case #283, n. 1. There were seventy jurors total, including these three whose names are known.

date: 54, verdict reached Oct. 23, within one hour after verdict in case #296
charge: lex Papia
defendant: Gabinius Antiochus (14)
outcome: C

Cic. Att. 4.18.4
Fasciato (1947)

298
date: 54, charge laid by Oct. 11
charge: lex Tullia de ambitu (misconduct in campaign for consulate of 53)
defendant: C. Memmius (8) pr. 58 (probably spoke pro se) (ORF 125.V)
prosecutor: Q. Acutius (not in RE) =? Q. Curtius (13) or =? Acutius (3) Rufus
outcome: uncertain

Cic. Att. 4.17.3; Q. fr. 2.15.4, 2.16.2, 3.1.16, 3.2.3, 3.3.2, 3.6.3

1 Shackleton Bailey makes this suggestion at CQF 213.
2 See case #320, which is possibly a continuation of this case.

299
date: 54, charge laid by Oct. 11
charge: lex Tullia de ambitu (misconduct in campaign for consulate of 53)
defendant: M. Valerius Messalla Rufus (268) cos. 53
prosecutor: Q. Pompeius Rufus (41) tr. pl. 52
outcome: uncertain
other: M. Tullius Cicero (29) cos. 63 working on behalf of defendant (as patronus?)

Cic. Att. 4.15.7, 4.17.3 and 5; Q. fr. 2.15.4, 2.16.2, 3.1.16, 3.2.3, 3.3.2, 3.6.3

1 See case #329, which is possibly a continuation of this case.
2 See Wiseman (1966) 109; Gruen, LGRR 332; Shackleton Bailey, CQF 214; Crawford, Orations 63.
date: 54, charge laid by Oct. 11
charge: lex Tullia de ambitu (misconduct in campaign for consulate of 53)
defendant: M. Aemilius Scaurus (141) pr. 56
advocate: M. Tullius Cicero (29) cos. 63 (Crawford, Orations 66)
prosecutor: P. Valerius Triarius (367)\(^1\)
outcome: incomplete? (cf. case #319)

Cic. Att. 4.15.7, 4.17.5, 4.18.3, Q. fr. 2.15.4, 3.2.3, 3.6.3; Off. 1.138; Quint. Inst. 4.1.69; see also App. BCiv. 2.24

\(^1\) L. Iulius Caesar (144) leg. 49 was considered as a possible prosecutor (see Att. 4.17.5).

date: 54, charge laid by Oct. 11
charge: lex Tullia de ambitu (misconduct in campaign for 53)
defendant: Cn. Domitius Calvinus (43, cf. 11) cos. 53, 40\(^1\)
prosecutor: C. Memmius (8) pr. 58, or (9) tr. pl. 54\(^2\) (ORF 125.IV)
outcome: condemned? in 52?\(^3\)

Cic. Att. 4.15.7, 4.17.5, 4.18.3; Q. fr. 2.15.4, 2.16.2, 3.1.16, 3.2.3, 3.3.2

\(^1\) For references, see case #268, n. 3.
\(^3\) D.-G. 3.7 n. 11 maintains that there is no evidence that the case was resumed.

date: 54, verdict reached before Nov. 2
defendant: M. Fulvius Nobilior (94) e.R.
outcome: C

Cic. Att. 4.18.3; see also Sal. Cat. 17.4
The Trials

303

date: 54,\(^1\) *divinatio* on Oct. 12
charge: lex Iulia de repetundis (accepting bribes from Ptolemy while gov. Syria 57-54)
defendant: A. Gabinius (11) cos. 58
advocate: M. Tullius Cicero (29) cos. 63\(^2\) (Crawford, *Orations* 65)
prosecutor:\(^3\) C. Memmius (9) tr. pl. 54
praetor: M. Porcius Cato (16)
witnesses: people from Alexandria
outcome: C, exile
other: According to *Q. fr.* 3.2.1, the candidates at the *divinatio* were C. Memmius, Ti. Claudius Nero (254), and C. Antonius (20) pr. 44 and L. Antonius (23) cos. 41.

Cic. *Rab. Post.* 8, 21, 30, 34, 38; *Q. fr.* 3.1.15, 3.2.2; V. Max. 4.2.4, 8.1. abs. 3; Quint. *Inst.* 11.1.73; Plut. *Ant.* 3.2; App. *BCiv.* 2.24; Dio 39.63, 46.8.1; Schol. Bob. 168, 177St

1 As to whether the trial could have continued into 53, see Lintott (1974) 67, and Fantham (1975) 439-40 n. 34 and 443.
2 Dio 46.8.1 records the charge that Cicero committed *praevvaricatio* by pleading the case in such a way that the defendant was condemned.
3 According to *Q. fr.* 3.1.15, the expected prosecutors were L. Cornelius Lentulus (Cruscellio?) (197) pr. 44, Ti. Claudius Nero (*cum bonis subscriptoribus*), and Memmius, with L. Ateius Capito (9: q. by 52, pr. date uncertain) as *subscriptor*.

304

date: 54, charge laid by Oct. 11
charge: lex Tullia de ambitu (misconduct in campaign for consulate of 58?)\(^1\)
defendant: A. Gabinius (11) cos. 58
prosecutors:
  - L. Caecilius Rufus (110) pr. 57 (subscr.)
  - P. Cornelius Sulla (386) (nom. del.) cos. des. 65
  - P. Cornelius Sulla (387) (subscr.), sen.?\(^2\)
  - C. Memmius (9) tr. pl. 54 (subscr.)
outcome: dropped after condemnation of defendant in case #303
The Trials

other: L. Manlius Torquatus (80) pr. 50 or 49 was defeated in the divinatio.

Cic. Att. 4.18.3; Q. fr. 3.2.3, 3.3.2

1 The charge possibly arose from alleged misconduct in a campaign much closer to the date of the trial.
2 See MRR Suppl. 73.

305
date: Dec. 54 to mid-Jan. 53
charge: lex Iulia de repetundis (quo ea pecunia pervenerit) (actions as assistant to A. Gabinius (11), gov. Syria 57-54)
defendant: C. Rabirius Postumus (6) e.R. at time of trial, pr., perhaps in 48
advocate: M. Tullius Cicero (29) cos. 63 (Sch. 41)
prosecutor: C. Memmius (9) tr. pl. 54
witnesses: representative of people of Alexandria
outcome: uncertain

Cic. Rab. Post.; Quint. Inst. 3.6.11, 4.2.10
Fascione (1974)

1 On the procedure, see case #205, and Fantham (1975) 439-40; Ramsey (Phoenix 1980) 330 n. 31
2 See MRR Suppl. 181.
3 The defendant's later career may indicate that he was acquitted. See Von der Mühll, RE 1A (1914) 27-28.

306
date: 52, late Feb. or early intercalary month
claim: actio ad exhibendum to produce servi
defendants:
  T. Annius Milo (67) pr. 55
  Fausta Cornelia (436)
plaintiffs:
  Ap. Claudius Pulcher (298) cos. 38
and Ap. Claudius Pulcher (299) sen.?³
P. Valerius Nepos (278)
and P. Valerius Leo (218)
present for defendants:
  M. Calidius (4) pr. 57
  M. Claudius Marcellus (229) cos. 51
  Faustus Cornelius Sulla (377) q. 54
  Q. Hortensius Hortalus (13) cos. 69 (ORF 92.XXIII)
  M. Porcius Cato (16) pr. 54
  M. Tullius Cicero (29) cos. 63
outcome: uncertain

Asc. 34,⁴ 41

1 See Ruebel (1979) 239.
2 See Ruebel (n. 1 above) 239 n. 20; Lintott (1974) 71. The action was probably a preliminary to an action against the owners of the slaves.
3 See MRR Suppl. 57.
4 See Clark's commentary on the pro Milone, 99, and Marshall, Asconius 173, for discussion of possible emendation and alternative punctuations: L. Herennius Balbus (18) may have been involved in this case, rather than in case #307.

307
date: 52
claim: actio ad exhibendum to produce servi¹
defendants:
  P. Clodius Pulcher (48) aed. cur. 56
  comites of Clodius
plaintiff: L. Herennius Balbus (18) Lupercus 56²

Asc. 34C

1 For a reference, see #306, n. 2.
2 See case #306, n. 4.
date: 52
claim: *actio ad exhibendum* to produce *servi*

**defendants:**
- P. Plautius Hypsaeus (23) pr. by 55?
- Q. Pompeius Rufus (41) tr. pl. 52

**plaintiff:** M. Caelius Rufus (35) tr. pl. 52, pr. 48

*Asc. 34C*
Lintott (1974) 71

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date: 52, Milo charged on March 26, trial on April 4-7/8

charge: *lex Pompeia de vi* (murder of Clodius)

**defendant:** T. Annius Milo (67) pr. 55

**advocates:**
- M. Claudius Marcellus (229) cos. 51
- M. Tullius Cicero (29) cos. 63 (Crawford, *Orations 72*)

**prosecutors:**
- M. Antonius (30) q. 51, cos. 44, 34 (subscr.)
- Ap. Claudius Pulcher (299) sen.? (subscr.)
- P. Valerius Nepos (278) (subscr.)

**quaesitor:** L. Domitius Ahenobarbus (27) cos. 54

**jurors:**
- Q. Petilius (5 or 6)
- M. Porcius Cato (16) pr. 54 (voted A)
- P. Varius (4)

**witnesses:**
- Q. Arrius (8) pr. before 63 = ? Q. Arrius (7) pr. 73
- C. Causinius Schola (1) of Interamna
- C. Clodius (7)
- Fulvia (113)
- M. Porcius Cato (20) pr. 54
- Sempronia (102)
residents of Bovillae (Asc. 40C)
virgines Albanæ (Asc. 40C)

outcome: C, exile to Massilia, and perhaps confiscation; nine senators, thirteen equites, and thirteen tribuni aerarii voted C; six senators, four equites, and three tribuni aerarii voted A.

Cic. Mil.; Liv. Per. 107; Vell. 2.47.4-5; Asc. 30-56; Quint. Inst. 3.6.93, 3.11.15 and 17; 4.1.20; 4.2.25, 4.3.17, 6.3.49, 10.1.23; Plut. Cic. 35; App. BCiv. 2.21-22, 24; Dio 40.54-55.1; Schol. Bob. 111-125St; Schol. Gronov. D 322-323St; see also Cic. Att. 5.8.2-3, 6.4.3, 6.5.1-2

1 On the chronology of this trial and related trials, see Ruebel (1979) 245-47.
2 On the meeting of Clodius and Milo, see Davies (1969); contra Wellesley (1971).
3 Cicero alone spoke for the defense (Asc. 414C), but he, Marcellus, and the defendant cross-examined witnesses.
4 See MRR Suppl. 19-20.
5 For a reference, see case #306, n. 3.
6 Eighty-one jurors were selected; then the prosecution and defense each rejected five from each order. Fifty-one jurors voted.
7 See MRR Suppl. 25 for sources and bibliography on whether these two Arrii are in fact the same person.
8 On their identity see Marshall, Asconius 188-89.

310

date: 52
charge: lex Pompeia de ambitu (misconduct in campaign for consulate of 52)
defendant: T. Annius Milo (67) pr. 55
prosecutors:
  Ap. Claudius Pulcher (298) cos. 38 (nom. del.)
  Ap. Claudius Pulcher (299) sen.? (subscr.)
  Domitius (11) pr.? in 54
  P. Valerius Leo (218) (subscr.)
quaesitor: A. Manlius Torquatus (76) pr. ca 70
outcome: C, praemium offered to nominis delator
other: C. Ateius Capito? (7, = ? C. Ateius [3]) tr. pl. 55 (subscr.), and L. Cornificius (4) sen.? rejected in divinatio.
The charge was laid March 26; *divinatio* took place between March 27 and April 3, and the verdict was reached on April 8 or 9; see Ruebel (1979) 243.

For a reference, see case #306, n. 1.


Ap. Claudius Pulcher (298) was offered a reward for his successful prosecution, but refused it.

Other conjectures as to the correct reading are C. Cethegus (90), Q. Patulcius (2).

See Syme (CP 1955) 134 and MRR Suppl. 76.

date: 52¹

charge: lex Liciana de sodaliciis (misconduct in campaign for consulate of 52)

defendant: T. Annius Milo (67) pr. 55

prosecutor: P. Fulvius Neratus (89)

*quaesitor*: M. Favonius (1) aed. 53 or 52,² pr. 49

outcome: C, prosecutor received *praemium*

The charge was laid on March 26, and the verdict reached on April 11 or 12; see Ruebel (1979) 243, 247.

See MRR 2.240 n. 2, Suppl. 90.

date: 52, verdict reached on April 11 or 12

charge: lex Plautia de vi (murder of Clodius)

defendant: T. Annius Milo (67) pr. 55

prosecutors:

L. Cornificius (4) sen.?¹

Q. Patulcius (2)

*quaesitor*: L. Fabius (22)

outcome: condemned in absence
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Asc. 54C

1 For references, see case #310, n. 6.

313

date: 52, on or after ca April 12
charge: lex Pompeia de vi (participation in murder of P. Clodius Pulcher [48] aed. cur. 56)
defendant: M. Saufeius (6)
advocates:
  M. Caelius Rufus (35) tr. pl. 52, pr. 48 (ORF 162.V)
  M. Tullius Cicero (29) cos. 63 (Crawford, Orations 73)
prosecutors:
  L. Cassius Longinus (65) tr. pl. 44
  L. Fulcinius (3)
  C. Valerius (52)
outcome: A, twenty-six for A, twenty-five for C (for C, ten senators, nine equites, and six tribuni aerarii; for A, eight senators, eight equites, and ten tribuni aerarii)

Asc. 55C

314

date: 52, on or after ca April 18
charge: lex Plautia de vi (participation in murder of Clodius)
defendant: M. Saufeius (6)
advocates:
  M. Terentius Varro Gibba (89) tr. pl. 43
  M. Tullius Cicero (29) cos. 63 (Crawford, Orations 74)
prosecutors:
  Cn. Aponius (4)
  C. Fidius (1)
  M. Seius¹ (4) e.R.
quoesitor?² Considius (2), = either C. Considius Longus (11) pr. by 54 or M. Considius Nonianus (13) propr. 49³
outcome: A (thirty-two for A, nineteen for C; tribuni aerarii mainly for C)
Asc. 55C

1 See Shackleton Bailey, Studies 65.
2 Mommsen, StR. 23.584 argues that the quaedstio de vi was always presided over by a quaesitor, never a praetor; see also Linderski (1972) 195-96, n. 59.

315
date: 52, after April 22
charge: lex Pompeia de vi (movement of Clodius' body into curia)
defendant: Sex. Cloelius (Clodius 12)¹
advocate: T. Flacconius (1)
prosecutors:
   M. Alfidius (Aufidius 9?)²
   C. Caesennius Philo (11)
outcome: C (46 votes for condemnation; five for acquittal: two senators, three equites)

Asc. 55-56C

1 See Shackleton Bailey, Studies 17.
2 He does not have the cognomen 'Lurco.' See Wiseman (1965) 334, Linderski (1974) 478-80, and MRR Suppl. 14.

316
date: 52?¹
charge: lex Pompeia de vi²
defendant: P. Cornelius Dolabella (141) cos. suff. 44
advocate: M. Tullius Cicero (29) cos. 63 (Crawford, Orations 76)
outcome: A³

Cic. Fam. 3.10.5; see also Fam. 6.11.1; Phil. 11.9

1 The trial occurred before Cicero's departure for Cilicia in 51. See Gruen LGRR 526.
D.-G. 6.85 n. 9 maintains that the defendant was charged with 'Mord.' But *Phil.* 11.9 is too vague to determine the nature of the charge.

Crawford, *Orations* 225 points out that the defendant's prosecution of Appius in 50 (case #344) shows that he was acquitted in this trial.

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*317*

date: 52\(^1\)
charge: perhaps for lex Scantinia\(^2\) (perhaps for pederasty)
defendant: P. Cornelius Dolabella (141) cos. suff. 44
advocate: M. Tullius Cicero (29) cos. 63 (Sch. 109)
outcome: A\(^3\)

*Cic. Fam.* 3.10.5; see also *Fam.* 6.11.1; *Phil.* 11.9

2 D.-G. (6.85 n. 9) maintains that the defendant was charged with pederasty ('Knabenschänderei'). But the evidence is too vague. See case #316, n. 2 on the passage from the *Philippics*.
3 See case #316, n. 3.

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*318*

date: 52
defendant: T. Fadius\(^1\) (9) tr. pl. 57\(^2\)
outcome: C, by one vote

*Cic. Fam.* 5.18

1 His *cognomen* is probably not 'Gallus'; see Shackleton Bailey (1962) and *Studies* 38, and *MRR* Suppl. 89.
2 Shackleton Bailey, *CLF* 1.350 suggests that he became aedile and/or praetor 55-53.

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*319*

date: 52
charge: lex (Pompeia?) de ambitu (campaign for consulate of 53)\(^1\)
defendant: M. Aemilius Scaurus (141) pr. 56
advocate: M. Tullius Cicero (29) cos. 63 (Sch. 108)
prosecutor: C. Valerius Triarius (365) praef. class. 49-48 = ? P. Valerius Triarius (367)²
outcome: C

Cic. Off. 1.138; Quint. 4.1.69; App. BCiv. 2.24; see also Cic. Att. 4.17.5; Q. fr. 3.2.3; Brut. 324

1 This case is perhaps a continuation of case #300.

320

date: 52
charge: lex (Pompeia?) de ambitu (misconduct in campaign for consulate in 53)¹
defendant: C. Memmius (8) pr. 58
outcome: C, exile in Athens

Cic. Fam. 13.1.1; App. BCiv. 2.24

1 This case is perhaps a continuation of case #298.

321

date: 52, after case #320, before defendant takes office in August
charge: lex Pompeia de ambitu (misconduct in campaign for consulate of 52)
defendant: Q. Caecilius Metellus Pius Scipio Nasica (99) cos. 52
prosecutors: C. Memmius (9)¹ tr. pl. 54 and one other prosecutor
outcome: dropped (cf. case #301, n. 2)

V. Max. 9.5.3; Asc. 30C; Plut. Cat. Min. 48.4; Pomp. 55.4; Tac. Ann. 3.28; App. BCiv. 2.24; Dio 40.51.3, 40.53.1-2

1 He was attempting to be restored to civic status after his condemnation
(see case #320) by successful prosecution; see Mommsen, Strafr. 509 n. 4; Alexander (1985) 29.

322

date: 52
charge: lex Pompeia de ambitu (misconduct in campaign for consulate of 52)
defendant: P. Plautius Hypsaeus (23) pr. by 55?
outcome: C

V. Max. 9.5.3; Asc. 30C; Plut. Pomp. 55.6; App. BCiv. 2.24; Dio 40.53.1

323

date: 52 (same time as case #324)
charge: lex Pompeia (de ambitu?) (perhaps for misconduct during campaign for praetorship of 55)
defendant: P. Sestius (6) tr. pl. 57, pr. perhaps by 54\(^1\)
advocate: M. Tullius Cicero (29) cos. 63 (Crawford, Orations 75)
outcome: A?\(^2\)

Cic. Att. 13.49.1; Fam. 7.24.2; App. BCiv. 2.24

1 For a reference, see case #270, n. 1.
2 Appian has C for a 'Sextus.' But Sestius went on to serve as governor in 49. See Gruen, LGRR 349 n. 186.

324

date: 52, same time as case #323
defendants?: sons of Cn. Octavius (23?)
plaintiff?: Phamea (1)
other: M. Tullius Cicero (29) cos. 63 was to have spoken for Phamea, but failed to do so because of a commitment to speak for Sestius (case #323).

Cic. Att. 13.49.1; Fam. 7.24.2
325

date: possibly before case #327, certainly just before case #326
defendant: Munatius (1), perhaps the same as T. Munatius Plancus Bursa (32) tr. pl. 52
advocate: M. Tullius Cicero (29) cos. 63 (Crawford, Orations 78)
outcome: A

Plut. Cic. 25.1

1 Case #327 is a terminus ante quem only if Munatius (1) is the same person as Munatius (32).

326

date: possibly before case #327, just after case #325
defendant: Sabinus (1)
prosecutor: Munatius (1), perhaps the same as T. Munatius Plancus Bursa (32) tr. pl. 52

Plut. Cic. 25.1

1 See case #325, n. 1.

327

date: between Dec. 10, 52 and end of Jan. 51, after case #325
charge: lex Pompeia de vi (activities as tr. pl. 52, burning of senate house)
defendant: T. Munatius Plancus Bursa (32) tr. pl. 52
prosecutor: M. Tullius Cicero (29) cos. 63 (Crawford, Orations 79)
juror: M. Porcius Cato (16) pr. 54
outcome: C, exile to Ravenna
other: Cato prevented Cn. Pompeius Magnus (31) cos. 70, 55, 52 from delivering a laudatio

Cic. Fam. 7.2.2-4, 8.1.4; Phil. 6.10, 13.27; V. Max. 6.2.5; Plut. Cato Min. 48.4; Pomp. 55.4; Dio 40.55
1 See Gruen, *LGRR* 346 n. 172, and Shackleton Bailey, *CLF* 1.351. The trial must have occurred after the defendant's tribunate, although Plut. *Pomp.* 55.6 says that it occurred before trial #322.

2 He was rejected after the trial had begun.

328
date: by May 51
charge: lex Pompeia de vi (activities as tr. pl. 52, burning of senate house)
defendant: Q. Pompeius Rufus (41) tr. pl. 52
prosecutor: M. Caelius Rufus (35) pr. 48 (*ORF* 162.VI)
outcome: C, exile to Bauli

Cael. apud Cic. *Fam.* 8.1.4; V. Max. 4.2.7; Dio 40.55.1

329
date: by June 51
charge: lex Pompeia de ambitu (misconduct in campaign for consulate of 53)
defendant: M. Valerius Messalla Rufus (268) cos. 53
advocate: Q. Hortensius Hortalus (13) cos. 69 (*ORF* 92.XXIV)
outcome: A by three votes (by one vote in each order)

Cic. *Brut.* 328; Cael. apud Cic. *Fam.* 8.2.1, 8.4.1; Cic. *Att.* 5.12.2; V. Max. 5.9.2

1 This case may be a continuation of case #299.

330
date: 51, just before case #333, charged before Aug. 1, verdict before Sept. 2
charge: lex Pompeia de ambitu (misconduct in campaign for consulate of 50)
defendant: M. Calidius (4) pr. 57, spoke pro se (*ORF* 140.VI)
prosecutor:

M. Gallius (5) pr. by 45
or Q. Gallius (7) (Axianus?) pr. 43

outcome: A

Cael. apud Cic. Fam. 8.4.1, 8.9.5

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1 See Sumner (1971) 366-67 n. 55, and MRR Suppl. 98.

331

date: by Aug. 1, 51
charge: lex Licinia de sodaliciis (misconduct in campaign for consulate 53)
defendant: M. Valerius Messalla Rufus (268) cos. 53
outcome: C, payment of fine

Cael. apud Cic. Fam. 8.2.1, 8.4.1; Brut. 328; V. Max. 5.9.2
D.-G. 3.7 n. 11

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332

date: by Aug. 1, 51
charge: lex Pompeia de ambitu (misconduct in campaign for tr. pl. 50)
defendant: Servaeus (3) tr. pl. des. for 50 = ? Servius Pola (5)
outcome: C

Cael. apud Cic. Fam. 8.4.2

1 So Münzer RE 2A (1923) 1754; Shackleton Bailey (1970) 165.
2 Shackleton Bailey, CLF 1.390 argues that this is not Servius Pola (5), since the latter went on to prosecute under the lex Scantinia (case #347). Note, however, that it was possible for those convicted of ambitus to prosecute others on that charge; the possibility should also be entertained that a man condemned for ambitus could conduct a prosecution under another law not relating to ambitus.
333
date: mid Sept. 51  
charge: lex Pompeia de ambitu (campaign for consulate of 50)  
defendant: C. Claudius Marcellus (216) cos. 50  
prosecutor: M. Calidius (4) pr. 57  
outcome: A

Cic. Fam. 8.9.2, 5
Shackleton Bailey (1970) 165

334
date: mid-Sept. to mid-Oct. 51, before case #335  
charge: lex Plautia de vi? or lex Cornelia de injuriis?  
defendant: C. Sempronius Rufus (79) mag.-des.?  
prosecutor: M. Tuccius (6) (Galeo?)  
outcome: C and exile?  

Cael. apud Cic. Fam. 8.8.1; see also Att. 14.14.2

1 See Lintott (1968) 122 n. 2.  
2 See Mommsen, Strafr. 399 n. 1.  
3 That the defendant was mag. des. is a suggestion made by Weinrib (1971) 149 n. 8.  
4 Broughton MRR 2.465 claims that the defendant was in the Senate by 44; this would suggest that he had been acquitted in this trial. There are two pieces of evidence which are said to support this view. First, according to Porphyrius on Hor. Sat. 2.2.50, the defendant at some time reached the praetorship, and second, Cic. Fam. 12.29.2 refers to a Sempronianum SC. However, Badian (PACA 1968) 4 n. 18, following Mommsen StR. 3.997 and 1012, points out that this sort of phrase cannot necessarily be interpreted for the Republican period as implying that the named individual was author of the SC or presiding magistrate when it was passed. Rather, as Mommsen points out, this sort of phrase could refer to the individual affected by the SC, and therefore, as CLF 2.514 notes, could refer to a decree recalling Sempronius from exile. Indeed, Cic. Att. 14.14.2 seems to refer to such a recall from exile. A guilty verdict in this trial could have been the cause of exile. The scholiast, then, would have made an error resulting
from the problematic reading of the passage from Horace (on which see Münzer, RE 2A [1923] 1436-37).

335
date: mid-Sept. to mid-Oct. 51
charge: lex Plautia de vi\(^1\)
defendant: M. Tuccius (6) (Galeo?)
advocate?: M. Caelius Rufus (35) pr. 48 (ORF 167.VII), but he may have been a character witness instead.
prosecutor: C. Sempronius Rufus (79) mag.-des.?\(^2\)
outcome: A
other: *calumnia* believed by some

Cael. apud Cic. *Fam.* 8.8.1; see also *Att.* 6.2.10

1 On the basis of material found in the shipwreck off the island of Planier, D'Arms (1981) 48-55 speculates that the Vestorius mentioned by Caelius Rufus was a partner in a shipping venture with the *accusator* and *reus*, and that their disagreement may have stemmed from a dispute over the share of damages resulting from the shipwreck.

2 See case #334, n. 3.

336
date: over by Oct. 51
charge: lex Iulia de repetundis (misconduct as gov. Asia, 55-53)
defendant: C. Claudius Pulcher (303) pr. 56
praetor: M. Iuventius Laterensis (16)
outcome: C, *litis aestimatio*, exile

*Cic.* *Fam.* 8.8.2

337
date: begun by Oct. 51
charge: lex Iulia de repetundis, *quo ea pecunia pervenerit* (possession of funds extorted by C. Claudius Pulcher)\(^1\)
defendant: M. Servilius (20) = ? M. Servilius (21) tr. pl. 43\(^2\)
advocate: M. Caelius Rufus (35) aed. cur. 50, pr. 48
prosecutor: Pausanias (13)
praetor: M. Iuventius Laterensis (16)
outcome: praetor refused to accept case

Cic. *Fam.* 8.8.2

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1 See case #336. On the procedure, see case #205.
2 Münzer *RE* 2A (1923) 1766 argues that they may be identical, but Douglas, *Brutus* 197 and Sumner, *Orators* 146 show that they cannot be, since the orators listed in the *Brutus* were dead by 46.

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338
date: *divinatio* by Oct. 51, trial not over at end of #339
charge: lex Iulia de repetundis
defendant: M. Servilius (20) sen.? = ? M. Servilius (21) tr. pl. 43\(^1\)
advocate?: M. Caelius Rufus (35) aed. cur. 50, pr. 48
prosecutor: Q. Pilius Celer (2)
praetor: M. Iuventius Laterensis (16)

Cic. *Fam.* 8.8.2-3; *Att.* 6.3.10

1 See case #337, n. 2.

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339
date: *divinatio* by Oct. 51
charge: lex Iulia de repetundis, (possibly *quo ea pecunia pervenerit*; regarding funds deposited with the defendant *praevaricationis causa* in case #336)
defendant: M. Servilius (20) sen.? = ? M. Servilius (21) tr. pl. 43\(^1\)
prosecutor: Ap. Claudius Pulcher (299) sen.?\(^2\)
praetor: M. Iuventius Laterensis (16)
jurors: same as in *litis aestimatio* of case #336
outcome: tie vote, A?³

*Cic. Fam.* 8.8.3

1 See case #337, n. 2.
2 For a reference, see case #306, n. 3.
3 There was some confusion as to whether the defendant was actually acquitted, or whether there was no decision.

340
date: begun by Oct. 51
charge: *lex Iulia de repetundis*
defendant: Ap. Claudius Pulcher (299) perhaps sen.¹
prosecutors: Servilii²

*Cic. Fam.* 8.8.3

1 For a reference, see case #306, n. 3.
2 The prosecutors were presumably M. Servilius (20) sen.? = ? M. Servilius (21) tr. pl. 43 (see case #337, n. 2), and relatives.

341
date: 51, charge laid by October
charge: *lex Pompeia de vi*
defendant: Ap. Claudius Pulcher (299) sen.?¹
prosecutor: uncertain²

*Cael. apud Cic. Fam.* 8.8.3

1 For a reference, see case #306, n. 3.
2 The prosecutor was probably not Sex. Tettius (4). See Shackleton Bailey, *CLF* 1.401.
342

date: 50, perhaps Feb?
claim: civil suit
plaintiff: L. Custidius\(^1\) (1, RE Supp. I)
urban praetor: C. Titius Rufus (37)

Cael. apud Cic. *Fam.* 13.58

1 The plaintiff's *nomen* may instead have been Cuspidius. See *CLF* 1.479.

343

date: 50, perhaps March?
party: M. Fabius\(^1\) Gallus (Fadius 6)
party: Q. Fabius Gallus (Fadius 8)
advocate?: M. Caelius Rufus (35) aed. cur. 50, pr. 48
peregrine? praetor?: M. Curtius Peducaeanus (23)

*Fam.* 2.14, 9.25.3, 13.59

1 See Shackleton Bailey (1962) 195-96 and *CLF* 1.417.
2 See Shackleton Bailey, *CLF* 1.417, 480; *MRR* Suppl. 79.

344

date: 50, prosecuted by Feb., verdict reached close to April 5)
charge: lex Cornelia de maiestate (misconduct as gov. Cilicia 53-51?
got to province without lex curiata? remained in province too long)\(^1\)
defendant: Ap. Claudius Pulcher (297) cos. 54, cens. 50
prosecutor: P. Cornelius Dolabella (141) cos. suff. 44
outcome: A

*Fam.* 3.11.1-3; Cael. apud Cic. *Fam.* 8.6.1

1 Auct. *Vir. Ill.* 82.4 gives the charge as *repetundae.*
date: 50, verdict reached by late May
charge: lex Pompeia de ambitu (misconduct in election for office [censorship of 50?])
defendant: Ap. Claudius Pulcher (297) cos. 54, cens. 50
advocates:
  Q. Hortensius Hortalus (13) cos. 69 (ORF 92.XXV)
  M. Iunius Brutus (53) pr. 44 (ORF 158.III)
prosecutor: P. Cornelius Dolabella (141) cos. suff. 44
outcome: A

Cic. Fam. 3.11.2, 3.12.1; Brut. 230, 324

1 See Sumner, Orators 122-23 on the chronology of this trial and of #344, and on the reasons for assigning the defense by Hortensius and Brutus to this trial rather than to the preceding one.

date: 50, charge laid by Aug. 8
charge: uncertain
defendant: Cn. Sentius Saturninus (Appuleius 27) q. or leg. 68-67, sen. by 54
prosecutor: Cn. Domitius Ahenobarbus (23) cos. 32

Cael. apud Cic. Fam. 8.14.1; see also V. Max. 9.1.8

1 Shackleton Bailey, CLF 1.431 suggests that the defendant was one of Curio's friends convicted for vis in support of M. Antonius (30) cos. 44, 34. See Cic. Phil. 2.4.
2 The defendant was not an Appuleius; see Syme's two articles (Historia 1964) 121-22, 162 = RP 2.600-1, 611; Shackleton Bailey, CLF 1.431.

date: 50, after ludi Romani of Sept. 19
charge: lex Scantinia
defendant: M. Caelius Rufus (35) aed. cur. 50, pr. 48
prosecutor: Sevius or Servius¹ (Servius 5) Pola
praetor: M. Livius Drusus Claudianus (19)²


1 On this *nomen*, see Shackleton Bailey, *Studies* 66.
2 He may instead have been a juror. The phrase *apud Drusum fieri* (*Fam.* 8.14.4) could refer to either a praetor or a juror, probably the former.

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348

date: Sept. 50
charge: lex Scantinia
prosecutor: M. Caelius Rufus (35) aed. cur. 50, pr. 48
praetor: M. Livius Drusus Claudianus (19)¹

Cael. apud Cic. *Fam.* 8.12.1 and 3, 8.14.4

1 See #347, n. 2 above.

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349

date: 50
charge: lex Pompeia? de vi
defendants: friends of C. Scribonius Curio (11) tr. pl. 50

*Cic. Phil.* 2.4

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350

date: 50
defendant: Sex. Peducaeus (6) pr.? ca 49?
outcome: A

Cael. in Cic. *Fam.* 8.14.1
date: Sept. 50
claim: failure of defendant as censor to keep a sacellum, which was on
his property, open to the public¹
plaintiff: M. Caelius Rufus (35) aed. cur. 50, pr. 48

Cic. Fam. 8.12.3; see also Liv. 40.51.8

¹ On the prosecution of censors, see Courtney (1960) 99, Shackleton Bailey

Trials of Indefinite Date

date: 136?¹
claim: actio de iniuriis (ne quid infamandi causa fiat, libel of Accius)
plaintiff?: L. Accius (1)
juror?: P. Mucius Scaevola (17) cos. 133
outcome: C

ad Her. 1.24, 2.19

¹ See Münzer RE 16 (1933) 426, MRR 1.488 n. 3.

date: late second century
claim: actio de iniuriis (ne quid infamandi causa fiat, libel of Lucilius)
plaintiff?: C. Lucilius (4)
juror: C. Coelius Caldus (12) cos. 94
outcome: A

ad Her. 2.19
The Trials

354
date: late second century
claim: civil suit (inheritance from a man with two wives)
Cic. de Orat. 1.183

355
date: uncertain
charge: lex Calpurnia (or Iunia) de repetundis
defendant: Livius Salinator (30)
outcome: A
App. BCiv. 1.22
Richardson (1987) 12

1 Appian places the defendant's name between that of Aurelius Cotta (case #9) and M'. Aquillius (case #23). Münzer, RE 1A (1920) 1903, takes this arrangement as chronological, thus dating the trial between 138 and 126. But Appian might not be using chronological order; in that case, one could date the trial merely to the years 149-123. See Gabba, Appian ad loc.

356
date: after 106? after the enactment of lex Servilia (of Glaucia or Caepio)
charge: lex Servilia (Glauciae?) de repetundis
defendant: C. Cosconius (not in RE)
prosecutor: Valerius Valentinus (372)
outcome: A
V. Max. 8.1. abs. 8
Cichorius, Untersuch. Lucil. 343-45, Gruen, RPCC 302

1 The trial might have taken place in the 80s, when C. Cosconius (3) was active in the Social War (Cic. Leg. 89; see Münzer, RE 4 [1901] 1668). However, the prosecutor can perhaps be linked to legislation ridiculed by the circle of Opimius, who was banished in 109 (case #53). Therefore, a date in
171 The Trials

the last years of the second century is likely; see Volkmann RE 8A (1955) 236-37.

2 See Cosconius (3) pr. 89, promag. 78-76?, and Münzer RE 4 (1901) 1668, and RE Supp. 3 (1918) 262.

357
date: sometime within ca 104 to 81
charge: lex Servilia (Glauciae?) de repetundis
被告: T. Caelius (not in RE) sen.?
检察官: L. Cossinius (1, = ? 2) of Tibur, pr. 73?
结果: C, prosecutor received reward of citizenship

Cic. Balb. 53; see also 54

1 Gruen, RPCC 301 points out that Balb. 54 implies that the two trials mentioned in Balb. 53 occurred under a lex Servilia, since it is implied that the lex Licinia et Mucia of 95 might have affected part of it. Tibiletti (1953) 74 n. 2 points out that this would most naturally be not the extinct lex Servilia Caepionis but the lex Servilia Glauciae. But the point is vexed. See Alexander (1977) 64-66, n. 22. For the view that it is the lex Servilia Caepionis, see Badian (1954); contra Levick (1967). See also Sherwin-White (1972) 96-97, Griffin (CQ 1973) 123-26.

2 See Badian (1961) 493, who argues from the status of Caelius as a defendant in an extortion suit that he was probably a senator.

3 See MRR Suppl. 77.

358
date: sometime within ca 104 to 81
charge: lex Servilia (Glauciae?) de repetundis
被告: C. Papirius Masso (59) sen.
检察官: T. Coponius (8) of Tibur
结果: C, prosecutor received reward of citizenship

Cic. Balb. 53, see also 54
Gruen, RPCC 301

1 See case #60, n. 1.
2 See case #357, n. 1.
3 Broughton MRR Suppl. 154 suggests that the prosecutor's admission to citizenship may show that the defendant was a senator. See also Badian (1961) 493.

359

date: by 91
advocate?: L. Marcius Philippus (75) cos. 91, cens. 86 (ORF 269, #16)
juror: L. Aurifex (1) e.R.
witness: uncertain

Cic. de Orat. 2.245

1 See Nicolet, Ordre équestre 2.798.
2 A pusillus is mentioned by Cicero as a witness.

360

date: by 91
claim: apud centumviro (issue unknown)
party: fratres (Cornelii?) Cossi (110a)
advocate (for Cossi): C. Scribonius Curio (10) cos. 76, cens. 61 (ORF 86.II)
advocate (against Cossi): M. Antonius (28) cos. 99, cens. 97 (ORF 65.VIII)

Cic. de Orat. 2.98
Münzer RE Supp. 1 (1903) 328

1 For a reference, see case #82, n. 3.

361

date: by 91
claim: civil suit (obstruction of daylight to house purchased by plaintiff)
defendant: M. Buculeius (1)
plaintiff: L. Fufius (5) tr. pl. 91 or 90

Cic. *de Orat.* 1.179
Roby (1886) 67-75

1 See case #84, n. 3.

362

date: by 91
claim: civil suit (sale of house with undisclosed servitude [easement])
defendant: M. Marius Gratidianus (42) pr. 85?, 82 II ?
advocate (for Marius): M. Antonius (28) cos. 99, cens. 97 (ORF 65.IX)
plaintiff: C. Sergius Orata (33)
advocate (for Orata): L. Licinius Crassus (55) cos. 95, cens. 92 (ORF 66.X)

Cic. *de Orat.* 1.178; Off. 3.67
Münzer *RE* 2A (1923) 1713-14

1 On defendant's name see Shackleton Bailey, *Studies* 122. On the date of his praetorships, see Sumner, *Orators* 118-19.

363

date: by 91
claim: *apud centumviro* (inheritance by patron from an exile from an allied state)

Cic. *de Orat.* 1.177

364

date: by 91
claim: *apud centumviro* (dispute between plebeian Claudii Marcelli and patrician Claudii from other families over inheritance from a freedman's son)
Cic. *de Orat.* 1.176
Wilkins, *de Oratore* ad loc.

365

date: by 91
claim: civil suit (suit over use of public water)
defendant: C. Sergius Orata (33)
advocate (for Orata): L. Licinius Crassus (55) cos. 95, cens. 92 (*ORF* 66.XIII)
plaintiff: Considius (1)

V. Max. 9.1.1
Münzer *RE* IIA (1923) 1713

366

date: by 91
claim: civil suit?
party: C. Visellius Aculeo (1) e.R.
advocate (for Aculeo): L. Licinius Crassus (55) cos. 95, cens. 92 (*ORF* 66.XI)
party: M. Marius Gratidianus (42) pr. 85? 82 II ?¹
advocate (for Marius): L. Aelius Lamia (74)
juror: M. Perperna (5) cos. 92, cens. 86

Cic. *de Orat.* 2.262, 269

¹ See case #362, n. 1.

367

date: uncertain¹
charge: *parricidium* (murder of T. Cloulius *monetalis* 128)
defendant: T. Cloelius of Tarraco = T. Cloulius (*monetalis* 98, q. ca 95),
and either is the same as or is the brother of the Cloelius mentioned
in Plut. *Pomp.* 7.1 (Cloelius 5) e.R.?.
outcome: A
Cic. S. Rosc. 64; V. Max. 8.1. abs. 13

1 On the defendant's name, see Wiseman (CR 1967). See Tuplin (1979) and Cloud (1971) 46; Cloud suggests a date in the early 90s. Cicero places the trial non ita multis ante annis in relation to the trial of Roscius (case #129).

368
date: in 80 or in early 70s after case #129 and before Cicero's trip east
charge: lex Cornelia de sicariis et veneficis (murder of C. Varenus and Salarius; wounding of Cn. Varenus)
defendant: L. Varenus (3)
advocate: M. Tullius Cicero (29) cos. 63 (Sch. 60)
prosecutors:  
  ? C. Ancharius Rufus (6) of Fulginium (nom. del.?)1  
  C. Erucius (2) e.R.?
outcome: C

Quint. Inst. 4.1.74, 4.2.26, 5.10.69, 5.13.28, 6.1.49, 7.1.9 and 12, 7.2.10, 7.2.22, 7.2.36, 9.2.56; Plin. Ep. 1.20.7; Prisc. xii (29 595K)

1 Cicero attempted to attribute the crimes to the slaves of Ancharius. Klebs, RE 1 (1894) 2102 suggests that Ancharius was a prosecutor. However, it would appear from Quintilian's discussion (7.2.10) that Cicero's strategy was taken as an example of transferring blame from the defendant to someone outside the trial, rather than a retorsio criminis to a prosecutor.

369
date: perhaps by 83
charge: challenge to citizenship
praetor: L. Cornelius Lentulus (194, cf. 195)

Cic. Arch. 9
date:  long before 67
defendant: Attidius (Atidius 2) sen.
outcome: C, exile, fled to Mithridates

App. Mith. 90

371

date:  80s? 60s?
charge: iudicium populi? before comitia tributa (attempted purchase of matron's sexual services)
defendant: Cn. Sergius Silus (38)¹
prosecutor: Q. Caecilius Metellus Celer (85) tr. pl. 90, aed.? 88?²
outcome: C, pecuniary penalty

V. Max. 6.1.8
MRR 2.41 and 45, n. 5, Gruen, RPCC 300-1, Jones (1972) 6, 15

¹ The defendant is perhaps the same as Cn. Sergius (9).
² The prosecutor was probably functioning in his capacity as aedile (Mommsen, StR. 2.493). Another possible aedile with this name is Q. Caecilius Metellus Celer (86) tr. pl. ? 68?. aed. pl. 67?, cos. 60. Sumner, Orators 132-33 and Broughton MRR Suppl. 37 suggest that the earlier Metellus Celer is more likely magistrate.

372

date: between 81 and 43
witness?: Octavius (not in RE)
advocate: M. Tullius Cicero (29)

Plut. Cic. 26.4
373
date: between 81 and 43
advocate: M. Tullius Cicero (29) cos. 63
witness: P. Consta (1)

Plut. Cic. 26.6

374
date: between 81 and 43
advocate: M. Appius? Oppius? (not in RE)
advocate (opposing): M. Tullius Cicero (29) cos. 63

Plut. Cic. 26.7

375
date: between 81 and 43
charge: parricidium (poisoning of father)
defendant: adulescens
advocate (opposing): M. Tullius Cicero (29) cos. 63

Cic. Plut. 26.5

376
date: 70s
defendant: Cn. Decidius (or Decius?), Samnis (1)
advocate: C. Iulius Caesar (131) cos. 59, 48, 46, 45, 44 (ORF 121.XIII)

Cic. Clu. 161; Tac. Dial. 21.6

377
date: by 74
defendant: M. Seius (3) aed. cur. 74
outcome: C

Cic. Planc. 12; see also Plin. Nat. 15.2

378

date: uncertain
charge: perhaps *de repetundis*¹
defendant: L. Calpurnius Piso Frugi (98) pr. 74² or L. Calpurnius (98?)
gov. Asia ca 100? ca. 97?³
prosecutor: (L.?) Claudius Pulcher (not in *RE*)
outcome: A

V. Max. 8.1. abs. 6

1 Syme (1956) 134 = RP 1.303 tentatively refers this case to case #48.
3 See Sumner (*GRBS* 1978) 151-53; *MRR* Suppl. 48; and also Syme *Historia*
  (1955) 58 = RP 1.277.

379

date: by 64
charge: capital charge
defendant: L. Sergius Catilina (23) pr. 68
prosecutor: Licinius (not in *RE*)

Asc. 93¹

1 The reading of the Ciceronian lemma is vexed; see Marshall, *Asconius* 316.

380

trial uncertain¹

date: 60s
charge: capital charge
defendant: A. Gabinius (11) cos. 58
advocate: M. Tullius Cicero (29) cos. 63
Cic. Red. Pop. 11

1 Gruen, LGRR 527 doubts the existence of the trial; see also Guerriero (1936) for doubts on the authenticity of the Post reditum ad populum.

381
date: sometime within late 60s to early 50s
charge: lex Plautia de vi¹
defendant: (C.?) Caesernius (not in RE)
outcome: C

Cic. Cael. 71

1 Austin Pro Caelio ad loc. and Lintott (1968) 112 are right that the trial was held under a vis law, pace Gruen, LGRR 286 n. 103. Lintott suggests a date of 62.

382
date: sometime within late 60s to early 50s
charge: lex Plautia de vi¹
defendant: M. Camurtius (not in RE)
outcome: C

Cic. Cael. 71

1 See case #381, n. 1.

383
defendant: C. Sallustius Crispus (10) pr. 46

[Cic.] Sal. 15-16
date: sometime between 80 and 50
defendant: Maesia (10) of Sentinum, spoke pro se
praetor: L. Titius (14)
outcome: A (in first actio) by almost all votes

V. Max. 8.3.1

385

date: during or after 65 and by 56\textsuperscript{1}
charge: lex Papia
defendant: M. Cassius (not in RE)
prosecutors: Mamertini
outcome: prosecution ended when verdict favorable to defendant obvious

Cic. Balb. 52

1 I.e. the terminus post quem is established by the passage of lex Papia, and the terminus ante quem by the date of the pro Balbo.

386

date: by 48\textsuperscript{1}
charge? claim?: parricidium? iudicum privatum?
defendant: C. Popillius Laenas (16) tr. mil. 43
advocate: M. Tullius Cicero (29) cos. 63 (Sch. 118)
outcome: A

V. Max. 5.3.4; Sen. Con. 7.2.8; App. BCiv. 4.20; Plut. Cic. 48.1; Dio 47.11.1

1 The terminus ante quem is established by the date of death of Caelius, who urged Cicero to appear (V. Max. 5.3.4).
date: between 54 and 44
witness: P. Servilius Vatia Isauricus (93) cos. 79, cens. 55
outcome: C

V. Max. 8.5.6; Dio 45.16.2

This was the time span during which Servilius was censorius.

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date: unknown
charge: quaestio
defendant: Fulvius Flaccus (50) = ? Cn. Fulvius Flaccus (54) pr. 212
outcome: C
other: Philippus, slave of defendant was tortured eight times.

V. Max. 8.4.3

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date: unknown
charge: lex Cornelia? de aleatoribus
defendant: Licinius Denticula (or Lenticulus) (80)? sen.?¹
outcome: C, exile

Cic. Phil. 2.56; Dio 45.47.4

¹ See Shackleton Bailey, Studies 47, MRR Suppl. 120.

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date: unknown
defendant: Alexander (slave of P. Atinius [not in RE])
outcome: C, crucifixion at hands of *triumvir capitalis* L. Calpurnius (14)
other: defendant tortured six times

V. Max. 8.4.2

391

date: 66?\(^1\)
claim: civil suit (repayment of debt)
defendant: C. Visellius Varro (3) aed. cur. 67, 66, or 59
plaintiff: Otacilia (19), wife of Laterensis, perhaps the mother of M. Iuventius Laterensis (16) pr. 51\(^2\)
praetor: perhaps C. Aquillius Gallus (23) pr. 66\(^3\)
outcome: charge dismissed

V. Max. 8.2.2
Watson (1965) 32-36; Gardner (1986) 73

1 See *MRR Suppl.* 222.
2 See Münzer *RE* 18 pt. 2 (1942) 1866.
3 Val. Max. specifically refers to Gallus as a *iudex*. But given his power to dismiss the case, he may have been the magistrate.
WORKS CITED

Ancient authors are listed here only when reference has been made in the text to a particular edition and commentary. The journal abbreviations employed here follow the list published in *American Journal of Archaeology* 90 (1986) 384-94.

- 'Forensic Advocacy in the Late Roman Republic.' U. of Toronto dissertation, 1977
- 'The *Legatio Asiatica* of Scaurus: Did It Take Place?' *TAPA* 111 (1981) 1-9
- 'Repetition of Prosecution, and the Scope of Prosecutions, in the Standing Criminal Courts of the Late Republic.' *CA* 1 (1982) 141-66
- 'Praemia in the *Quaestiones* of the Late Republic.' *CP* 80 (1985) 20-32

Angelini, Virginio. 'Riflessioni sull'orazione pro L. Cornelio Balbo.' *Athenaeum* n.s. 58 (1980) 360-70


Atkinson, Kathleen M.T. ' Constitutional and Legal Aspects of the Trials of Marcus Primus and Varro Murena.' *Historia* 9 (1960) 440-73

Axer, Jerzy. 'Notes on Cicero's Pro Q. Roscio comoedo.' *Eos* 65 (1977) 231-44
- 'Selected Notes on Cicero's *Pro Roscio Comoedo*.' *Philologus* 121 (1977) 226-40
Ayers, Donald M. 'Cato's Speech against Murena.' CJ 49 (1953/54) 245-53

Badian, E. 'Lex Servilia.' CR 68 (1954) 101-2
- 'Q. Mucius Scaevola and the Province of Asia.' Athenaeum n.s. 34 (1956) 104-23
- 'Caesar's cursus and the Intervals between Offices.' JRS 49 (1959) 81-89
- 'M. Porcius Cato and the Annexation and Early Administration of Cyprus.' JRS 55 (1965) 110-21
- 'Notes on Provincia Gallia in the Late Republic.' Mélanges d'archéologie et d'histoire offerts à André Piganiol, vol. 2. Paris, 1966
- 'Sulla's Augurate.' Arethusa 1 (1968) 26-46
- 'The Sempronii Aselliones.' PACA 11 (1968) 1-6
- 'Quaestiones Variae.' Historia 18 (1969) 447-91
- 'Two Roman Non-Entities.' CQ n.s. 19 (1969) 198-204


Baron, J. 'Der Process gegen den Schauspieler Roscius.' ZSS 1 (1880) 116-51

- 'Criminal Prosecutions by the Aediles.' *Latomus* 33 (1974) 245-64
- 'Five Pronouncements by P. Mucius Scaevola.' *RIDA* 25 (1978) 223-45

Bennett, Harold. *Cinna and His Times, a Critical and Interpretative Study of Roman History during the Period 87-84 B.C*. Menasha, Wis., 1923

Biedl, A. 'De Memmiorum Familia.' *WS* 48 (1930) 98-107

Bloch, G. 'M. Aemilius Scaurus, Étude sur l'histoire des partis au VIIe siècle de Rome.' *Mélanges d'Histoire Ancienne* 25 (1909) 1-81

Bona, F. 'Preda di guerra e occupazione privata di res hostium.' *SDHI* 25 (1959) 309-70

- 'Sul concetto di *manubiae* e sulla responsabilità del magistrato in ordine alla preda.' *SDHI* 26 (1960) 105-75

Box, H. 'Cicero, in Verrem I, 30.' *CR* (1942) 72

Braunert, von Horst. 'Verfassungsnorm und Verfassungswirklichkeit im Spätrepublikanischen Rom: Eine Interpretation zu Ciceros Rede für Balbus.' *Der alttsprachliche Unterricht* 9 (1966) 51-73

Brecht, Christoph Heinrich. *Perduellio, Eine Studie zu ihrer begrifflichen Abgrenzung im römischen Strafrecht bis zum Ausgang der Republik*, in Münchener Beiträge zur Papyrusforschung und antiken Rechtsgeschichte 29. Munich, 1938


- *The Magistrates of the Roman Republic*, Supplement. Atlanta, Ga., 1986

Brunt, P.A. 'Italian Aims at the Time of the Social War.' *JRS* 55 (1965) 90-109

- 'Patronage and Politics in the "Verrines".' *Chiron* 10 (1980) 273-89

Buckland, W.W. 'Civil Proceedings against ex-Magistrates in the Republic.' *JRS* 27 (1937) 37-47

Carcopino, J. 'Sur le *Pro Roscio Amerino*.' *CRAI* (1931) 361-63

Carney, T.F. 'Was Rutilius' Exile Voluntary or Compulsory?' *Acta juridica* (Capetown) 1 (1958) 243-45

- 'Two Notes on Republican Roman Law.' *Acta juridica* (Capetown) 2 (1959) 229-34
- 'The Picture of Marius in Valerius Maximus.' RhM n.s. 105 (1962) 289-337
Ciaceri, Emanuele. Processi politici e relazioni internazionali, Studi sulla storia politica e sulla tradizione letteraria della repubblica e dell'impero, vol. II. Ricerche sulla storia e sul diritto romano. Rome, 1918
Cichorius, Conrad. Untersuchungen zu Lucilius. Berlin, 1908
Clark, A.C. Review of Jules Humbert, Contribution à l'étude des sources d'Asconius dans ses relations des débats judiciaires, and Les plaidoyers écrits et les plaidoiries réelles de Ciceron. CR 41 (1927) 74-76
Classen, C.J. 'Die Anklage gegen A. Cluentius Habitus (66 v. Chr. Geb.).' ZSS 89 (1972) 1-17
Cloud, J.D. 'Parricidium: From the lex Numae to the lex Pompeia de parricidiis.' ZSS 88 (1971) 1-66
Courtney, E. 'Notes on Cicero.' CR n.s.10 (1960) 95-99
- 'The Prosecution of Scaurus in 54 B.C.' Philologus 105 (1961) 151-56
Crawford, Michael H. Roman Republican Coinage. Cambridge, 1974
Crifò, Giuliano. Ricerche sull' 'exilium' nel periodo repubblicano. Milan, 1961
Crook, J. 'Sponsione provocare: Its place in Roman litigation.' JRS 66 (1976) 132-38
D'Arms, J.H. 'Pro Murena 16 and Cicero's Use of Historical Exempla.' 
Phoenix 26 (1972) 82-84

- Commerce and Social Standing in Ancient Rome. Cambridge, MA, 1981
Daube, David. 'Licinia's Dowry.' Studi in onore di Biondo Biondi 1, 197-212. Milan, 1965

David, Jean-Michel, and Dondin, Monique. 'Dion Cassius, XXXVI, 41, 1-2: Conduites symboliques et comportements exemplaires de Lucullus, Acilius Glabrio et Papirius Carbo (78 et 67 a.C.).' MEFRA 92 (1980) 199-213

Davies, J.C. 'A Slip by Cicero?' CQ n.s. 19 (1969) 344-45

de Franciscis, A. 'Due iscrizioni inedite dei magistri campani.' Epigraphica 12 (1950) 124-30

Desserteaux, F. 'Le cas de la femme d'Arretium (Cicéron, pro Caecina, 33, 34).' Mélanges Géardin (Paris 1907) 181-96

Dillon, John J. 'The Defense of Archias.' CB 18 (1941-42) 7-8
d'Ippolito, Federico. 'Un caso di ambitus del 66 A.C.' Labeo 11 (1965) 42-46

Douglas, A.E. 'Oratorum Aetates.' AJP 87 (1966) 290-306


Dunn, F.S. 'Cicero's Lost Oration, Pro Muliere Arretina.' TAPA 33 (1902) page c

Epstein, David F. 'Cicero's Testimony at the Bona Dea Trial.' CP 81 (1986) 229-35

Evans, Richard J. 'The Gellius of pro Sestio.' LCM 8 (1983) 124-26

Ewings, Ursula. 'Ne Quis Iudicio Circumveniatur.' JRS 50 (1960) 94-107

Fallu, E. 'La premiére lettre de Cicéron à Quintus et la lex Julia de repetundis.' REL 48 (1970) 180-204

Fantham, E. 'The Trials of Gabinius in 54 B.C.' Historia 24 (1975) 425-43

Fasciato, Micheline. 'En marge de l'acquittement de Gabinius. Le procès d'Antiochus Gabinius.' MEFRA 59 (1947) 84-88

Fascione, L. 'Riflessioni sull'orazione per Rabirio Postumo.' Studi Sene si 86 (1974) 335-76

- 'Aliquem iudicio circumvenire e ob iudicandum pecuniam accipere (da Caio Gracco a Giulio Cesare).' Archivio Giuridico 189 (1975) 29-52

Ferguson, W.S. 'The Lex Calpurnia of 149 B.C.' JRS 11 (1921) 86-100
Fraccaro, P. 'Scauriana.' *Rendiconti della Accademia dei Lincei*, Classe di scienze morali, storiche e filologiche ser. 5a, 20 (1911) 169-96
- 'Studi sull'età dei Gracchi.' *Studi storici per l'antichità classica* 5 (1912) 317-448; 6 (1913) 42-136
- *Studi sull'età dei Gracchi. La tradizione storica sulla rivoluzione gracca- na*, fasc. I. Città di Castello, 1914
- *Opuscula*. Pavia, 1956-57

Frassinetti, Paolo. 'Sisenna e la guerra sociale.' *Athenaeum* n.s. 50 (1972) 78-113

Frier, Bruce W. 'Urban Praetors and Rural Violence: The Legal Back­ ground of Cicero's Pro Caecina.' *TAPA* 113 (1983) 221-41

Gabba, Emilio. 'Ricerche su alcuni punti di storia mariana.' *Athenaeum* 29 (1951) 12-24
- 'Politica e cultura in Roma agli inizi del I sec. A.C.' *Athenaeum* 31 (1953) 259-72


Gray, E.W. 'The Consular Elections held in 65 B.C.' *Antichthon* 13 (1979) 56-65


Griffin, Miriam. 'The Leges Iudiciariae of the Pre-Sullan Era.' *CQ* n.s. 23 (1973) 108-26
- 'The Tribune C. Cornelius.' *JRS* 63 (1973) 196-213


Gruen, Erich S. 'Politics and the Courts in 104 B.C.' *TAPA* 95 (1964) 99-110
- 'The Lex Varia.' *JRS* 55 (1965) 59-73
- 'The Exile of Metellus Numidicus.' *Latomus* 24 (1965) 576-80
- 'The Dolabellae and Sulla.' *AJP* 87 (1966) 385-99
- 'The Quaestorship of Norbanus.' *CP* 61 (1966) 105-107
- 'Cicero and Licinius Calvus.' *HSCP* 71 (1966) 215-33
- 'Political Prosecutions in the 90's BC' *Historia* 15 (1966) 32-64
Roman Politics and the Criminal Courts, 149-78 B.C. Cambridge, Mass., 1968

'Pompey and the Pisones.' CSCA 1 (1968) 155-70

'M. Antonius and the Trial of the Vestal Virgins.' RhM 111 (1968) 59-63


'Pompey, Metellus Pius, and the Trials of 70-69 B.C.: The Perils of Schematism,' AJP 92 (1971) 1-16

'Some Criminal Trials of the Late Republic: Political and Prosopographical Problems.' Athenaeum n.s. 49 (1971) 54-69

'The Trial of C. Antonius.' Latomus 32 (1973) 301-10

The Last Generation of the Roman Republic. Berkeley, 1974

Guerriero, Ettore. 'Di una supposta causa capitale assunta da Cicénone in favore di Aulo Gabinio, e nuovi dubbi intorno all'autenticità del discorso Post reditum ad Quirites.' Mondo Classico 6 (1936) 160-66


Heinze, R. 'Ciceros Rede pro Caelio.' Hermes 60 (1925) 193-258

Henderson, M.I. 'The Process De Repetundis.' JRS 41 (1951) 71-88

Heraeus, Wilhelm. 'Furius Pilus u.a. (Zu Ciceros Brutus).'^ RHM 83 (1934) 53-65

Hersh, Charles, and Alan Walker. 'The Mesagne Hoard.' ANSMN 29 (1984) 103-32

Hinard, François. 'Le Pro Quinctio, un discours politique?' REA 77 (1975) 88-107

Hoenigswald, Gabriele S. 'The Murder Charges in Cicero's Pro Cluenti-^TAPA 93 (1962) 109-23

Hoy, L.P. 'Political Influence in Roman Prosecutions 78 B.C. to 60 B.C. with a Listing of the Trials.' Bryn Mawr dissertation, 1952

Humbert, J. 'Comment Cicéron mystifia les juges de Cluentius.' REL 16 (1938) 275-96

Husband, Richard Wellington. 'The prosecution of Archias.' CJ 9 (1913-14) 165-71

'-A Further Note on the Papian Law.' CJ 10 (1914-15) 174-75

John, C. 'Sallustius über Catilinas Candidatur im Jahr 688.' RHM 31 (1876) 401-31


Keaveney, Arthur. 'Deux dates contestées de la carrière de Sylla.' LEC 48 (1980) 149-59
- 'Roman Treaties with Parthia circa 95-circa 64 B.C.' AJP 102 (1981) 195-212
- 'Sulla Augur.' AJAH 7 (1982) 150-71
Keaveney, Arthur, and John Madden. 'Metellus Pius: The Evidence of Livy, Epitome 76.' Eranos 81 (1983) 47-51
- 'The Dates of the Pro Roscio Amerino and Pro Quinctio.' Mnemosyne ser. 4, vol. 20 (1967) 61-67
- 'The Case against Sextus Roscius of Ameria.' AntCl 54 (1985) 188-96
Kornemann, Ernst. Die neue Livius-Epitome aus Oxyrhynchus. Beiträge zur alten Geschichte, Beiheft 2. Leipzig, 1904
Kunkel, Wolfgang. 'Untersuchungen zur Entwicklung des römischen Kriminalverfahrens in vorsullanischer Zeit.' AbhMünchen n.F. 56 (1962) 1-149

Lengle, J. 'Die Verurteilung der römischen Feldherrn von Arausio.' Hermes 66 (1931) 302-16
- 'Die staatsrechtliche Form der Klage gegen C. Rabirius.' Hermes 68 (1933) 328-40
Levick, B. 'Acerbissima Lex Servilia.' CR n.s. 17 (1967) 256-58
Lezius, Joseph. 'Comperendiratio bei Cicero pro Flacco?' Philologus 60 (n.F. 14) (1901) 593-600
Liebs, D. 'Die Herkunft der Regel bis de eadem re ne sit actio.' ZSS 84 (1967) 104-32
Linderski, Jerzy. 'Ciceros Rede pro Caelio und die Ambitus- und Vereinsgesetzgebung der ausgehenden Republik.' Hermes 89 (1961) 106-19
- 'Cicero and Sallust on Vargunteius.' Historia 12 (1963) 511-12
- 'The Aedileship of Favonius, Curio the Younger, and Cicero's Election to the Augurate.' HSCP 76 (1972) 181-200
- 'The Offices of C. Flavius Fimbria in 86-5 B.C.' Historia 20 (1971) 696-701
- 'Cicero and Milo.' JRS 64 (1974) 62-78
- 'The Procedure under the Leges Calpurnia and Iunia de Repetundis and the Actio per Sponsionem.' ZPE 22 (1976) 207-14
- 'Cicero on Praetors who Failed to Abide by Their Edicts.' CQ n.s. 27 (1977) 184-86
- Lucilius, C. Carminum reliquae. Edited by F. Marx. Leipzig, 1904

MacAdam, Henry Innes, and Nicholas J. Munday. 'Cicero's Reference to Bostra (ad Q. Frat. 2.11.3).' CP 78 (1983) 131-36
Magie, D. Roman Rule in Asia Minor to the End of the Third Century after Christ. Princeton, 1950
Malavolta, Mariano. 'La carriera di L. Afranio (cos. 60 a.C.).' Miscellanea Greca e Romana 5 (1977) 251-303
- Oratorum Romanorum Fragmenta Liberae Rei Publicae. Milan, 1976
- 'I questori e i legati di Verre in Sicilia.' AttiTor 100 (1965-66) 219-52
Marshall, Bruce A. 'The Date of Q. Mucius Scaevola's Governorship of Asia.' Athenaeum n.s. 54 (1976) 117-30
- 'Catilina: Court Cases and Consular Candidature.' SCI 3 (1976/77) 127-37
- 'The Vote of a Bodyguard for the Consuls of 65.' CP 72 (1977) 318-20
- 'Two Court Cases in the Late Second Century B.C.' *AJP* 98 (1977) 417-23
- 'Another Rigged Voting Tablet? The Case of Cn. Domitius Ahenobarbus against D. Iunius Silanus in 104 B.C.' *LCM* 2 (1977) 11-12
- 'Q. Curius, Homo Quaestorius.' *AntCl* 47 (1978) 207-9
- 'Catilina and the Execution of M. Marius Gratidianus,' *CQ* 35 (1985) 124-33
- *A Historical Commentary on Asconius*. Columbia, Mo., 1985
Marx, F., ed. *Incerti Auctoris de ratione dicendi ad C. Herennium libri IV.* Leipzig, 1894
- 'Curio Pater and Cicero.' *AJP* 93 (1972) 381-411
- 'The Verrine Jury.' *RhM* 120 (1977) 64-75
Mello, Mario. 'Sallustio e le elezioni consolari del 66 a.C.' *PP* 18 (1963) 36-54
Meyer, H. *Oratorum Romanorum fragmenta ab Appio inde Caeco et M. Porcio Catone usque ad Q. Aurelium Symmachum.* Zurich, 1842
Miners, N.J. 'The *Lex Sempronia Ne Quis Iudicio Circumveniatur*.' *CQ* n.s. 8 (1958) 241-43
Mommsen, Theodor. *Geschichte des römischen Münzwesens.* Berlin, 1860
- *Römisches Staatsrecht.* Leipzig, 1887-88
- *Römische Geschichte.* Berlin, 1888-94
- *Römisches Strafrecht.* Leipzig, 1899
Münzer, Friedrich. 'Aus dem Leben des M. Caelius Rufus.' *Hermes* 44 (1909) 135-42
- 'Die Todesstrafe politischer Verbrecher in der späteren römischen Republik.' *Hermes* 47 (1912) 161-82
- 'Die Fanniusfrage.' *Hermes* 55 (1920) 427-42

Niccolini, Giovanni. *I fasti dei tribuni della plebe*. Milan, 1934

Nicolet, Claude. 'Confusio suffragiorum. À propos d'une réforme électorale de Caius Gracchus.' *MEFRA* 71 (1959) 145-210


- 'Pour une lecture candide du Pro C. Rabirio.' *LEC* 32 (1964) 234-46

- 'L'affaire Cluentius.' Hommages à Marcel Renard, vol. 2 in *Collection Latomus* vol. 102 (1969) 777-88


Pais, E. 'L'Autobiografia ed il processo repenundarum di P. Rutilio Rufo.' In *Dalle Guerre Puniche a Cesare Augusto*, vol. 1, 35-89. Rome, 1918


Pugliese, G. 'Aspetti giuridici della pro Cluentio di Cicerone.' *Iura* 21 (1970) 155-81

Radin, Max. 'De Lege Papia.' *CJ* 9 (1913-14) 401

- 'The Lex Papia Again.' *CJ* 10 (1914-15) 272-73

Ramsey, John T. 'A Reconstruction of Q. Gallius' Trial for Ambitus: One Less Reason for Doubting the Authenticity of the Commentario-
194 Works Cited

lum Petitionis.' Historia 29 (1980) 402-21

Rawson, Elizabeth. 'More on the Clientelae of the Patrician Claudii.' Historia 26 (1977) 340-57


Richardson, J.S. 'The Purpose of the Lex Calpurnia de repetundis.' JRS 77 (1987) 1-12

Roby, Henry J. 'Cicero De Oratore, Lib. I. §§ 41; 42; 56; 173; 175; 179.' JP 15 (1886) 57-75

Rowland, Robert J., Jr. 'The Date of Pompeius Strabo's Quaestorship.' CP 63 (1968) 213-14

Ruebel, James S. 'The Trial of Milo in 52 B.C.: A Chronological Study.' TAPA 109 (1979) 231-49


Scullard, H.H. 'Scipio Aemilianus and Roman Politics.' JRS 50 (1960) 59-74

Seager, Robin. 'The Date of Saturninus' Murder.' CR 17 (1967) 9-10

Sedgwick, W.B. 'Cicero's Conduct of the Case pro Roscio.' CR 48 (1934) 13


Shackleton Bailey, D.R. 'Notes on Cicero, Ad Q. Fratrem.' JRS 45 (1955) 34-38
- 'Two Tribunes, 57 B.C.' CR n.s. 12 (1962) 195-97
- 'The Prosecution of Roman Magistrates-Elect.' Phoenix 24 (1970) 162-65

Shatzman, Israel. 'Four Notes on Roman Magistrates.' Athenaeum n.s., 46 (1968) 345-54
195 Works Cited

- 'The Roman General's Authority over Booty.' *Historia* 21 (1972) 177-205

Sherwin-White, A.N. 'The Extortion Procedure Again.' *JRS* 42 (1952) 43-55

- 'The Date of the Lex Repetundarum and Its Consequences.' *JRS* 62 (1972) 83-99
- 'Ariobarzanes, Mithridates, and Sulla.' *CQ* 27 (1977) 173-83
- 'Roman Involvement in Anatolia, 167-88 B.C.' *JRS* 67 (1977) 62-75
- Siber, Heinrich. 'Analogie, Amtsrecht, und Rückwirkung im Strafrecht des römischen Freistaates.' *AbhLeip* 43.3 (1936) 1-77


Sumner, G.V. 'Lex Aelia, Lex Fufia.' *AJP* 84 (1963) 337-58

- 'Manius or Mamercus?' *JRS* 54 (1964) 41-48
- 'The Consular Elections of 66 B.C.' *Phoenix* 19 (1965) 226-31
- 'The Lex Annalis under Caesar.' *Phoenix* 25 (1971) 246-71, 357-71

- 'Scaurus and the Mamilian Inquisition.' *Phoenix* 30 (1976) 73-75
- 'Sulla's Career in the Nineties.' *Athenaeum* 56 (1978) 395-96


- 'Governors of Asia in the Nineties B.C.' *GRBS* 19 (1978) 147-53

Swan, Michael. 'The Consular Fasti of 23 B.C. and the Conspiracy of Varro Murena.' *HSCP* 71 (1966) 235-47

Syme, Sir Ronald. 'Missing Senators.' *Historia* 4 (1955) 52-71

- Review of T. Robert S. Broughton, *MRR.* *CP* 50 (1955) 127-38

- 'Piso and Veranius in Catullus.' *CImed* 17 (1956) 129-34
- 'Senators, Tribes and Towns.' *Historia* 13 (1964) 105-25

- 'The Stemma of the Sentii Saturnini.' *Historia* 13 (1964) 156-66
Taylor, Lily Ross. 'Caesar's Early Career.' CP 36 (1941) 113-32
- Party Politics in the Age of Caesar. Berkeley, 1949
- 'Magistrates of 55 B.C. in Cicero's Pro Plancio and Catullus, 52.' Athenaeum n.s. 42 (1964) 12-28
- Roman Voting Assemblies from the Hannibalic War to the Dictatorship of Caesar. Ann Arbor, 1966
Tellegen, J.W. 'Oratores, Jurisprudentes and the Causa Curiana.' RIDA 30 (1983) 293-311
Thompson, L.A. 'Pompeius Strabo and the Trial of Albucius.' Latomus 28 (1969) 1036-39
Tibiletti, Gianfranco. 'Le leggi de iudiciis repetundarum fino alla Guerra Sociale.' Athenaeum n.s. 31 (1953) 5-100
Tuplin, Christopher. 'Coelius or Cloelius? The Third General in Plutarch, Pompey 7.' Chiron 9 (1979) 137-45
Twyman, B. 'The Metelli, Pompeius and Prosopography.' ANRW 1.1 (1972) 816-74
Tyrrell, W.B. 'The Trial of C. Rabirius in 63 B.C.' Latomus 32 (1973) 285-300
- A Legal and Historical Commentary to Cicero's Oratio pro C. Rabirio perduellionis reo. Amsterdam, 1978

Vaughn, John W. 'Law and Rhetoric in the Causa Curiana.' CA 4 (1985) 208-22
- 'La conclusione del processo de Verre (Osservazioni e problemi).' Atti del Colloquium Tullianum, Ciceroniana n.s. IV (1980) 155-75
Vince, J.H. 'Tabellae.' CR 7 (1893) 29-30

Waldstein, W. 'Zum Fall der dos Licinniae.' Index 3 (1972) 343-61
- 'Politics in the Trials of Manilius and Cornelius.' TAPA 101 (1970) 545-56
Weinrib, E.J. 'The Prosecution of Roman Magistrates.' *Phoenix* 22 (1968) 32-56
- 'The Prosecution of Magistrates-Designate.' *Phoenix* 25 (1971) 145-50
Wellesley, Kenneth. 'Real and Unreal Problems in the pro Milone.' *ACD* 7 (1971) 27-31
Wiseman, T.P. 'Some Republican Senators and Their Tribes.' *CQ* n.s.14 (1964) 122-33
- 'The Mother of Livia Augusta.' *Historia* 14 (1965) 333-34
- 'The Ambitions of Quintus Cicero.' *JRS* 56 (1966) 108-15
- 'T. Cloelius of Tarracina.' *CR* n.s. 17 (1967) 263-64
- 'Lucius Memmius and His Family.' *CQ* 17 (1967) 164-67
- *Cinna the Poet and Other Roman Essays.* Leicester, 1974
Wolff, H.J. 'Das iudicium de moribus und sein Verhältnis zur actio rei uxoriae.' *ZSS* 54 (1934) 315-321

Indexes

These indexes refer by trial number to the individuals and procedures mentioned in the text. The reader should note that all possibilities are indexed; therefore, where, for example, several individuals have been mentioned as a possible prosecutor, all of them will be listed here, even though we may know that only one of them actually performed that role. The second index is a general index of names; it contains the names listed in the specific indexes that follow, as well as some other names mentioned in the text which do not fall into the categories represented in the other indexes. Names with a questionable praenomen, nomen, or cognomen, which are marked with a question mark in the case entries, are not marked with a question mark in the indexes. Rather, all the possibilities in the names are listed as separate entries for ease of reference. The alphabetizing of names follows the RE order of nomen, cognomen, praenomen.
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