

THE DEVELOPMENT OF THE QUAESTORSHIP, 267–81 B.C.

In 267 the number of quaestors was increased from the established total of four (two consular and two *urbani*).¹ But how many were added, and what were their functions? The standard works agree that the new quaestors numbered four, and that they were stationed in four Italian towns, where they are usually supposed to have performed administrative functions necessary to the Roman navy, and, in the case of the quaestor stationed at Ostia, functions necessary to Rome's grain supply.² These were the *quaestores classici*, or according to others the *quaestores Italici*.³ A few historians have very reasonably gone on to interpret this event as an important stage in the tightening of Roman control in Italy,⁴ or as a deliberate step towards a large-scale navy and war against Carthage.⁵

Some writers have hesitated a little in repeating the standard view,⁶ but from Mommsen until recently the only serious criticism was voiced by De Martino.⁷ He left unquestioned the view that four new quaestorships were created at one date in the period before the First Punic War; but reacting against Mommsen's somewhat static account he suggested that, apart from the *quaestores urbani*, the other tasks of the quaestors under the new system were all selected by the Senate according to the needs which happened to arise in any particular year.⁸ As to explaining the addition of the four quaestors, while he found it difficult to suppose that they were all engaged in the administration of Italy, particularly after the creation of provinces, he fell back on saying that in Italy 'occorreva controllare l'amministrazione finanziaria od assicurare il normale flusso di uomini e de mezzi verso Roma'.⁹

¹ I thank Professor J. Linderski for a number of helpful comments on this article.

² The theory that the new quaestorships created at about this date numbered four, and that they were stationed in four Italian towns (of which Ostia, Ariminum, and Cales were three; cf. below, pp. 97–104) can already be found in Justus Lipsius (*Iusti Lipsi ad Annales Cor. Taciti Liber Commentarius*, Antwerp 1585, 84). Sigonius had already in his first edition of Livy (C. Sigonius, *T. Livi Patavini historiarum*, etc., Venice 1555) concluded that they were four. Ioannes Lydus's *De magistratibus*, first published in 1812, seemed to reveal the connection with the navy and the date 267 (see below, p. 93). The view outlined in the text is put forward by, among many others, L. Lange, *Römische Alterthümer*, i³ (Berlin 1876), 891–2, T. Mommsen, *Römisches Staatsrecht*, ii³ (Leipzig 1887), 570–2, G. De Sanctis, *Storia dei romani*, ii (Turin 1907), 453, H. Siber, *Römisches Verfassungsrecht* (Lahr 1952), 200, Ernst Meyer, *Römischer Staat und Staatsgedanke*² (Zürich–Stuttgart 1961), 86, 177, 233, G. Wesener in *RE*, s.v. quaestor (1963) cols. 809, 818–19, A.J. Toynbee, *Hannibal's Legacy* (Oxford 1965), i. 247, 387–8. The agreement among scholars makes a full bibli-

ography unnecessary.

³ The term *quaestores classici* comes from Ioannes Lydus; *quaestores Italici* is not attested.

⁴ Meyer, op. cit. 86.

⁵ F. Cassola, *I gruppi politici romani nel III secolo a. C.* (Trieste 1962), 179; cf. R. Meiggs, *Roman Ostia*² (Oxford 1973), 25.

⁶ Notably E. von Herzog, *Geschichte und System der römischen Staatsverfassung* i (Leipzig 1884), 823–4, argued that the alleged Italian stations of the new quaestors did not fit their alleged naval responsibilities, and that their business in the Italian towns was to collect Rome's revenues (similarly O. Karlowa, *Römische Rechtsgeschichte* (Leipzig 1885), i. 262–3). Meiggs (loc. cit.) accepts the usual view of the *quaestores classici* with some reserve, and suggests that 'later in the Republic . . . their duties seem to have become more general'. E. Badian notes (*OCD*² s.v. quaestor) that the four new quaestors were 'perhaps called *classici*, and stationed in various Italian towns, notably Ostia'.

⁷ F. De Martino, *Storia della costituzione romana*, ii (revised edn., Naples 1964), 206–11.

⁸ Cf. below, p. 104.

⁹ Op. cit., 211.

Most recently, in an original but cursory article, H.B. Mattingly has argued that not four but two quaestorships were added in 267, quaestorships which had nothing to do with the fleet, and he offered various suggestions about the subsequent development of the quaestorship down to the reign of Claudius.¹⁰ My purpose here is to set the first two of these conclusions on a more solid foundation, and to offer what I think is a more satisfactory reconstruction of the history of the quaestorship in the period down to Sulla.

THE NUMBER OF QUAESTORSHIPS ADDED IN 267

The brief notice given by the Periochist of Livy (15) lacks the crucial numeral: 'quaestorum numerus ampliatus est ut essent < . . . >'. Sigonius proposed 'octo',¹¹ simply because of his interpretation of Tacitus, *Ann.* 11. 22. 4–6. According to the latter, election of quaestors first occurred in 447 'ut rem militarem comitarentur. dein gliscentibus negotiis duo additi qui Romae curarent: mox duplicatus numerus, stipendiaria iam Italia et accedentibus provinciarum vectigalibus: post lege Sullae viginti creati . . .'.¹²

Then there is Ioannes Lydus, *De magistratibus* 1. 27 (not published until 1812): τῷ δὲ τρίτῳ καὶ <τεσσαρακοστῷ καὶ [added by Mommsen]> διακοσιοστῷ τῶν ὑπάτων ἐνιαυτῷ ἐπὶ τῆς ὑπατείας Ῥηγούλου καὶ Ἰουνίου κρινάντων Ῥωμαίων πολεμῶν τοῖς συμμαχήσασιν Ἰϋρρῳ τῷ Ἡπειρώτῃ, κατεσκευάσθη στόλος καὶ προεβλήθησαν οἱ καλούμενοι κλασσικοί, οἰονεὶ ναυάρχαι, τῷ ἀριθμῷ δυοκαίδεκα κναίστορες, οἷον ταμίαι καὶ συναγωγεῖς χρημάτων. The date which Lydus refers to is almost certainly 267,¹³ and he is clearly referring to the same event as Livy.¹³ According to the printed editions, he said that *twelve* new officials, *quaestores classici* in the usual interpretation, were now appointed. This is incredible, and no modern scholar has even discussed the possibility that he was right. There is no way of finding twelve new posts for quaestors within the government of the Republic at this date, and the political and social implications of quadrupling the number of quaestors were not likely to be acceptable, for it would have debased the office drastically.¹⁴ In theory it is possible that Lydus was describing a temporary or experimental innovation, and one should not assume that startling innovations were impossible in the third-century constitution; but it is not as temporary or experimental that Lydus or Livy or Tacitus saw the change, and there was a different and established method of creating *ad hoc* officials. In fact it is usually supposed that Lydus should have said that *quaestores classici* were appointed in the number of *four*; but there is not the slightest reason to suppose that he did say that.

¹⁰ *Hommages à Marcel Renard* (Brussels 1969), ii. 505–11.

¹¹ In his 1555 edition (above, note 2).

¹² The 243rd year of the consuls (Mommsen's emended figure) = 267 B.C. No Atilius and Iunius were ever consuls together, but the consuls of 267 were Atilius and Iulius (however a Iunius was consul in 266 and that could be the date intended here). De Martino is wrong to say (op. cit., 207) that Lydus gives the 230th year of the Republic.

¹³ Livy may well have dated the event to 267. The Periochist mentions the colonies sent to Ariminum and Beneventum (268), then that 'the Roman people began to use silver' (269

or 268), then the surrender of the Umbrians and Sallentini (campaigns of 267 and 266), finally the increase in the quaestorships. It seems likely that though the Periochist grouped the Italian wars of 267 and 266 together (cf. C.M. Begbie, *CQ* 61, 1967, 334, 338, for this trait of his), Livy described those of 266 after he described the increase in the quaestorships.

¹⁴ It is true that in 300 the *pontifices* were increased from four to eight and the augurs from four to nine, but this was for the benefit of the plebeian aristocracy, which already of course had access to the quaestorship in 267.

Tacitus was the source for the notion that the new total was eight, but he does not say that this was achieved in 267. Rather, it was after Italy started paying tax to Rome¹⁵ and when revenues were arriving from the provinces, i.e. when Sicily and Sardinia, at least, had been annexed.¹⁶ It is not likely that Tacitus distinguished sharply between the dates of those two annexations, but he presumably knew quite well when the first provinces were annexed and intended to date the eight quaestors to 241 or shortly afterwards. It is obviously natural to associate the change with the increase in the number of praetors from two to four in 227, which is very likely—quite apart from Tacitus' evidence—to have been accompanied by an increase in the number of quaestors. Some critics of course regard Tacitus as a very careless writer in his digressions on republican history.¹⁷ *Ann.* 12. 60. 3 contains a bad misjudgement about the war between Marius and Sulla; *Ann.* 11. 22. 4 (on the earlier history of the quaestorship) and 11. 25. 2 (on the *minores gentes* and the patriciate) tersely contradict other writers, as does *Hist.* 3. 72. 1 (Porsenna captured Rome). These were probably informed opinions, whether they were correct or not.¹⁸ *Ann.* 11. 24. 3 ('solida domi quies' in 49 or 42 B.C.) may be more relevant—a case in which compression, not ignorance, led to an incorrect statement¹⁹ (attributed in that case to Claudius, engaged in some special pleading). Such compression may conceivably have led Tacitus into another incorrect statement in 11. 22 on the increase in the quaestorships in 267, but there is no positive reason at all to think so. If he had needed to, he could easily have said that the number of quaestorships was doubled after the conquest of Italy, without mentioning the provinces. Nor is 'stipendiaria iam Italia' a sign of Tacitus' ignorance;²⁰ and even if he did believe that Italy paid tribute like the provinces (which I very much doubt), that would not invalidate his statement that the quaestorships reached eight after 241. If the number of quaestorships was increased not by four, but by two, in 267, and was increased by two more in 227, Tacitus' account is intelligible and accurate.

There is no explicit evidence that the number of new quaestorships added in 267 was four, and the text of Tacitus suggests that the number was lower. As will be shown in the next section, the alleged functions of the new quaestors do not point to four new posts, and a lower number would be easier to explain.²¹ It seems unlikely that the aristocracy will have wanted to increase the number beyond necessity, and given the regular, though not rigid, Roman preference for

¹⁵ On this see below, p. 103.

¹⁶ Mommsen, (op. cit. ii³. 572, n. 3) realized that this was what Tacitus meant; he did not explain why he rejected this evidence. To Mattingly belongs the credit for first taking Tacitus' statement seriously (art. cit., 509).

¹⁷ Cf. the comments of Mommsen, op. cit. iii. 729, n. 1, and E.S. Staveley, *Historia* 5 (1956), 86 (both unduly sweeping).

¹⁸ He certainly seems to have investigated the history of the quaestorship (cf. R. Syme, *Tacitus*, Oxford 1958, 397, 704—5).

¹⁹ Syme, op. cit., 802—4, scarcely vindicates Tacitus on this point.

²⁰ So Mommsen believed (op. cit. ii³. 572, n. 7), and because of this supposed inaccuracy De Martino (op. cit., 207) doubted Tacitus' other statements about the development of

the quaestorship. According to E. Koestermann (n. on 11. 22. 5) *stipendiaria* is 'wenig glücklich'. Of course Italy did not pay *stipendium* of the kind paid by some provinces, but it was an important source of revenue for Rome, through taxation on new citizens, money derived in various ways from *ager publicus*, and perhaps *portoria*. Tacitus often avoided the technical terminology of administration (Syme, op. cit., 343—4), and he could not have expressed his idea as briefly in any other way. *Stipendium* can have quite a general meaning; cf. Ennius, *Ann.* 265V., Liv. 2. 9. 6, Plin. *N.H.* 34. 23, etc.

²¹ So Mattingly, art. cit., 509, though his view of the functions of the quaestors differs from mine.

pairs of magistrates,²² it is likely that the number added in 267 was two.

To return to the text of Lydus. The usual interpretation assumes a grotesque error on his part. Since he believed many odd things about republican history, even about the bare facts of constitutional development in the historical period,²³ another error could perhaps be dismissed. Mattingly has, however, suggested an easy textual change, namely *προεβλήθησαν οἱ καλούμενοι κλασσικοί, οἰονεὶ ναύαρχαι, τῷ ἀριθμῷ δύο καὶ δέκα κναίστορες, κτλ.*²⁴ Of course it is not sensible to emend mistakes out of such an author, even when our text depends on a single manuscript, unless their palaeographical origins are clear. But in fact Mattingly somewhat understated the case against the usual text, the Greek of which is not only very clumsy but almost impossible. The word-order of *οἱ . . . κναίστορες* is impossible, except on the unlikely supposition that Lydus is taking his word-order (as well as his facts) from a Latin original. Neither classical authors nor Lydus normally use the order adjective—numeral—substantive, and one would expect *τῷ ἀριθμῷ δυοκαίδεκα* to precede *οἱ καλούμενοι κλασσικοί* or to follow *κναίστορες*.²⁵ Lydus' normal Greek is represented by *προεβλήθησαν ἐκ τῶν πατρικίων ἀγορανόμοι τέσσαρες καὶ ταμίαι δύο καὶ πραιτῶρ—οἰονεὶ στρατηγός—<καὶ> ληγατοί—οἰονεὶ ὑποστράτηγοι—καὶ δυοκαίδεκα χιλίαρχοι*.²⁶ Another difficult feature of the usual text is that it offers a separate explanation of each of the two elements in a single Latin expression, whereas when Lydus is explaining a two-element Latin title he usually has the sense to explain it by a single Greek phrase.²⁷

It also counts against the usual text that *quaestores classici* are totally absent from other ancient texts, and that other mechanisms existed for providing a naval command quite sufficient not only for the limited naval activity of 267 but also, one would think, for any more ambitious naval plans the Romans may have had in mind.²⁸

A photograph of the manuscript (Paris, Bibliothèque Nationale 9487, suppl. grec 257, fol. 45) shows that the copyist wrote *δυοκαὶ δεκα*, but he almost certainly intended to write *δυοκαίδεκα*.²⁹ Since he seems to have copied from a majuscule manuscript,³⁰ his word-divisions are probably his own and without any authority. I conclude that Lydus almost certainly wrote three words, not one.

The only significant difficulty in the revised reading is that the *κλασσικοί* will have to be the *duumviri* who were periodically appointed to various kinds of naval command, as is known to have happened in 311–310, 282, 181–178 and

²² No even total of officials was ever increased by an odd number, as far as we know, except for the augurs, who were a special case (Liv. 10. 6. 7–8).

²³ Mattingly (art. cit., 510) appropriately cites *De mag.* 1. 38 (αἰθις δὲ προαχθέντων ὑπάτων προεβλήθησαν κτλ.).

²⁴ Art. cit., 511. Incidentally, Lydus probably wrote *ναύαρχοι*, not *ναύαρχαι*, in spite of the manuscript, editors and L.-S.-J.

²⁵ The difficulty is not significantly diminished by *τῷ ἀριθμῷ*. Lydus may have been translating *quaestores classici duodecim*, and after taking the adjective *classici* first, as a Greek writer might, he may have been led on to take *duodecim* next (Professor Walther Ludwig suggested this to me). But full of translations though *De magistratibus* is, it

does not normally violate Greek in such ways. There is a parallel of a kind in Appian, *Samm.* 7. 1, ἐπὶ καταφράκτων δέκα νεῶν—Latin again?

²⁶ *De mag.* 1. 38. Cf. 1. 45: καὶ πάλιν ὑπατοί, εἴτα ἀγορανόμοι τέσσαρες ἐκ τῶν πατρικίων καὶ ταμίαι δύο καὶ πραιτῶρ ἕτερος . . .

²⁷ Examples in *De mag.* 1. 26 (p. 29, line 14 Wuensch), 2. 23 (p. 78, lines 20–1), 2. 27 (p. 82, lines 16 and 18), 2. 30 (p. 85, lines 20–1).

²⁸ See below, p. 96.

²⁹ As the accent and the unabbreviated *καὶ* show (*καὶ* standing on its own is usually abbreviated). The copyist's word-divisions are erratic, as Wuensch noted (p. xiii).

³⁰ Wuensch, pp. xv–xvi.

176,³¹ though their official title is always given in modern works as *duumviri navales*. 'Classicus' does not occur with the sense 'naval' in pre-Augustan Latin, and it is unlikely that their title was *duumviri classici*; but it may well have been *duumviri navales classis ornandae reficiendaeque causa*, which is what Livy calls them when he first introduces them.³² An imperial Latin writer used by Lydus (Ulpian?) may then have substituted a shorter title, *duumviri classici*, for the long-defunct office. That such *duumviri* were appointed in 267 for the purpose described by Lydus, an attack on the former allies of Pyrrhus, is easy to believe.³³

It is no objection to the proposed emendation that *duumviri* are irrelevant to Lydus' section on quaestors, since he does not keep rigidly to the subject matter in these sections, and the two innovations may well have been connected, at least in date.

The question remains whether Lydus originally gave the new total of quaestors (it is the total that is in question) as ten. It is certainly possible that he or a source mistakenly added the old and new totals, and he does seem to have believed that the total of 267 was the one that remained in effect after provinces were created.³⁴ It is possible, however, that he gave the correct new total, which seems to have been six, i.e. that he wrote δὺο καὶ ἑξ.

THE FUNCTIONS OF THE NEW QUAESTORS

Lydus, as usually read, calls the new officials *κναίστορες κλασσικοί*, presumably quaestors in command of the fleet. However, quite apart from the objections to this text, there is no other evidence that quaestors ever independently commanded fleets.³⁵ Before the First Punic War and in 181–178 and in 176 *duumviri navales* were appointed when a fleet was needed, and during the war, when a fleet became a regular part of the Roman military forces, they began to be commanded by the usual holders of *imperium*.³⁶ Consuls sometimes put their quaestors in charge of naval forces,³⁷ but it would have been entirely contrary to Roman practice, as far as we know it, to put a distinct military force under the command of a quaestor, and quaestors as such lacked *imperium* (a *quaestor pro praetore* was another matter).³⁸

³¹ On 311, Liv. 9. 30. 4; on 176, Liv. 41. 17. 7. For the other years, T.R.S. Broughton, *M.R.R.*

³² Liv. 9. 30. 4 (cf. '[c] lasesque navales primos ornavet pa[ravetque]', in the Duillius inscription, *ILLRP* 319, line 7). Elsewhere they are called *duumviri navales* (40. 26. 8, 40. 42. 8, 41. 1. 2–3, 41. 17. 7), *quem senatus maritimae orae praefecerat* (9. 38. 2), *Ilvir qui praeerat classi* (Per. 12), *ναυαρχὸν Ῥωμαίοις* (Dio fr. 39. 4), *praefecti navium* (Oros. 4. 1. 1).

³³ The most important exploit of the campaign was the capture of Brundisium, Zon. 8. 7, Flor. 1. 15.

³⁴ Cf. Mattingly, art. cit. 511.

³⁵ *SIG*³ 591, line 37, refers to an unnamed Roman official encountered by the Lampsacene embassy of 197 as τῶν ἐπὶ τοῦ ναυτικοῦ ταμίαι; this person Mommsen at one time believed to be a *quaestor classicus* (*M.D.A.I.-A.* vi, 1881, 213), but he later retracted his opinion (*R. Staatsr.* ii³. 570 n. 5—

cf. 563 n. 1). The quaestor was probably a pro-quaestor subordinate to the proconsul T. Flamininus, or to L. Flamininus if the latter was *propraetor*. The inscription carefully describes the ambassador Hegesias' journey stage by stage, and it is reasonably clear that in line 37 he is still in Greek waters, where he met L. Flamininus, τῶν στρατηγῶν τῶν Ῥωμαίων τῶν ἐπὶ τῶν ναυτικῶν (lines 17–18), and that the crossing to Italy is only described in line 41 (διακομισθεὶς).

³⁶ J.H. Thiel, *A History of Roman Sea-Power before the Second Punic War* (Amsterdam 1954), 78–83.

³⁷ e.g. in Polyb. 1. 52–3. In the Hannibalic War *praefecti classium* were sometimes used (Mommsen, *R. Staatsr.* ii³. 579).

³⁸ *Duumviri navales* were apparently deemed to have *imperium* (Mommsen, op. cit. i³. 118, n. 1). I doubt whether the quaestors become more plausible as naval commanders if they only commanded small

According to the standard accounts, the new quaestors organized supplies for the navy, their special function sometimes being given as the acquisition of materials for ship-building,³⁹ or the exaction of ships from the allies.⁴⁰ The one exception is the *quaestor Ostiensis*, part of whose function is agreed to have been different. In fact there is no evidence at all apart from the word *κλασσικοί* in Lydus that any quaestor performed such naval functions, nor even any evidence of a quaestor's being stationed at any of the great ports other than Ostia, at Puteoli for example, or Tarentum, or Brundisium.⁴¹ The silence of the sources may be accidental, but when we know how the Roman state set about acquiring war material it was through private contractors—this at least was the method in the Hannibalic War, and probably earlier as well.⁴² The urban and sometimes the consular quaestors played a part in operating the contract system, but there was scarcely any need to institute new quaestorships for the sake of ship-building contracts; and as for exacting ships from the allies, this in itself did not require new quaestorships, though the sum of demands inflicted on them may, as we shall see, have helped to make the new posts necessary.

Lydus in his revised form offers as an explanation of the innovation of 267 only a banal gloss on *κναιίστορες—ταμίαι καὶ συναγωγεῖς χρημάτων*. However this could be correct, as far as it goes, and it fits Tacitus' implied view that it was the increases in revenue from Italy and the provinces that required the creation of the second four quaestorships.

In the usual view the new quaestors were stationed (1) at Ostia, (2) at Cales, or according to others in the *calles* of Italy, (3) somewhere in Cisalpine Gaul, with the fourth at some place unknown (Formiae and Lilybaeum have been suggested). Mattingly's theory is that two of these Italian *provinciae*, namely Ostia and the *calles*, were created in 267.⁴³ The evidence for all these Italian *provinciae*, and one other, now needs to be examined.

1. Ostia

The quaestorian *provincia Ostiensis* is well attested in the late Republic, first known in the case of Saturninus in 104,⁴⁴ though hardly a new institution then. The known functions of this quaestor were to ensure the supply of grain⁴⁵ and its transportation to Rome,⁴⁶ and dedications from the *navicularii Ostienses*

coastguard detachments, as suggested by A. Koester and E. von Niscker in J. Kromayer—G. Veith, *Heerwesen und Kriegführung der Griechen und Römer* (Munich 1928), 621.

³⁹ If this was their function it is hard to understand why Rome was totally without warships three years later (Polyb. 1. 20. 13—though he may, as Walbank says, be over-dramatizing the situation).

⁴⁰ Mommsen, op. cit. ii³. 572, Thiel, op. cit. 33, Wesener, art. cit., 819 etc.

⁴¹ Quaestors might sometimes be sent to these cities; e.g. P. Vatinius, who received the *aquaria provincia* in 63, was sent to Puteoli by Cicero to prevent the export of gold and silver (Cic. *Vat.* 12).

⁴² E. Badian, *Publicans and Sinners* (Ithaca, N.Y. 1972), 16 (cf. Cassola, op. cit., 74). The *ναυπηγοί* referred to in Polyb. 1.

20. 10 and 21. 1 were presumably private businessmen. Some of the construction was probably carried out in allied cities (Thiel, op. cit., 46–7).

⁴³ Art. cit., 505–9.

⁴⁴ Cic. *Sest.* 39, *Har. Resp.* 43, Diod. *Sic.* 36. 12. Other references to the post: Cic. *Mur.* 18, *Vell.* 2. 94, *CIL* xiv. 375, 3603 (cf. Meiggs, op. cit., 499), *AE* 1955, no. 178 (= H. Bloch, *N.S.A.*, 1953, pp. 269–70, no. 32), Suet. *Claud.* 24. 2.

⁴⁵ *Sest.*, *Har. Resp.* *Vell.*, ll. cc.

⁴⁶ Diod. *Sic.*, *Sest.*, *Vell.*, ll. cc. There is no necessary conflict between these quaestorian responsibilities and the responsibility of the aediles for the grain-supply (on which cf. Mommsen, op. cit. ii³. 502–4), though the exact limits of their respective tasks are unknown.

sometimes resulted.⁴⁷ Tending the harbour was probably among his responsibilities. When Augustus stationed quaestors *ἐν τε τῇ παραλίᾳ τῇ πρὸς τῇ πόλει καὶ ἐν ἑτέροις τισὶ τῆς Ἰταλίας χωρίοις*,⁴⁸ he was probably extending the now traditional function of the *quaestor Ostiensis*, and the action can best be understood as an attempt to improve the grain-supply.⁴⁹ When Claudius abolished the post of the Ostian quaestor⁵⁰ and the other Italian quaestorships (i.e. those established by Augustus),⁵¹ he probably in effect replaced the former with the *procurator portus Ostiensis*,⁵² who was clearly concerned with the grain supply and the harbour itself.⁵³

As has already been argued, the Ostian quaestor is not likely ever to have commanded any part of the Roman fleet, though Ostia must have been a naval base from the time when Rome first possessed ships,⁵⁴ and it continued to serve this purpose even after the transfer to Misenum.⁵⁵ Naval ships must have been built at Ostia in the third century,⁵⁶ and a quaestor may conceivably have had some responsibility in this, but there is no evidence to this effect for any date, and probability is against it.

The *provincia Ostiensis* may have been devised as early as 267. While other states could still impede shipping in the vicinity, it would have been difficult and unwise to become at all dependent on grain-importation through Ostia.⁵⁷ The most important change in the previous generation was the elimination of the naval power, piratical and other, of the Etruscans; Etruscan pirates are last definitely heard of in 298,⁵⁸ Vulci probably went down to its last defeat in 280,

⁴⁷ CIL xiv. 3603, AE 1955 no. 178.

⁴⁸ Dio 55. 4. 4 (9 B.C.). Mommsen (op. cit. ii³. 570, n. 5) rejected this statement on the grounds that it misdated the creating of the quaestorships actually begun in 267; so too Mattingly (art. cit., 505). But there is no need to think that Dio was referring to quaestorships created before 9 B.C. (*ἐν τῇ παραλίᾳ τῇ πρὸς τῇ πόλει* does not have to mean Ostia, in fact suggests places other than Ostia), and for Mattingly the error would have to be more complicated since Dio refers to more than one other place in Italy as receiving a quaestor. In fact Dio's notice is entirely credible and intelligible (see text and next n.).

⁴⁹ Dio offers no explanation. It is not difficult to fit such quaestors into Augustus' *annona* arrangements (*curatores frumenti populo dividundi* of praetorian rank from 22 B.C., Dio 54. 1. 4, 54. 17. 1, Suet. D.A. 37. 1; since they did not deal with procurement, there was an obvious job for the quaestors). According to Dio 55. 4. 4 these quaestorian posts *ἐπὶ πλείω ἔτη ἐγένετο*, presumably continuing after the institution of the *praefectus annonae* at some date between A.D. 7 and 14, until their abolition by Claudius. These quaestors will have been concerned partly with importation, partly with transporting Italian grain to Rome (on the role of Italy in

supplying grain to Augustan Rome cf. P. A. Brunt, *Italian Manpower*, 225 B.C. – A.D. 14 Oxford 1971, 705–6).

⁵⁰ Suet. Claud. 24. 2: 'collegio quaestorum pro stratura viarum gladiatorum munus iniunxit detractaque Ostiensi et Gallica provincia curam aerari Saturni reddidit . . .'

⁵¹ Dio 60. 24. 3 (A.D. 44): *τοῖς μὲν οὖν ταμίαις τὴν διοίκησιν ἀντὶ τῶν ἀρχῶν τῶν ἐν τῇ Ἰταλίᾳ ἔξω τῆς πόλεως ἀντέδωκε (πάσας γὰρ αὐτὰς ἔπαυσε).*

⁵² The earliest appearance of this office seems to be in the inscription of Claudius Optatus, 'Aug. l. proc. portus Ostiesis, (CIL xiv. 163 = I.L.S. 1533). On the development of this office and that of the *procurator annonae* see Meiggs, op. cit., 299–301.

⁵³ It should be mentioned that Mattingly (art. cit., 506) is probably incorrect to suppose that Cic. Att. 2. 9. 1 tells us anything about the Ostian quaestorship, and certainly incorrect to suppose that Vat. 12 does; both passages are discussed below.

⁵⁴ Cf. Meiggs, op. cit., 25.

⁵⁵ Ibid., 304–5.

⁵⁶ Ibid., 25.

⁵⁷ However it is very likely that grain had sometimes been imported through Ostia in the fourth century, Meiggs, op. cit., 24.

⁵⁸ W.V. Harris, *Rome in Etruria and*

and Caere finally lost its independence in 274 or 273.⁵⁹ Cosa and Paestum, Latin colonies of 273, represented (among other things) Rome's determination to maintain the security of the central section of the west coast. Yet we have no evidence—it is hardly to be expected—that grain importation through Ostia increased immediately after 267,⁶⁰ and a slightly later date is very possible. Rather than a changing trade-pattern, it may have been the influx of the Sicilian tithes that created the need; or even more plausibly it may have been difficulties in grain-supply caused by the Hannibalic War, during which the efficiency of the port of Ostia was of great importance.⁶¹ In the second century the trade is well attested.⁶²

2. *Cales and the 'calles'*

The opinion that the Latin colony Cales was the station of a quaestor has continued to have adherents.⁶³ Fifteen miles from the sea and lacking a respectable river, it is not a likely base for a naval quaestor. The only reason to think that there was such a *provincia* is an unjustified emendation by Lipsius in Tacitus, *Ann.* 4. 27.⁶⁴ There is no obstacle to believing that under the Republic the *calles* of Italy were, in some years at least, a quaestorian *provincia*.⁶⁵ The famous attempt of the *optimates* to consign Caesar and Bibulus to provinces of relatively minor importance, 'id est silvae callesque', is easily intelligible if *silvae callesque* were a known quaestorian *provincia*.⁶⁶ (Of course even if Suetonius was wrong to suppose that these *provinciae* were given to the consuls of 59, he may still have been right to suppose that the *calles* were a known *provincia*). The *calles* were trails and tracks for livestock;⁶⁷ some of them were public,⁶⁸ but it is a little surprising at first sight they were ever considered important enough to be made into a *provincia*, even for a quaestor, and the other evidence, such as it is, shows

Umbria (Oxford 1971), 66, n. 5; Strabo 5. 232 and *SIG*³ 1225 may refer to slightly later events.

⁵⁹ Harris, *op. cit.*, 45–7.

⁶⁰ The earliest known *horreum* at Ostia is tentatively dated by Meiggs to late in the pre-Sullan period (*op. cit.*, 124).

⁶¹ Ostia is mentioned in Liv. 22. 37. 1–6, 25. 20. 3. Other references to importation by sea, apart from the tithes and requisitions of Sicily and Sardinia: Liv. 25. 22. 5, 26. 32. 3, 26. 40. 16 (but see Brunt, *op. cit.*, 274), 30. 38. 5 (and cf. Polyb. 9. 11a). Toynbee's assertion that 'down to, and during, the Hannibalic War, Rome met her growing need for a port by using Caere's ports on the Tyrrhene coast' (*op. cit.* i. 389) is not supported by evidence known to me.

⁶² For the period 200–150 see T. Frank, *An Economic Survey of Ancient Rome* i (Baltimore 1933), 158–60.

⁶³ Siber, *loc. cit.*, Thiel, *op. cit.*, 33, Wesener, *art. cit.*, 819, Toynbee, *op. cit.* i. 247, E.T. Salmon in *OCD*², s.v. Cales (but in *Samnium and the Samnites*, Cambridge 1967, 68, n. 7, he preferred *calles*).

⁶⁴ Describing a slave rebellion of A.D. 24 in the region of Brundisium, in towns nearby, and in the *longinqui saltus*—'velut munere

deum tres biremes adpulere ad usus com-
meantium illo mari. et erat isdem regionibus
Cutius Lupus quaestor, cui provincia vetere
ex more calles evenerant: is disposita classi-
ariorum copia coeptantem cum maxime con-
iurationem disiecit.' Lipsius changed *calles*
to *Cales*. It hardly needs to be pointed out
that Cales was not 'isdem regionibus' and
that the *classarii* came under the quaestor's
command only by accident.

⁶⁵ Accepted by Salmon, *loc. cit.*, Mat-
tingly, *art. cit.*, 507–8, and T.P. Wiseman
(*New Men in the Roman Senate, 139 B.C. –
A.D. 14*, Oxford 1971, 156) among recent
scholars.

⁶⁶ Suet. *D.J.* 19. 2. For some possibly
significant background: T.P. Wiseman,
PBSR 32 (1964), 35. Were *silvae* and *calles*
separate *provinciae* (*silvae* are not mentioned
by Tacitus)? The unnecessary attempts that
have been made to emend and explain away
silvae callesque in Suetonius (e.g. by J.
Balsdon, *JRS* 29, 1939, 181–3) need not
be discussed here.

⁶⁷ The additional meaning usually given
(e.g. in *TLL*, *OLD*), 'mountain pasturage', is
not established by any text.

⁶⁸ *Lex Agraria* (*FIRA*, ed. Riccobono,
no. 8), line 26; Varro, *R.R.* 2. 1. 16, 2. 2. 10.

that at one time the *calles* were administered by *publicani*.⁶⁹ Yet transhumance grew to be a common practice in republican Italy,⁷⁰ and the *calles* could acquire political as well as economic importance; according to Cicero, if Catiline had once survived the winter of 63–62 and begun to seize ‘Italiae callis et pastorum stabula’, it would have been very difficult to defeat him.⁷¹ Nonetheless it is unlikely that the *provincia* was assigned to a quaestor year after year in any period.⁷²

When was this *provincia* first assigned? Transhumance was probably practised in Italy to some extent in the late fourth and early centuries—not that there is any clear evidence of this.⁷³ Local magistrates in Samnium and other areas had presumably exercised such public authority as had been thought necessary over these activities, and presumably continued to do so after the conquest. It is only in the case of long-distance and rather large-scale transhumance that the Roman government is likely to have thought a new *provincia* necessary, and this presupposes a period of peaceful conditions.⁷⁴ The *calles* must have grown gradually in importance, helped by the rise of land-owners with property in different regions, especially in the second century. It is hard to believe that a special Roman magistrate was needed either to maintain order or to collect revenues in the *calles* in 267, and the *provincia* was probably instituted after the Hannibalic War.

3. *Gallia Padana*⁷⁵

Sertorius was appointed *ταμίης . . . τῆς περὶ Πάδον Γαλατίας*, says Plutarch, referring to 91 or 90.⁷⁶ Obviously no Roman magistrate had such a *provincia* in 267, but many scholars have apparently believed that Sertorius’ *provincia* was somehow or other the same as one devised in 267 and exercised by a quaestor stationed at Ariminum (a Latin colony founded in 268), or at Ravenna. It is very improbable that a quaestor was stationed in this region in 267 or soon afterwards for the sake of the navy, for Rome’s naval requirements on the east coast of Italy were all far away to the south for nearly half a century after 267 at least. In any case the whole hypothesis is based on the notion that Sertorius’ post cannot be fitted into the normal institutions of Roman government, which is incorrect. It may be that Cisalpine Gaul only became a province in the territorial sense in 89 (this is not the place to question this conventional view), but even so the *provincia* ‘Gallia’, often assigned before, may perfectly well have been assigned to one of the praetors of 91 to 90 (it may even have been assigned to Sex. Iulius Caesar, *cos.* 91), which would be sufficient to explain Sertorius’ quaestorship in that region.⁷⁷ Alternatively it is possible that Sertorius himself, a man who had performed well as *tribunus militum*, was sent to ‘Gallia’ as *quaestor pro praetore* in a period when senior magistrates were in short supply.⁷⁸ Thus *Sert.* 4. 1 tells us nothing useful about the new quaestors of 267.

⁶⁹ Varro, *R.R.* 2. 1. 16.

⁷⁰ Toynbee, *op. cit.* ii. 286–95. Brunt, *op. cit.*, 370–2.

⁷¹ *Cic. Sest.* 12; cf. Mattingly, *art. cit.*, 508–9. For *controversia* as a common event in the *calles* cf. *Cic. Cluent.* 161.

⁷² Similarly the *provincia aquaria* (discussed later) was an occasional assignment.

⁷³ None of the evidence cited by J.E. Skjoldsgaard, *Analecta Romana Instituti Danici* 7 (1974), 7–36, establishes this (*Liv.* 10. 23. 13 and 10. 47. 4 may be quite irrelevant); nor does the more guarded account of E.T. Salmon, *Samnium and the Samnites*, 68–9. *Romam fuerunt* (Progr. Zittau 1908), 23.

⁷⁴ Toynbee, *op. cit.* ii. 286–7, Brunt, *loc. cit.*, following the older study of A. Grenier, *MEFR.* 25 (1905), 293–328.

⁷⁵ Accepted as a quaestorian *provincia*, under various titles, by Siber, Thiel, Wesener; Toynbee and Wiseman give the *ager Gallicus* as the province.

⁷⁶ *Sert.* 4. 1; cf. *Sall. Hist.* 1. 88M. = *A. Gell.* 2. 27.

⁷⁷ Cf. Mattingly, *art. cit.*, 507.

⁷⁸ That he possessed *imperium* was suggested by M. Bülz, *Fasti Quaestorum qui ab a.u.c. CCCXXXX ad a.u.c. DCLXXI extra*

Suetonius reports that Claudius abolished not only the Ostian but also the 'Gallica provincia' of the quaestors,⁷⁹ and this has been referred to the supposed special quaestorship in northern Italy. Mattingly has argued that *Gallica* in this text should be emended to *callium* on the grounds that if there had been a quaestorian *provincia Gallica*, its occupant in 63 and the *quaestor callium* would both have had to be mentioned by Cicero in *Post. Red. ad Quir.* 12 as having been honoured by him, whereas only one other quaestor (who may, or may not, have been a *quaestor callium*) is in fact mentioned—an argument disposed of by Wiseman.⁸⁰ The argument fails anyway since there undoubtedly was a quaestor in Gallia Cisalpina in the period when that region had provincial governors.

What needs to be discovered here is why the text of Suetonius refers to a quaestorian *provincia Gallica* as still existing in A.D. 44. Perhaps there was one in northern Italy, but it seems unlikely *a priori*, and contemporary northern Italy was not referred to as 'Gallia' even in Claudius' reign, let alone in Suetonius' time—and certainly not in known official parlance.⁸¹ Yet the alternatives are even less attractive: Mattingly's emendation *callium*, or an unexplained reference to the only *quaestura Gallica* known to have existed in Claudius' time, that of Narbonensis. However if there was a quaestor in northern Italy until A.D. 44, it was because of an arrangement made after the abolition of the province of Gallia Cisalpina, and it may have been one of the quaestorships established 'in other places in Italy' by Augustus in 9 B.C.⁸²

4. *Formiae/Antium*

Writing from Antium in April 59, Cicero mentions the presence there of an otherwise unknown quaestor called Caecilius.⁸³ (Mommsen's opinion that the letter was written from Formiae was mistaken.)⁸⁴ Caecilius seems to have been staying at Antium, but no official activities of his are mentioned. The town was a resort of rich Romans,⁸⁵ and Caecilius may well have been on holiday.⁸⁶ The theoretical possibility exists that Caecilius was at his post and that this post dated back to 267 (when Antium was a citizen colony), but the balance of probability is heavily against it.

⁷⁹ See above, n. 50.

⁸⁰ Mattingly, art. cit., 508–9. Sex. Atilius is mentioned by Cicero because he turned against the orator in 57 (Wiseman, *New Men*, 156, n. 6). In any case there is no reason at all to think that Atilius was a *quaestor callium* rather than, say, a *quaestor urbanus*. Mattingly's contention (art. cit., 505) that Suetonius, *Claud.* 24. 2 implies that when Claudius came to abolish the Ostian quaestorship there were only two 'Italian' quaestorships is incorrect, as Wiseman points out.

⁸¹ Pomponius Mela 2. 4. 59 ('Carni et Veneti colunt togatam Galliam') is unintentionally antiquated (cf. his statement that Ancona 'inter Gallicas Italicisque gentes quasi terminus interest' 2. 4. 64), Martial 3. 1. 12 ('Gallia Romanae nomine dicta togae') intentionally so. In Plin. *N.H.* 17. 20 the manuscript reading 'Italia' should not be changed. There is no sign that the old *ager Gallicus*

retained its name, and even Narbonensis began to lose the name 'Gallia' in the late first century (Syme, op. cit., 456, n. 3).

⁸² Diod 55. 4. 4.

⁸³ *Att.* 2. 9. 1. This has not been treated as a separate *provincia*. Mommsen, op. cit. ii³. 571, n. 2, thought that he was probably the quaestor of Cales. Mattingly (art. cit., 506) suggested that he was the *quaestor Ostiensis* (cf. App. *B.C.* 1. 69. 313–14), which is possible; but see the text. The Caecilius of *Att.* 2. 19. 5 and 2. 20. 1 was different.

⁸⁴ Tyrrell-Purser², W. Sternkopf, *Jabrb. f. cl. Phil.* 38 = 145 (1892), 716. Formiae still appears in De Martino, op. cit. ii. 208, n. 82.

⁸⁵ Strabo 5. 232; cf. Liv. 43. 4. 6 and 7. 10.

⁸⁶ Cicero does not say that he was *working* at Antium (so Mattingly, art. cit. 506).

5. *South Italy/Lilybaeum*

In the province of Sicily one of the two quaestors was regularly at Lilybaeum; some have suggested that this quaestor directly succeeded one of the *quaestores classici*, who may originally have been stationed somewhere in southern Italy.⁸⁷ But there is no reason to think that the Lilybaeum quaestor was known as a *quaestor classicus*; he was a provincial quaestor like the ones in Sardinia and later elsewhere. I return shortly to the problem of the double quaestorship of Sicily.

6. *Provincia aquaria*

One other quaestorian *provincia* is known to have been assigned sometimes, the *provincia aquaria*.⁸⁸ Mattingly's assertion that P. Vatinius, who held this *provincia* in 63, was in fact the *quaestor Ostiensis*, is disproved by Frontinus, *De aq.* 2. 96, which shows that the *provincia aquaria* was a separate one.⁸⁹ Correctly interpreted, this is the *cura aquarum*, i.e. of the city's water supply, more specifically the inspection of the work carried out by contractors on the aqueducts.⁹⁰ This post we know to have been devised in 108 or earlier.⁹¹ In fact it may have been considerably earlier, but hardly as early as 267 when only two aqueducts had been built, the Aqua Appia and the Anio Vetus. It was probably a second-century creation, and even then only an occasional one for the quaestors.

H. Mattingly senior once suggested, *en passant* and without presenting a real case, that the *quaestores classici*, 'the new financial administration of Italy', must have been involved in some way in the supervision of the four new Italian mints which he claimed to recognize in the Roman coinage of the years 269 and following (ROMANO didrachms and associated *aes grave*).⁹² This theory cannot stand in the form Mattingly gave to it. He himself could only claim to detect two mints for this coinage outside the city of Rome,⁹³ and more recent numismatists have shown these to be at best an unnecessary hypothesis, for the issues in question were not in fact parallel and contemporary⁹⁴—they may all perfectly well have been minted at Rome. Yet weak as Mattingly's theory was, it is hard

⁸⁷ See Mommsen, *op. cit.* ii³. 572, and among relatively recent writers Thiel, *op. cit.* 33, n. 90, Meyer, *op. cit.*, 233.

⁸⁸ Known only from Cic. *Vat.* 12, *Schol. Bob.* p. 316 St. Frontinus, *De aq.* 2. 96 ('eorumque operum probandorum curam fuisse penes censores aliquando et aediles, interdum etiam quaestoribus eam provinciam obvenisse, ut apparet ex s.c. quod factum est C. Licinio et Q. Fabio consulibus [or censoribus]'; their consulship was in 116, their censorship in 108). It has never been specifically argued that this was one of the quaestorships of 267 (but cf. Wiseman, *op. cit.*, 156).

⁸⁹ The notion that the *provincia aquaria* was the same as the *Ostiensis* goes back to the sixteenth century (cf. C. Halm on *In Vat.* 12, and also J. Rubino, *Untersuchungen über römische Verfassung und Geschichte* (Cassel 1839), i. 330, n. 4). Mattingly's argument (*art. cit.*, 506) is that according to Cic. *Mur.* 18 the assignment of Ostia was usually marked by *acclamatio*, and when Vatinius received his *provincia* there was a *magnus clamor*

(*Vat.* 12). That Cicero was referring to a *provincia* by a 'nickname' (Mattingly, 506, n. 6) is also improbable.

⁹⁰ Mommsen, *op. cit.* ii³. 573, Wesener, *art. cit.*, 819–20. They should have cited the Frontinus passage. Wiseman, *op. cit.*, 156, following P. Willems, *Le Sénat de la république romaine* ii (Louvain 1883), 603, n. 1, takes the *provincia aquaria* to have meant 'Ostia and the west coast harbours'; but in *Vat.* 12 there is no difficulty in thinking that Cicero was sending Vatinius on a special mission rather than on his normal duties; and see the text.

⁹¹ See above, n. 88.

⁹² *JRS.* 35 (1945), 66–9.

⁹³ Mints B and C in his scheme. On this point see L. Breglia, *La prima fase della coniazione romana dell'argento* (Rome 1952), 154, n. 23.

⁹⁴ R. Thomsen, *Early Roman Coinage* iii (Copenhagen 1961), 63–9, 162, n. 93; cf. M.H. Crawford, *Roman Republican Coinage* (Cambridge 1974), 45.

indeed to regard it as coincidental that within two years of one of the major innovations in the history of Roman coinage, the coining of silver at Rome itself, an innovation which closely concerned the urban quaestor in charge of the *aerarium* and must have added to his work-load,⁹⁵ the number of quaestorships was increased. Crawford's suggestion⁹⁶ that the coinage of 280–225 was issued by the censors may be correct, but if it is there remains a role for junior magistrates to fulfil in supervising the coinage, especially after each pair of censors has left office. The most plausible candidates for this role are the quaestors, as he points out.⁹⁷

There are two possible objections to the theory that the new coinage system contributed to the need for new quaestors. The first is that if the office of the *triumviri monetales* was already in existence, it would be hard to reconcile with a quaestorian role in coin-production. It is often stated, and Thomsen has argued,⁹⁸ that they were first created in 289, the evidence for this being the statement of Pomponius quoted in *Dig.* 1. 2. 2. 30. However the statement is merely one of a series of chronologically vague statements about the period,⁹⁹ and a date well after 267 is just as likely for the creation of the *triumviri monetales*; the suggestion that they were created 'with or soon after the institution of the denarius system' is obviously attractive.¹⁰⁰ The other apparent objection is that the new officials of 267 cannot have been created to take responsibility for the coinage of 269.¹⁰¹ However the problem is not of great importance. It may be that the *aerarium* quaestors of 269 and 268 were expected to deal with the new arrangements but turned out to be insufficient. It may be that the censors of 269/8 were in charge, as Crawford suggests,¹⁰² and it was only after they left office that the coinage responsibility fell to the quaestors for the first time.

Tacitus implies that the tasks of the new quaestors resulted from new Italian revenues, an idea to which Lydus lends some support. These revenues had certainly made extra work for the quaestors, for even though much of the collecting was done by *publicani* and by local officials, the quaestors (under the Senate and consuls) must have supervised the whole system. In the period immediately before 267 this work had increased because of the growth in the number of tax-paying

⁹⁵ Only one of them at a time was in charge of the *aerarium*, at least in the late second century and under Sulla (Crawford, op. cit., 313, gathers the evidence).

⁹⁶ Op. cit., 42–3.

⁹⁷ Op. cit., 616–17; cf. K. Pink, *The Triumviri Monetales and the Structure of the Coinage of the Roman Republic* (New York 1952), 50, 58.

⁹⁸ Op. cit., 172–8. According to C.D. Hamilton, *TAPA*. 100 (1969), 184, the year 289 is 'conclusively established' for the institution of the *triumviri*.

⁹⁹ (28) 'Post aliquot deinde annos' the peregrine praetorship was created [242] . . . (29) 'deinde' the *decemviri stlitibus iudicandis* were created [date unknown] . . . (30) 'eodem tempore' there were created 'quattuorviri qui curam viarum agerent' [date unknown], the *triumviri monetales*, the *triumviri capitales* [c. 289], and (31)

the *quinqueviri cis Tiberim* [date unknown]. (32) 'Capta deinde Sardinia, mox Sicilia . . .' Cf. Mommsen, *Geschichte des römischen Münzwesens* (Berlin 1860), 367, n. 5, H. Schaefer in *RE*, s.v. *vigintiviri* (1958), cols. 1574–5, A. Lippold, *Consules* (Bonn 1963), 96, n. 79, Crawford, op. cit., 602. H. Zehnacker, *Moneta* (Rome 1973), i. 66–8, assigns the *triumviri monetales* to 289, but fails to dispose of this counter-argument.

¹⁰⁰ Crawford, loc. cit. This would put them shortly after the experiment with the *triumviri mensarii* (Liv. 23. 21. 6), which in spite of difficulties (cf. Schaefer, art. cit. 2575), rather confirms the hypothesis (cf. Pink, op. cit., 52, Lippold, op. cit., 96).

¹⁰¹ The date derived from Plin. *N.H.* 33. 44.

¹⁰² This is his explanation for the discrepancy in the sources between 269 (Plin.) and 268 (Liv. *Per.* 15), op. cit., 42–3.

citizens (there was a large increase in 268 in the shape of the Sabines),¹⁰³ and because of additions of *ager publicus*.¹⁰⁴ Although there is no direct evidence that more than two quaestors were ever involved in the work of the urban quaestor in this period, this extra work is likely to have been one of the reasons for addition of two quaestorships in 267.

Let us designate the two quaestors created in 267 V and VI. Ostia became a regular *provincia* for one of these two, perhaps in 267, but perhaps later, for example during the Hannibalic War. VII and VIII were created for the provinces of Sicily and Sardinia, probably in 227. At some date well before Verres' governorship it became customary to assign Sicily to two quaestors at a time,¹⁰⁵ a unique oddity which needs explanation. Though no certainty is possible, the most plausible date for the creation of the second quaestorship is clearly 211 when the province had just been enlarged by the addition of Syracuse,¹⁰⁶ which is known to have been the base of one of the two. If *triumviri monetales* were first appointed in or soon after 211, as Crawford has argued, this will fit tidily, for the new system for supervising the coinage reduced the burdens on the quaestors and made one (V or VI) available for duty in the territory newly added to the province of Sicily. Thus the new arrangement was, at least in most years, two consular quaestors, two *urbani*, one *Ostiensis*, two Sicilian, one Sardinian. The *provincia Ostiensis* may not at first have been assigned in every single year (indeed it is only a reasonable inference that it was even in the first century). One may also assume that when the governors of Sicily and Sardinia served beyond their first year, their quaestors in most cases also continued to serve,¹⁰⁷ and so the system remained flexible enough for the introduction of occasional *provinciae* such as the *calles* and the *aquae*.¹⁰⁸

OTHER PRE-SULLAN DEVELOPMENTS

Was the number of quaestorships increased to allow for the provinces annexed in the second century?¹⁰⁹ The evidence is slight. When mentioning the increase in the number of praetors from four to six in 197, Livy ignores the quaestors,¹¹⁰

¹⁰³ Vell. 1. 14: 'suffragii ferendi ius Sabinis datum'. P.A. Brunt, *Hommages à Marcel Renard* (Brussels 1969), ii. 121–9, defends the view that all the Sabines were included, against L.R. Taylor, *The Voting Districts of the Roman Republic* (Rome 1960), 59–66. Was it in the census of 269/8 that the Romans first 'perceived wealth', as Strabo (5. 228) cryptically says they first did when they mastered the Sabines?

¹⁰⁴ Some of which became *ager quaestorius*, i.e. land sold off by the quaestors (cf. A. Burdese, *Studi sull'ager publicus*, Turin 1952, 42–6; E. Gabba on App. B.C. 1. 7. 27). There was probably some income from Italian *portoria*; they are first known in 199 (Liv. 32. 7. 3), but were hardly new then (cf. F. Vittinghoff in *RE*, 1953, s.v. 'portorium', col. 349).

¹⁰⁵ Cic. *Verr.* 2. 2. 11 ('quaestores utriusque provinciae'), Ps.-Ascon. p. 187St. ('cum a duobus quaestoribus Sicilia regi soleat, uno Lilybitano, altero Syracusano'), p. 259St.

¹⁰⁶ Mommsen, *R. Staatsr.* ii³. 563, n. 4, De Sanctis, op. cit. iii. 1. 199.

¹⁰⁷ Plu. *C.G.* 2. 5 seems to show that returning after one year was permitted to quaestors in Gaius Gracchus' time, but 2. 3 suggests that this was not the normal practice. Cf. Willems, op. cit., 601.

¹⁰⁸ But the functions of the quaestors were not as variable as De Martino claims (above, p. 92), for the consular quaestors, as well as the *urbani*, were unvarying appointments; so the *provincia Ostiensis* probably became; and certain provinces were assigned regularly over very long periods.

¹⁰⁹ This is the view of Mommsen, op. cit. ii³. 527, De Sanctis, op. cit. iv. 1, 501, Meyer, op. cit., 177, Wesener, art. cit., 809; on the other side O. Karlowa, op. cit. above, (n. 6), i. 181, P. Fraccaro, *Opuscula* ii (Pavia 1957), 217, and apparently De Martino, op. cit., 209, argue for the continuation of the total of eight until Sulla.

¹¹⁰ 32. 27. 6.

which favours the view that the number of quaestorships remained unchanged—at least for a while. Tacitus' concise account passes directly from eight to twenty. On the other hand, since it was probably the unvarying practice to send a quaestor to every province, it is reasonable to assume that there was an increase at some date. And Livy's failure to mention an increase in 197 is not a decisive argument. It is true that he mentioned the increase in 267, but no law was necessary for such an increase,¹¹¹ and it may have gone unnoticed by annalists who were interested in recording the names of all praetors and aediles but not of quaestors. The Sullan reforms tell us a little about this. Twenty quaestorships every year, with the quaestors exclusively and automatically entering the Senate, doubled the size of the Senate to 600. Few ex-quaestors were probably refused admittance in the immediately pre-Sullan period, and some who had not been elected quaestors were admitted,¹¹² so it is unlikely that there were many more than ten quaestorships every year. On balance, this is likely to have been the immediately pre-Sullan total.

Two measures concerning the quaestorship are known from this period. One is the *senatus consultum* said by Ulpian to have been passed 'Decimo Druso et Porcina consulibus', by which some of the quaestors 'solebant provincias sortiri' (those who did not were the *candidati principis*).¹¹³ The date meant is evidently 138 or 137.¹¹⁴ Since the assignment of quaestors normally seems to have been achieved by *sortitio* even before 138,¹¹⁵ it is hard to see what this *s.c.* was for. It cannot have specified exactly which ten (if ten was the number) *provinciae* were to be assigned every year,¹¹⁶ since there was and had to be some flexibility in determining which *provinciae* to assign and there was a new *senatus consultum* for this purpose every year;¹¹⁷ in any case Ulpian's text suggests that the *s.c.* of 138 and 137 remained valid even after Sulla. It may have been this *s.c.* that introduced the *provincia aquaria*, since the ambitious Aqua Marcia had recently been constructed, and Aemilius Lepidus Porcina, *cos.* 137, probably supported that project in 143.¹¹⁸ But more probably the *s.c.* only revised the procedure for *sortitio* in some way. The other measure of this period concerning the quaestorship is the Lex Titia once mentioned by Cicero: 'habuit hic lege Titia provinciam tacitam et quietam, tu . . . Ostiensem'.¹¹⁹ The province associated here with the Lex Titia seems to be the *aquaria*,¹²⁰ and it may have been the Lex Titia that established the province, though no law was necessary for this purpose. The earliest known historical Titius in senatorial office is Sex. Titius, *tr. pl.* 99, and he may have been the author of the law, as often suggested;¹²¹ in any case it is unlikely to be much earlier. Further speculation about these two measures is not worthwhile.

¹¹¹ A. Magdelain, *Recherches sur l' 'imperium', la loi curiate et les auspices d'investiture* (Paris 1968), 7–8.

¹¹² On these points cf. Wiseman, *op. cit.*, 95–100.

¹¹³ *Dig.* 1. 13. 1. 2.

¹¹⁴ Mommsen, *op. cit.* ii³. 532, n. 3. The erroneous imperial date put forward by Willems, *op. cit.*, ii. 600, n. 1, was repeated by L.A. Thompson, *PACA* 5 (1962), 18.

¹¹⁵ Liv. 30. 33. 2 ('cuius . . . eo anno quaestoris extra sortem ex senatus consulto opera utebatur') presumes this. On other appointments *extra sortem* cf. Thompson,

art. cit., 17–25.

¹¹⁶ As De Martino suggested, *op. cit.* ii. 209, n. 86.

¹¹⁷ Mommsen, *op. cit.* ii³. 532, n. 3.

¹¹⁸ Frontinus, *De aq.* 1. 7. This interpretation depends on the reading *collega*, for which see *MRR* i. 473, n. 1. See further A.E. Astin, *Scipio Aemilianus* (Oxford 1967), 109–10.

¹¹⁹ *Mur.* 18.

¹²⁰ *Schol. Bob.* p. 145St. quotes this passage in commenting on the reference to the *provincia aquaria* in *Vat.* 12.

¹²¹ Cf. Wesener, *art. cit.*, 810.

CONCLUSIONS

The new quaestorships of 267 numbered two, not four. The new quaestors were probably not *classici* in any sense, and it is unlikely that in 267 they were stationed in any of the Italian towns usually alleged, with the possible exception of Ostia. Their original functions cannot be determined with certainty, but the intention probably was that they should share some at least of the tasks of the *quaestores urbani*. Two more quaestorships were added to serve in Sicily and Sardinia, and then perhaps during the Hannibalic War the quaestorships of 267 were converted one to the *quaestura Ostiensis*, the other to the second Sicilian quaestorship. In 197 the total was probably raised to ten, a figure not exceeded until Sulla. At some point in the second century the occasional quaestorian *provinciae* of the *calles* and the *aquae* were devised.

The suggestion that the *quaestores classici* of 267 represented a tightening of Roman control in Italy retains some validity even though it was based on an incorrect view of the facts, since part of the task of the new quaestors was probably to collect Italian revenues. On the conventional view of the facts, it was also reasonable to suggest that the new quaestorships of 267 were a definite preparation for an aggressive war against Carthage, but this theory now loses most of its validity—though there may have been such preparations. A last general point is worthy of attention: as far as we can see the governmental needs of the expanding Roman state were met at this level and in this period with a considerable degree of flexibility.

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