

FOUR PRAETORS OF 44-43 B.C.

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THE PURPOSE OF THIS NOTE is to save from oblivion four praetorian revisions which were overlooked in the latest *Supplement to The Magistrates of the Roman Republic*.¹

For a long time the praetorian fasti for 44 were problematic. Fifteen praetors appear to be named by Cicero (*Phil.* 3.25-26) in his account of the allotment of praetorian provinces on 28 November 44, a list which does not include the urban and peregrine praetors, M. Brutus and C. Cassius, who had already left Italy. A difficulty arises since Dio twice states that there were sixteen praetors in 44 (43.49.1, 51.4). But the eleventh of the fifteen names left by Cicero, *M. Antonius*, is obviously wrong: Antony was consul in 44. The tenth man named is T. Annius. Mommsen realized that the structure of the passage requires that the name of Annius be followed by the name of his province, and emended *M. Antonius* to *M. Antoni vicinus*; Sumner expanded the emendation to read: *Annius Illyricum, M. Antoni vicinus*. Sumner recognized that the name *M. Antonius* can be replaced by another personal name only on the assumption that *M. Antonius* was written through dittography from the preceding name or from the following name, *C. Antonius*; in that case, as Sumner maintained, it would be better to replace *M. Antonius* with the name of the province.² On either solution offered by Sumner, Cicero lists only fourteen praetors in his account. Accordingly, there is no excess of attested praetors for 44, and no man mentioned in Cicero's list needs to be removed from the praetorian fasti.

The praetors of 44, along with all other republican magistrates, were entered in an "Index of Careers" by T. R. S. Broughton. Here a discrepancy arises: nine praetors of 44, unqueried *sub anno*, are indexed with a query against their office.³ The nine praetors concerned share one thing

¹T. R. S. Broughton, *The Magistrates of the Roman Republic* vols 1 and 2 (New York 1951-52), vol 3 (Atlanta 1986).

²Th. Mommsen, "Zur Geschichte der Caesarischen Zeit," *Hermes* 28 (1893) 599-618, at 600, n. 1; G. V. Sumner, "The Lex Annalis under Caesar," *Phoenix* 25 (1971) 246-271, at 265-267.

³I ignore M. Gallius, A. C. Clark's emendation for *M. Antonius*; he is listed with a query *sub anno*, but Broughton (*MRR* 3.98) has now followed Sumner and removed him from the list of praetors of 44, since his place must now be yielded to C. Calvisius Sabinus (*MRR* 3.48-49).

in common: their praetorships are attested only at Cic. *Phil.* 3.25–26. On this principle, a query should have been placed in the “Index” beside the name of M. Piso (*MRR* 2.541), since his praetorship is indicated only at *Phil.* 3.25. Broughton later accepted Sumner’s conclusion that Cicero listed the fourteen praetors present at the *sortitio provinciarum*, and proceeded to remove the queries he had placed against the praetors of 44. In *MRR* 3, queries are removed from seven of the nine; that the original queries against Q. Cassius and C. Cestius are not removed is obviously a mere oversight. Another praetor of 44 is left out of *MRR* 3: T. Annius Cimber. In the “Index” he is identified as “Pr. by 44,” since Cicero (*Phil.* 13.26) described him as a *praetorius* in 43 (*MRR* 2.319, 530). But since he received a province in the allotment made by Antony (*Phil.* 3.26), we may delete the word “by” and deem him “Pr. 44.”⁴

On to the praetorships of L. Cestius and C. Norbanus Flaccus. Their gold aurei were dated to 44 or 43, but Broughton entered them (in the case of L. Cestius, with a query) among the praetors of 43 “as the list of praetors for 44 is so completely known” (*MRR* 2.544, 595).⁵ In the latest *Supplement* L. Cestius is again identified as “Praetor 44 or 43,” though C. Norbanus is identified as “Pr. 43” (*MRR* 3.53, 150).⁶ When the service of C. Cestius and Q. Cassius in the college of 44 was still regarded as doubtful, and the year 44 still seen as only a *terminus post quem non* for the praetorship of T. Annius, there was room in the praetorian college of 44 for L. Cestius and C. Norbanus. But since now all sixteen vacancies of 44 are filled with praetors attested in the literary sources, the praetorships of L. Cestius and C. Norbanus should be dated to 43.

To restate the revisions: Q. Cassius, C. Cestius, and T. Annius Cimber may be regarded with certainty as praetors of 44; L. Cestius should be regarded as a praetor of 43. We may round off this discussion by taking notice of a man who was certainly not praetor in 44. In his entry on C. Toranius, aedile ca 64, Broughton wrote: “Nor is it probable that the Toranius to whom Cicero sent a letter of encouragement in 45 (*Fam.* 6.20 and 6.21) received a praetorship in 44” (*MRR* 3.207). We can see that Broughton was unmindful of the work of Sumner in this entry, and replace “probable” with “possible” (accepting Broughton’s view that C. Toranius,

⁴This correction was actually made by Broughton in his original *Supplement to The Magistrates of the Roman Republic* (New York 1960) 5.

⁵Broughton’s preference for 43 in dating the praetorship (and therefore the coinage) won the assent of A. Alföldi, “Der Einmarsch Octavians in Rom, August 43 v. Chr.,” *Hermes* 86 (1958) 478–502, at 481, and of M. H. Crawford, *Roman Republican Coinage* (Cambridge 1975) 1.95, 500–501.

⁶In the original *Supplement* ([above, n. 4] 15, 43), Broughton identified both men as praetors of 43.

aed. ca 64, and Toranius, Cicero's correspondent, are not to be identified with C. Turranius, pr. 44. The letters to Toranius in any event do not attest a candidacy.)

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