

TWO MORE ROMAN NON-ENTITIES

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(I) A NON-GOVERNOR OF TWO PROVINCES

IT WAS, AS FAR AS I CAN FIND OUT, W. Drumann, nearly 140 years ago, who invented a Sicilian governorship, supposedly held after his praetorship (95 B.C.), for C. Claudius Pulcher, *cos.* 92. Groebe, who in the second edition corrected the date of the praetorship, did nothing to change or even annotate this; and there it still stands.¹ For a long time this did no harm. Klein, collecting provincial governors of Sicily as then known,² took no notice, a generation after Drumann; nor, nearer our own day, did Münzer³ or Broughton.⁴ It could be hoped that Drumann's strange fancy was forgotten, beyond any need for official obsequies.

Unfortunately a non-entity is not so easily disposed of. What appears in a standard work cannot be buried in silence; indeed, even explicit disproof will only rarely suffice: however carefully laid to rest, the corpse is likely to be disinterred by a well-intentioned searcher. It is in this way that the matter of C. Claudius' province has now again been raised. What is more, another ghost was at once added: government of a non-province after his consulship on top of government of a real province after the praetorship. That powerful man, unfortunately merely a dim figure to us, seems now to be acquiring, by gradual accretion, a fictitious biography, with not a scrap of evidence for it in the sources. Perhaps it is not too late to stop the process.

In 1957 a stone was found at Cyrene, which the skilful labours of Lidio Gasperini in due course restored as a dedication (in local Doric) on the base of what must have been a statue erected to honour C. Claudius Pulcher, *cos.* 92, as patron of the city.⁵ The publication is in most respects a model of its kind, with full archaeological, epigraphic, and historical commentary, and the importance of the find fully brought out. There can be no real doubt of the identification, nor is there much to be faulted in the editor's suggestions regarding the rewriting of Cyrenaean history after the will of Ptolemy Apion, which is made

¹Drumann-Groebe, *Geschichte Roms*² 2 (Leipzig 1902) 157, no. 28 (first edition 1834).

²J. Klein, *Die Verwaltungsbeamten der Provinzen des röm. Reichs* 1.1 (Bonn 1878).

³RE 3, s.v. "Claudius" (302) col. 2856.

⁴MRR 2 (1952); *Supplement* (1960)—no mention in either.

⁵L. Gasperini, "Due nuovi apporti epigrafici alla storia di Cirene romana," *QAL* 5 (1967) 53 f. The Greek text actually calls him "Clodius"; but that is not to be followed in view of *Inscr. It.* 13.3. 70b.

possible and indeed necessary by the new document.⁶ Unfortunately, his thorough researches into the relevant modern literature led the editor (understandably) to Drumann-Groebe, where, trying to reconstruct the career of the consul, he picked up the Sicilian governorship and incorporated it (with a proper reference to his source) in his summary of Claudius' *cursus*.⁷ He failed to consider that the silence of all later works made that item highly suspect, and so he did not follow it to its pretended ancient source.

That by itself might still have been harmless. The summary in *L'Année philologique* did not mention the detail, and it might once more have been simply forgotten. But it was not to be. *L'Année épigraphique* duly noted the publication, and not only transcribed Gasperini's suggested *cursus*, but went on to "improve" it by further embroidery.⁸ Gasperini, knowing the attested fact that there was no province of Cyrene before 75/4,⁹ very properly assigned the inscription to the year of Claudius' consulship or a little later.¹⁰ The supposed summary revises: "La nouvelle inscription indique qu'il gouvernait peu de temps après cette date [92] la nouvelle province de Cyrénaïque."

The entry must be faulted on various grounds. First, it is either a serious (indeed, inexplicable) error in summarising Gasperini's article, or a private flight of fancy by the "epitomator." It is hard to say which is the graver alternative. If the former is the case, is there anything in that journal that we can henceforth accept as a correct report of a publication, when misinterpretation has turned an important article into nonsense? But if it is the latter, we must surely take issue with a policy that allows contributors, while appearing to summarise, such latitude in developing their own ideas without warning—even where those ideas happen to be sound. It ought to be made quite clear what is summary and what correction or further conjecture. We must hope that a positive statement from the editors will restore our faith.

But whatever the answer to our first question, matters are not improved by the fact that the further elaboration—whether summarising error or personal invention—is quite unacceptable. For one thing, as already indicated, no province of Cyrene existed before 75/4. Sallust may not be a perfect historian, but we must at least have very positive evidence before presuming to correct him on such a point; and the new

⁶See my brief comment, *Roman Imperialism in the Late Republic*² (Oxford 1968) 99 f.

⁷*Op. cit.* (above, n. 5) 55.

⁸*APh* 39, 1968 (1970) 516; *AEpigr* 1967 (1969) no. 532.

⁹Explicitly stated by Sallust *Hist.* 2. 43M. It is not certain that the province was regularly administered even after that date (see *JRS* 55 [1965] 110 f.).

¹⁰*Op. cit.* (above, n. 5) 57. He points out that we have no information on the time of C. Claudius' death, but finally agrees with Münzer and other scholars in conjecturally putting it at the time of the Social War.

inscription gives us no such evidence. It does not refer to a governor. It honours C. Claudius as *στραταγὸν ὑπατον Ῥωμαίων*—a term that cannot be shown to have ever been used for a proconsul.¹¹ Hence, if anything follows from the phrase on our stone, it is that C. Claudius was *not* governor of Cyrene—at least, not at the time when the stone was set up. Anyone can, of course, invent a *later* governorship; but that would mean contradicting Sallust without any support in this inscription or elsewhere. It is preferable to return to Gasperini, and common sense.

So much for Cyrene. It is well known that there is no need to assume a governorship in order to explain a relation of patronage between a Roman aristocrat and a provincial community. It may arise in a number of different ways, e.g. by inheritance, or simply out of a service performed.¹² In the case of C. Claudius and Cyrene, it is surely the latter. And this brings us to Sicily, where Gasperini accepts and perpetuates an error similar to the one he avoided in the case of Cyrene.

Drumann gave only a single reference for the supposed Sicilian governorship: Cicero *Verr.* 2.4.6, which shows C. Claudius as patron of Messana and *hospes* of the important local family of the Heii. Drumann claimed, without argument, that these relations were established during the presumed governorship of 94; and Gasperini takes this over. However, this is no more necessary than we found it to be in the case of Cyrene. In fact, in his praetorship (95 B.C.) we find C. Claudius appointed by the Senate to give new laws to the city of Halaesa.¹³ It is a safe guess that he was chosen for this task precisely because he was one of the most influential patrons of Sicily.¹⁴ In fact, the Patrician Claudii had earlier had a record of service in Sicily. Ap. Claudius Caudex had been the first consul to set foot on the island (in 264 B.C.).¹⁵ And although, according to Münzer's reconstruction of the stemma, the *cos.* 92 was not a direct descendant of Caudex, Münzer himself suggests that the patronate (over Messana, at any rate) may be derived from that original connection.¹⁶ There were, in any case, links among the consul's presumed ancestors.

¹¹On this term, see Holleaux's exhaustive treatment in his book entitled *Στρατηγὸς ὑπατος* (Paris 1918). He believes that originally the term could be thus used. But the only possible example of it is the letter of T. Quinctius Flamininus to Chyretiae (see now R. K. Sherck, *Roman Documents from the Greek East* [Baltimore 1969] no. 33), the date of which is in fact quite uncertain. In any case, even Holleaux admits this possibility only for the very beginning of the record (*op. cit.* 1 f.). There is no question of such a usage in the first century.

¹²See my *Foreign Clientelae* (Oxford 1958) ch. 7.

¹³Cic. *Verr.* 2.2.122.

¹⁴See *Foreign Clientelae* 296, note O.

¹⁵See Münzer, *RE* 3 s.v. "Claudius" (102) cols. 2692–2694.

¹⁶*RE loc. cit.*, *ad fin.*, with reference to Messana.

P. Claudius Pulcher—the man who drowned the sacred chickens—had had a Sicilian command in 249, and his son Appius, *cos.* 212, had fought in Sicily for three years before gaining his consulship.¹⁷ This is quite enough to explain a patronate over Sicily.

In fact, it will *have* to be enough. For to those who carefully examine the text cited by Drumann in support of the supposed governorship, Cicero makes it quite clear that no such office can be assumed as, at any rate, the basis of the relationships he there specifies—the patronate over Messana and *hospitium* with the Heii. The text (*Verr.* 2.4.6) must be quoted:

C. Claudius, cuius aedilitatem magnificentissimam scimus fuisse, usus est hoc Cupidine [an Eros by Praxiteles belonging to C. Heius] tam diu dum forum dis immortalibus populoque Romano habuit ornatum; et cum hospes esset Heiorum, Mamertini autem populi patronus, ut illis benignis usus est ad commodandum, sic ipse diligens fuit ad reportandum.

C. Claudius—whom Cicero goes on to contrast with more recent examples of “borrowing”—in fact borrowed the statue for his aedileship (ca. 99 B.C.), and was *at that time* patron of Messana and *hospes* of the Heii. He returned it, at the latest, straight after his aedileship. It is difficult to see how anyone could have drawn from this passage the conclusion that C. Claudius became patron of Messana through a Sicilian command held five years later, after his praetorship. No wonder no one took any notice of Drumann’s error for so long, or even bothered to refute it.

Regretfully, we must resign ourselves to a long gap in the list of Sicilian governors in the nineties. L. Domitius Ahenobarbus was there (probably) not later than 96: we have no idea when he came, and he may have left even before that date.¹⁸ What appears to be a L. Sempronius Asellio was there at some time in or soon after 94 at the earliest: perhaps 93–92, as the immediate predecessor of C. Norbanus.¹⁹ For the present, we cannot fill the gap.

It also follows, of course, that the *cura uiis sternundis*, known from Claudius’ *elogium* to have followed his praetorship and preceded his consulship, may have been in either 94 or 93 (or even both years) and cannot be firmly anchored in 93, as Drumann’s view implies. In view of that office, it is perhaps rather unlikely that Claudius went to any province after his praetorship.

¹⁷*RE* 3, s.v. “Claudius” (304) cols. 2857–2858 and (293) cols. 2846–2847.

¹⁸See *MRR* 2. 7–8.

¹⁹See *PACA* 11 (1968) 2. His tenure is misdated in *MRR* (2. 9 and 10, n. 3), as a consequence of the misdating of Scaevola’s Asian governorship (*ibid.* 5, nn. 2 and 7), which must precede Asellio’s term in Sicily. On the true date of Scaevola in Asia, see *Athenaeum* n.s. 34 (1956) 104–123.

(II) A NON-NONIUS

THE FAMILY of the Nonii Asprenates, almost certainly from Picenum, attains prominence with a Caesarian commander in the Civil War, who gains the consulship under the Triumvirate and founds a line eminent for a century and a half under the Empire, intermingling with noble stocks and outlasting most of them.²⁰ As Cichorius established, a L. Nonius T.f. Vel., who appears (together with an elder brother) on Cn. Pompeius Strabo's *consilium* in 89 B.C., must be the father of the Caesarian. His age, at the time, can be calculated as being well below thirty, and his eldest son was clearly born too late to hold senior office or a command of real responsibility before the Civil War.²¹ In that War, we hear of him in Africa and Spain; but in a way that makes it clear that he had been a senator, and a man of some military experience, before. For in 46, in the African campaign, we find him described as *pro consule* and left in charge of Caesar's camp with two legions—quite apart from the title, no task for a novice.²²

In 44 B.C., soon after Caesar's death, a tribune Asprenas is mentioned. He tries to prevent the assignment of Syria to Dolabella by announcing evil omens to the presiding consul Antony—relying (we are told) on the latter's known hostility to Dolabella to make him glad of the report. But Antony had decided to support Dolabella's ambitions, therefore took no notice and proceeded with the vote.²³ Sternkopf and Münzer doubted the whole episode; but Münzer concluded that the tribune must nevertheless be accepted, and that his identification with the Caesarian commander is "impossible," as the latter, attested as proconsul, must have been a praetorian and therefore could not now serve as tribune.²⁴ He suggests a brother or cousin.

²⁰See Syme, *RR* 500; and the stemma *RE* 17.1, s.v. "Nonius" (16) col. 870.

²¹Cichorius was the first to elucidate the stemma of this family (*RS* 170). The tribe Velina, found both as that of the Nonii before Asculum and as that of the Asprenates, is the link, and all but establishes Picene origin. As to the age of these Nonii before Asculum, they are both near the end of the list (numbers 40 and 41 out of fifty-three men) and surrounded by men not yet, as far as we can check, of senatorial age or status. Indeed, Pompey (no. 30) was at that time only seventeen, Catiline (no. 46, according to Cichorius' brilliant identification) about nineteen. (The men are clearly not in strict order of age.) The Nonii will therefore be quite young men, though not necessarily still in their teens. We cannot be sure of the age of L. Nonius Asprenas (probably a son of the younger of these brothers, as Cichorius showed) in view of the irregularities and contraventions of the traditional *leges annales* that were common by the time he rose to office. Discussion of this list seems to call for a re-evaluation of no. 38, Q. Marcius L.f. Pap., for which see Appendix.

²²[Caes.] *BAfr.* 80.4; cf. *BHisp.* 10.2.

²³App. *BCiv.* 3.7. The legal issue is not relevant here.

²⁴*RE* 17.1, s.v. "Nonius" (13) col. 865 (citing Sternkopf). Registered *MRR* 2. 325.

There is, in fact, no good reason to doubt the story of the *comitia* and the omens. But the tribune himself is a shadowy character. No earlier or later action of his is recorded, and he leaves no descendants: the eminent Asprenates of the early Empire can all be traced back to the Caesarian. It is not, of course, *impossible* to accept him as different from that commander: our evidence, even for the age of Cicero and the Triumvirs, is not good enough to deny the existence and activities of persons of whom we do not hear. But since the only positive argument for his separate existence is the "impossibility" of assigning the role he plays to the well-known L. Asprenas, that argument must be scrutinized and, if his existence is to have any solid basis at all, must be proven to be sound. The approach will have to be circuitous.

L. Asprenas, on the strength of his "proconsular" status in 46, was duly assigned a praetorship before that year in *MRR*. In the *Supplement*, however, the Editor withdrew the attribution, since it had been pointed out to him that an inscription from Valentia in Gaul honoured the man as propraeor and patron of the colony.²⁵ He does not discuss (and perhaps it was not his business to) the attribution of the inscription to this man, nor its date. Both have, in fact, been contested. Several scholars have opted for a later date and attribution to his son or even grandson.²⁶ It should, however, be firmly stated, despite this distinguished *auctoritas*, that an Augustan date must be rejected: the title *pro praetore* (without *legatus*) settles the matter.

When was Valentia founded? The consensus is to admit, at the earliest, a Caesarian foundation (with either Latin or Roman rights), i.e., with Ti. Claudius Nero as actual founder, during his colonising commission in Gaul that cannot be earlier than late 46.²⁷ The difficulty always noted is, however, that the colony does not carry the name "Julia"—which makes Caesarian foundation practically inconceivable. There is, it should be recalled, another inscription, in which the colonists of Valentia honour L. Afranius.²⁸ This has usually, without argument, been ascribed

²⁵*MRR* 2. 287, also referring to the *SC de Panamareis*, which does provide a *terminus ante quem*: see n. 32. Cf. *Supplement* 43, regarding the date of the praetorship as "uncertain."

²⁶See, e.g., *RE* 7A.2, s.v. "Valentia" (5) col. 2154 (with references), denying "weight" to the attribution of the inscription to the Caesarian; Degraasi, *ILLRP*, ad 432 (the inscription concerned), reporting (without decision) opinions referring the inscription to the *cos.* 36, to his son, and to his grandson. (In a supplementary note to the second edition, p. 330, he firmly opts for the *cos.* 36.)

²⁷Suet. *Tib.* 4.1; cf. *MRR* 2. 300.

²⁸Piganiol has now shown that Valentia was founded before, at any rate, 35 B.C., which cuts through much confused argument (see *Les Documents cadastraux de la colonie romaine d'Orange* [Paris 1962] 31 f.), and seems to strengthen the case for pre-Caesarian origin. The Afranius inscription (*ILLRP* 385), found at Cupra Maritima, contains no clue as to the site of the *colonia Valentia* concerned. It does not mention

to Valentia in Spain. But I have pointed out that there is reason to believe the colony may have been founded after the Allobrogan revolt in the late sixties. I suggested that Afranius' connection with it might be due to a proconsulate in Transalpina after his consulship; this will not work, as it is clear that there is no room for him in the *fasti* for that province; his command should be put in Cisalpina.²⁹ But the honour could still be due to his being concerned in the foundation of that colony, perhaps as consul (60 B.C.), or else as *triumvir* a little earlier. The inscription of Asprenas points in the same direction, as far as the foundation date is concerned. For after the settlement of the colonies by Ti. Claudius there would be no opportunity for a propraetorship by Asprenas in Gaul. In 45 he served in Spain, after bringing cavalry from Italy—i.e., he had not been just stationed in Gaul;³⁰ and quite early in 45 A. Hirtius is attested as governor there, to be succeeded in 44 by M. Lepidus.³¹ After this, down to 37, there is no room for a propraetor in Gaul. Moreover, for some time during that period he would be of praetorian standing and might be expected to have consular *imperium* as governor.³² It follows that the inscription to Asprenas must have been set up before Caesar's colonies were founded.

If we follow this argument and accept a foundation ca. 60, difficulties are lessened. The time between Caesar's departure from Gaul in 49 and the foundation of the Gallic colonies, not before 46, becomes available. Moreover, it becomes easier to understand how L. Asprenas was trusted with an important and high-ranking command in 46: he must have served somewhere before, with a lesser *imperium*—as Caesar's governor in Gaul. In view of the irregularities of the Caesarian period, this need not presuppose a praetorship; though he *may* have held it. However, the time of his appointment can be worked out. After Caesar's departure for Italy we do not, in fact, hear of a commander in Transalpine Gaul. It is only late in 49, in his brief dictatorship at the end of

incolae, as the Asprenas inscription does; but that is not decisive against identity: they may not have been thought worth including, or indeed the dedication, which must in any case precede the Civil War, may be anterior to their inclusion in the colony.

²⁹See my *Foreign Clientelae* 311; but cf. *Mél. A. Piganiol* (Paris 1966) 912 f.

³⁰[Caes.] *BHisp.* 10.2: *quod equites ex Italia cum Asprenate ad Caesarem uenissent*.

³¹See *MRR* 2. 309; 326.

³²The *SC de Panamareis* (Sherk, *op. cit.* [above, n. 11] 27, with prosopographical discussion, 162) provides a *terminus ante quem*: it is firmly dated to 39, and Asprenas is the last of the identifiable praetorians (though P. Attius, immediately after, may be of that rank). Two places after Attius, we find M. Servilius C.f., perhaps worth mentioning as another of the tribunes of 44. (See Münzer, *RE* 2A.2, s.v. "Servilius" (21) col. 1766, securely identifying him.) There is no mention of the witness in *MRR*. He should be added in the Appendix of unspecified senators and in the Index. Asprenas' praetorship cannot be later than 40. The arrangements in Transalpine Gaul during the Triumviral period can be followed in *MRR*.

the year, that he appointed D. Iunius Brutus Albinus to that position.³³ Before this time—and only then—the province can and must have been under L. Asprenas, who showed himself trustworthy in that post of responsibility. With the recognition of the facts about Valentia, the puzzle finds an easy solution.

It does not follow that, either before or soon after, L. Asprenas held a praetorship. It is known that Caesar arbitrarily and unconstitutionally distributed army ranks and commands as he saw fit. The case of C. Curio should be borne in mind. Cicero thought his status ambiguous: it was not clear whether he was a legate of Caesar or had been given *imperium* by the Senate, with praetorian rank.³⁴ Against confusion in later sources, Caesar himself makes it clear that he held his rank from the Senate. Curio, however, replied to Cicero with a sardonic jest: Cicero had questioned the precise nature of his six *fascēs*, and had asked how he came to have six, with laurels. "Because I did not want twelve," said Curio.³⁵ A joke, obviously; but there is reason to think that it had a basis of truth: the Senate would have been quite willing to give consular *imperium*, as it had given praetorian. Indeed, we cannot be sure that, for his major operation in Africa, Curio's *imperium* was not raised.

There is one man, among Caesar's commanders, on whom we happen to have relevant evidence. L. Cassius Longinus is attested by an inscription as proconsul in Greece in 48,³⁶ although leading a much smaller force than Curio's. Curio's joke is shown to have substance. Clearly, such things were possible. No previous office is attested for Longinus, except perhaps a moneyership, before the Civil War.³⁷ He will have been

³³On the irregularities in provincial commands of the period, see *MRR* 2. 369, n. 1, referring to the Triumviral period, but noting some Caesarian precedents. Others can be added: see below, particularly on the possible confusion between legates and promagistrates. D. Brutus Albinus' appointment: *MRR* 2. 281; cf. 272. (Appian refers the appointment to the period of the dictatorship.) It was clearly, like the consular elections, for 48, and the men concerned should be listed as promagistrates and not as legates. D. Brutus Albinus had been a legate in the Massilian campaign (*MRR* 2. 267), apparently in charge of the navy: no sign of a provincial command.

³⁴*Cic. Att.* 10.4.9 (with Shackleton Bailey's note, vol. 4, p. 404).

³⁵*Cic. loc. cit.* Shackleton Bailey slightly misunderstands the point of Curio's remark, which he regards as pure flippancy. It is true that "no *legatus* could be *pro consule*" (though see *MRR* 2. 369, n. 1, for a useful warning); but the point is that Curio seems to have held his command from the Senate, as Caesar appears to make clear, *BCiv.* 1.30.2: *mittit in Sardiniam cum legione una Valerium legatum, in Siciliam Curionem pro praetore cum legionibus duabus* [or *tribus*]. Taken together with Cicero's doubt as to Curio's authority, this must be regarded as defining it by contrast.

³⁶*ILLRP* 400: *rupi incisum in monte Ossa*. (For his forces, Caes. *BCiv.* 3.34 f.)

³⁷Sydenham, *CRR* nos. 935–936: ca. 52–50 B.C. Cf. M. H. Crawford, *Roman Republican Coin Hoards* (London 1968) table 13: ca. 60 B.C. From our point of view it makes little difference. Professor Sumner points out to me that the moneyer may well be C. Cassius, the later tyrannicide.

quaestor, most probably, before being sent to Greece, but cannot have been praetor. And in 44 we find him holding a tribunate of the plebs.³⁸

In this office, of course, he was a colleague of the Nonius Asprenas with whom we started. The proof is complete. L. Nonius Asprenas, proconsul (at the bidding of an obedient Senate) in Africa in 46, need not have been praetor before. There is no reason to doubt, however, that in any case he will have been the tribune of 44, together with L. Cassius Longinus, who had also been a "proconsul" in the Civil War, and who at that time, demonstrably, had not been a praetorian. The supposed tribune Nonius Asprenas, as a character distinct from the Caesarian commander, should be excised as another non-entity.

APPENDIX

Q. Marcius L.f. Pap.

THIS MAN (no. 36 in the list of witnesses in the Asculum decree) was identified by Cichorius (*RSt* 168 f.) as a Philippus, on the plausible ground that the two *praenomina* Q. and L. do not both occur in any other family of the senatorial Marcii. Cichorius further identified this man as Cicero's friend Q. Philippus, addressed in *Fam.* 13. 73 and 74, noting that Cicero refers to their *uetus necessitudo*, which might well go back to joint service under Cn. Pompeius Strabo. He thought the man proconsul of Asia ca. 55, after a praetorship, noting that the interval between his service at Asculum and a praetorship ca. 56 was not excessive; and he regarded him as the (younger?) brother of L. Philippus, *cos.* 56. Yet L. Philippus was praetor (apparently) in 62 (*MRR* 2. 173, 180) and was therefore born not long (if at all) before 102; while a man on military service in 89 must have been born not later than 107 and perhaps earlier; which would make him over fifty when he became praetor. However, the whole construction was demolished by Syme's proof (*Buckler Studies* [Manchester 1939] 306-318) that Cicero's friend was in fact a governor of Cilicia in 47-46, hence praetor (if at all) presumably in 48 (thus *MRR* 2.273; but see below). The governor cannot be identical with the young man at Asculum.

One could argue that that young man is not a Philippus at all, but belongs to another *stirps*: the Censorini, the Crispi, the Figuli, and the Reges are all attested in the late Republic, and it might be any of them. This argument is (strictly) irrefutable, since it is not based on any evidence: there is still (as there was in Cichorius' day) no other *stirps* of the Marcii known to have combined the two *praenomina*, and anyone suggesting another *stirps* can only use the argument from our ignorance.

³⁸*MRR* 2.324; the office is more securely attested than that of Asprenas.

If this is accepted (and our information is admittedly patchy), we should probably exclude the Reges, who may belong to another tribe: witness the strange inscription of Q. Marcius P.f. Ser. Rex (*CIL* 1² 2172); though we cannot regard it as *certain* that this man belongs to the senatorial family, any more than the *quattuoruir* Q. Marcius Q.f. Ter. Rex (*CIL* 10.5344). (If we could be certain that the inscription belongs to the Republican period, we could be fairly sure of his belonging to the senatorial family; but since the stone is lost, we cannot check its date. However, the *praenomina* Q. and P. would fit, and on the whole we should provisionally accept this man as a senatorial Marcius Rex.)

Q. Marcius Crispus, Caesar's commander (*RE* 14.2, *s.v.* [52] cols. 1555–1556), is the only Marcius we know who bears that *cognomen*; we should not invent it for a whole *stirps*. As for the Censorini, we have five whose *praenomen* is certain, and there is not a Q. among them; they should not be alleged here. This leaves the Figuli, where again we have five securely attested, with no Q. among them, except for the grandfather of the first man to bear the name (*RE* 14.2, *s.v.* [61] cols. 1557–1559: *cos.* 162); that Q. Marcius can, however, reasonably be identified with Q. Philippus, *cos.* 281 (*RE* 14.2, *s.v.* [78] cols. 1572–1573: thus Münzer).

Attestation for all these *stirpes* is not ample; but if Crispus is excluded (as probably not having founded a family), it seems adequate to make the hypothesis of a combination of Q. and L. in any of the three remaining families (one of which, the Reges, should probably be excluded on other grounds) rather hazardous. It is surely preferable to return to Cichorius and the Philippi.

If L. Philippus, *cos.* 56, was born ca. 102 (see above), then Q. Philippus at Asculum must be his *elder* brother, born in or before 106. This seems a reasonable assumption: it is known that the eldest surviving son did not always bear his father's *praenomen*—a phenomenon probably due to the death of a first-born son, who had originally borne it; that name might then be re-used for a third (second surviving) son. These men, both L.f., will be brothers, as Cichorius saw. A new attachment needs to be found for the governor of Cilicia. It should be suggested that he might be a *son* of the man at Asculum: Cichorius was merely a generation out. If he was indeed praetor in 48, this would put his date of birth ca. 88, which is not impossible (after all, the man at Asculum may have been older than in his teens at the time). However, we must consider the strong possibility that the governor of Cilicia may not have been praetor before he held that office: as we have seen (above, 141), Caesar did not think it necessary to confine praetorian and even consular commands to men who had in fact been praetors; and a complaisant Senate was willing to vote as directed. What happened in the cases of

C. Curio and of L. Asprenas may perfectly well have happened in that of Q. Philippus, who may well have been only in his early thirties at the time. The hypothesis that he is the son of the man at Asculum seems, at present, to be the neatest, and the only one that cannot be faulted on the evidence we have. From the nature of the case, it is subject to demolition by future finds.

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