

XXI 1 D 5^a / 27H

FRONTINUS
THE STRATAGEMS
AND
THE AQUEDUCTS OF ROME

WITH AN ENGLISH TRANSLATION BY
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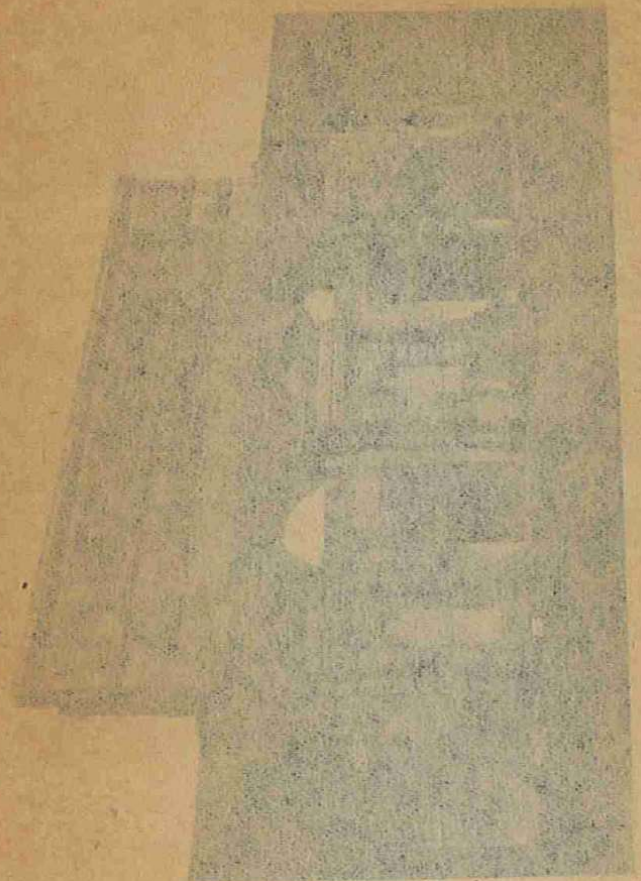
THE TRANSLATION OF THE AQUEDUCTS BEING A
REVISION OF THAT OF
CLEMENS HERSCHEL

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97. Quanto opere autem curae fuerit ne quis violare ductus aquamve non concessam derivare auderet, cum ex multis apparere potest, tum et ex hoc quod Circus Maximus ne diebus quidem ludorum circensium nisi aedilium aut censorum permissu inrigabatur, quod durasse etiam postquam res ad curatores transiit sub Augusto, apud Ateium Capitonem legimus. Agri vero, qui aqua publica contra legem essent inrigati, publicabantur. Mancipi etiam si clam¹ eo quem adversus legem fecisset, multa dicebatur. In eisdem legibus adiectum est ita: "Ne quis aquam oletato dolo malo, ubi publice saliet. Si quis oletarit, sestertiorum decem milium multa esto." Cuius rei causa aediles curules iubebantur per vicus singulos ex eis qui in unoquoque vico habitarent praediave haberent binos praeficere, quorum arbitrato aqua in publico saliret.

98. Primus M. Agrippa post aedilitatem, quam gessit consularis, operum suorum et munerum velut perpetuus curator fuit. Qui iam copia permittente discripsit, quid aquarum publicis operibus, quid lacibus, quid privatis daretur. Habuit et familiam

¹ B; cum C. *legendum mancipium vel tale quid B.*

¹ An eminent Roman jurist under Augustus and Tiberius.

² The meaning of this sentence is clear, though not its construction.

³ A very large sum for those days, approximately £85.

⁴ The aedileship usually preceded the consulship by six years. In 33 B.C. Octavian was anxious that the people should be amused by shows and buildings of more than usual splendour, and Agrippa, in his loyalty to the Triumvir, descended from the rank which he had attained as a consular to serve in the inferior office of aedile.

How much care was taken that no one should venture to injure the conduits, or draw water that had not been granted, may be seen not only from many other things, but especially from the fact that the Circus Maximus could not be watered, even on the days of the Circensian Games, except with permission of the aediles or censors, a regulation which, as we read in the writings of Ateius Capito,¹ was still in force even after the care of the waters had passed, under Augustus, to commissioners. Indeed, lands which had been irrigated unlawfully from the public supply were confiscated. Whenever a slave infringed the law, even without the knowledge of his master, a fine was imposed.² By the same laws it is also enacted as follows: "No one shall with malice pollute the waters where they issue publicly. Should any one pollute them, his fine shall be ten thousand sestertii."³ Therefore the order was given to the Curule Aediles to appoint two men in each district from the number of those who lived in it, or owned property in it, in whose care the public fountains should be placed.

Marcus Agrippa, after his aedileship (which he held after his consulship)⁴ was the first man to become the permanent incumbent⁵ of this office, so to speak—a commissioner charged with the supervision of works which he himself had created. Inasmuch as the amount of water now available warranted it, he determined how much should be allotted to the public structures, how much to the basins, and how much to private parties. He also

⁵ Under the Republic, these special offices had been of a temporary nature; now Agrippa, and certain others following him, held this office for life.

propriam aquarum, quae tueretur ductus atque castella et lacus. Hanc Augustus hereditate ab eo sibi relictam publicavit.

99. Post eum Q. Aelio Tuberone Paulo Fabio Maximo cos. cum res usque in id tempus quasi potestate acta certo iure eguisset, senatus consulta facta sunt ac lex promulgata. Augustus quoque edicto complexus est, quo iure uterentur qui ex commentariis Agrippae aquas haberent, tota re in sua beneficia translata. Modulos etiam, de quibus dictum est, constituit et rei continendae exercendaeque curatorem fecit Messalam Corvinum, cui adiutores dati Postumius Sulpicius praetorius et Lucius Cominius pedarius. Insignia eis quasi magistratibus concessa, deque eorum officio senatus consultum factum, quod infra scriptum est.

100. "Quod Q. Aelius Tubero Paulus Fabius Maximus cos. V. F.¹ de eis qui curatores aquarum publicarum ex consensu senatus a Caesare Augusto nominati essent ornandis,² D. E. R. Q. F. P. D. E. R. I. C.³ placere huic ordini, eos qui aquis publicis praeessent, cum eius rei causa extra urbem essent, lictores binos et servos publicos ternos, architectos

¹ *i. e.* verba fecerunt.

² *Bergk*; ordinandis *CB*.

³ *i. e.* de ea re quid facere placeret, de ea re ita censuerunt.

¹ In 11 B.C.

² *Cf.* 23.

³ The *senatores pedarii* did not enjoy full senatorial rights.

kept his own private gang of slaves for the maintenance of the aqueducts and reservoirs and basins. This gang was given to the State as its property by Augustus, who had received it in inheritance from Agrippa.

Following him, under the consulate of Quintus Aelius Tubero and Paulus Fabius Maximus,¹ resolutions of the Senate were passed and a law was promulgated in these matters, which until that time had been managed at the option of officials, and had lacked definite control. Augustus also determined by an edict what rights those should possess who were enjoying the use of water according to Agrippa's records, thus making the entire supply dependent upon his own grants. The *ajutages*, also, of which I have spoken above,² were established by him; and for the maintenance and operation of the whole system he named Messala Corvinus commissioner, and gave him as assistants Postumius Sulpicius, ex-praetor, and Lucius Cominius, a junior³ senator. They were allowed to wear regalia as though magistrates; and concerning their duties a resolution of the Senate was passed, which is here given:—

"The consuls, Quintus Aelius Tubero and Paulus Fabius Maximus, having made a report relating to the duties and privileges of the water-commissioners appointed with the approval of the Senate by Caesar Augustus, and inquiring of the Senate what it would please to order upon the subject, it has been **RESOLVED** that it is the sense of this body: That those who have the care of the administration of the public waters, when they go outside the City in the discharge of their duties, shall have two lictors, three public servants, and an architect for